

Complaints Annual Report

Children and Families Directorate

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Introduction

This report provides information for the Statutory Children's Complaints and Representations Service and the Corporate Feedback Procedure for Children and Families services, for the period 1 April 2023 to 31 March 2024. The report and service are provided in accordance with the Complaints and Representations Procedures established under the Children Act 1989 and the Local Authority Act 1970.

The Procedures were amended from 1 September 2006 by The Children Act 1989 Representations Procedure (England) Regulations 2006, and 'Getting the Best from Complaints', the accompanying guidance.

The Statutory Complaints Procedure

The Statutory Procedure provides a Procedure for making representations about the discharge by a Local Authority of its functions under Part 3 and specified functions under Parts 4 and 5 of The Children Act 1989, certain functions under 2002 Act and functions regarding Special Guardianship support services.

There are three stages to the Statutory Complaints Procedure:

Stage 1 – Local Resolution

This stage is usually carried out by a Team Manager, who is required to carry out an investigation by discussing the complaint with the relevant practitioners and the complainant and taking into account any evidence which is held by the Local Authority, before making an informed finding on each specific complaint. There is a timescale of 20 working days to complete this stage.

Stage 2 – Independent Investigation

This stage involves the commissioning of an Independent Investigating Officer (IIO) and an Independent Person (IP) who will carry out an evidence-based investigation by meeting with various practitioners concerned and viewing evidence held on the Local Authority files. The IIO and IP will each prepare a report, including recommendations for the service to consider. A rota system is in place between a number of Senior Manager's who will then consider the reports and recommendations and prepare a response to the complainant detailing whether they accept the findings and recommendations, before all reports and responses are sent to the complainant. There is a timescale of 65 working days to complete this stage.

The Complaints Team are required to accept all requests for a Stage 2 Investigation, however attempts are always made to try and resolve the issues locally, by the Complaints Team offering to meet the complainant along with the relevant District Lead.

Stage 3 – Complaints Review Panel

This stage involves the commissioning of three independent Panel members, who will attend a Panel meeting alongside the IIO and IP, the complainant, a representative from the service, the Complaints Manager, a Clerk to the Panel and anyone else who is considered to be required.

The Panel will consider the adequacy of the Stage 2 Investigation in light of any additional information provided by the complainant. Panel will reach a view as to whether any findings need to be overturned and whether any additional recommendations need to be implemented.

The report provided by Panel will be shared with the Local Authority and the Director for Children's Services (DCS) will prepare a response to the complainant which will detail whether the recommendations are accepted. The Panel report and response from the DCS is then shared with the complainant.

The Corporate Complaints Procedure

The Corporate Complaints Procedure can be utilised when the representation does not fit the criteria to be investigated via the Statutory Complaints Procedure and is regarding a non-statutory service or if the representation is being made in the complainants own right about a service which they have personally received, subject to the specific detail of the complaint.

There are two stages to the Corporate Complaints Procedure:

Stage 1: Local Resolution

This stage usually involves a Team Manager investigating the complaint by conducting discussions with staff members and liaising with the complainant. The Team Manager will then reach a conclusion in terms of the findings of the complaint. The timescale of this stage is 20 working days.

Stage 2: Internal Review

A complainant can submit a request for a Stage 2 Review; however, the Complaints Team have discretion in whether this is accepted. The complainant must provide sufficient evidence to warrant this. If accepted, a senior manager will review the stage 1 response alongside the evidence supplied by the complainant and will reach a finding on each aspect of the complaint. The timescale for completing this stage is 25 working days.

Local Government and Social Care Ombudsman (LGSCO)

In the event that a complainant remains dissatisfied following exhaustion of all stages of either complaints procedure they can take their complaint to the LGO. A complainant can access the LGSCO at any point, but the LGSCO normally provides the Local Authority with the opportunity to process through all stages of the complaints procedure unless they decide otherwise. Complaints referred back to the Local Authority to process are classed as 'premature referral' complaints.

If the Local Authority take the decision to refuse to investigate a complaint or refuse to escalate the complaints to the next stage of the procedure, a complainant may then also approach the LGSCO.

Key Facts and Figures – Children and Families 2023/24 Financial Year



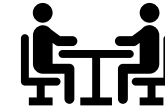
5045

referrals were made to Children's Services.



7062

statutory Child Social Work Assessments were completed.



1596

non-statutory assessments were completed by the Early Help service.



1170

Education, Health and Care Plans were issued.



1184

Education, Health, and Care Needs Assessments were started.

Key Numbers and Initial Overview – Customer Feedback and Complaints



A total of **506** complaints investigated, combined through the different stages of the Statutory and Corporate Complaints Procedures.



278
compliments received for the whole service.



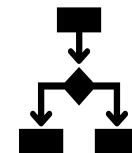
The services adherence to the timescales when responding to all Complaints combined, is recorded as **61%** being responded to within published timescales.



'Case management' accounts for **81%** of Statutory Complaints, with 'Delay in providing an EHCP' accounting for **37%** of Corporate Complaints.



78% of all Complaints combined, were received from parents of service users. **10%** were from either an Advocate on behalf of a young person, or a young person directly.



Of the completed investigations, **36%** have been upheld, **37%** partially upheld and **26%** not upheld.

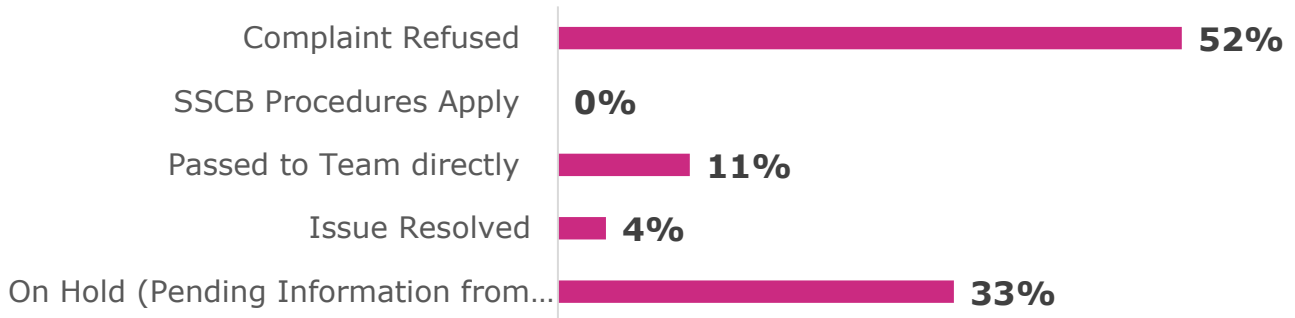
Composition of Total Feedback Received

The chart below provides a general overview of the total amount of feedback which has been recorded by the Complaints Team.

| | 2022/2023 | 2023/2024 | % Difference |
|------------------------|------------------|------------------|---------------------|
| Statutory S1 Complaint | 142 | 134 | -6% |
| Statutory S2 Complaint | 13 | 12 | -7% |
| Statutory S3 Complaint | 3 | 6 | +50% |
| Corporate S1 Complaint | 201 | 316 | +57% |
| Corporate S2 Complaint | 14 | 38 | +38% |
| Duty | 199 | 232 | +17% |
| MP Enquiries | 146 | 187 | +28% |
| LGSCO | 39 | 56 | +44% |
| Compliments | 193 | 278 | +44% |

Duty Matters

A total of 232 matters were categorised under the duty system, the below chart provides detail of how these have been recorded. The volume of enquiries recorded under this category continues to increase and represents a significant proportion of work which the Complaints Team undertake.



In terms of those complaints which are refused further investigation, further detail is provided in the below chart. It is a recurrent theme each reporting year that a high percentage of complaints are refused due to ongoing legal proceedings. This reason for refusal is underpinned by the statutory legislation in respect of complaints, which we are bound by.



Duty by Service

The table below provides an overview of duty matters, categorised by respective service. Matters categorised as 'pending/awaiting further information' are not contained in these figures as we cannot be certain which service the concerns relate to whilst such information is pending, and as such we cannot record the feedback against a specific service.

| | |
|--|----|
| Access to Learning, Inclusion and Improvement | 6 |
| Access to Services and Family Support | 8 |
| Adoption and Kinship | 1 |
| Cannock - Assessment and Staying Together | 6 |
| Cannock - Children in Care & Care Leavers | 1 |
| Cannock - Early Help Resourcing | 1 |
| Childrens Disability | 5 |
| East Staffs - Assessment and Staying Together | 25 |
| East Staffs - Children in Care & Care Leavers | 1 |
| East Staffs - Early Help Resourcing | 4 |
| Fostering | 3 |
| Lichfield - Assessment and Staying Together | 7 |
| Lichfield - Children in Care & Care Leavers | 1 |
| Lichfield - Early Help Resourcing | 8 |
| Moorlands - Assessment and Staying Together | 4 |
| Moorlands - Early Help Resourcing | 1 |
| Newcastle - Assessment and Staying Together | 11 |
| Newcastle - Children in Care & Care Leavers | 4 |
| Newcastle - Early Help Resourcing | 4 |
| South Staffs - Assessment and Staying Together | 5 |
| South Staffs - Children in Care & Care Leavers | 2 |
| South Staffs - Early Help Resourcing | 2 |
| Stafford - Assessment and Staying Together | 13 |
| Stafford - Children in Care & Care Leavers | 2 |
| Stafford - Early Help Resourcing | 3 |
| Tamworth - Assessment and Staying Together | 6 |

Stage 1 Statutory Complaints by Service:

The Complaints Team processed a total of 134 complaints through the Statutory Complaints Procedure at Stage 1.



Outcomes of Stage 1 Statutory Complaints*

| Reporting Period | Upheld | Partially Upheld | Not Upheld | Complaint Withdrawn |
|------------------|--------|------------------|------------|---------------------|
| 2022/23 | 28% | 29% | 26% | 17% |
| 2023/24 | 21% | 42% | 29% | 8% |

*At the time of creating this report, a number of complaints remained open/outstanding, therefore these figures are not definitive and may alter should data be requested in the future.

This data shows there has been a decrease in complaints found to be fully upheld, with an increase in those found to be partially upheld. Stage 1 of the Statutory Complaints Procedure is classed as 'local resolution' where the Team Manager of the service concerned will investigate and respond at Stage 1.

Timescales for Responding to Stage 1 Statutory Complaints

| Reporting Period | Within Timescale | Over Timescale |
|------------------|------------------|----------------|
| 2022/23 | 57% | 43% |
| 2023/24 | 59% | 41% |

The above data shows there has been little change in comparison to the previous reporting year, in respect of timescales when responding to complaints. The Complaints Team note the challenges which the service experience and are aware that a complaints investigation can increase the workload. It is inevitable that on occasion, complaint timescales cannot be met, and, on this basis, communication is key; the majority of complaints can in part reference poor communication and a delay in providing a response to a complaint will only add to that frustration. Should a delay become a possibility, communication should be made with the complainant at the earliest opportunity, with a revised timescale agreed at that point. It is hoped that the percentage of complaints responded to within statutory timescales can increase during the next reporting period.

Stage 2 Statutory Independent Investigations

The below table shows the number of Stage 2 Investigations commissioned this reporting year whilst also some comparative data of the preceding year with the percentage of stage 1 complaints progressing to the next stage.

| Reporting Period | Number of Stage 1 Statutory Complaints | Number of Stage 2 Independent Investigations | Percentage of Stage 1 progressing to Stage 2 |
|-------------------------|---|---|---|
| 2020/21 | 107 | 10 | 9% |
| 2021/22 | 92 | 6 | 7% |
| 2023/23 | 142 | 13 | 9% |
| 2023/24 | 134 | 12 | 9% |

This data shows that the percentage of complaints escalating to a Stage 2 Independent Investigation remains under 10% and has done so for the last four reporting years. It should be noted that escalation to Stage 2 is a right which the complainant holds and as such if a complainant is firm in that view, we are duty bound to commission officers to undertake this work. We wish to thank the services who are extremely supportive and accommodating when we receive such requests as Senior Managers will often make arrangements to meet with complainants to try and resolve the concerns through a final attempt. Senior Managers have been successful in this approach, and this has certainly assisted with keeping the figure below 10%.

It should not be assumed that a request to escalate to Stage 2 of the Statutory Complaints Procedure is because of a poor response from Stage 1. A complainant may disagree with a Stage 1 response for a variety of reasons and ultimately their view on matters may differ from that of the Local Authority. The Complaints Team continue to work alongside the service areas to ensure a thorough a robust response is provided at Stage 1, which is evidence based and can be used to support the stance of the service should the complaint escalate to a Stage 2.

| Service | Number of Stage 2 Independent Investigations * ** |
|--|--|
| Assessment and Staying Together (Cannock) | 1 |
| Assessment and Staying Together (East Staffs) | 3 |
| Assessment and Staying Together (Lichfield) | 1 |
| Children in Care & Care Leavers (Stafford) | 2 |
| Childrens Disability Service | 2 |
| Fostering | 2 |
| Staffordshire Childrens Advice and Support Service (SCASS) | 2 |

*The Statutory Complaints Procedure can be lengthy and as such the figures below may not correspond with Stage 1 complaints recorded within this reporting year. It may be that the Stage 2 complaints referenced above, follow a Stage 1 investigation from the previous reporting year.

**The figure within this table considers that two investigations covered two different teams, however, the investigation is still recorded as only one Stage 2.

Recommendations and Learning from Stage 2 Statutory Investigations

The below provides a selection of recommendations which have been accepted by the Council following a Stage 2 Independent Investigation.

Fostering

That the Council encourage and require managers to read and critically appraise reports by staff, before endorsing them.

That the Council should ensure that every effort is made, where fostering is delivered by two people, to include both parties in meetings or visits where significant decisions are to be taken.

Childrens Disabilities Service

I recommend that the local authority consider ensuring the family have reasonable notice of all respite provision and avoid the family being told on the day the respite is available.

I recommend that the local authority considers ensuring there is flexibility in the booking of respite times so this can be agreed with the family.

Assessment & Staying Together (East Staffs)

The IO would invite the Adjudicating Officer to make a requirement of Team Manager 1 to ensure that the Core Group Minutes have now been received by the complainants – and if not, ensure that is done within four weeks of their report being completed.

Assessment & Staying Together (Lichfield)

That the local authority considers assuring the complainant that they have in place the relevant processes for corrected and storing documents.

That the local authority considers assuring the complainant that they have robust and effective GDPR training in place.

Staffordshire Childrens Advice and Support Service (SCASS)

That in line with the sixth complaint, that the complainant should receive a written explanation of the current telephone recording system in operation within Staffordshire and an explanation as to what changes are to be made to this system and when.

The investigation highlighted that following the discussion with the social worker, no direct feedback was given to the complainant. Staffordshire Advice and Support Service should ensure that a conversation takes place to inform the family of the outcome of the checks carried out rather than just leaving a voicemail.

Children in Care & Care Leavers (Stafford)

For the Council to remind its officers at all levels of the organisation that they should record pertinent email communications, conversations, and meeting onto the file of the child that information relates to. During interview staff mentioned communications that

were not noted on the case files. Doing so enables a clear audit trail to be maintained. Good record keeping is a requirement of Social Work England registration.

For the two teams involved in this complaint investigation to review its working relationship and its lines of communication in order to fully support it foster carers and the children they care for. Many of the issues raised by the Complainants were exacerbated by poor and seemingly inconclusive communication between officers.

Stage 3 Complaints Review Panels

The table below provides an overview of the 6 Stage 3 Panels which have been carried out this reporting year:

| Service | Number of Stage 3 Complaints Review Panels * ** |
|---|--|
| Assessment & Staying Together (Lichfield) | 1 |
| Children's Disability Service | 3 |
| Assessment & Staying Together (East Staffs) | 1 |
| Fostering | 1 |
| Children in Care & Care Leavers (Cannock) | 1 |

*Due to the Stage 2 Investigation process being lengthy, these figures correspond with Stage 1 and 2 data from the previous reporting year.

** The figure within this table takes into account that one investigation covered two different teams, however, only one Panel is recorded.

Through the Stage 3 Complaints Review Panel process, the Panel will consider information presented by the complainant before inviting officers in attendance to make comment on these. They will then deliberate before submitting a report including recommendations to the Local Authority and the complainant. The Local Authority will then provide a response to those recommendations and inform the complainant of how these shall be implemented.

The below table provides an example of some recommendations implemented following the Stage 3 Complaints Review Panel.

| |
|--|
| Children in Care & Care Leavers (Cannock) |
| The Local Authority urgently reviews its whole policy and procedures on passport applications for children and young people, and that in future, the allocated Social Worker is tasked with making a passport application when a child/young person becomes 'looked after' by the Local Authority. This application can then be recorded in the Care Plan and progress monitored by the Supervising Manager and Independent Reviewing Officer. |
| Children's Disability Service |
| Consideration is given to reviewing communication methods within DCS (with emphasis on supporting neuro diverse parents) and if necessary, training is provided. |
| Consideration be given at management level to addressing the disconnect between information within SEND system and social care files. Currently Panel understands only some staff have access to the SEND material albeit it can be supplied on request. |
| Fostering Service |
| Any future interaction with the complainant's daughter to be supported by Child Advocacy Support to ensure she is engaged appropriately, effectively and that her voice is heard in the interaction and case records. |
| Assessment & Staying Together (Lichfield) |
| It is recommended that an immediate review is held to ascertain whether the hand-written case notes prepared by the Social Worker have been destroyed, and if not to identify where they are currently stored. If the notes do still exist, they should be made available to the complaint. |

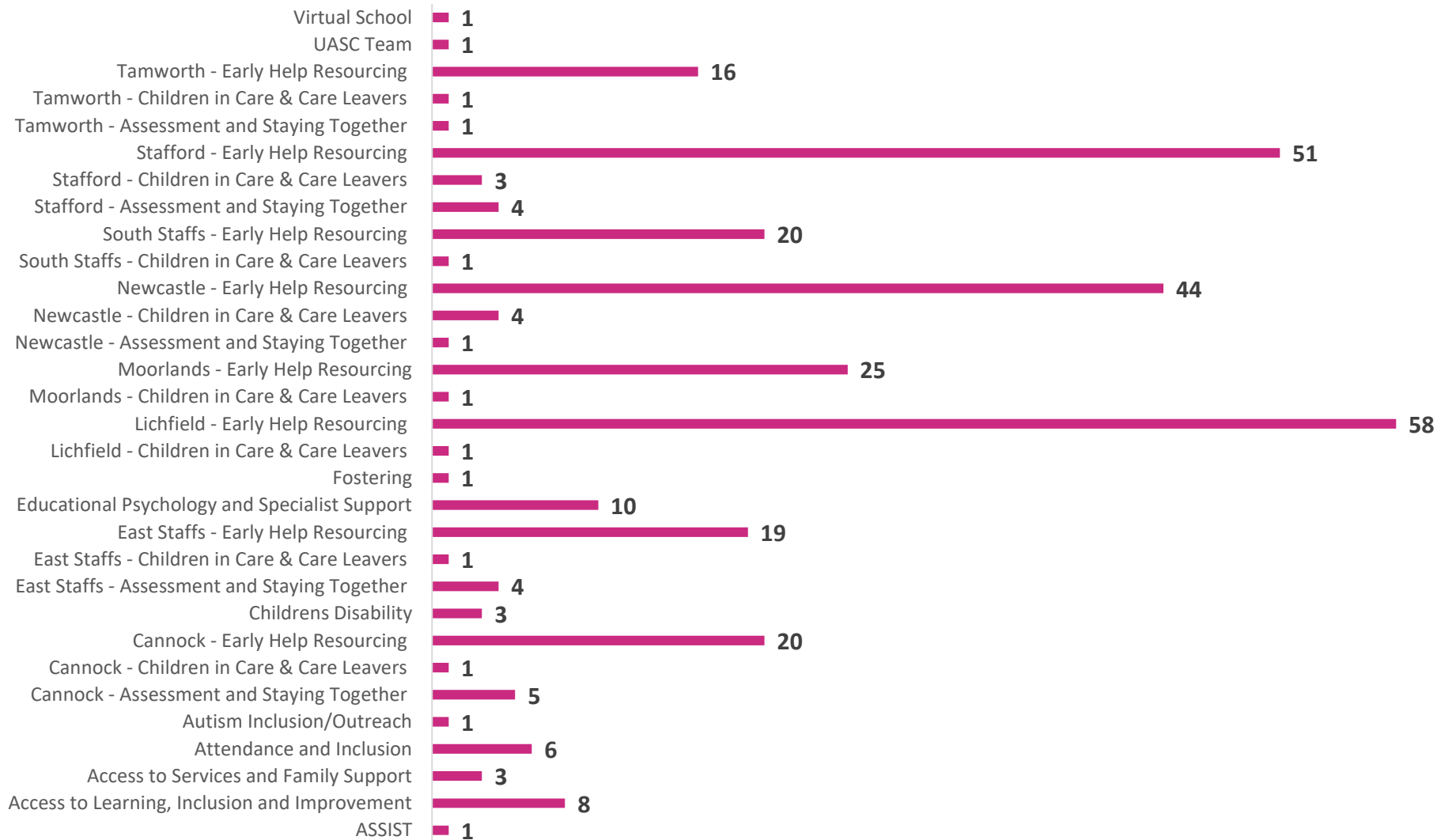
Corporate Stage 1 Complaints

The Complaints Team processed a total of 316 complaints through the Corporate Complaints Procedure at Stage 1, which is a 57% increase compared to the previous reporting year. The table below shows that for the last three reporting years there has been a significant increase in complaints recorded under this procedure.

| Reporting Period | Total |
|------------------|------------|
| 2021/22 | 118 |
| 2022/23 | 201 |
| 2023/24 | 316 |

Stage 1 Corporate Complaints by Service

The following table provides a further breakdown of the 316 complaints investigated at Stage 1 of the Corporate Complaints Procedure:



Outcomes of Stage 1 Corporate Complaints*

The table below illustrates the outcome of complaints dealt with under Stage 1 of the Corporate Feedback Procedure during this reporting year with a comparison for the preceding year:

| Reporting Period | Upheld | Partially Upheld | Not Upheld | Complaint Withdrawn |
|------------------|--------|------------------|------------|---------------------|
| 2022/23 | 42% | 24% | 32% | 2% |
| 2023/24 | 41% | 35% | 22% | 2% |

*At the time of creating this report, a number of complaints remained open/outstanding, therefore these figures are not definitive and may alter should data be requested in the future.

Timescale for Responding to Stage 1 Corporate Complaints:

The table below illustrates the timescales for responding to Stage 1 Complaints via the Corporate Complaints Procedure, with comparative data for the preceding year:

| Reporting Period | Within Timescale | Over Timescale |
|------------------|------------------|----------------|
| 2022/23 | 67% | 33% |
| 2023/24 | 61% | 39% |

Similar to Statutory Complaints, this data shows there has been no increase in the services performance in respect of timescales.

Stage 2 Corporate Complaints – Internal Review:

During this reporting year, there were 62 requests for escalation to Stage 2 of the Corporate Complaints Procedure. The Complaints Team has discretion with requests of this nature and each request is assessed on its own merit. If it is felt that there would be no benefit to the complaint progressing to a Stage 2 Review, then the request is refused, and the complaint directed to the LGSCO. 39 requests were accepted for an internal review at Stage 2 of the Corporate Complaints Procedure.

The table below shows the Stage 2 Reviews that have taken place in respect of the services:

| Service | Number of Stage 2 Reviews |
|--|---------------------------|
| Early Help Family Support 1 (Cannock) | 1 |
| Early Help SEND Education (Cannock) | 3 |
| Early Help SEND Education (East Staffs) | 6 |
| Educational Psychology (Stafford) | 1 |
| Early Help SEND Education (Lichfield) | 11 |
| Early Help SEND Education (Moorlands) | 5 |
| Early Help SEND Education (Newcastle) | 2 |
| Early Help SEND Education (South Staffs) | 1 |
| Early Help SEND Education (Stafford) | 7 |
| Early Help SEND Education (Tamworth) | 2 |

Recommendations and Learning from Corporate Stage 1 Complaints and Stage 2 Reviews:

The below table provides a small selection of recommendations and learning which has been identified from all stages of the Corporate Complaints Procedure.

Early Help SEND Education (Cannock)

The District Lead will re-iterate to the workforce that a response to email communication should be made within 5 working days if no immediate safeguarding concerns are highlighted within such communication. The District Lead will request that the SEND team update their out of office replies to clarify when this is put on due to protected time and when this is on due to annual leave or sickness. The District Lead will liaise with the Principal Psychologist regarding providing you with a copy of the report.

A new system has just been implemented to ensure and monitor the timeliness for Annual Reviews.

Early Help SEND Education (East Staffs)

The letter not being generated was a one off and the SEND Hub provider are investigating this issue. To avoid errors occurring in the future Keyworkers have been informed to check, proofread their work and to make sure that parents are happy with the content of the plan and is an accurate reflection of the child's needs.

We now ensure that when information is being passed from one district to another, that all unfinished work is completed before the handover is made and that all information is shared to ensure that this situation does not arise. Unfortunately, it appears that this did not happen in this case and the process was not tightly controlled previously.

Educational Psychology

Information has been reviewed and will be sent again to key workers regarding information for parents about the use of private professional reports, and the communication protocols for parents who are concerned has been refreshed.

Early Help SEND Education (Lichfield)

Training session has been undertaken with the district SEND teams regarding the importance of communication and providing clear explanations to parents regarding the processes which are being followed. It is really important that families understand what decisions are being made in respect of their children

As a result of your complaint, we will be working with education settings and reinforcing all parts of the statutory process to ensure that Annual Reviews are submitted to the Local Authority within the required timeframe to ensure that we can process the Annual Reviews. We have also contacted the School to ask them for a review of the interventions that have been provided and the progress he has made. This includes a breakdown of the support that has been provided since they have been the named school in the EHC Plan

The local authority has made significant investment into SEND staffing and support, after recognising that the service was significantly struggling. I hope that investment and focus in this area, will improve timeliness of EHCP completion and full and agreed support being implemented.

Early Help SEND Education (Moorlands)

As a SEND team we are looking at the Personal Budget and how this can be implemented to meet the needs of the child, when a school cannot be sourced to meet needs. It is important that we look at each child individually so that their educational needs can be met and are identified in the EHCP to meet the criteria for a Personal Budget to be agreed.

It has been concluded that the correspondence with parents is robust and that the Keyworkers are following the protocol with parents but from speaking to the Keyworkers in the Moorlands SEND Team it has been concluded that at the start of any new assessment the keyworker will contact parents more than once to talk through the assessment process if parents are really unsure of what the set procedures are. The allocated Keyworker will make a telephone call to explain the process and what evidence the local authority needs while gathering this information for the assessment process. The lines of communication need to be transparent, and processes need to be explained to the parents to what the local authority must comply with and also that the keyworker is there to support the parent through the journey and to manage their parental expectations.

Early Help SEND Education (Newcastle)

SEND managers will discuss how best to respond to mediation requests given the high volume that we are receiving.

Early Help SEND Education (Stafford)

As a result of your complaint, I will continue to work with the teams to ensure they keep to statutory Annual Review timeframes. Training will also be provided regarding the process and, greater effort will be made to be transparent with families, keeping them informed of the steps taken during the process.

Phase transfers are started much earlier within the district teams to ensure a earlier allocation of places, as well being able to share proposed amended EHCP's at an earlier stage to ensure more time is given where required for concerns. The Local Authority are continuously reviewing capacity within the district teams to ensure teams are fully staffed. I personally within my role in the Stafford Team have started to visit schools to support with any concerns they have and deliver any training and support they require with annual reviews.

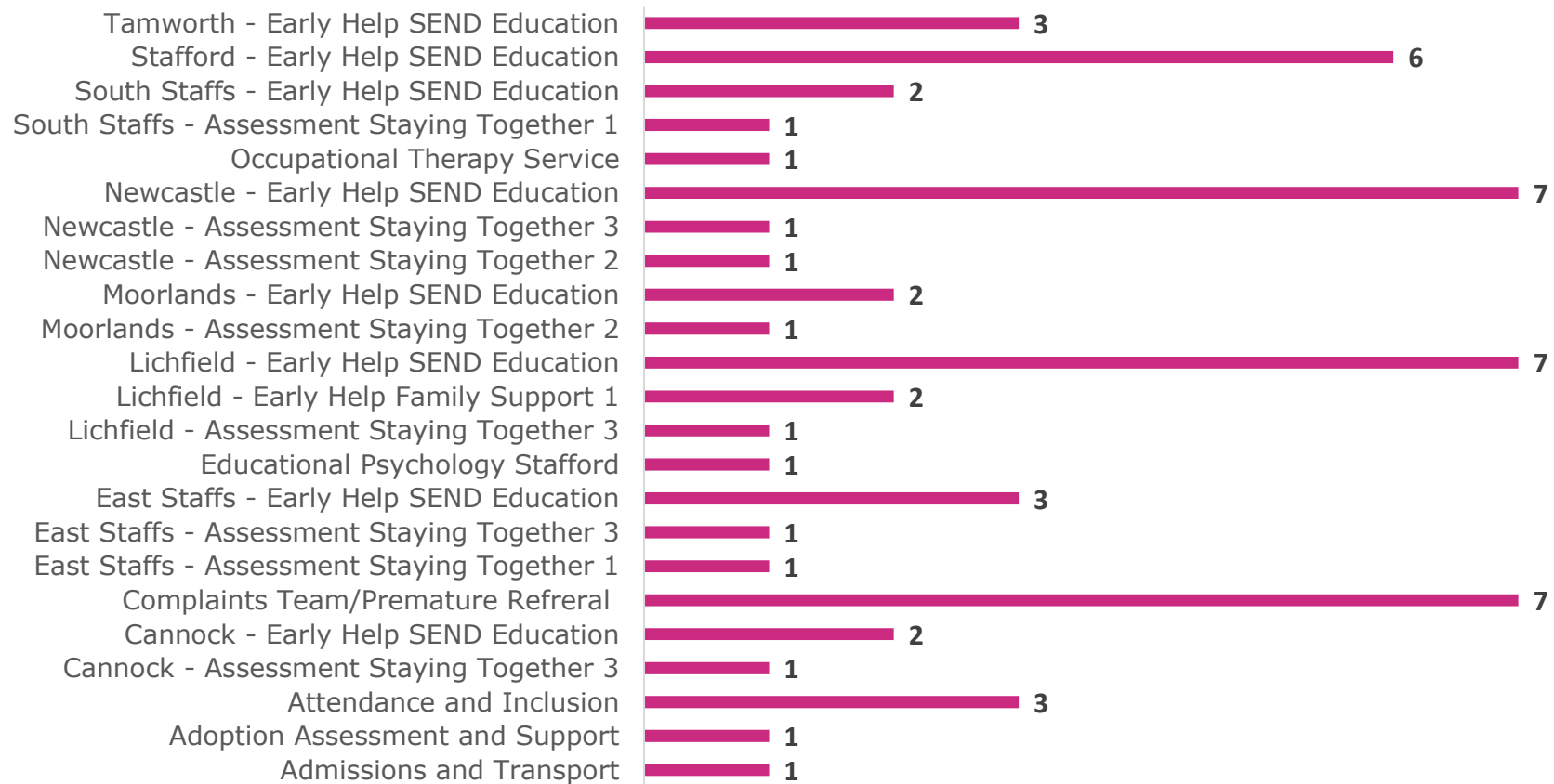
Early Help SEND Education (Tamworth)

I have discussed effective communication with parents at our team meetings to ensure that we keep parents up to date with progress, particularly if, for any reason, there is likely to be a delay in completing a process. I have asked the Key Worker to provide a regular update regarding support for him, the finalising of his EHCP, consultations and responses from settings, and progress made

Local Government and Social Care Ombudsman (LGSCO)

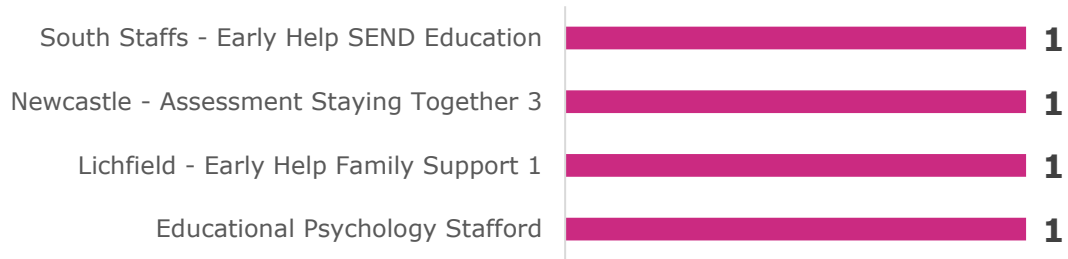
The LGSCO has processed 56 individual matters for the services during this reporting period. The LGSCO will make a judgement on whether they chose to investigate the complaint themselves or make enquiries with the Local Authority before making a decision.

The below table provides further detail of the services which have been subject to enquiries or investigations via the LGSCO.

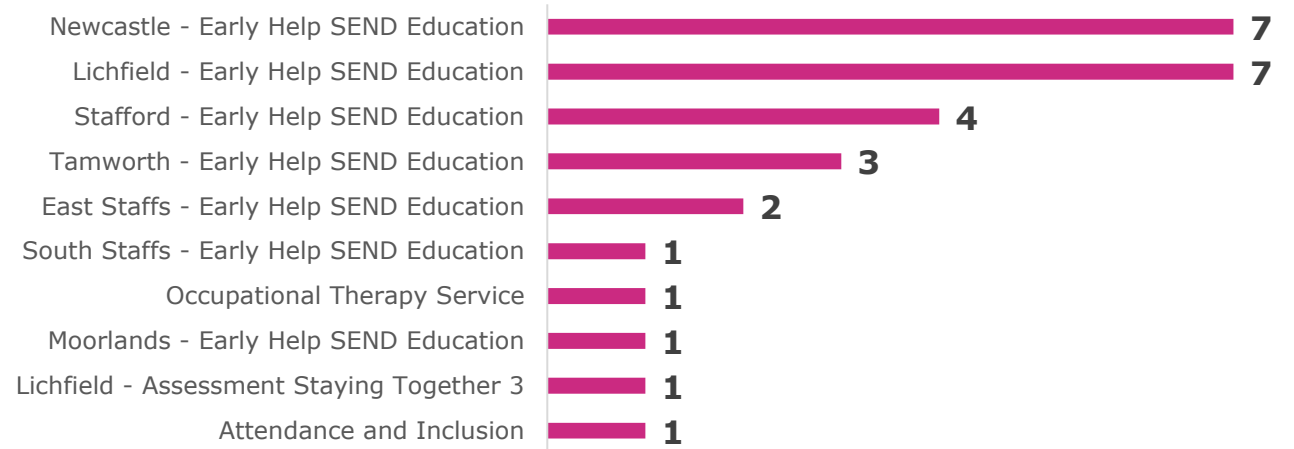


From the 56 matters which were referred to the Council, after the LGSCO making initial enquiries 17 matters recorded an outcome of the LGSCO refusing to investigate further. 7 matters were recorded as premature complaints or were issues for the Complaints Team to progress. 32 matters progressed to full investigation, with 4 of those investigations reaching a finding of no fault. 28 investigations reached a finding of maladministration and injustice. The chart below provides an overview of these services:

No Fault



Maladministration and Injustice



The below provides detail of a selection of actions which have been undertaken by the service, following LGSCO investigations reaching a finding of no fault:

Attendance and Inclusion

- Apologise directly to C for its failure to deliver alternative provision quickly enough after finding out he was not going to school. Make a payment to recognise the education he missed because of the Council's delays.

Lichfield - Assessment Staying Together 3

- Provide an apology and payment.

Moorlands - Early Help SEND Education

- Provide an apology and provide a payment to reflect the period Y was out of education, and the injustice caused.

Occupational Therapy Service

- Make a symbolic payment in recognition of the injustice caused by the delay in starting an assessment and failure to complete a carers assessment.

South Staffs - Early Help SEND Education

- Apologise for the distress and inconvenience. Make a symbolic payment to reflect the lost education. The Council will ensure it has robust processes in place to ensure social care advice is always obtained as part of an EHC Needs Assessment and parent carer assessments are offered on 'the appearance of need', for example when a child is out of school for a prolonged period. The Council will review its training and guidance for officers to ensure there is a good understanding of the law regarding s.19 education, including what to do when medical evidence is not relevant or not available, or when a child is on roll but receiving less than fulltime education.

East Staffs - Early Help SEND Education

- Apologise for the lost additional support, make a symbolic payment.
- Apologise for the identified faults, make a symbolic payment and refund the costs incurred in commissioning an Educational Psychology report. Introduce a process for tracking when annual reviews of EHCP's are due for children who are not attending school; remind officers dealing with EHCP's of the need to follow the code of practice when a parent asks for a reassessment and to ensure timescales are adhered to when completing EHCP's following reviews; ensure there is a process in place to pick up arrangements for an annual review of an EHCP when officers are changed so there are no further delays. The Council should also ensure when the allocated officer is changing parents are notified and provided with details of the officer that will be taking over as soon as it is possible to do so.

Tamworth - Early Help SEND Education

- Apologise for the identified faults and make a payment.

Say what steps have been taken to address any staffing issue which contributed to the delay in this case.

- Make a payment to acknowledge the delay in issuing a final EHCP.

Stafford - Early Help SEND Education

- Make a payment for the benefit of Y's education.

Carry out a review to identify the reasons for failing to provide Y with the correct provision and how the Council will prevent a recurrence, and the reasons for the delay in providing a new Caseworker and in responding to communications and explain how the Council will prevent a recurrence.

- Apologise to both Mrs X and Y in writing for the injustice caused to each of them by the Council's faults.

Make a symbolic payment.

- Make a payment to reflect the uncertainty caused and the impact to the delayed provision.

Review its policy and approach to children and young people out of school for health, medical and other reasons to ensure it is fully meeting its responsibilities to arrange alternative education in line with the law and guidance.

Remind relevant staff of the importance of keeping full and accurate records, and for supervisors and managers to ensure this is being maintained when overseeing the work of staff reporting to them.

- Make a payment.

Provide guidance to staff working in children's education to ensure they are aware it is the Council's statutory duty to complete an EHCP review within the statutory timeframes, and it retains responsibility even when it has asked the school to arrange the review meeting.

Lichfield - Early Help SEND Education

- Provide an apology and payment.

Provide guidance to staff working in children's education to ensure they are aware it is the Council's statutory duty to complete an EHCP review within the statutory timeframes. And it retains responsibility even when it has asked the school to arrange the review meeting.

- Provide an apology and payment.

Remind relevant officers in the SEND team and those dealing with complaint responses of the need to identify information in complaints and requests for EHC needs assessments that suggests a child is not attending school and to alert the education welfare team of this. Share a copy of my final decision and our focus report 'Out of school...Out of sight' with the above reminder.

- Provide an apology and payment.

Provide an apology and payment.

Review what steps it needs to take to ensure future staff absences are managed in such a way as to not delay the processing of Stage 1 challenges.

Remind officers of the need to provide reasons for decisions at Stage 1 and Stage 2 appeals which also show how issues raised were considered.

Review why his correspondence was not responded to between February and June 2023 and ensure steps are taken to ensure this failure cannot be repeated in the future.

Review why the Stage 2 decision letter was not sent and ensure this failure cannot be repeated in the future.

- Provide an apology and payment.
Remind relevant officers of the duty the Council has to provide suitable transport from the date when EHCPs are transferred to it from another council.
On receipt of receipts from Ms X, reimburse Ms X all reasonable costs incurred to transport A to school and back from 22 September 2022, until the date the Council organised transport began; and on receipt of receipts from Ms X, reimburse Ms X all reasonable costs incurred to transport B to school and back from 23 September 2022, until the date the Council organised transport began.

Newcastle - Early Help SEND Education

- Provide an apology and payment.
Put in place a process to ensure those EHC plans which need amendment following a review are followed up on and completed within the statutory timescales.
- Provide an apology and payment.
- Provide an apology and payment.
Make clear to officers that the Council is under a duty to secure the special educational and social care provision in a child's EHC Plan. While the EHC Plan is in force, the duty remains even if the Council does not agree the provision is still necessary.
Review the Council's involvement in securing B's community support hours and identify any areas where it could and should have taken action to make sure B got the full provision they were entitled to as soon as possible. The Council will send us details of those areas and what action it will take to prevent similar fault in future.
- Provide an apology and payment.
Within three months of this decision the Council will develop a contingency plan to ensure correct process for commissioning specialist provision is followed in the absence of the key council officer.
- Provide an apology and payment.

Compliments

The service has received a total of 278 compliments this reporting year. This is a significant increase of 44% upon comparison to the previous reporting year. The chart below provides an overview of the services compliments:

| | | | |
|---|----|---|----|
| Adoption Assessment and Support | 2 | Intensive Prevention Service | 5 |
| Attendance and Inclusion | 4 | IRO and ICC Service | 4 |
| Cannock - Assessment Staying Together 1 | 1 | Lichfield - Assessment Staying Together 1 | 2 |
| Cannock - Assessment Staying Together 2 | 2 | Lichfield - Assessment Staying Together 2 | 3 |
| Cannock - Assessment Staying Together 3 | 2 | Lichfield - Children in Care and Care Leavers 1 | 4 |
| Cannock - Assessment Staying Together 4 | 1 | Lichfield - Early Help SEND Education | 1 |
| Cannock - Children in Care and Care Leavers 1 | 2 | Lichfield Children with Disabilities | 1 |
| Cannock - Early Help SEND Education | 3 | Moorlands - Assessment Staying Together 1 | 7 |
| Cannock Children with Disabilities | 1 | Moorlands - Assessment Staying Together 2 | 1 |
| Cannock Early Help Family Support 1 | 3 | Moorlands - Children in Care and Care Leavers 1 | 1 |
| Cannock Resource Centre | 4 | Moorlands - Early Help Family Support 1 | 3 |
| Care Leavers - Central | 1 | Moorlands - Early Help SEND Education | 1 |
| Child Performance Team | 1 | Moorlands Children with Disabilities | 7 |
| East Staffs - Assessment Staying Together 1 | 1 | Newcastle - Assessment Staying Together 1 | 9 |
| East Staffs - Assessment Staying Together 2 | 1 | Newcastle - Assessment Staying Together 2 | 7 |
| East Staffs - Assessment Staying Together 3 | 2 | Newcastle - Assessment Staying Together 3 | 10 |
| East Staffs - Children in Care and Care Leavers 1 | 1 | Newcastle - Assessment Staying Together 4 | 1 |
| East Staffs - Early Help Family Support 1 | 1 | Newcastle - Children in Care and Care Leavers 1 | 12 |
| East Staffs Children with Disabilities | 2 | Newcastle - Children in Care and Care Leavers 2 | 6 |
| Education Welfare | 11 | Newcastle - Duty Hub | 3 |
| Family Hub Service | 5 | Newcastle - Early Help Family Support 1 | 3 |
| Fostering Central - Engagement | 1 | Newcastle - Early Help Family Support 4 | 1 |
| Fostering Central - Panel and Approval | 1 | Newcastle - Early Help SEND Education | 5 |
| Fostering East Supervision and Support | 1 | Newcastle Children with Disabilities | 3 |
| Fostering North Supervision and Support | 5 | Occupational Therapy Service | 11 |
| Fostering Permanency and SGO Support | 2 | Placements Team | 1 |
| Fostering South Supervision and Support | 1 | Post Adoption Support | 3 |
| Fostering Stability and Sufficiency Support | 1 | School Admissions | 1 |
| Futures Matters | 5 | School Penalty Notices | 1 |

| | |
|--|---|
| South Staffs - Assessment Staying Together 1 | 2 |
| South Staffs - Assessment Staying Together 2 | 4 |
| South Staffs - Children in Care and Care Leavers 1 | 4 |
| South Staffs - Early Help Family Support 1 | 3 |
| South Staffs Children with Disabilities | 4 |
| Stafford - Assessment Staying Together 1 | 5 |
| Stafford - Assessment Staying Together 2 | 2 |
| Stafford - Children in Care and Care Leavers 1 | 9 |
| Stafford - Children in Care and Care Leavers 2 | 7 |
| Stafford - Duty Hub | 5 |
| Stafford - Early Help Family Support 1 | 3 |
| Stafford - Early Help Family Support 2 | 4 |
| Stafford - Early Help SEND Education | 1 |
| Strategic Safeguarding | 4 |
| Tamworth - Assessment Staying Together 1 | 3 |
| Tamworth - Assessment Staying Together 2 | 8 |
| Tamworth - Assessment Staying Together 3 | 6 |
| Tamworth - Children in Care and Care Leavers 1 | 2 |
| Tamworth - Children in Care and Care Leavers 2 | 2 |
| Tamworth - Early Help Family Support 1 | 4 |
| Tamworth - Early Help SEND Education | 2 |
| Tamworth Children with Disabilities | 2 |
| UASC Team | 7 |

Any compliments which are received are routinely shared with senior management, who will offer their appreciation and congratulatory messages to the practitioner and service.

It is not possible to provide a list of all the compliments which have been received this reporting year, a small selection are provided below:

"There is no magic with a care order, the support required in this case is good quality social work and that is what I have before me. I have evidence that is testament to the quality care that XXX has been afforded and the support offered by the social worker. I have every faith in the LA as to their ongoing ability to support XXX and her carers."

"Thank you so much, all your work is going to make such a difference to XXX I appreciate it so much."

"She said she is very happy working with the family time workers but XXX has been great. She said that she suffers with her mental health and XXX makes her feel confident, he follows things up and he is extremely supportive. XXX has supported her to move forward with family time and she feels very relaxed when she is out with XXX and the children."

"This is AMAZING news! Thank you so much, you have really made a difference to this young man's life and he has had so much to deal with he really deserves all of our support. So HUGE, HUGE thank you from me."

"I know it's easy for me to say this (but I really do mean it) - I don't know a more child-centric VS - and we work with 80 of them. Credit where credit is due; that's the biggest accolade we could give!"

"The Judge was very complimentary and stated, in his view, that it is good social work that gets us to the point we were today and thanked you for your hard work and efforts."

"You and your Mum provided some lovely feedback to your current professionals team, when I asked you what we'd done well and what we could have changed. You said every home you had had was lovely and you wish one had stuck. You very complimentary of your professionals team and said that this has been very positive over 4-5 years. That you'd never come to your reviews prior to this. Your Mum feels professionals have gone above and beyond and built a great relationship with you. She feels that without this team you could have gone down a different path. This was lovely to hear thank you."

"At the meeting Dad commented several times how positive XXX intervention with the family had been and how more progress had been made since XXX recent involvement than ever before. XXX efforts did not go unnoticed by professionals present either and I felt it was important that this was fed back to you as we need to be ready to raise positive work just as we do when we have other concerns."

"This is just a brief email to thank you personally for everything you have done & continue to do for me & my children. We really appreciate everything! And I just want to say that during our difficult time, working with someone like yourself made it that little bit easier. From the moment you took over my family times up until when you changed roles from a family time worker to a family practitioner, you have always been committed to supporting me & my children & you continue to value your job role in still helping us as a family. So from me & both my children, Thank you."

"I would like to take this opportunity to thank XXX who has been absolutely phenomenal in supporting my daughter, her partner and beautiful Grandson. What a change my daughter has gone through and it's just amazing to see. This is in part, a major part, of the help and advice XXX has given over the months. Working together with yourself & XXX, has had such a positive impact on not only XXX & family but also myself. We were concerned to start with when XXX first told us she was expecting, but there was and is nothing to worry about. We couldn't be happier as grandparents to such a lovely, calm & happy little boy and that is down to XXX and yourself for all you have both done for the family."

"XXX has regained a spring in her step and has said she is relieved that she is starting at XXX she was very pleased with the response she received at how they are going to support her moving forward and seem incredibly optimistic about her start. Her engagement with the tutor has been much better today since this meeting this morning, and she has been much more

motivated today while doing her work she been more actively involved with the tutor and has asked for support and voiced her struggles where needed which has been really encouraging to witness."

"XXX is allocated Social Worker to XXX (aged 15) who lives with his foster carer. FC asked me to formally highlight how impressed she is with XXX as a Social Worker, she explained that he is in regular contact with her and picks the phone up just to see how XXX is doing, he will call XXX separately to check on his wellbeing. FC said this regular contact between visits demonstrates that XXX really cares about XXX and his progress, XXX also does what he says he will do in relation to calling XXX directly. FC has been a Local Authority Foster Carer for many years and said she has not experienced this level of 'keeping in touch' before, often contact is at statutory visits only."

"Not only did I feel comfortable going to XXX and leaning on him for reassurance, guidance and sometimes needed firm words and facts. he made me feel at ease. I couldn't of asked for a better social worker to sign us off and I'll be forever grateful for not only the professional bond he went above and beyond to gain with my trust but the bond he grew with XXX. and in a weird way he will be missed."

"The work you have done with XXX has just been amazing. You have been so restorative with your work with her, and it has made such a huge change to her life and the lives of her children. Thank you so so much for everything you've done for her and all the time you've given her and patience you have shown!"

"I would just like to express my gratitude and praise of XXX and how easy to talk to and the time she took out from her work to listen and to talk to me and explain everything to me. The communication I had from XXX was outstanding and she was always so quick to respond to any concerns. She has been an amazing and supportive case worker. I know the local authority can come under fire a lot of the time for the process of children with SEND and I just wanted to share a little positiveness and hope you can pass on my thanks and gratitude to a wonderful member of your team."

"Just to let you know that we had a teams meeting with XXX home tutor last Friday and he began his lessons this week. We wanted to thank you for all your support."

"Thank you ever so much for all of your help. And simply for genuinely caring. You're one of the few people we have dealt with who has treated us as people with feelings and not just a case of "boxes to tick". I'll be forever grateful for that."

"I just want to say thank you so much for the time you took with me the other day, you opened my eyes to a whole new world with XXX and her needs, in a good way. All the information you send me has been a light bulb moment, especially the Executive Functioning."

"Just a quick, courtesy update. We have been offered a place at the XXX, delighted and relieved, and I'm now working with the school to sort out a visit and prepare my child to attend in September. I would like to thank you and everybody else involved with this process. You have been very supportive, providing good guidance and making the whole process less stressful than I imagined it would have been at the start of this process. Keep up the fantastic work!"

Annual Report Analysis and Commentary:

The data contained within this report shows that there has been an increase in complaints across the service, which is mainly accounted for by Corporate Stage 1 Complaints and more specially in respect of the SEND Service. This service has seen an increase for the previous two reporting years shown below:

| SEND Corporate Stage 1 Complaints | | |
|--|---------|---------|
| 2021/22 | 2022/23 | 2023/24 |
| 85 | 180 | 250 |
| | +112% | +39% |

In addition to the above, this report shows an increase in enquiries and investigations via the LGSCO, which also are in respect of the SEND Service. The service recorded 22 enquiries and investigations during the 2022/23 reporting period; with a total of 33 being recorded this reporting year, representing a 50% increase.

Whilst the continuing increase represents challenges for the services, it should be noted that there has been a considerable amount of learning which has been taken onboard by the SEND Teams. Whilst some of this learning has been directed by the LGSCO, a significant amount of learning has been identified by the service themselves through either the Stage 1 or Stage 2 Corporate Procedure. This demonstrates that the service is able to identify where service improvements can be made, to try and reduce the likelihood of others needing to complain about the same issue.

There has equally been a large amount of learning identified for complaints investigated under the Statutory Procedure and typically in respect of complaints which have been independently investigated. It is positive to note that the services have acted on these recommendations and implemented them. Historically it has been difficult to monitor and track these recommendations through to completion; the Complaints Team are in the early stages of developing a new database to assist with this, however, in the interim period a tracking system has been created which can be shared with senior managers on a routine basis to ensure there is oversight of these actions.

The Complaints Team wish to extend thanks to all staff who are involved with the Complaints Procedure. It is acknowledged that investigating complaints or assisting with enquiries can be time consuming and it is recognised that the respective services are under ongoing pressures, their cooperation and willingness to investigate and respond to complaints is routinely noted. In addition to this, there have been several complaints which have been resolved by District Leads and Deputy District Leads, where a Stage 2 Independent Investigation has been requested. This reduces to the cost on the public purse and more importantly, provides the complainant with a resolution to their complaints. Thanks is extended to those staff who have assisted in this regard.

The previous reporting year evidenced a slight marginal decrease in compliments, so it is pleasing to note a significant increase this reporting year. It is known just how valuable and appreciated each compliment is to staff members, who are working in areas which can be demanding and challenging. It should also be noted that senior managers are equally as thankful for each positive piece of feedback received and will celebrate the practitioner's achievements and congratulate them personally.

Timescales for responding to all complaints has sat under 70% for the last three reporting years. It is noted that there can be unforeseen circumstances which contribute to delays, however it would be positive to report an increase on this figure in the next annual report.

Learning from all complainants continues to be a key theme of the work of the Complaints Team. It is hoped that during the coming months, reporting can provide managers with a better oversight of themes of complaints, and what learning has been taken from these. This work will continue throughout the next reporting year, to ensure learning from all feedback can be disseminated across the service.

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