

# Children's service's Annual Complaints report 22/23



## 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 2022 to 31 March 2023. 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



## Complaints procedure

Stage	Working days
Acknowledgement/Triage	5 working days
Stage 1	20 working days plus 10 working days for complex cases
Stage 2 Corporate	20 working days plus 10 working days for complex cases
Stage 2 Stat children	25 working days plus a maximum of 65 for complex cases
Statutory stage 3 (children's social care)	50 working days to complete the process

### 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 5 days and responded to within 20 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; 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>

## **The Role of Independent Reviewing officers**

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.

## **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>

## Summary data 2022/2023

Around 2,200 children were supported by our social care teams.

- 102 complaints were received, compared to 70 complaints in 2021-22.
- 86% of complaints were resolved at Stage 1
- 9 complaints were escalated as CSC Stage 2's compared to 1 during 2021-22. However, 6 were escalated as Corporate Stage 2 complaints.
- 1 complaint was escalated to Stage 3 compared to 0 during 2021-22.
- 4 enquiries were made to Milton Keynes Council by the Local Government & Social Care Ombudsman. 3 complaints were upheld. 1 was closed after initial enquiries.
- 68 compliments were received, compared to 39 recorded during 2021-2022.

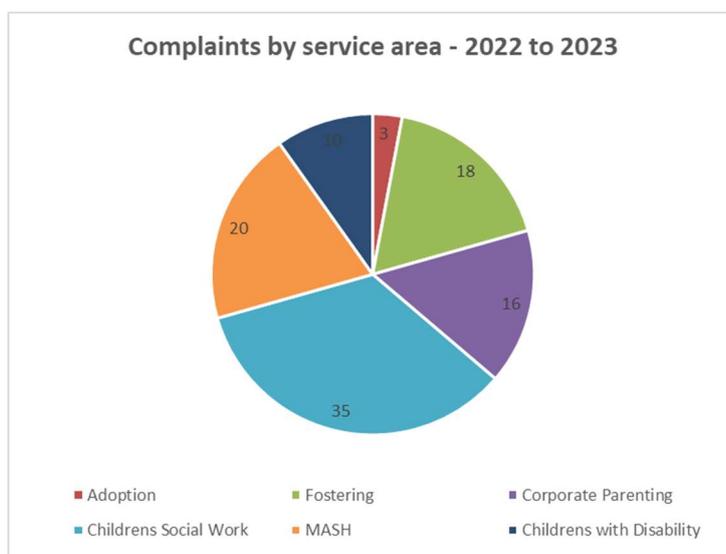


## Outcomes

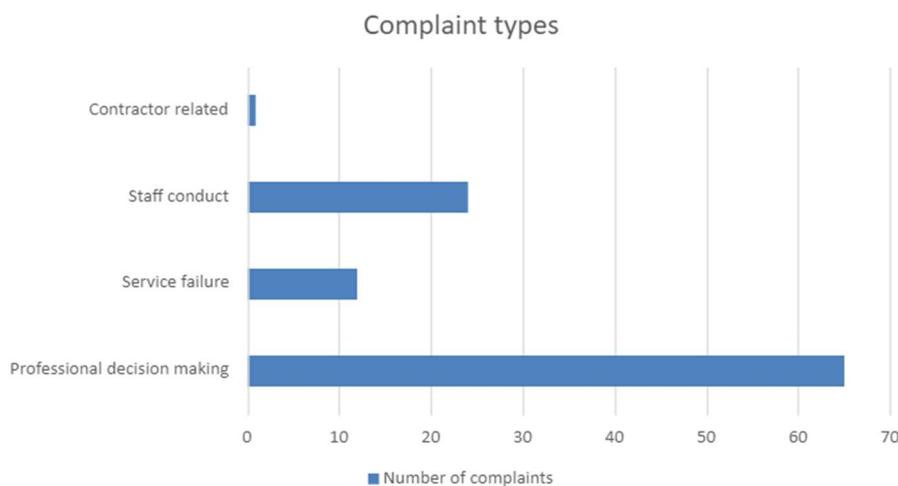
See below table for the decisions taken for Childrens' Services complaints during the financial year 2022 – 2023.

Childrens Services -  
complaint decision

Upheld	12
Partially upheld	37
Not upheld	53



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 2022-23 the key areas of feedback received through complaints related to:



Professional Decision making	65
Service Failure	12
Staff Conduct	24
Contractor related	1

35% of complaints closed within 2022-23 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.

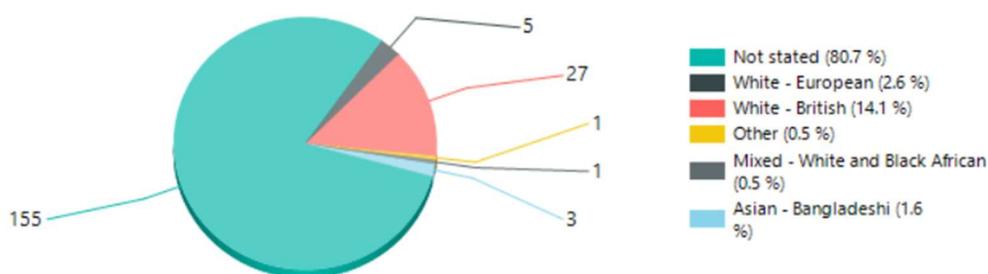
## Customer data

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

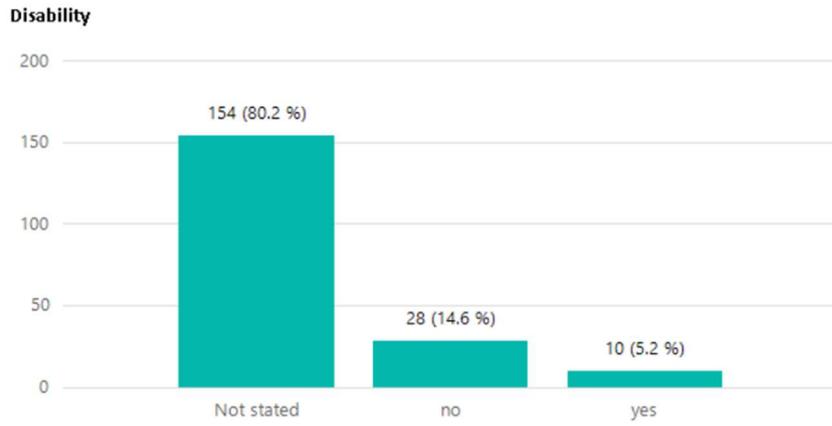
#### Children's Services

Ethnic Background



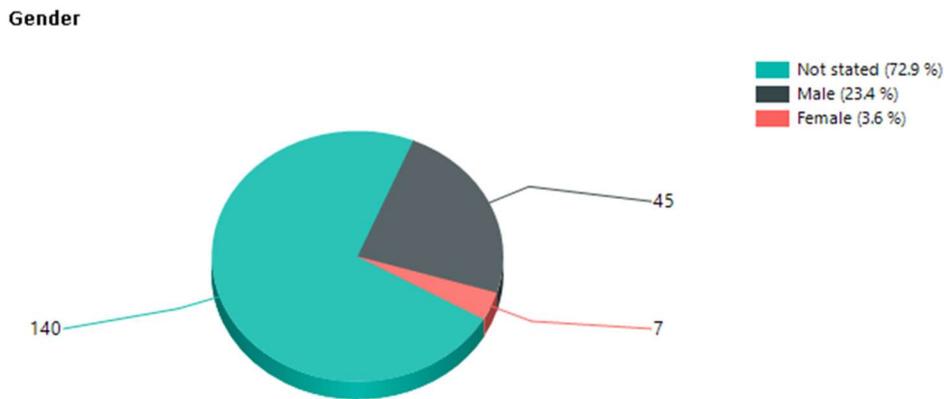
The chart above shows that individuals who described themselves as White British made up 41.1% of all complaints received by Children's Social Care during 2022-23. However, 80.7% of customers chose not to disclose their ethnic background. (The Ethnic Groups above comply with the Ethnic Groups recommended by the Office for National Statistics)

**Disability:**



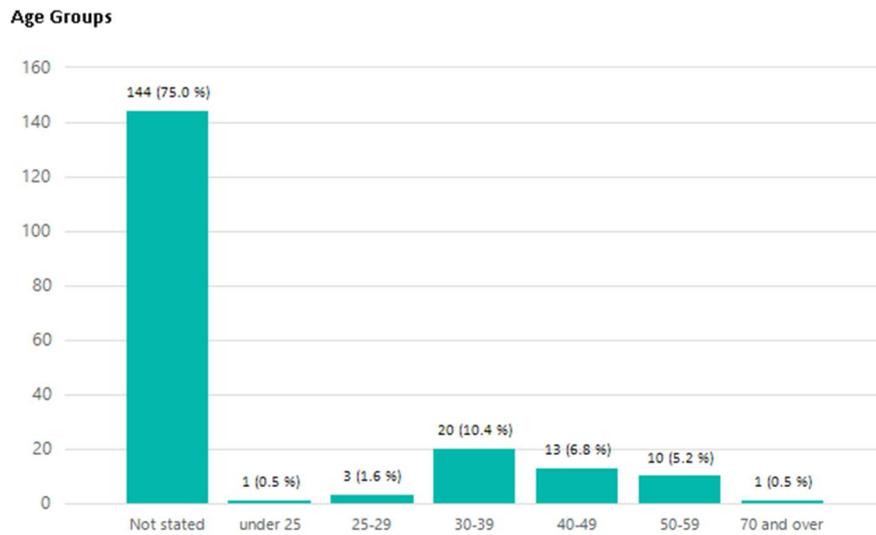
5.2% of customer’s stated that they had a disability and 80.2% chose not to disclose any additional needs or request any additional assistance with making their complaint.

**Gender:**



There were 7 complaints from females and 45 from males during 2022-23.

## Age Groups:



The chart above shows that complaints were received from a range of age groups during 2022-23. We received 1 complaint from young people under the age of 25. Although we have a significant proportion of complaints who do not share their age. 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.

## Positive feedback

Between April 2022 and March 2023 we received 68 compliments that's compared to 39 received in the previous year, 2021-2022

**Mrs X said** "Just a quick feedback about this Social Worker – we got final orders today at a final hearing. The Judge and Guardian were highly complimentary of the hard work and dedication to this family that Gill has put in"

**Parent or Guardian of Y** "What a fantastic job staff are doing at Furze House and that their young person is always looking forward to her visits."

**Parent or Guardian of B** "was very thankful for everything Furze House have done. They have seen a lot of good progress with her young person."

**Parent or Guardian of T** "Parent or Guardian was very positive about the work of the social worker during the telephone call, identifying that they had helped them think about the situation from a different perspective and this gave them the confidence to call the Police when their young person went missing. They said that the social worker had told him that even though their young person is cross with them right now, they will see in the long term that they did the right thing and loves and cares for them. They were very grateful for the support offered so far."

**Head Teacher** "Head teacher of G School each time they calls for advice as a headmaster feels very supported and wanted to thank us for this." Compliment for MASH

**Self referred to FAST service** "I self referred on to the programme, following a self referral to the GP for mental health issues in March, the GP referred me to Talking Therapies who told me about the programme. So it was an action I took off my own back, which I realise is different to the majority of women who attend this course.

I had reservations about the course, especially it being a group course and of a very personal nature. I also had an unwarranted prejudice about the 'type' of women who attend 'these kind of courses' and those that are in abusive relationships; and so I entered the first group day with trepidation and I ended it knowing I didn't want to be in the group, despite Sharon and Annie being very welcoming and friendly. With my blinkered knowledge at the time, I felt like a bit of a fraud being in the group... he wasn't violent towards me so it wasn't abusive, right? I know its said that abuse doesn't have to be physical, but I didn't realise how valid it was for me to be on the programme at that time

Social worker S has been absolutely amazing, so supportive and understanding. I have realised so much about my 'relationship' with my ex - some things I kind of knew, but didn't want to admit and other stuff that blew my mind, and seriously affected me when the realisation hit.

I cannot thank Social worker S enough for all she has done for me, and I am blown away at such a powerful resource being free for women in my situation. As a result of this programme I have now reported my abusive relationship to the police, this morning, and I am looking into the ways I can further protect myself and my children. This is a superb service and needs more recognition of that"

## **What we have learnt from feedback**

### **LGSCO Case 22 012 905**

The Local Government and social care ombudsman found:

We have upheld this complaint because the Council failed to use the children's statutory complaints procedure when considering a complaint about the treatment of a foster carer. The Council has now agreed to resolve the complaint by completing a stage two investigation using this procedure.

### **What we did**

We re invested the stage two complaint. Within the statutory time scales and provided a stage 2 statutory children's complaint response.

### **LGSCO case 21 007 781**

The Local Government and social care ombudsman found

Miss B complained about the Council failing to provide her with financial support to enable her to care for C.

### **What we did**

- We wrote to Miss B and apologise for the fault identified in the LGSCO report;
- We paid Miss B £30,000 to allow her to source and secure alternative accommodation for either her family or her son so she is able to provide a separate bedroom for C;
- We paid Miss B £500 in recognition of her time and trouble;
- We reviewed our processes for agreeing and arranging special guardianship order care plans to ensure the plan makes clear the support, including financial, we will provide ensuring all colleagues are aware of the need to follow the provisions within the care plan;
- We also carried out training for members of panels that consider requests for special guardianship order payments to ensure they are aware of the need to consider any social work report completed and record the reasons for its decisions where it decides not to follow the social work recommendation.

## **LGSCO Case 21 004 690**

The Local Government and Social care ombudsman found

Mr B, the manager of a fostering agency, complained about the Council's decision to refuse his request for an uplifted fee for an enhanced foster care placement. We found the Council was at fault in failing to use the correct contract framework and consider all the evidence when reaching a decision on the request. It also delayed in responding to Mr B's request in writing and in responding to his complaint. In recognition of the injustice caused, the Council has agreed to apologise and make a payment to the agency.

### **What we did**

We made a payment of £20,000 to the Agency. This payment was made on the proviso that a fair proportion of the payment was passed on to the foster carer in recognition of the support she provided to C during the relevant period;

We sent a written apology to the foster carer for its failure to use the correct framework and consider all the evidence when reaching our decision on the request for a fee uplift. Acknowledging that the foster carer can explain the apology to C at a suitable point; and

We sent a written apology to Mr B for the shortcomings in the process, the delay in responding to his stage 2 complaint and the failure to send the written apology recommended at stage 2.

We reviewed our procedures for deciding requests for fee uplifts to ensure the process is transparent. We also issued guidance on the process setting out timescales and the need for a response to the request to be provided in writing as recommended by the commissioning manager at stage 2.

Contact details

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