

PEOPLE OVERVIEW & SCRUTINY SUB-COMMITTEE – 5 SEPTEMBER 2023

Subject Heading:	Children’s Services Annual Complaints and Compliments Report 2022-23
SLT Lead:	Tara Geere
Report Author and contact details:	Johannah Philp, 01708 431998 johannah.philp@havering.gov.uk
Policy context:	As part of the remit of the Children Act 1989 Representations Procedure (England) Regulations 2006’
Financial summary:	There are no direct financial implications arising from this report. However adverse performance against some performance indicators may have financial implications for the Council.

The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

SUMMARY

Local authorities have a statutory requirement to set up a complaints process which is set out in section 26 Children Act 1989 and The Children Act 1989 Representations Procedure (England) Regulations 2006 and to publish an Annual Report.

The Children's Services Annual Complaints and Compliments Report for 2022–23, attached as Appendix 1 and The Learning & Achievement Complaints and Compliments Report for 2022–23, attached as Appendix 2, sets out Children's Services statutory complaints and compliments received during this period, as well as Members' correspondence.

RECOMMENDATIONS

1. That Members note the content of the Children's Services Annual Complaints and Compliments Report 2022-23 attached as Appendix 1.
2. That Members note the content of the Learning & Achievement Complaints and Compliments Report 2022-23 attached as Appendix 2.
3. That Members note the continued learning from complaints and the recognition of good practice through compliments.

REPORT DETAIL

1. Children's services saw a 3.9% decrease in the number of complaints received during 2022-23 (76) compared to 2021-22 (79). The number of enquiries increased slightly by 8.1% (80) in 2022-23 compared to 2021-22 (74). There was a significant decrease in complaints escalating to Stage 2, with only one investigation in total for 2022-23 compared to seven in 2021-22. No complaints were escalated to Stage 3 in 2022/2, There were 2 Ombudsman Investigations, of which one was not progressed and one was found to be Maladministration and injustice which resulted in a goodwill payment of £150.00.

For the Education Service the total number of Corporate Complaints has decreased by 30% in 2022-23 to 18 from 26 in 2021-22, and are reported within the Corporate Complaints reports. Enquiries however have increased by 51% to 95 in 2022-23 from 49 in 2021-22.

People Overview and Scrutiny Sub-Committee, 5 September 2023

2. Improvements were seen in the number of complaints against the Triage/MASH & Assessment, with a decrease of 64% in 2022-23 compared to 2021-22. Despite the decrease in complaints, it is noted that the most common themes for complaints received were in relation to attitude/behaviour of staff and lack of communication.

The Intervention Support Service saw an increase (26%) in the number of complaints from 33 in 2021-22 to 45 in 2022-23.

3. The three main reasons for these complaints continued to be attitude/behaviour of staff, lack of communication, and standard of service not met. As stated, the availability and capacity of staff has continued to be the biggest challenge for Children's Services. The year ending 30 September 2022 saw a further 5% increase in staff leavers compared with the year before (which saw a 77% increase in 2020). This resulted in an increase in our turnover rate, from 24.9% in 2021 to 26.2% in 2022.
4. A large increase in the volume of contacts in September 2022 coincided with a large number of complaints from partners and families in relation to a lack of communication. Several strategies were put in place with partners to address the issues around communication and access to senior managers to address any issues. A lack of IT equipment including mobile telephones for SW's was addressed by escalation from the Assistant Director of Children's Services.
5. During 2022-23 the number of complaints that were 'upheld' decreased by 42.8%. Those 'partially upheld' stayed consistent with 2021-22 at 18. Complaints 'not upheld' rose by 17% in 2022-23(25) compared to 2021-22(17). For those complaints upheld or partially upheld these resulted in an apology, linked to further information or explanation being provided, as shown in the breakdown of upheld complaints below.. Consideration needs to be given to how information is communicated to ensure this is given in a clear and concise way and that it is understood by children, parents, and carers.
6. Stage 1 complaint responses within 10 working days improved slightly in 2022-23 (28) compared to 2021-22 (24) an increase of 6% being responded to within the statutory timeframe. 32.8% of complaints were responded to within 20 days which is another improvement compared to 2021-22. The number of complaints taking over 20 days has also reduced compared to 2021-22 from 27 to 22 a reduction from 34.1% to 28.9%.
7. Monitoring information is based on the child(ren) within the family unit in which a complaint was made. During 2022-23 there has been a decrease across all age groups. Within our complaint data there are a low number of children that had a recorded disability, with the majority having Autism/Aspergers syndrome in 2022-23. We know that overall we have a growing number of children accessing SEN (Special Educational Needs) Support in Schools, and the number of requests for Education, Health and Care Plan assessments has increased significantly, and is 48% higher in January 2023 than in

January 2022, and we expect to see this continue in 2023-24. The higher number of 'White British' complainants continues to reflect the population within Havering. However, it is not representative of the service users across Children's Services. There are representations across many ethnicities with slight increases shown across any other mixed background and African.

8. There has been a significant increase in the number of compliments received from service users from 16 to 55, a 29% increase which is an amazing achievement and testimony to the excellent work being undertaken by our staff to support children, young people and their families

There has also been a further 99 compliments recorded which have been submitted both by internal and external partners which should be recognised as equally important as this strengthens Havering's Children's Services reputation with partners and the wider community.

9. The Complaints and Compliments action plan has been refreshed and will be monitored at quarterly meetings between the Social Care Complaints and Information Team, and the Children's Services Senior Management Team

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no direct financial implications arising from this report. However adverse performance against some performance indicators may have financial implications for the Council.

All service directorates are required to achieve their performance targets within approved budgets. The Senior Leadership Team (SLT) is actively monitoring and managing resources to remain within budgets, although several service areas continue to experience significant financial pressures in relation to a number of demand led services, such as Children's Services. SLT officers are focused upon controlling expenditure within approved directorate budgets and within the total General Fund budget through delivery of savings plans and mitigation plans to address new pressures that are arising within the year.

Legal implications and risks:

As stated in the Report the Authority has a duty to set up a representations process for complaints in relation to children under s 26 (3) Children Act 1989.

Under the Children Act 1989 Representations Procedure (England) Regulations 2006

"13 (2) Local authorities must monitor those arrangements by keeping a record of—

- (a) each representation under section 26 received;

(b) the outcome of each such representation; and
(c) whether there was compliance with the time limits specified in these Regulations.

(3) For the purposes of such monitoring every local authority must as soon as possible after the end of each financial year compile a report on the operation in that year of the procedure set out in these Regulations.”

The Children’s Services Annual Complaints and Compliments Report 2022-23 complies with these Regulations.

Whilst there is no statutory duty to provide a complaint service, or Report in relation to Education issues this is clearly good practice.

Otherwise there are no legal implications in noting the content of the Annual Report.

Human Resources implications and risks:

The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

Equalities implications and risks:

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have ‘due regard’ to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: ‘Protected characteristics’ are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants. The policy contains a breakdown of complaints received.