



# Walsall Council

## Complaints and Representations Annual Report

### Children and Young People

April 2023 - March 2024

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#### CONTENTS

1. Introduction
2. Staffing
3. Reporting and Monitoring Systems
4. Complaints Procedures
5. Headlines and Key Points from Annual Data
6. Numbers of complaints
7. Timeliness of responses
8. Source of complaints
9. Issues
10. Outcomes
11. Compliments
12. Learning

## 1. Introduction

This report contains information for the attention of the public, members of the Council and officers about the numbers and types of representations relating to Children's Services made to the Council during the financial year 2023/24.

It is a statutory requirement to produce an Annual Report (regulation 13(3)) and make it available to the public, staff and elected members.

The process of dealing with complaints regarding Children's Social Care through statutory procedures is set out in legislation.

- **Children's Complaints – Statutory and Corporate as set out in legislation**  
*The Children Act 1989 Representations Procedure (England) Regulations 2006* and accompanying guidance '[Getting the best from Complaints](#)'.

This annual report covers the period of 1 April 2023 through to 31 March 2024 and reports on complaints made by, or on behalf of children and young people who receive support and services from Children's Social Care and Safeguarding Service in Walsall.

A complaint is an expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response. Anyone who is in receipt of a service or think they should be in receipt of a service may complain, or a representative may make a complaint on their behalf.

The Complaints Manager has the key responsibility for managing the statutory process for complaints from children and young people (or their representatives). The purpose of this report is to provide an overview and analysis of all complaints and compliments received during the period and to summarise the issues that have arisen, providing a mechanism by which the quality and effectiveness of services, the complaints procedure and responses can be scrutinised.

## 2. Staffing

The Assurance Team administers non-statutory and statutory social care representations and complaints received by the Council relating to both Adults and Children's services.

Officers are responsible for ensuring children's complaints are logged, processed and responded to at Stage 1 of the process, and where a complaint progresses to Stage 2 or 3, the team is responsible for recruiting independent investigators and panel members and for facilitating any investigations and panels which take place.

In addition, the Assurance team is responsible for dealing and responding to any enquiries by the Local Government and Social Care Ombudsman (LGSCO) for complaints across all council services that reach this stage, including Children's Services complaints. The Council's LGSCO link officer role sits within the Assurance

Team and leads on dealing with all LGO contact – initial enquiries, assessments, investigations and ensuring that the council responds accordingly to the findings of any LGSCO investigations.

Also, the team is responsible for processing and responding to Freedom of Information Requests (FOI's), Environmental Information Requests (EIR's) and Subject Access Requests (SARs).

In addition, the team delivers training sessions on the complaints process and in 2023/24, delivered training to senior managers, residential homes staff and foster carers.

### **3. Reporting and monitoring systems**

All statistical information within this report has been taken from the bespoke data base system 'Respond.' This data base provides a reporting and monitoring system to ensure accurate recording/logging of complaints in accordance with the statutory guidance.

Management information from the system was shared with service managers during 2023/2024 via reports to relevant meetings on request, and a regular 'live' complaints report is produced which enables managers to focus on responding to all active complaints in timescale wherever possible.

### **4. Complaints procedures**

#### **4.1 Overview – Stages 1-3**

There are three stages to the formal statutory complaint's procedure:

- **Stage one - local resolution.** Intended to be swift, focussed resolution taking no more than 20 working days. The intention is that the majority of complaints can be dealt with at this stage.
- **Stage two - independent complaint investigation.** Where a complainant is unhappy with the outcome of their stage 1 complaint, they can request a stage 2 complaint investigation. Carried out by an investigating officer (IO) with an independent person (IP). The IO produces a comprehensive report resulting in a complaint issue being upheld, partially upheld, inconclusive or not upheld. It is the expectation of the statutory guidance that the stage two investigations will be completed in a maximum of 65 working days.
- **Stage three - independently chaired review panel.** Where a complainant remains dissatisfied with the outcome of a stage two statutory complaint, they can request a stage three review panel. This panel is made up of a chair and two members. It is the panel's responsibility to review the investigation but not to re-investigate the complaint.

(Note, the corporate complaints procedure follows the statutory procedure at stage 1, but does not have an independent Stage 2 process – a senior manager can carry out a review of the stage 1 complaint investigation at stage 2 on request, before signposting the complainant to the Local Govt Ombudsman if they remain dissatisfied with the response.

## 4.2 Local Government and Social Care Ombudsman (LGSCO)

At the conclusion of the three stages of the statutory process – (or following a senior manager review of a corporate complaint at stage 2) - the complainant has the right to escalate their concerns to the Local Government and Social Care Ombudsman (LGSCO).

The LGSCO investigate complaints of injustice arising from maladministration by the Local Authority. This may include looking at complaints both in relation to the provision of social services and in relation to the operation of the complaints process. They can also investigate complaints about how the Local Authority has carried out these processes. The Local Authority must have an opportunity to investigate / respond to a complaint before the LGO will become involved. If the LGO is satisfied with the remedial action offered by the Council, the complaint will be regarded as 'locally settled' and the investigation is discontinued.

## 5. Headlines and Key Points from Annual Data

	23/24	22/23
Total no. social care complaints received	<b>70</b>	81
Total no. statutory complaints responded to	<b>21</b>	22
Total no. corporate complaints responded to	<b>33</b>	38
No. statutory Stage 2 complaints	<b>2</b>	1
No. statutory Stage 3 Complaints	<b>1</b>	0
Overall timeliness of statutory '10 working day complaints'	<b>50%</b>	60%
Overall timeliness of corporate complaints	<b>52%</b>	63%
Main sources of complaints	<b>Parents; Carers;</b>	Young person with advocate; parents
Main issues of complaints	<b>Communication/ sharing of information; conduct/attitude; quality/ delivery of service;</b>	Communication/ sharing of information; staff conduct/attitude; quality of service

Main outcomes	<b>40% of issues raised in complaints were upheld or partially upheld</b>	49% of issues raised in complaints were upheld or partially upheld
No. of compliments	<b>7</b>	22
LGO Complaints upheld	<b>8</b>	5

## Key Points:

- Provisional data from 2023/24 statutory returns indicates that at 31/03/24, Walsall had 2483 Children in Need (CiN) and 655 Looked after Children
- The total number of complaints **received** has reduced by 11% compared with 2022/2023.
- The number **responded** to under all complaints procedures was down by 10% from 60 in 2022/23 to 54 in 2023/24.
- Four statutory complaints received at stage 1 in 2023/24 moved to a stage 2 independent investigation and 2 proceeded to stage 3 of the statutory process.
- Three corporate complaints received at stage 1 in 23/24 proceeded to a senior manager review at stage 2.
- Response rates for both statutory and corporate complaints were lower than the previous year.
- Poor communication / information sharing, staff conduct, and quality of service delivered were the main issues raised by complainants
- Fewer compliments were received in 2023/24 than in the previous year

## 6. Number of complaints received and responded to by stages

### 6.1 Stage One – local resolution

The Assurance Team received **70** new complaints during the year, however of these **16** were outside the scope of the complaints process. These were either withdrawn by the complainant, where, for example, the issue was resolvable by the service area without handling as a formal complaint or where the complainant did not have the necessary parental responsibility to make a valid complaint. Others were investigated under other procedures, usually via safeguarding or legal procedures.

In addition, **33** of the complaints responded to were **corporate** complaints, dealt with under the council's corporate complaints procedures, which follow the same process at Stage 1 albeit with a longer deadline to respond of 20 working days.

In total, **21** statutory complaints received during the year were investigated and responded to at Stage One of the statutory process.

The total number of complaints responded to under both procedures was lower than in 22/23, continuing a trend in post covid years

## Complaints responded to by service area

Note: some complaint responses required a joint response by more than one service because of the issues complained about

Statutory Complaints Responded to in 2023/24 by Service (21)					
Support, Protection & Assessment (inc. MASH)	Children in Care inc. (Fostering & Adoption)	Corporate Parenting (inc. LAC/ TLC/ DCYPT)	Locality & Family Safeguarding Support	Early Help	Review & Child Protection
2	6	10	4	0	0

Corporate Complaints Responded to in 2023/24 by Service (33)					
Support, Protection & Assessment (inc. MASH)	Children in Care inc. (Fostering & Adoption)	Corporate Parenting (inc. LAC/ TLC/ DCYPT)	Locality & Family Safeguarding Support	Early Help	Review & Child Protection
4	11	12	4	2	1

## 6.2 Escalated Complaints

Four stage 1 statutory complaint received in 23/24 were resolved at stage 1, but then escalated to Stage 2 at the request of the complainant – one was escalated to stage 3. Three corporate complaints were escalated to senior manager review at stage 2.

## 6.3 Local Government and Social Care Ombudsman (LGSCO)

In 2023/24, 20 initial complaint enquiries were received in relation to Walsall Council Children's Services by the LGSCO. The equivalent figure for 2023/22 was 12

Of those investigated, 8 Children's services complaints were upheld – although none were in the areas of children's social care. The complaints investigated included:

- Handling of complaints
- Provision of alternative education for excluded children
- Special Education Needs and EHCPs (Education, Health and Care Plans).

The remedies advised by the LGSCO in these cases included:

- Apologies
- Financial compensation
- Review of processes

## 7. Timeliness of Complaint Responses

<b>Timescales</b>	<b>No. complaints responded to in timescale 23/24 (nos.)</b>	<b>% of complaints responded to within timescale 23/24 (22/23)</b>
10 working day statutory complaints	9 of 18	<b>50%</b> (63%)
20 working day statutory complaints	1 of 2	<b>50%</b> (66%)
Corporate complaints (20 working days)	17 of 33	<b>52%</b> (63%)

The Assurance Team updates and apologises to customers of any delay and advises when to expect the final response. Delays can occur, for example, if a complaint is particularly detailed and where relevant officers are absent which can delay the manager's investigation.

## 8. Source of Complaints responded to

<b>Source of All Complaints responded to</b>	<b>23/24</b>	<b>22/23</b>
<b>Child/Young Person</b>	<b>2</b>	<b>7</b>
<b>Child/YP with Advocate Support</b>	<b>4</b>	<b>9</b>
<b>Parents</b>	<b>29</b>	<b>37</b>
<b>Grandparents</b>	<b>7</b>	<b>4</b>
<b>Other Relatives</b>	<b>2</b>	<b>2</b>
<b>Foster Carer/Adoptive Parent</b>	<b>10</b>	<b>1</b>
<b>Professional/Staff Member/Other</b>	<b>1</b>	<b>0</b>
<b>Total</b>	<b>54</b>	<b>60</b>

## 9. Issues

Of the 54 complaints responded to, 83 separate issues were raised. The table below lists the most frequently occurring issues:

Most frequently occurring Issues	2023/24	2022/23
Poor communication/clarity of information/failure to keep informed	17%	20%
Staff conduct/ attitude	26%	18%
Quality of service	21%	22%
Delay in receiving service	7%	10%
Inaccuracies in reports/ assessments	2%	6%
Lack of support	3%	5%
Disagreement with decision/outcome	9%	8%
Contact issues	3%	5%
Non-adherence to procedure	4%	2%
Abuse from other service users	1%	2%
Financial Loss	6%	2%
Discrimination	1%	2%

## 10. Outcomes of issues responded to

Issue outcome	23/24	22/23
Not upheld	60%	51%
Partially upheld	15%	24%
Upheld	25 %	25 %

## 11. Compliments

There were 7 compliments received during 2023/24, compared to 22 in the period 22/23. The following service areas received compliments:

Service Area	No. compliments 23/24 (22/23)
Early Help	4 (12)
Support, Protection & Assessment	1 (-)
Corporate Parenting inc. TLC/DCYPT	0 (1)
Locality Safeguarding Family Support	1 (8)
Children in Care inc. Fostering and Adoption	1 (1)
<b>Total</b>	<b>7 (22)</b>

Examples of compliments received in 2023/24 are as follows:



1. *I recently was subject to assessment by a Walsall children services social worker in Protection and Assessment and I would like say how much a pleasure it was engaging with X and how professional she was; not judgemental and did her job, kept me updated and was fair at all times. I've seen understanding, honesty, helpfulness and professionalism from past workers. You have an amazing team, and you should be proud that the right outcome was reached.*
2. *We are foster carers for siblings. The reason for contacting you is to let you know what a fantastic job we think Y from the Corporate Parenting Team is doing with the CICC group and our foster children in particular. He really goes above and beyond for the children and in the years that we have worked with him he has never let them down, he's one of the most reliable people they have had in their lives in recent years. He ensures they have a great time in his sessions, and he has arranged some excellent opportunities for our young people to have their voices heard. We find this support also extends to us as foster carers*
3. *I wanted to let you know that our school have been part of an Early Help support Plan led by A, and what a wonderful outcome this has had, Anne managed to successfully engage a difficult to reach family and has got a pupil into school who had not attended in 18 months. I never believed this would be possible, A worked restoratively, empowering the family to do things for themselves with her support, rather than doing everything and closing the case. This will enable them to maintain things for themselves once Early Help do close. I am quick to say if I feel something is not working well, so wanted to praise when someone does an amazing job.*

## 12. Learning

- As part of the statutory complaint response process, all responding officers are requested to identify learning for the service. Effective learning can prevent further similar complaints, identify gaps in service, assist with reflection on practise and provide strong evidence for inspection.
- A learning form enables capture of where the learning is raised with staff e.g. one to one's, management meetings, together with any proposed service action/ changes.
- Learning can also be captured from a complaint response where the responding officer sets this out within the response.
- Examples of learning captured in 2023/24 in relation to **upheld or partially upheld** complaint issues are set out in the table below:

Complaint	Learning	Actions
Parent unhappy with quality of service delivered around assessment following	Assessment was not robust; it didn't fully address the issues	Discussion with SW about ensuring we are addressing reason for

<p>father raising concerns about safety and wellbeing of daughter with ex-partner.</p>	<p>which triggered assessment. Parent not fully involved in assessment.</p>	<p>assessment with clear recommendations.</p> <p>SW reminded of importance of both parents being contacted at the start of process.</p> <p>Apology and assurance that all information shared and anything further within the current assessment will be listened too, considered, and explored fully.</p>
<p>Concerns regarding the status of the Special Guardianship Order (SGO) fee payment from a complainant who had changed from foster carer to Special Guardian status</p>	<p>Recognition of a need to explain clearly in relevant policy document payment details and expectations</p>	<p>Updating of Permanence Financial Support Policy - although not set out as a requirement, we will include information in the updated version that explains that any ongoing payments of the fostering fee to the special guardian will be paid against the scheme in place at the time the financial support was agreed.</p>
<p>Care leaver experienced a lack of support from the local authority on leaving care and moving to seek work and live in a neighbouring borough</p>	<p>care leaver was not explicitly made aware of his rights regarding support from the Transition and Leaving Care team between the ages of 21 and 25. He was closed to the service and returned for informal support at times. Young person believes that he would have had more fluid support had ongoing allocation of a Personal Advisor been maintained</p>	<p>Closure documentation to be created to be given to young people when closing to the service at 21+. This will outline the rights that the young person has to return for advice or support up to the age of 25.</p> <p>Review of service response to requests for support for care leavers aged 21+ returning to the service for support.</p>

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