

# Children's Social Care Compliments and Complaints

Annual Report 2020-2021



## Contents page

1. Introduction	3
2. The Complaints Procedure	4
3. The role of the Independent Reviewing Officer (IRO)	5
4. Advocacy	5
5. Summary Data	6 - 7
6. Customer Data	8 - 10
7. Positive Feedback	11
8. What we have learnt from your feedback	12 - 13
9. Monitoring for 2021-22	14

## 1. Introduction

It is a requirement of The Children Act 1989 Representations Procedure (England) Regulations 2006 that the local authority publishes an Annual Report, to provide a mechanism by which the local authority can be kept informed of the operation of its complaints procedure for Children's Social Care (Regulation 13 (3)).

This Annual Report covers the period 1 April 2020 to 31 March 2021. It includes information about:

- the complaints procedure
- the number of complaints at each stage of the complaints procedure and any that were investigated by the Local Government Ombudsman
- the types of complaints that were made, the outcomes and compliance with timescales
- the compliments that were received
- the customer groups that provided feedback
- the learning and service improvements that have been implemented



## 2. The Complaints Procedure

### Stage 1- Local Resolution

Complaints at Stage 1 can be made to a social worker directly or to the Customer Feedback Team. Complaints received about Children's Social Care are acknowledged within 3 days and responded to within 10 days or within an extended period of an additional 10 days.

### Stage 2 – Independent Investigation

Complaints that have not been resolved at Stage 1 can be escalated to Stage 2. At Stage 2, an officer from outside of the Children's Social Care Service is appointed to investigate and respond to the complaint within 25 working days. For complex complaints this can be extended to 65 working days with the agreement of the person making the complaint.

An Independent Person who does not work for the Council will also be involved in all aspects of consideration of the Stage 2 Complaint including any discussions about the action to be taken in relation to the child.

If the complaint has not been resolved at Stage 2, the person making the complaint can ask for their complaint to be heard by a Stage 3 Independent Review Panel. This request should be made within 20 working days of the Stage 2 Response.

### Stage 3 – Independent Review Panel

The Independent Review Panel is made up of three Independent People who do not work for the Council; their role is to review all of the information about the complaint and to make recommendations to resolve it. The person making the complaint will be able to make written or verbal statements to the panel and can bring someone with them for support if required.

The panel will inform the person making the complaint and the Corporate Director of their recommendations within 5 working days of the panel date. The service then has 15 days in which to respond. This is the final stage of the complaints procedure.

On completion of Stage 3 customers are advised of their right to approach the **Local Government & Social Care Ombudsman, PO BOX 4771, Coventry, CV4 0EH** if they do not feel their complaint has been resolved.

Some complaints are dealt with via the Council's Corporate Customer Feedback policy, more information can be found on our website about this complaints process at <https://www.milton-keynes.gov.uk/your-council-and-elections/comments-compliments-and-complaints/complaints-and-compliments>

### 3. The role of the Independent Reviewing Officer

Independent Reviewing Officers (IROs) are a legal requirement – they have powers under Section 118 of the Adoption and Children Act 2002 to refer cases to The Children and Family Court Advisory and Support Service (CAFCASS). Their primary focus is to quality assure the care planning process for each looked after child, and to ensure that the child's current wishes and feelings are given full consideration. IROs also have a role in relation to complaints for looked after children.

**In regards to complaints the IRO's responsibilities are as follows:**

- To ensure that the child understands their right to make a complaint to the Local Authority and has the option of an advocate to provide support with the complaint.
- To give consideration to who is best able to instigate the complaint on behalf of the child, where the child does not have the ability or understanding to instigate their complaint. This could include the IRO (Section 26(3), 1989 Act).
- Where there is an outstanding complaint being addressed within the local authority's complaints procedure this should not prevent the IRO from continuing to work to resolve the matter, either informally or by using the formal local dispute resolution process.
- The IRO must be advised of any complaint brought by or on behalf of the child so that they may assist with resolving the problem.
- In all cases the welfare of the child is the primary concern. The IRO will need to make a judgement in consultation with their line manager about whether a problem raised as a complaint is sufficiently serious to make a referral to Children and Family Court Advisory and Support Service. Alternatively the IRO may consider that it would be more reasonable to await a resolution through the formal complaints procedure and/or the use of the formal local dispute resolution process.

### 4. Advocacy

Children and young people making a complaint are offered the support of an advocate who can support them to make a complaint, to ensure that they can express their concerns and that they are listened to. Advocacy for children and young people in Milton Keynes is provided by Coram Voice. They can be contacted by:

**Free phone:** 0808 800 5792

**Text:** 07758 670 369

**Email:** [help@coramvoice.org.uk](mailto:help@coramvoice.org.uk)

**Online:** <http://www.coramvoice.org.uk/young-peoples-zone/getting-touch>

## 5. Summary Data 2020-21:

- Around 2,300 children were supported by our social care teams.
- 60 complaints were received, compared to 74 complaints in 2019-20.
- 95% of complaints were resolved at Stage 1 compared to 97% during 2019-20.
- No complaints were escalated as CSC Stage 2's compared to 1 during 2019-20.

However, 3 were escalated as Corporate Stage 2 complaints.

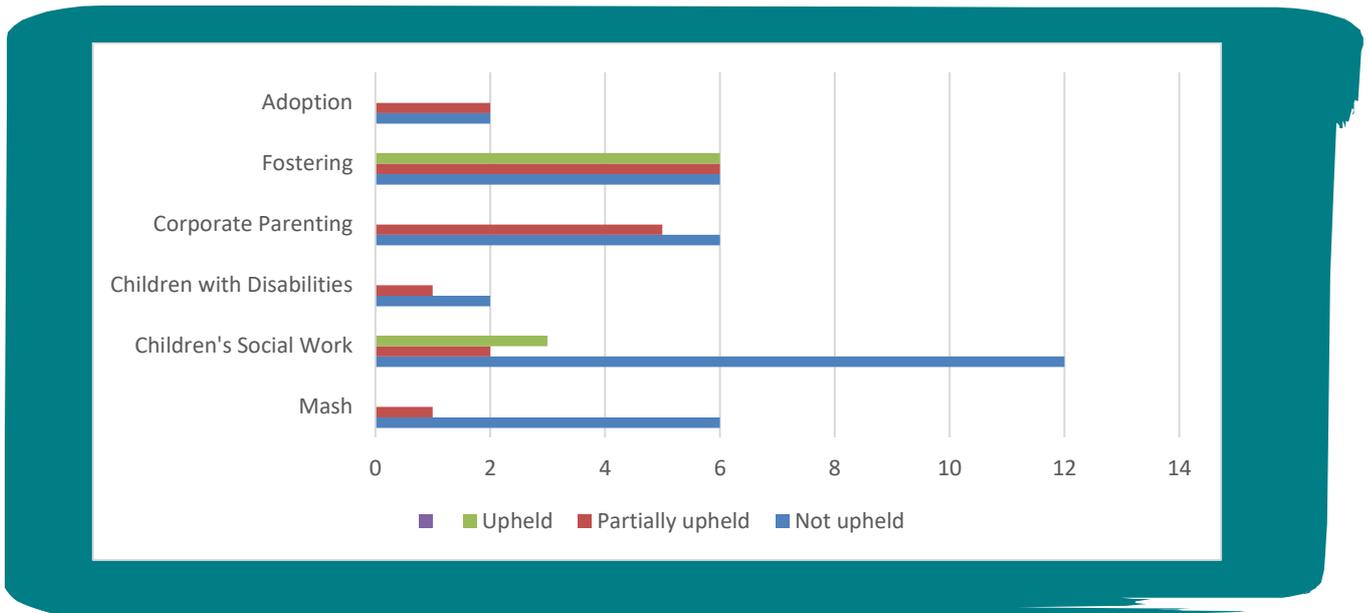
- No complaints were escalated to Stage 3 compared to 1 during 2019-20.
- 2 enquiries were made to Milton Keynes Council by the Local Government & Social Care Ombudsman. 3 decisions were received of which they were all upheld. A number of cases will have been received and decided in different business years, this means that the number of enquiries received will not always match the number of decisions made.
- 53 compliments were received, compared to 43 recorded during 2019-20.



## Outcomes

Of the complaints received: 57% were not upheld, 28% were partially upheld and 15% were upheld. We recognise the value of customer complaints and welcome them as an important source of feedback on our services. We use the information from complaints to learn from and drive forward improvements to respond positively to our customers' needs and expectations.

During 2020-21 the key areas of feedback received through complaints related to:



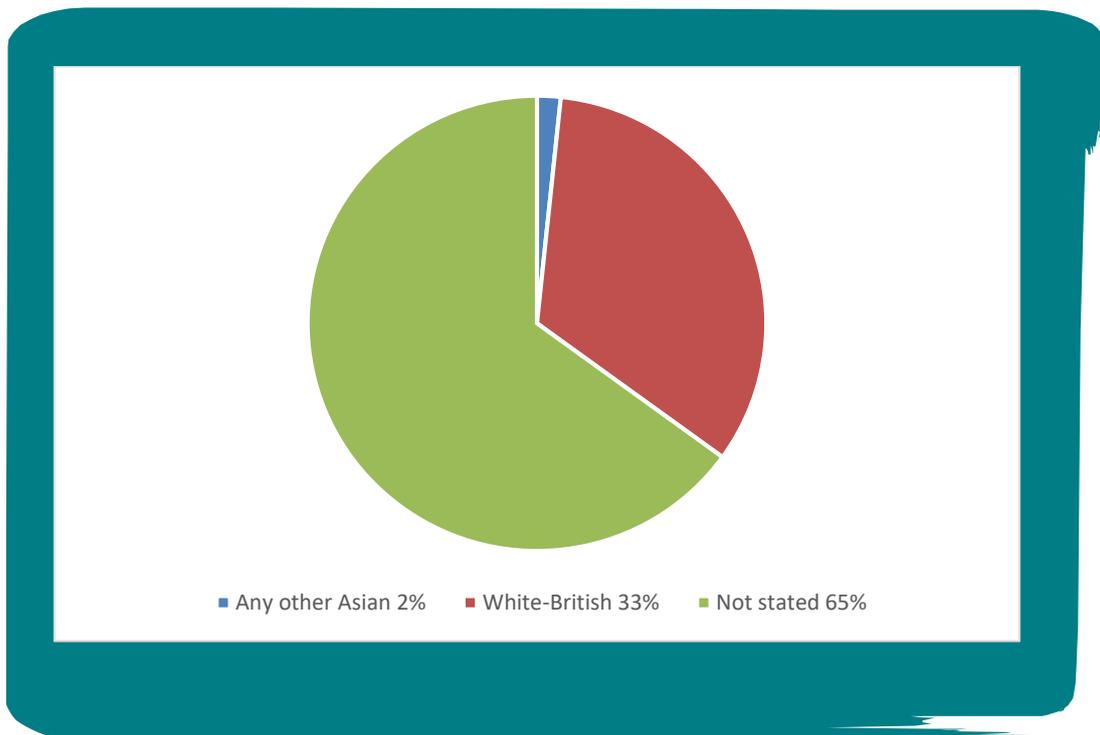
- 33% Professional decision making  
(85% not upheld, 10% partially upheld, 5% upheld)
- 40% Service failure  
(25% not upheld, 46% partially upheld, 29% upheld)
- 25% Staff conduct  
(67% not upheld, 27% partially upheld, 6% upheld)
- 2% Contractor related  
(100% not upheld)

80% of complaints closed within 2020-21 were responded to within the response timescale, the complaints that were responded to outside of the timescale were due to additional time that was required for complex complaints or due to key staff being absent from work and service pressures which caused a delay in the investigation. In these cases the person making the complaint was contacted with an explanation for the delays.

## 6. Customer Data

We ask everyone to provide some optional personal information when making a complaint. This information is treated confidentially and helps us to monitor if everyone is able to give us feedback. This information also enables us to provide additional support where required, such as through providing an interpreter or providing information in braille or another format. The sections titled 'not disclosed' indicate that the person making the complaint chose not to give us this information.

### Ethnic Background:

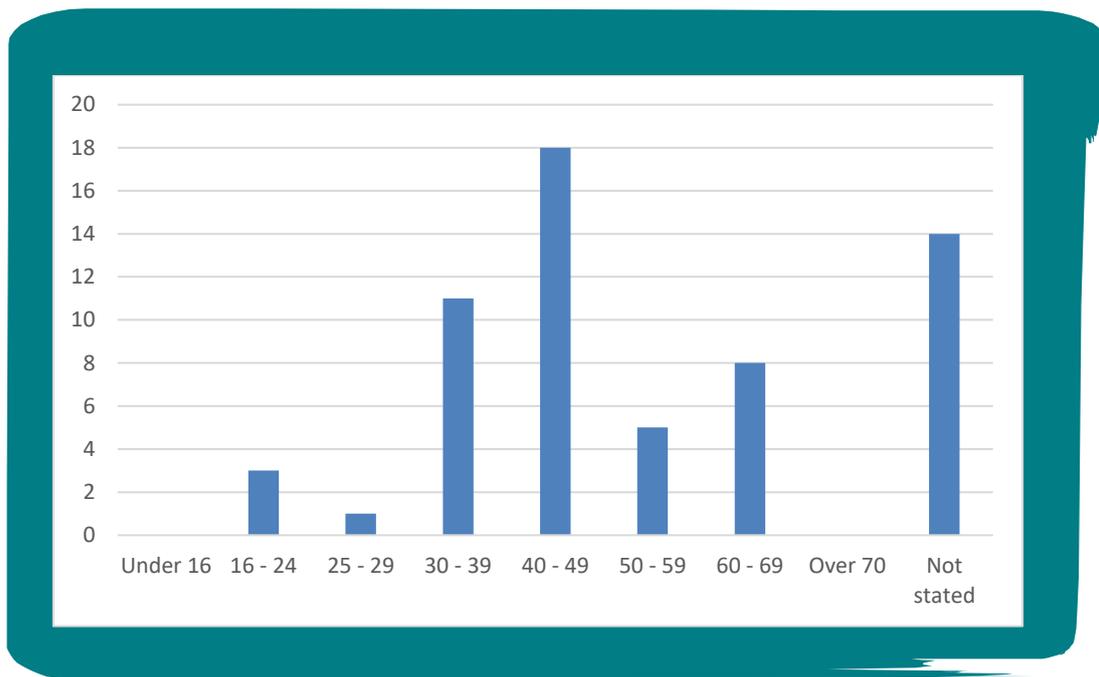


The chart above shows that individuals who described themselves as White British made up a third of all complaints received by Children's Social Care during 2020-21. However, 39 customers chose not to disclose their ethnic background.

**(The Ethnic Groups above comply with the Ethnic Groups recommended by the Office for National Statistics)**



## Age Groups:



The chart above shows that complaints were received from a range of age groups during 2020-21. We received 3 complaints from young people under the age of 25. We continue to work with our advocacy service, Participation Youth Worker and Independent Reviewing Officers to ensure that children and young people's feedback is received and acted on.

## 7. Positive Feedback

We received 53 compliments during 2020-21. Here are some examples of those compliments:

**From a father working with MASH:** “We received your report, thank you. The report is accurate and we are very happy with future plans set out in the report for all of us, the investigation by yourself has been massively positive. We can’t thank you enough for your support.”

**From a family who were supported by our Children’s Social Work Team:** “A couple of years ago we hit the rocks. Alcoholism, toxic dysfunctional family, self-harm, school issues, regular trips to A&E with suicidal daughter awful, awful. Family breakup or worse was inevitable. You stepped in and we’ve made so much progress since then. We are still a unit, my wife (and I) no longer drink. My daughter is doing well at school and so much more besides, today we hit a BIG milestone – she won two school year awards and it made me want to reach out and say thank you!.

Thank you for helping save my family and keep it together. Thank you for getting us on the right track. In particular thank you for helping give my daughter the chance in life she deserves.”

**From a young person who was supported by our Children Leaving Care Team:** “I wanted to thank you for giving me the opportunity to work with such a secret gem, Zoe has done right by me since what, 3 years now? Sure it wasn't all sparkles & champagne but Zoe was the one who was \*always\* there if I needed her. She has seen me rise & fall & rise again and stuck by me every step of the way. She's helped me become the young man I am today that will carry through the rest of my days.”

**From a family being supported by Furze House:** “I just wanted to say that our family is very thankful for everything you do at Furze House. My daughter is very happy and it really shows that we care.”

**From an Independent Chair working with our Children’s Social Work and Fostering Teams:** “I just wanted to say how impressed I am with the work Claire and Alex have completed for a young person I am working with. Claire has worked with this young person for a long time and throughout has listened to him. She has got to know him, and he trusts her. Claire spent time reading the Judges letter to him and this has been really helpful for him.

He wishes is to stay with his current foster family and Alex has worked on the paperwork to move this on swiftly.

Thank you both.”

Compliments are an essential part of the feedback that we receive in helping us to improve our service as they enable us to recognise and build on our strengths.

## 8. What we have learnt from your feedback

The feedback that we have received has made a difference to the service by enabling us to introduce a range of service improvements including:

**The Local Government & Social Care Ombudsman found:** the Council failed to follow child protection procedures, delayed investigating allegations of abuse, failed to keep proper records and failed to properly investigate Miss X's complaint.

**We did:** apologise to Miss X and made a payment of £1000 to recognise the distress she experienced as a result of the failings identified in this case. We also carried out a full review of the way we deal with child protection cases. We put together an action plan to show how we ensure relevant staff are familiar with the child protection, child in need and PLO procedures, and that staff will keep proper records, especially of how decisions are made.

**The Local Government & Social Care Ombudsman found:** Miss Y complained about the Council's failure to support her in her role as Special Guardian. The Ombudsman has found fault in a number of areas, including significant underpayment of the Special Guardianship Allowance.

**We did:** apologise to Miss Y for the faults identified and calculated and backdated all Special Guardianship Allowance payments for which she was eligible, based on the fostering rate relevant at the time and children's ages to May 2018. We also paid Miss Y £500 to acknowledge the distress she was caused by the Council's failure to properly handle this matter as well as the time and trouble she has spent pursuing her complaint about this.

We reconsidered our policy for Special Guardianship Allowances in light of the statutory guidance, caselaw and the Ombudsman's focus reports and identified all other Special Guardians affected by this fault since May 2018. We then made backdated payments to those special guardians.

**You said:** you were very unhappy that while your niece was in foster care she believed your family did not want contact with her when this was never the case.

**We did:** apologise and wanted to reassure you that for all of our children in care the involvement of family members in their lives is something we hold as highly important to a child's sense of identity, even if it is not possible due to circumstantial reasons for direct contact to occur, it is fundamental that regular updates should be provided to the family and such conversations clearly evidenced on our recording system for the benefit of the child/young person in the future.

## 9. Monitoring for 2021-22

Action	Owner	Deadline for completion
Review of quarterly customer feedback and development of quarterly action plan.	Corporate Customer Feedback Manager	Quarter 1 - July 2021 Quarter 2 - October 2021 Quarter 3 - January 2022 Quarter 4 - April 2022

For more information please visit our website

[www.milton-keynes.gov.uk/complaints](http://www.milton-keynes.gov.uk/complaints)

