



Children's Social Care Statutory Representations Procedure

Annual Report
2023-2024

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1. Purpose

- 1.1 This is the annual report for Worcestershire County Council on the operation of the Social Care Complaints and Representations Procedure for Children and Young People, covering the period from 1st April 2023 to 31st March 2024.
- 1.2 The Children Act 1989 Representations Procedure (England) Regulations 2006 requires the County Council to have a procedure for resolving complaints made by the children and young people it looks after or who are in need, and children leaving care, regarding the services provided to them under The Children Act 1989. Representations and complaints can also be made on behalf of such a child or young person by a parent, a person with responsibility, foster carer, Special Guardian or other person that the authority considers has a sufficient interest in the child's welfare to warrant his representations being considered by them.
- 1.3 Each year local authorities must publish an annual report detailing numbers of complaints and representations, outcomes of complaints and compliance with time scales. It should provide a mechanism by which the local authority can be kept informed about the operation of the complaints procedure.
- 1.4 Worcestershire Children First is responsible for the delivery of services to children and young people across Worcestershire. It is a not-for-profit company and 100% owned by Worcestershire County Council.

2. Principles of the Complaints Procedure

- 2.1 Meeting the following principles should assist the local authority in providing a successful complaints procedure to children and young people. The complaints procedure should:
 - be clear and easy to use.
 - ensure that the people who use the service are treated with dignity and respect, are not afraid to make a complaint, and have their concerns taken seriously.
 - ensure, as far as is possible, even-handedness in the handling of complaints.
 - make sure that as many complaints as possible are resolved swiftly and satisfactorily at the local level.
 - ensure that the child or young person receives a full response without delay.
 - ensure a fair process and adequate support for everyone involved in the complaint.
 - ensure that any concerns about the protection of children are referred immediately to the relevant social care services team or to the Police.
 - ensure that local authorities monitor their performance in handling complaints, deliver what they have promised, learn from complaints and use this learning to improve services for everyone who uses them.

3. Outline of the Complaints Procedure

- 3.1 A complaint may be generally defined as an expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response. Children and young people often express complaints as 'problems not being sorted out'.
- 3.2 The concerns of children and young people should be listened to. If a child or young person wishes to make a complaint, local authorities are required to provide them with information about advocacy services and offer help to obtain an advocate.
- 3.3 Solving the problems that generate complaints should be at the forefront of the local authority's approach to responding to complaints. Local authorities should consider introducing alternative ways of resolving the complaint while any stage is on-going e.g., mediation, conflict resolution meetings.
- 3.4 Local authorities do not need to consider complaints made more than one year after the grounds to make the complaint arose, although the local authority has the discretion to extend this time limit if it is unreasonable to expect the complainant to have made the complaint earlier and it is still possible to consider the complaint effectively and efficiently. Decisions will be made on a case-by-case basis.
- 3.5 There are three possible stages to the Complaints Procedure:
 - i. The first stage is known as the Local Resolution or Informal Stage. At Stage 1, staff at the point of service delivery, try to resolve the complaint by endeavouring to reach a mutually acceptable and speedy outcome with the complainant. There is a 10-working day timescale for this part of the process; although where the local authority cannot provide a complete response in this timescale it can implement a further 10 days extension. If necessary, the local authority may also suspend Stage 1 until an advocate has been appointed. The maximum amount of time that Stage 1 should take is 20 working days. The timescale can be extended beyond this period with the complainant's agreement or request if, for example, the reason that resolution is delayed is due to a key member of staff being off sick or on leave.
 - ii. The second stage is also known as the Formal Stage. Where the matter is not resolved locally the complainant has the right to request consideration of the complaint at Stage 2. This request should be made within 20 working days of receiving the first stage response so that momentum in resolving the complaint is not lost. At this stage an investigator is assigned, and an Independent Person must also be appointed to the investigation to ensure that the process of investigation is open, transparent, and fair. At the end of the investigation a detailed report will be prepared. The report, which clearly sets out how and why any conclusions and recommendations have been reached, is sent to the complainant together with the response from a senior manager in Children's Services. The Independent Person will also provide a report, commenting on whether the investigation has been conducted in an impartial, comprehensive, and effective manner. The investigation should be completed, and the response sent within 25 working days. However, this may be impractical in some cases and where it is not possible

to complete the investigation within this timescale, Stage 2 may be extended to 65 working days.

- iii. Where Stage 2 of the complaint procedure has been concluded and the complainant is still dissatisfied, they can request further consideration by a Review Panel (Stage 3). Complainants have 20 working days to request a Review Panel, which should then be convened within 30 working days. The Review Panel cannot reinvestigate the complaint nor consider any substantively new complaints that have not been first considered at Stage 2. Its role is to look at the process of the investigation, whether the recommendations are fair given the conclusions reached, whether the response of Children's Services is reasonable and whether anything more could reasonably be done to satisfy the complainant. The three Panel members are independent of the Local Authority. The Review Panel will listen to any relevant information that the complainant wishes to present and will want to hear the perspective of other involved parties; they will also see any documents relevant to the complaint, although no new information that was not available to the Investigating Officer can be introduced at this point. At the end of the meeting the Review Panel will make recommendations to the Director of Children's Services for future action.
- 3.6 It is important that the Panel is customer-focused on its approach to considering the complaint and is child and young person friendly. The complainant has the right to bring a representative or advocate to speak on their behalf. If still dissatisfied, the complainant will be advised of their right to refer the complaints to the Local Government and Social Care Ombudsman.

4. Learning from Complaints

- 4.1 There is a requirement that Children's Social Care Services evidence how learning from complaints feeds into service delivery and development.
- 4.2 A quarterly report on Children's Social Care Statutory Complaints is produced by the Consumer Relations Unit and shared with the Directorate Management Team. Data is also regularly reported to the Overview and Scrutiny Panel.
- 4.3 In most instances outcomes to complaints are specific to the case, and there are no general learning points that would influence policy or procedure. In most cases the relevant policies and procedures are in place and already set 'good practice' standards and do not need to be altered. The need is for more consistent application and early identification of individuals not adhering to the standards. Staff are reminded of the relevant processes where necessary.
- 4.4 Learning from Complaints presentations are made at Worcester Children First's End to End meetings, attended by all front-line staff and led by the Director of Children's Social Care and Safeguarding.
- 4.5 Some of the learning and service improvement that has been taken from complaints completed within the year are detailed below:

- All Complaint outcomes are shared directly with the practitioner, manager, and group manager in all individual cases to share learning and follow up on actions.
- Safeguarding Quality Assurance close the loop to ensure actions are completed from Complaints by tracking these to conclusion.
- WCF have undertaken a series of Private Fostering Workshops, these were co-produced between the Advanced Social Work Practitioner Team and the Private Fostering Lead, these were delivered to staff across Social Care.
- A service wide presentation on learning from complaints was completed in June 2023 to our Social Care End to End leadership team.
- WCF have identified that it is essential that the strengths of a family situation need to be included as part of assessments.
- WCF need to ensure that when visits are cancelled, that the reason for this is added to a case note on the case file.
- Social Workers need to ensure that they are providing feedback to parents following targeted visits around issues a parent has raised.
- For Section 47 enquiries, to consider the amount of people present as this can be very overwhelming for a child.

5. Local Government and Social Care Ombudsman Complaints

5.1 There were 6 Children's Social Care complaints made to the Local Government and Social Care Ombudsman (LGO) in the year.

- 1 for Through Care
- 2 for Safeguarding
- 3 for Children with Disabilities Team

5.2 There were 7 determinations for Children's Social Care complaints by the LGO in the year. Please note that some may have been received in the previous year and some investigations were on-going at the end of the year.

- 1 was about Through Care
 - Closed after initial inquires: Out of Jurisdiction
- 3 were about Safeguarding
 - 2 were Closed after initial inquires: No further action
 - 1 was closed after initial inquires: Out of Jurisdiction
- 3 were about the Children with Disabilities Team
 - 2 were closed as the complaint was made to the Ombudsman prematurely
 - 1 was Upheld: Maladministration & Injustice

5.3 As an outcome of some of the complaints relating to Children's Social Care, Worcestershire Children First agreed to make some ex-gratia payments. Payments this year totalled £1250.

6. Children's Services Statistical Data

6.1 There will be some anomalies in the following statistical data. There are two reasons for this:

- A complaint that progresses through Stages 1-3 is counted at each stage but only included once in all other criteria.
- Some complaints may concern more than one service and/or issue.
- A new, bespoke reporting system was developed, in house, for managing representations. The changeover of systems occurred during the financial year and so even though every effort has been made to ensure the figures are accurate, there is a possibility of some statistical anomalies.

6.2 Please note that the annual report figures will vary from the cumulative totals for the quarterly reports due to the reporting period.

7. Number of Complaints Received

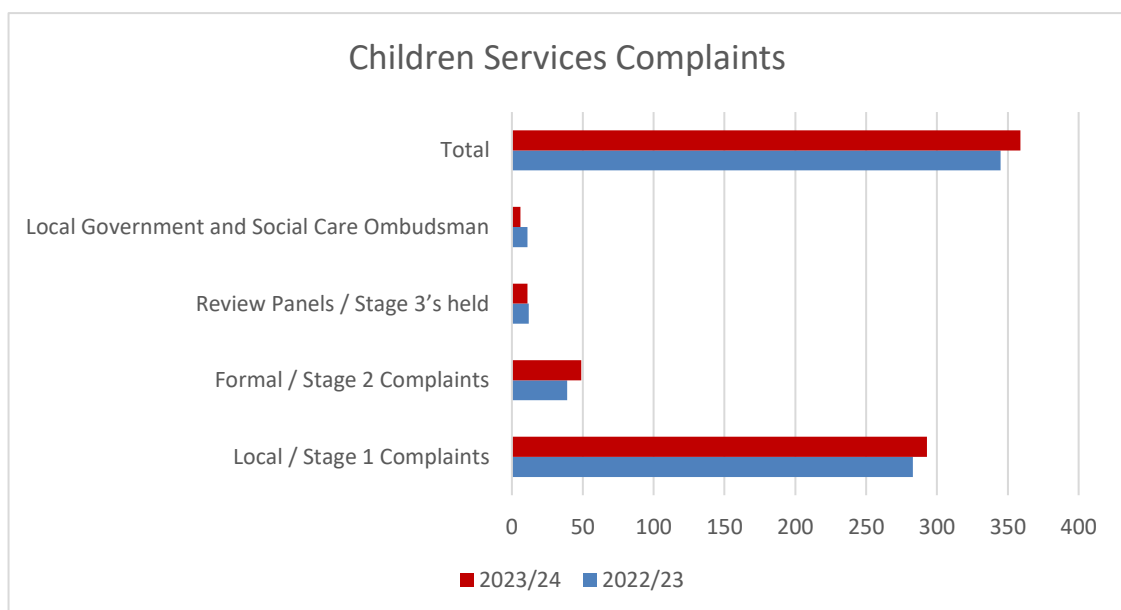
7.1 Those complaints that go through all 3 stages of the procedure are only counted as one complaint in these categories, although they may cover more than one service.

Children Services Complaints	2022/23	2023/24
Local / Stage 1 Complaints	283	293
Formal / Stage 2 Complaints	39	49
Review Panels / Stage 3's held	12	11
Local Government and Social Care Ombudsman	11	6
Total	345	359

Children Services Team	2022/23	%	2023/24	%
Family Front Door	63	22.26%	42	14.33%
Adoption (now ACE ¹), Care leavers and Young Adults Team (YAT)	6	2.12%	5	1.7%
Children with Disabilities	24	8.48%	12	4.1%
Fostering & Kinship	4	1.41%	2	0.68%
Safeguarding Teams	97	34.27%	85	29.01%
Safeguarding and Quality Assurance	9	3.18%	7	2.39%
Support Services (including Supervised Contact)	0	0%	1	0.34%
Targeted Early Help / Supporting Families First	20	7.08%	30	10.24%
Through Care	60	21.2%	66	22.53%
No team assigned (e.g. when the complaint is not about WCF, duplicate)	0	0%	43	14.68%
Total	283	100	293	100

7.2 The number of stage 1 complaints received is slightly higher than last year. It is worth noting that 14.68% of these were not progressed. This can be for a number of reasons, such as the complaint not being about a service Worcestershire Children's Services provide and duplicate complaints being raised.

7.3 We have seen an increase of over 25% in the number of stage 2 complaints requested.



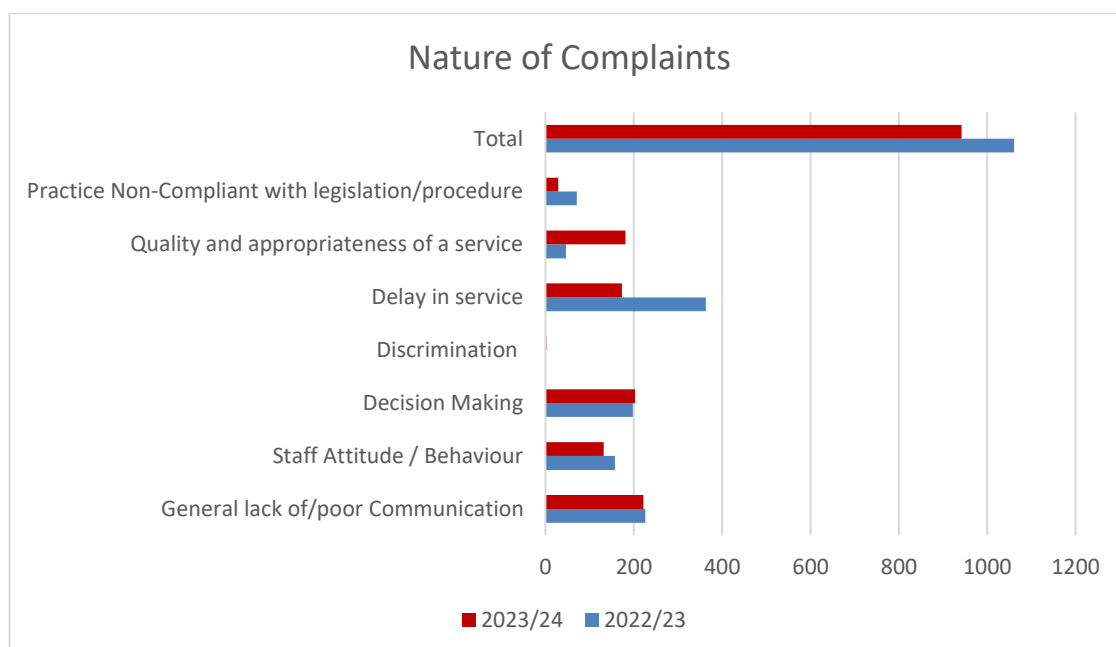
¹ ACE is a regional adoption agency

8. Nature of Completed Complaints

- 8.1 We have seen a 13% reduction in the amount of complaint points that have been raised. There has been a significant change in the amount of complaint points in relation to Delay in service, from 34.2% last year, to 18.37% this year. We have seen an increase in the number of complaint points relating to Quality and appropriateness of service, rising from 4.3% last year, to 19.21% this year.

NB The nature of complaints will be higher than the amount of complaints responded to as the below table includes each complaint point raised.

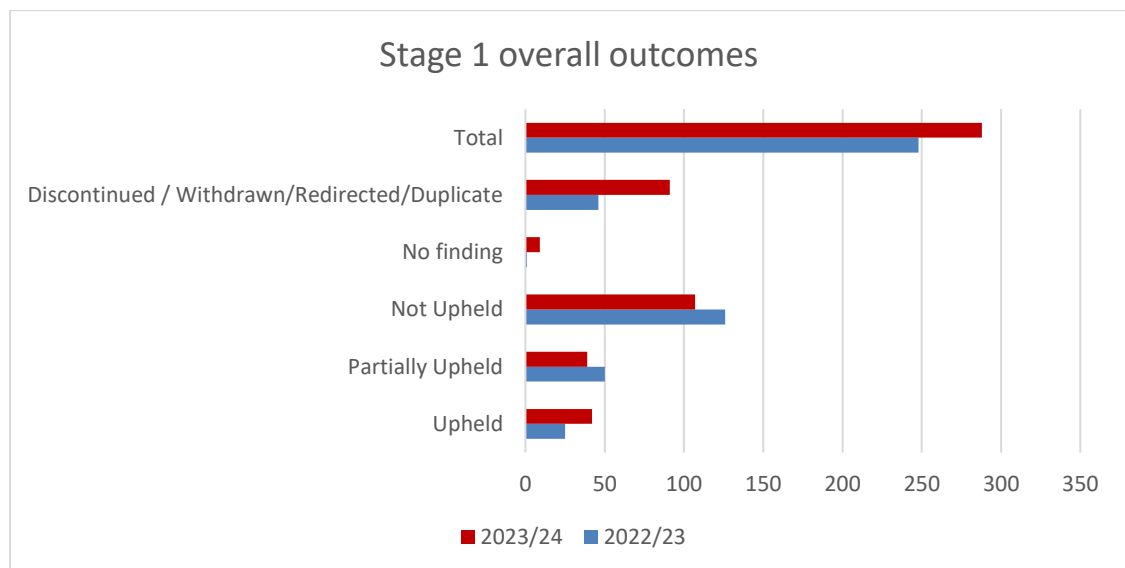
Nature of Complaints	2022/23	%	2023/24	%
General lack of/poor Communication	226	21.3%	222	23.57%
Staff Attitude / Behaviour	157	14.8%	132	14.01%
Decision Making	198	18.7%	203	21.55%
Discrimination	-	-	2	0.21%
Delay in service	363	34.2%	173	18.37%
Quality and appropriateness of a service	46	4.3%	181	19.21%
Practice Non-Compliant with legislation/procedure	71	6.7%	29	3.08%
Total	1061	100%	942	100%



9. Stage 1 Overall Outcomes

- 9.1 These are the overall outcomes for the Stage 1 complaints that have been completed this year. This will be different to the number received as some will have been raised in the previous year but completed in 2023/2024, as well as some that have been raised but may currently still being investigated.

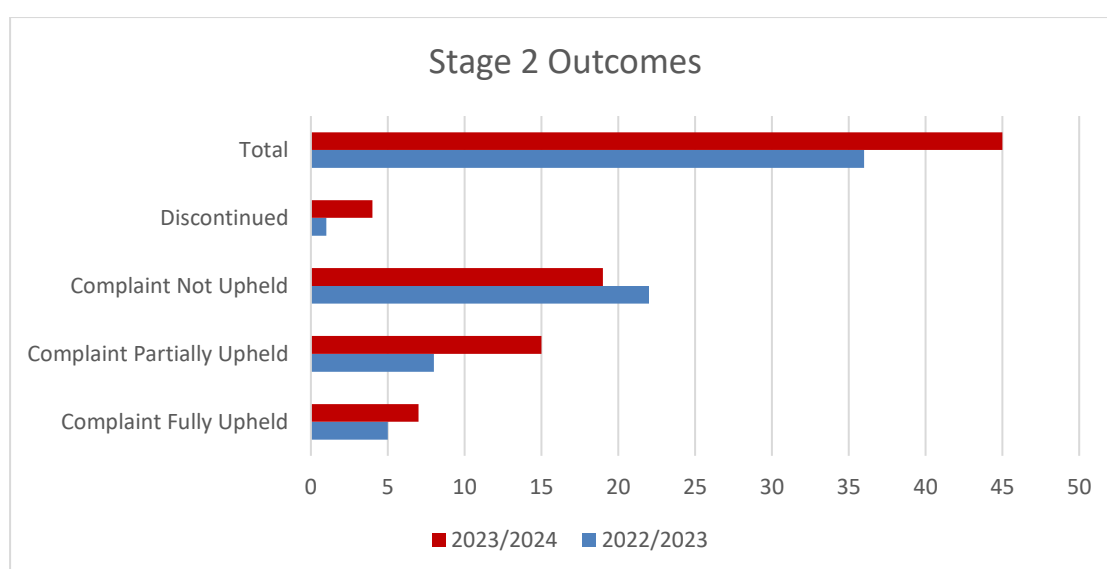
Stage 1 Outcomes	2022/23	%	2023/24	%
Upheld	25	10%	42	14.5%
Partially Upheld	50	20.2%	39	13.5%
Not Upheld	126	50.8%	107	37%
No finding	1	0.5%	9	3%
Discontinued / Withdrawn/Redirected/Duplicate	46	18.5%	91	32%
Total	248	100%	288	100%



10. Stage 2 Outcomes

- 10.1 These figures are for all Stage 2 complaints completed during this reporting year. Some may have been received in the previous year and some investigations were on-going at the end of the year.

Stage 2 Outcomes	2022/2023	2023/2024
Complaint Fully Upheld	5	7
Complaint Partially Upheld	8	15
Complaint Not Upheld	22	19
Discontinued	1	4
Total	36	45



- 10.2 There has been an increase of 25% in the amount of stage 2 complaints that have been investigated. However, we still see a relatively low number of complaints being fully upheld, only 15.5%.

- 10.3 The top 3 reasons for stage 2 complaints are:

- Quality or appropriateness of a service
- Decision Making
- Delay in Service

11. Review Panels (Stage 3)

- 11.1 11 Review Panel Hearings were held during 2023/24.
1 was in relation to Fostering, 2 for Safeguarding, 4 for Children with disabilities team, and 4 in relation to the Through care team.
- 11.2 In all of the cases, the Panel were satisfied with the stage 2 investigations and made some additional recommendations such as:
- That WCF arrange to meet with the complainant to discuss information that the complainant felt was incorrect on their files. If anything is found to be inaccurate, for this to be corrected.
 - For contracts of expectations that are drafted by WCF to consider all parties involved and what consequences may result in protecting a child's interest.
 - That a meeting be arranged between WCF and the complainant to try and restore communication.
 - A written apology to be provided to the complainant and to arrange a meeting to engage with the complainant to assist with reconciliation.
 - WCF to review their current policy content regarding direct payments and consider if clarification is required and if they would want to publish criteria of what direct payments can and cannot be used for.
 - A meeting to be arranged by WCF with the complainant to ensure that contact arrangements are clear and put in writing.

12. Stage 1 Timescales

- 12.1 The timescale for responding to a complaint at Stage 1 is 10 working days, with a possible extension of a further 10 working days if a response cannot be provided within that timescale. If necessary, Stage 1 may also be suspended until an advocate has been appointed.
- 12.2 It is recognised that due to the complexity of some complaints it is not possible to resolve all complaints within statutory timescales and provide the complainant with the resolution they need, even with the extension to 20 days.
- 12.3 We have seen an increase of stage 1's being completed within 10 working days, from 23% last year, to 46% this year. This is a significant increase and is due to Consumer Relations identifying that this needed to be improved and WCF making considerable efforts and progress to meet the lower timescale.

Timescales of Stage 1 Complaint Resolutions	2022/23	2023/24
Within 10 working days	23%	46%
11 to 20 working days	74.5%	50%
21 to 40 working days	2.5%	4%
More than 40 working days	0	0

- 12.4 Overall, 96% of all stage 1 Complaints have been dealt with in the required timescales. This is slightly lower than 2022/23, but we must also take in to account a 3.5% increase in complaints received. The reasons for complaints going over the 20 working day timescale include the complexity of the complaint, staff absence when interviewing and reallocation of complaints to a different Senior Officer due to staff absence/capacity.

13. Stage 2 Timescales

- 13.1 The timescale at Stage 2 is 25 working days with a maximum extension to 65 working days, which includes sign off of the Investigator's Report by Senior Management.

Timescales of Stage 2 Complaint Resolutions	2022/23	2023/24
Within 65 working days	83%	92.68%
More than 65 working days	17%	7.32%

- 13.2 Stage 2's completed within the extended timescale of 65 working days have improved again this year, up to 92.68%, with those going over the timescale reducing from 17% to 7.32%.
- 13.3 This is a notable achievement as we responded to 25% more than the previous year.

14. Stage 3 Timescales

- 14.1 Once a Review Panel has been requested it should be held within 30 working days.

11 Review Panels took place during this reporting period.
All of these were held outside of this timescale.

There were a number of reasons why some of these stage 3's were not held in time. Some examples of these are:

- Lack of response from the complainant once the stage 3 had been requested
- The complainants agreeing to a date but then having to postpone
- Difficulty in arranging a date that the complainant, panel members, WCF staff, the Investigating officer, Independent Person can all attend.
- Stage 3 panels are now being arranged by the Consumer Relations Team, so we are focussing on making significant improvements in this area.

15. Advocacy

- 15.1 There is a duty on local authorities to enable children / young people who wish to make a complaint on their own behalf to access advocacy services. Coram Voice are contracted to provide this service for Worcestershire, but young people can also choose their own advocate should they wish to do so.

- 15.2 8 children and young people (0-17) raised complaints and were offered an advocate if they were not already represented by one.

16. Compliments

- 16.1 Compliments relating to Children's Services have come from people independent of the local authority. There is an increase of nearly 30% in compliments received.

Service Area	2022/2023	2023/2024
Children with Disabilities	1	0
Fostering & Kinship	2	5
QA and Independent Review	10	13
Safeguarding Area	49	32
Family Front Door	11	20
Supporting Families First/Targeted Early Help	6	19
Through Care	12	31
Care Leaver and Outreach	1	2
Other	2	0
Total	94	122

- 16.2 The following are a selection of the compliments received:

From a parent about a Social Worker:

"It's very hard to say goodbye to a Social Worker like you. Thank you for our every meeting and conversation, you understand the feelings of a mother and her love to children. I wish you all the best."

From a parent about a Social Worker:

"Just wanted also to say thank you so much for all your help & support through all of this with ■ & myself. You've been absolutely brilliant & couldn't have done it without you. I really appreciate everything you've done."

From a parent about a Social Worker:

"Thank you for everything you have done for ■, he is really lucky to have you as a social worker, and a huge thank you for all the support you have given me and my family."

Family Court Advisor about a Social Worker

"I had the good fortune of being at the family home yesterday when ■ undertook an unannounced visit. ■ was excellent with both ■ and ■ and it was clear they have a very good relationship with her, and that she has a good working relationship with ■. ■ has

*been excellent and keeping me in the loop, and any questions I've had she has already had an answer prepared.
It has been nice to see a case that is being managed so well by a social worker, but also with such sensitivity and upon the basis of good relationships."*

From a parent about a Social Worker:

"I'm sure you're already aware but he has been a phenomenal Social Worker! His personality has fit so organically with ours and has given a boy with a lot of emotional needs the ability to open up, trust and laugh with him, he's listened to every little self-doubt I've had, mediated between myself and [REDACTED] maternal family and supported me as much as he's supported K, if he's half as valued with other families as he is here they'll be lucky indeed."

From a Special Guardian about a Social Worker:

"Just wanted to let you know how happy I am that the SGO was granted in my favour. It's been an incredible journey these last 5 years, with many difficult times. However, I have been so lucky to have such amazing, professional social workers (and everyone else in the background) supporting me. Social Services are only in the press/media when they get things wrong but people don't see how hard you all work. Not only supporting kinship carers, the children involved but also supporting [REDACTED] to try to get the children home. Honestly, you are unsung heroes! So now onto the next chapter of our incredible journey but before I go, I would like to personally thank you all, especially my current SW [REDACTED] and everyone else that's been involved, including yourself & a special thanks to [REDACTED] was there in my darkest, most frustrating times and got me through...she helped me be the carer I am today. I wish you all a very Merry Christmas and continue with all your hard work...not all heroes wear capes x"

Comments on this report are welcomed and requests for further information should be directed to:

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