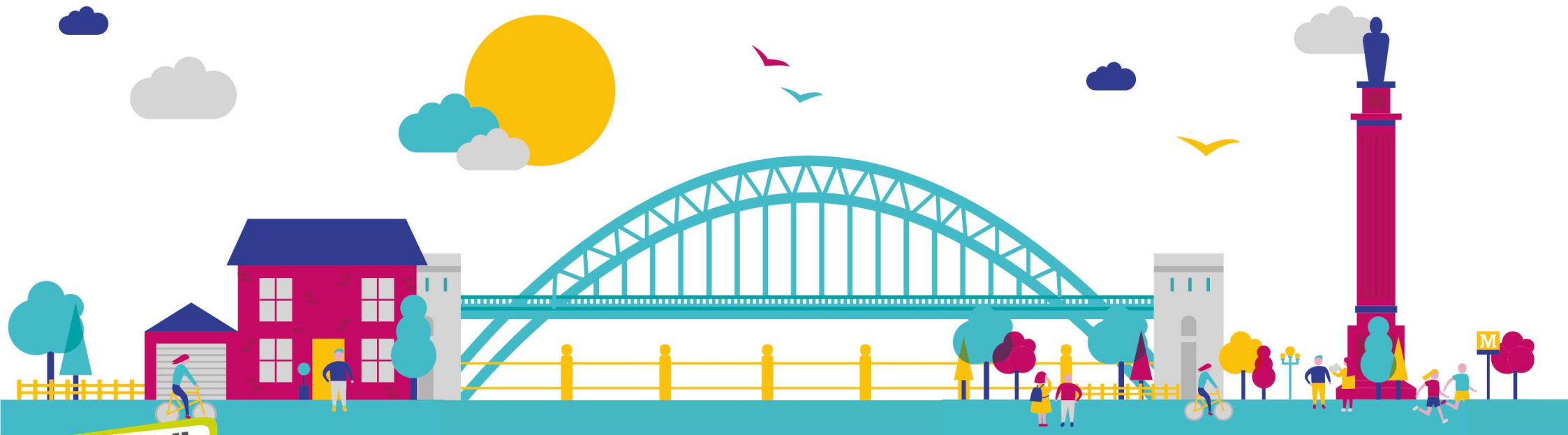


# Children's Social Care Annual Complaints Report

2023 - 2024



let's talk  
Newcastle

Newcastle  
City Council

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## 1. Purpose and Introduction

This is the Complaints Manager's annual report for Children's Social Care. It is a statutory requirement to prepare an annual report for each year about the complaint's activity within Children's Social Care. The aim on the report is to provide information about:

- Advocacy services provided under these arrangements
- Representations made to the Local Authority
- The number of complaints at each stage
- Which customer groups made the complaints
- Statistical data about complainants
- The types of complaints made
- The outcome of the complaints
- Compliance with timescales, and complaints resolved within extended timescale as agreed
- Complaints that were considered by the Local Government and Social Care Ombudsman (LGSCO)
- A review of the effectiveness of the complaint's procedure
- Learning and service improvement, including changes to services that have been implemented and details of any that have not been implemented

We aim to learn from mistakes so that we can improve customer experience and outcomes. We encourage people who have cause to complain, to make comments and suggestions to help us make these improvements. We aim to be transparent about the complaints we've received, how we've responded to them and what we've done as a result. We learn from the Authority's complaint procedure, continually evaluating and improving this and publicise and explain our complaints procedure,

### **Complaints Defined**

A complaint may generally be defined as an expression of dissatisfaction or disquiet about the actions, decisions or apparent failings of a local authority's children's social care provision which requires a response.

A complaint should be made within 12 months of:

- The date on which the matter which is the subject of the complaint occurred; or
- If later, the date on which the matter which is the subject of the complaint came to the notice of the complainant.

This time limit will not apply if we are satisfied that:

- The complainant had good reasons for not making the complaint within that time limit; and
- Notwithstanding the delay, it is possible to investigate the complaint effectively and fairly.

A complaint may be made by any child or young person, parent, relative, carer or someone acting on behalf of the child e.g., Special Guardian.

Where a complaint is received from a representative acting on behalf of a child or young person, the local authority should normally confirm where possible that the child or young person is happy for this to happen, and that the complaint submitted reflects his views

Complaints can be made in person, by telephone, in writing, or by e mail to the Complaints Team.

## **Legislation**

The Children Act 1989 Representations Procedure (England) Regulations 2006 is for all representations received from children and young people, their parents, foster carers or other qualifying adults about social care services provided or commissioned by Children's Social Care. The act and regulations set down procedures that councils with social care responsibility have to follow when a complaint is made. This is a three-stage process:

Stage 1: local resolution

Stage 2: independent investigation

Stage 3: review panel

The section 5 of the Regulations (2009) requires local authorities to consider complaints made by someone who:

Is receiving or has received services from the authority;

Is affected, or likely to be affected by the action, omission or decision of the authority.

A person is eligible to make a complaint where the local authority has a power or duty to provide, or to secure the provision of, a service for someone.

The 2009 regulations set a benchmark for all complaints to be investigated within set timescales. If a complaint is going to exceed this timescale the council should write to the complainant to advise them of this and explain the reasons why.

The corporate complaints process is used for anyone else who makes a complaint

## **The Statutory Complaints Procedure in Newcastle**

We will always try to resolve problems or concerns before they escalate into complaints. If it is possible to resolve the matter immediately (or within 24 hours) there may be no need to engage in the formal complaints process. When a complaint is first received, the Complaints Manager will review the details provided and assess whether an investigation is required under the Statutory Complaints Procedure.

When someone contacts us to make a complaint, we aim to acknowledge their complaint within 3 working days. We also:

- Make sure that we understand their concerns
- Find out what the person wants to happen as a result of their complaint
- Agree a plan with the complainant about who will look into the complaint, and by when
- Keep in regular contact with the complainant
- Act quickly to resolve matters if we can

We aim to sort out most complaints within 20 working days. However sometimes because of the nature and complexity of some issues it may take longer, and complainants will be informed if this is the case.

When the investigation of a complaint is complete, the investigating manager will write a letter explaining what they have found and what they will do to put things right. Sometimes, our findings do not fully support the complainant's view of their complaints. However, we always try to give clear reasons for our decisions, explain any misunderstandings and agree a way forward.

At the end of the complaints statutory process If the complainant is not happy with our final decision or how we have dealt with their complaint, they can refer the matter to the Local Government and Social Care Ombudsman (LGSCO).

## **Advocacy Arrangements**

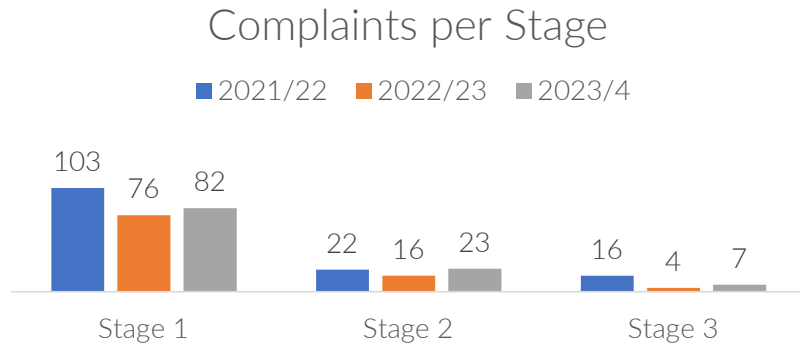
Children and young people making a complaint have a legal entitlement to advocacy services to support them in making a complaint or expressing their views. Newcastle has a contract in place with the National Youth Advocacy Service (NYAS) to provide children and young people with this service.

The aim of the service is to ensure children and young people have access to an independent advocacy service, which ensures:

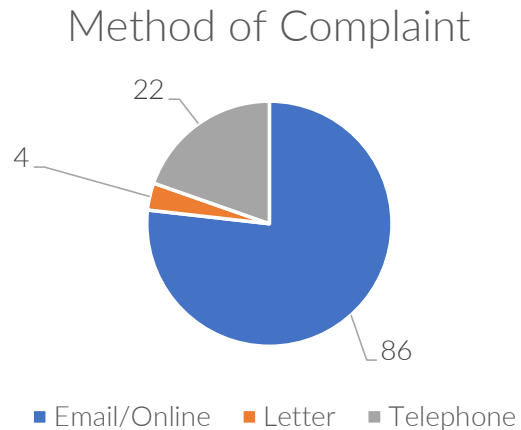
- They have a say in decisions made about their lives
- They are able to share their concerns about their circumstances
- They are listened to and heard
- They are treated fairly in the course of their contact with Children's Social Care
- They are supported when pursuing a complaint through every stage of the complaints process

## 2. Newcastle 2023/4 Complaint Activity

### Total Complaints Received by Stage



### How Complaints are Received



#### Total Complaints by Stage

A total of 112 complaints received across all stages, 11 were still open at the end of the year.

Of the 82 at Stage 1, 79 were closed during this year. The remaining 3 cases were still open at the end of the period.

Of the 23 complaints received at Stage 2, 15 of these were closed during that year.

There were a total of 7 complaints in this year which were requested at Stage 3.

#### How Complaints are Received:

**We offer a range of methods for complainants to contact us.**

Overall Complaints from Stage 1 to 3:

Email:82

Online Form:4

Telephone:22

Letter:4

Total Complaints Received

Complainant	Stage 1	Stage 2	Stage 3	Total
Relative	65	19	4	88
Foster Carer	6	3	3	12
Advocate	6	1		7
Third Party	1			1
Carer				
Child/Young Person	4			4
<b>Total</b>	<b>82</b>	<b>23</b>	<b>7</b>	

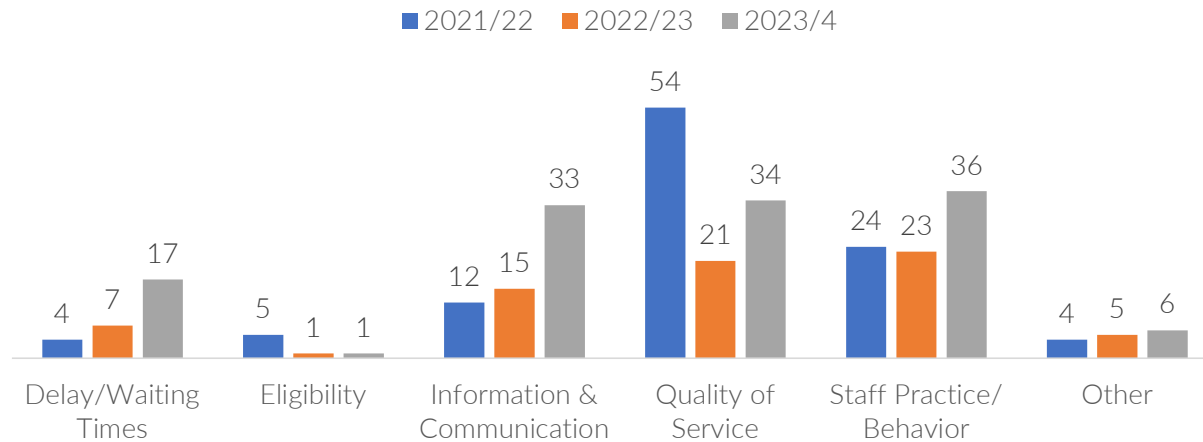
**Customer Groups**  
 As with previous years, the biggest proportion of complaints received have come in from relatives e.g. parents of the children.

5% of the stage 1 complaints have been received directly from the child/young person. The National Youth Advocacy Service (NYAS) provide an advocacy service for any young person wishing to raise a complaint.

## 2.1 Stage 1

### Stage 1 – Types of Complaint

#### Themes Trend

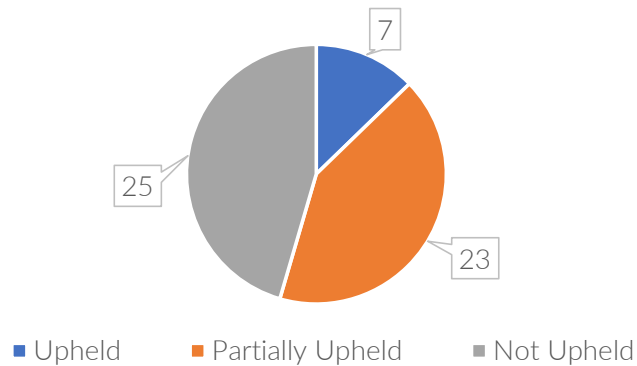


#### Complaint Types

A complaint may include a number of areas of concern. Therefore, some complaints cover more than one theme. The figures from 21/22 and 22/23, where there was more than one theme, these were categorised under the Quality of Service theme only. For 23/24 we have included all themes identified.

The three most common themes are Information/Communication, Quality of Service and Staff Practice/Behaviour. These account for 81% of all areas that complaints related to.

### Stage 1 – Outcomes



#### Outcomes

From the total 79 stage 1 complaints that were closed during the period, 55 had a finding of upheld, partially upheld or not upheld. Partially upheld is where part of a complaint has been upheld but other areas have not.

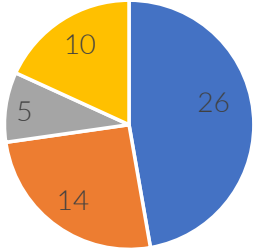
Of the remaining 24 that were closed, these were either refused, closed due to a lack of contact from the complainant, moved on to stage 2 or were withdrawn. 3 remain open at the time of reporting.



**Timescales and Performance**

Timescales

<b>Timescales Stage 1</b>	<b>Under 20 Days</b>	<b>20-30 Days</b>	<b>30-40 Days</b>	<b>Over 40 Days</b>	<b>Total</b>
<b>2023/4</b>	<b>26</b>	<b>14</b>	<b>5</b>	<b>10</b>	<b>55</b>



- Within 20 Day
- 20-30 Days
- 30-40 Days
- Over 40 Days

**Timescales**

Complaints should be responded to within 10 working days extended to a maximum of 20 working days.

There were 55 complaints received and responded at Stage 1 complaints with an outcome in this reporting period. 47% were completed within the 20 working day timescale.

The average timescale was 31 working days.

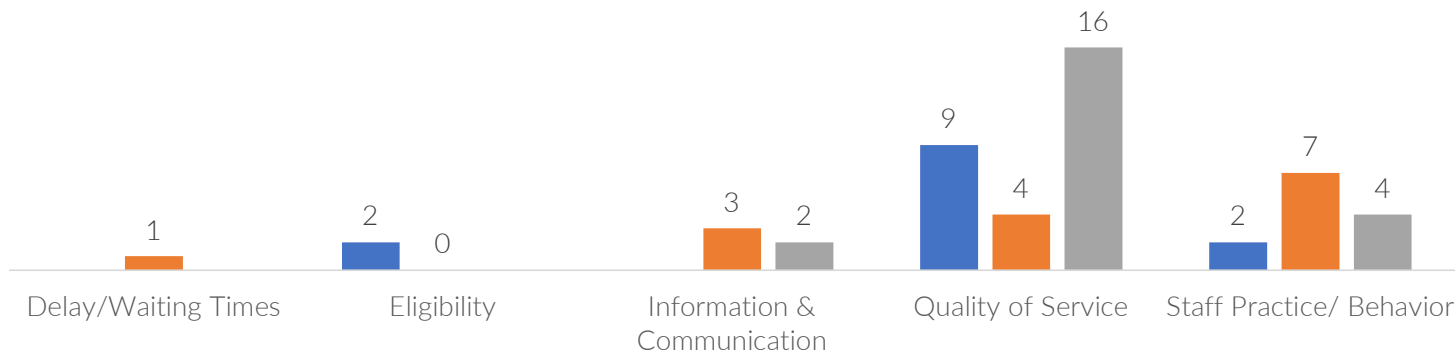
From the remaining 27 of the 82 complaints received during this period, 3 remain open and 24 were closed as either refused, closed due to a lack of contact from the complainant, moved on to stage 2 or were withdrawn.

## 2.2 Stage 2

### Stage 2 – Types of Complaint

#### Themes Trend

■ 2021/22 ■ 2022/23 ■ 2023/24



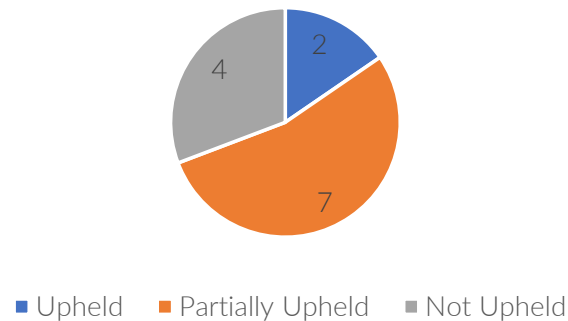
#### Complaint Themes

Stage 2 will not normally reinvestigate points that have previously been upheld at Stage 1.

Stage 2 can consider any new points raised or linked to the original complaint

From the total of 15 Stage 2 Investigations completed the main two issues identified were staff practice and behaviour, and quality of service.

### Stage 2 – Outcomes



#### Outcomes

Partially upheld is where there was more than one area of complaint and part of a complaint has been upheld or partially upheld, but other areas have not.

Complaints investigated at stage 2 related to the following areas of Children's Social Care:

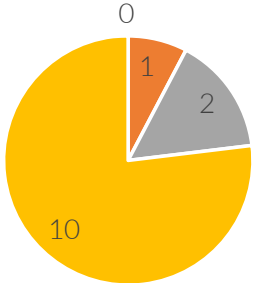
Care and Care Leavers (2), Children with Disabilities (2), Childrens Social Work (3), Fostering (3), Initial Response Service(7), Childrens Statutory Safeguarding Unit (2), Long Term (4). These total more than the 15 investigations as a complaint may cover more than one area of the service.

5 of the completed stage 2 complaints resulted in an offer of a financial remedy

**Timescales and Performance**

<b>Timescales Stage 2</b>	Under 25 Days	25-44 Days	45-64 Days	Over 65 Days	<b>Total</b>
<b>2023/4</b>	0	1	2	10	<b>13</b>

Timescales



- Within 25 Day
- 25-45 Days
- 45-65 Days
- Over 65 Days

**Timescales**  
 Complaints should be responded to within 25 working days extended to a maximum of 65 working days.

Of the 13 Stage 2 complaints that were investigated with an outcome in this reporting period, 23% were completed within timescale of under 65 working days.

The average timescale was 82 working days which is over the required 65 working days.

## 2.3 Stage 3

### Stage 3 – Types of Complaint

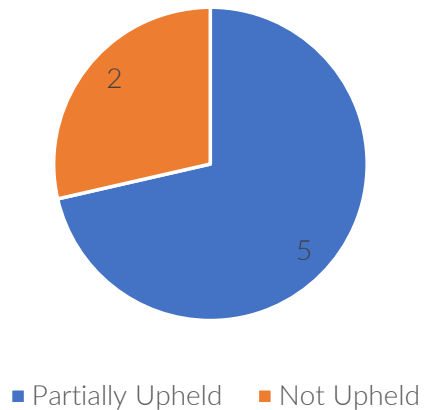
Where a complainant does not agree with the findings and recommendations of the stage 2 investigation into their complaint, they can ask for the review panel to consider the complaint at Stage 3 of the Statutory Process, within 20 days.

This must include:

- Which parts of the report they do not agree with
- Whether they think there are any factual errors
- Why they think the response by the Assistant Director of Children’s Social Care is unsatisfactory.

Main reason for requesting a Stage 3: Dissatisfied with the standard of the stage 2 investigation.

The panel cannot reinvestigate the complaints or consider new complaints. The panel will scrutinise the earlier findings and make recommendations based on the evidence provided to them.



### Outcomes

A total of 7 complaints were escalated to stage 3 and all of these went to panel.

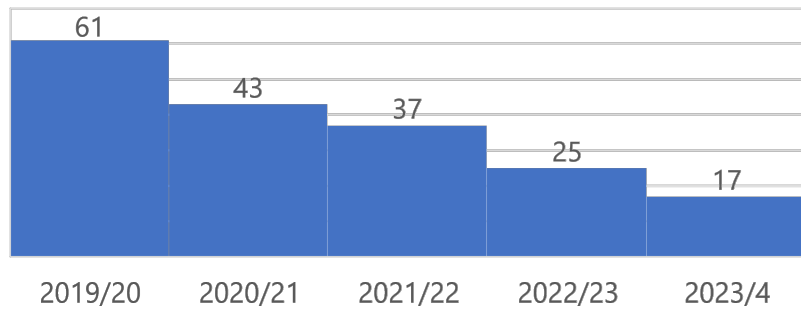
Of the 7 Stage 3 hearings, the outcomes of the panels made a total of 40 recommendations which ranged from suggesting remedy payments, offering apologies, updating to policies and procedures and training and reminders for staff.

Partially upheld is where some, but not all, of the complaint elements considered at stage 3 were changed towards the complainant’s favour.

## 2.4 Children in Care (CiC) and Care Leaver Complaints

Complaints on behalf of looked after children

Total CiC Complaints



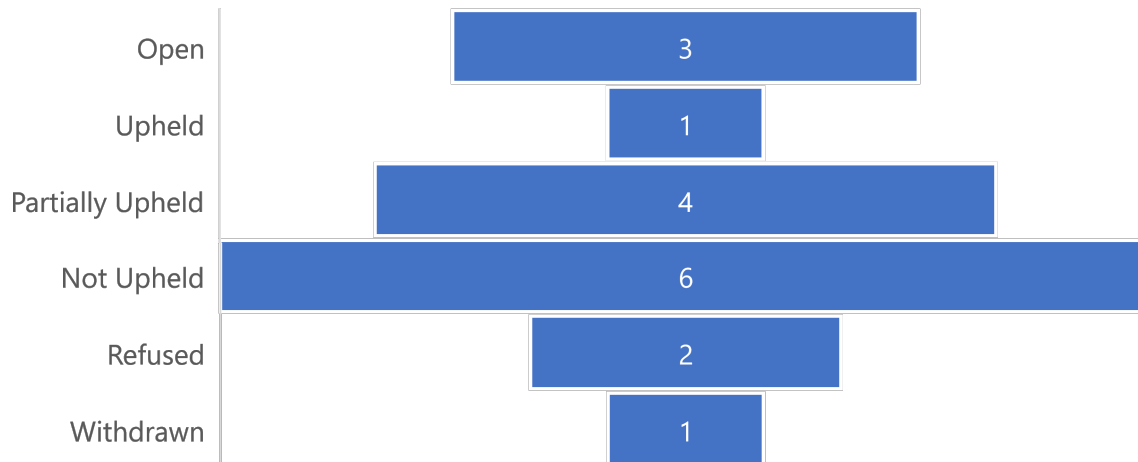
### Total Received

17 complaints were made by or on behalf of looked after children in care and/or care leavers. The number of complaints received related to children in care or care leavers has continued to decline over the past 5 years having reduced by 72% over that time.

Of those 17 complaints, most were resolved at stage 1, 4 escalated to stage 2 and 1 escalated to a stage 3. Half of the complaints were made by relatives which is reflected in the low number of complaints from advocates.

Outcomes

CiC Outcomes



### CiC Outcomes

Partially upheld is where there was more than one area of complaint and part of a complaint has been upheld or partially upheld, but other areas have not.

### 3. Ombudsman

The Authority's complaint procedure is supported by the Local Government and Social Care Ombudsman (LGSCO)

The LGSCO can review and / or investigate complaints from members of the public who consider they have experienced injustice because of maladministration by the Authority, typically once the complaint has exhausted the Authority's complaint procedure.

The Ombudsman provides a free service; but must use public money carefully. They may decide not to start or continue with an investigation if they believe:

It is unlikely they would find fault, or

It is unlikely they could add to the previous investigation by the Council, or

They cannot achieve the outcome someone wants

#### **Ombudsman 2023/4**

The LGSCO received a total of 6 complaints. They went on to investigate 2 of the 6 Authority's complaints during this period, At the time of 1 April 2024, the 2 investigations were still ongoing. The decision was made by the LGSCO to not investigate, or discontinue their investigation, on the other 4 complaints.

## 4 Summary of findings & Key Learnings 2023/4

Complaints provide invaluable information which may be used to identify issues in services, help staff learning and also identify any risks and so improve services for the future.

Improvement actions/recommendations arising from complaints fall into three main categories:

- Remedial action for individual complaints
- Improving social work practice and delivering training
- Establishing or changing existing processes, policies or procedures

### **Our key learnings were:**

The number of complaints received has remained relatively static compared to 2022/23.

The time taken to respond to a complaint at both stage 1 and 2 need improvement. The average timescale for Stage 1 complaints has seen an improvement compared to last year. The average timescales for stage 2 complaints has increased, although on some complaints this was due to unforeseen circumstances related to the investigators.

Complaint themes continue to be primarily related to communication linked matters.

## 4.1 Reflections and Priorities 2024/5

### Reflections and Priorities 2024/25

Within the Children and Families directorate, a relational and restorative approach to practice with families is in place. This approach to practice is being utilised to influence and support the culture and ethos of services which work alongside social care – including our Complaints and Customer Relations Team.

The service is committed to developing trusting and positive relationships between children, young people their parents and carers and our staff. To do this, we are developing the way we respond to and handle complaints.

Ensuring the voices of Children in Our Care and those with care experience are listened to, respected and acted upon is critical. In 2024/25 we will strengthen the involvement of our Voice and Influence Team in responding to any complaints made or concerns raised by children in our care. Our Voice & Influence Team lead on our participation groups for children in care and care leavers, providing a level of independence to the management of the groups and the support young people receive to share their voice about things most important to them. This provides an invaluable link to the young people for whom we are corporate parents and ensures swift and decisive action can be taken when young people tell us something needs to change or could be better.

Our priorities for the year ahead will reflect the learning from this report. We will focus primarily on strengthening our processes, practices and recording systems, which will support us in making the most from the feedback we receive from our customers who have felt the need to make a statutory or corporate complaints. We will continue to use this feedback in learning from complaints briefings to allow dissemination of the lessons learnt to the wider social care staff.

#### Remedial action for individual complaints

- We are strengthening our relational approach ensuring we focus on resolving complaints swiftly, introducing the offer of direct communication with complainants by a senior manager within 1 to 2 days to ensure timely accountability and that senior social care staff talk directly to those wanting to make a complaint with a focus on hearing, understanding and resolution.
- We are hopeful that early resolution will also assist to reduce the number of complainants who proceed to stages 2 and 3 of the complaint process.

#### Improving social work practice and delivering training

- Training on the handling and responses to complaints will continue to occur. This is to allow a timely, robust, accurate and empathic reply to be provided which also considers the future relationship between the client and social care.
- We will continue to publish learning from complaints briefings and host practitioner learning events and reflective groups to promote learning from complaints to be embedded and directly influence and inform practice. Findings from complaints are also tested and scrutinised within ongoing quality assurance activity such as bi-annual practice weeks, dip sample audits and upcoming service area practice days.
- The service have introduced a monitoring and scrutiny working group which considers learning from complaints, compliments, audit and safeguarding reviews to directly inform the Social Work Training Plan and offer
- **Establishing or changing existing processes, policies or procedures**
- Improved scrutiny and tracking of required actions and learning from complaints, as well as thematic consideration, will allow trend analysis to direct further improvements to social care work. Further monitoring and scrutinising of complaints to ensure accountability and ensure accurate response.