

Family Support and Child Protection



Statutory Complaints, Compliments & Representations

**Annual Report
2019/2020**

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1. Introduction

1.1 This is the 2019/2020 Annual Compliments, Representations and Complaints report for Kirklees Children's Social Care. Under the Children's Act 1989, the provision of an annual Complaints report is a statutory requirement.

1.2 The Council operates three separate Complaints procedures:

- Complaints about Children Social Care Services (as per statutory regulations under the Children's Act 1989).
- Schools have a duty under the Education Act 2002 to have their own Complaints procedure. The Council provides information and guidance to parents, pupils, school leaders and Governors to promote resolution of complaints about Schools.
- Corporate complaints procedure – this relates to Complaints which fall outside of the above regulations.

1.3 This report solely provides information on the Statutory Complaints Procedure

1.4 During 2019/20 328 initial contacts were made with the Children's Services Compliments and Complaints team resulting in 36 compliments and 175 complaints being recorded. This is a significant overall increase from 2018/19. However, the number of Complaints registered at Stage One of the statutory Complaints procedure decreased by 75%, with 90% of complaints received being resolved through the Early Resolution process. Compliments have increased by 50% compared with the number received in 2018/19.

2. Childrens Act Complaints (Statutory Complaints)

2.1 The Complaints team undertake an active role in seeking Early Resolution through engagement and advice to Children's Social Care services and Complainants. Most of complaints in 2019/20 were resolved by this approach, negating the need to proceed to a formal complaint.

2.2 The statutory complaints procedure has three stages.

- Stage One. Childrens Social Care Service teams and Independent Providers providing services on the Council's behalf are expected where possible, to resolve complaints at this initial point. The Statutory complaints procedure requires complaints at Stage One to be responded to within 10 working days (with an automatic extension of a further ten days where necessary).
- Stage Two. This stage is generally implemented when a Complainant is dissatisfied with the findings of Stage One. Stage Two is an investigation usually conducted by an Investigating Officer with an Independent Person. An Independent Person must be appointed to the investigation (regulation 17(2)). The Independent Person must be involved in all aspects of consideration of the Complaint, including any discussions about the action to be taken in relation to the child. The Manager responsible for the service which has been complained about, adjudicates on the findings. Stage Two Complaints should be dealt with within 25 days, although in certain cases this can be extended to 65 days
- Stage Three. This is a Review Panel to which Complainant's who are not satisfied with a Stage Two response can proceed their Complaint to, which the Council is required to establish. The Panel makes recommendations to the Service Director who makes

decisions about the complaint and any action to be taken. Complaint's Review Panels are made up of three independent panelists. There are various timescales relating to Stage 3 complaints. These include:

- setting up the Panel within 30 days
- producing the Panel's report within a further 5 days
- producing the Local Authority's response within 15 days.

2.3A further option for Complainant's to progress a complaint is the Local Government Ombudsman (LGO), who is empowered to investigate where it appears that a Council's own investigations have not resolved the complaint. Complainant's can refer their complaint to the LGO at any time, although the Ombudsman normally refers the matter back to the Council if it has not been considered under the Council's procedure.

2.3 Accessibility of the Complaints procedure.

- Complaints Leaflets – Child friendly leaflets are distributed to Children's homes. Children are given a copy of the Complaints leaflet when a Children's Social Care assessment is undertaken and/or at review meetings.
- Community Languages Leaflets - these are available in Chinese, Gujarati, Punjabi, Urdu and Polish. In addition, one of the Complaints Manager speaks three languages.
- Internet – The Complaints procedure is available on the Kirklees Local Authority website.
- Pledge – Children and young people can access the Complaints procedure through the internet using the pledge link:
<http://www.kirklees.gov.uk/beta/young-people/in-care-in-kirklees/our-pledge.aspx>
- Children's Rights Service - this service advocates on behalf of a young person to access the Complaints procedure and all children and young people who make a complaint are informed of the Children's Rights Service.
- Visually impaired – The Complaints procedure is available in braille, CD, video and large print.
- Links with Complaints Officers: Complaints are also received via other designated Complaints Managers from other services in the Local Authority including the Complaints Managers for Adult and Corporate Complaints.

3. Compliments

3.1 Statistical summary of compliments received from 1 April 2019 – 31st March 2020.

Compliments received:

Service Area	2015/16	2016/17	2017/18	2018/1	2019/20
Disabled Children's Service	1	0	3	4	2
Assessment and Intervention	4	15	20	5	10
Children's Residential	9	2	2	1	0

Children & Disability Residential	2	2	4	6	5
Fostering/Placements	9	11	0	2	8
Looked After and Care Leavers	2	12	13	3	1
Youth Offending Team	0	2	0	0	0
Childrens Rights	6	1	2	2	7
Family Support / Early Help	0	0	0	0	1
Adaptions Team	3	0	0	0	0
Child Protection & Review	1	2	5	1	0
Emergency Duty Team	0	0	1	1	0
Integrated Youth Support	3	2	0	0	0
Other areas within CHYPS					2
	40	49	50	25	36

3.2 There is a 50% increase in the number of compliments registered compared to the previous year. Most compliments received were regarding the Assessment and Intervention service, which received over a 100% increase from the number of compliments received last year. However, it is difficult to accurately determine the actual number of compliments received about Children's Social Care, because many compliments are received directly by front line staff and managers, and these are not always forwarded to the Complaints Unit for registration.

3.3 The Complaints and Compliment team encourage compliments to be forwarded for formal registration. When compliments are received, they are shared with managers and can be used in the staff member's annual appraisal. Compliments can also be used to share and highlight good practice. Examples of compliments received included:

- A Family Court Judge complimenting a Social Worker on the standard of the evidence they presented and how they portrayed themselves in Court. These comments were also reflected in the official judgement of the Court.
- A Police Officer complimenting a Social Worker for going to extra mile following an incident, to ensure that the child involved was safe.
- A Foster Carer complimenting the work of the Fostering Team.
- A young person complimenting the Children's Rights team
- A school safeguarding lead complimenting a Social Worker from Looked After Children Service.
- A parent complimenting a Social Worker from the Disabled Children's Service

4. Complaints

4.1 Of the 328 contacts the Complaints Unit received in 2019/2020, 157 of these contacts did not proceed to the formal complaints process and were dealt with under the Early Resolution procedure. When matters are resolved in this way, the Complaints Unit agrees with the person raising the concern /complaint that informal resolution is appropriate without denying the complainant's right to use the complaints procedure.

4.2 Other contacts did not proceed for reasons such as; they related to another service; despite making initial contact the complainant did not then follow this up; the matter was already in legal proceedings meaning that issues raised need to be brought to the attention of the presiding Judge in the first instance; or it may have been that the contact was based on an enquiry which was able to be answered satisfactorily by the complaints unit.

4.3 Below is a breakdown of the Outcome of the Complaints Team Interventions:

Outcome of the Complaints Team Intervention	2015/16	2016/17	2017/18	2018/19	2019/20
Service Resolved Informal Complaint (Local Resolution)	7	8	28	23	157
Legal Proceedings Ongoing/Risk Insurance	11	7	19	12	19
Complainant does not qualify due to confidentiality	0	1	5	3	0
No further contact from complainant	1	1	1	2	14
Complaint not resolved	1	2	0	1	2
Referred to LGO	0	1	0	3	1
Complainant/service advised response satisfactory	72	44	55	82	-
Complaint withdrawn	1	2	1	2	3
Cllr or MP enquires	6	17	12	3	6
Referred to Other Service	4	5	11	19	45
Not related to Social Care	0	0	0	2	7
Complaint did not proceed	-	-	-	-	6
Enquiry	-	-	-	-	14
Total	103	88	132	155	274

NB: The remaining number of complaints were dealt with under the statutory Complaints procedure

4.4 The number of Complainant's satisfied without recourse to the Complaints procedure has increased significantly, in 2018/19 approximately 16% of the overall figure was resolved by the service, in 2019/20 75% of the contacts were resolved in this manner. This has been due to various factors, including: Responding Managers eagerness to engage in Early Resolution; Complaints Managers playing an active role in mediating and advising on how to best seek resolution; the Complaint team quality assuring responses to and reporting monthly on Complaints, Performance and Learning from Complaints.

4.5 Responding managers are keen to speak with Complainant's prior to responding in writing, and Complaints Manager's provide mediation between the service complained about and the Complainant where appropriate, to further the aim of resolving as many complaints as possible in this manner. The figures clearly show that this approach has been successful in seeking Early resolution and reducing the number progressing to the formal Complaint's procedure.

5. Early Resolution

NB: this is the first year that the Annual Report has reported on the data relating to Complaints which have been resolved using Early Resolution. Due to this it is not possible to produce comparable data.

5.1 The Complaints team play a key role in mediating between Complainants and Children's Social Care, and the approach of the team is that it is in the best interest of both the Complainant and the Service to try and resolve complaints as close to the root as possible. Responding Managers are therefore encouraged to make early contact with the Complainant, to provide reassurance that their complaint is being listened to and establish of the feelings of the complainant, which helps to assist in putting measures in place to achieve early resolution. The approach also helps to improve the relationship

between the Complainant and the Service, and enables issues raised to be resolved without the Complainant feeling the need to resort to the formal complaints process.

6. Methods of initial contact with the Children’s Complaints Team:

6.1 There has been a significant increase in the number of people choosing to contact the unit via either telephone or e-mail, as evidenced in the table below

Method of Contact made with the Complaints team	2019/20
Leaflets	6
In Person	3
Letter	18
Email	43
Telephone	65
Via the Ombudsman	0
Internet.	21
Other	1
Total	157

6.2 The table below indicates who made the initial contact with the Complaints team and their relationship with the child.

Complainant – How Involved with the Child	2019/20
Parent	90
Young Person	26**
Relative	26
Foster Carer	5
Other Person	7
Other Agency	2
Solicitors	1
Total	157

NB: the figure relating to young person in the table above differs from the table below as it captures who made the initial contact.

6.3 Over 50% of all complaints received are made by parents who have been involved with Children’s Services, and most of the complaints received from young people come via the Children’s Rights Service who are advocating on behalf of the young person. A young person is classed as anyone under the age of 21. If the contact is made independent of the Children’s Rights Service, a young person is informed of their right to contact the team to access support.

7. Complaints by Service Area

Service Area	2019/20
Assessment and Intervention (North and South)	86
Disabled Children’s Service	12
Duty and Advice (North and South)	7
Children’s Residential	2
Children & Disability Residential	2
Fostering/ Placement	15
Looked After Children and Care Leavers	28
Family Support / Early Help	1

Child Protection & Review Unit	4
Contact Centre	2
Emergency Duty Team	1
Other	5
Total	165*

NB: The total figure is higher due to some complainants making a complaint about more than one service

7.1 The service that received the most complaints at the Early Resolution stage in 2019/20 was the Assessment and Intervention service, this figure is comparable with the involvement and work of the service. The Looked After Child Service received the second highest proportion of complaints, this service also incorporates the Connected Persons Team, who work with families who are subject to Special Guardianship Orders. The teams and families are likely to be managing new situations regarding the care of children, and it can be time where change may happen, such as a placement move.

8. Recorded Issues

Issue Complained About	2019/20
Delay in Service Provision/ Failure to provide a service/ standard /quality of service provided	51
Failure to consult /communicate/ lack of communication	78
Confidentiality	10
Welfare Issue	10
Inappropriate Management	4
Inaccurate Decision Making	11
Issues relating to Staff	38
Provision/accuracy of Information	18
Financial Problems	15
Contact Arrangements	22
Total	257*

NB: *this figure is higher due to some complainant's making more than one complaint.

8.1 The issue that was most complained about was a lack of communication, followed by issues relating to a service that was or was not, provided. Complaints relating to staff are often raised in conjunction with another issue such as lack of communication or the standard of service that was provided. Contact Arrangements continue to be raised as an issue, the majority being at the stage when the matter is with Assessment and Intervention teams. Issues complained about include Contact such as the location, the assigned contact worker, the frequency, and/ or restrictions in place regarding the contact sessions. Contact is a very difficult area to achieve the expectations and wishes of all those involved and the number of complaints received is proportionately low in comparison to the number of Contact arrangements which are undertaken across all Children's Social Care team on an annual basis.

8.2 There has been an increase in the number of complaints made by parents/ relatives who are estranged from the main carer of a child. One reason for this could be an impact of legal aid being removed for parents who wish to undertake Private Law Proceedings, meaning that such proceedings are now very costly to the parent who is raising them. Therefore, an option available to them is to seek influence from the Local Authority in terms of these arrangements.

Issue	Not upheld	Partially upheld	Upheld
Delay in Provision/ failure to provide a service/ standard/quality of service provided	22	15	25
Failure to consult /communicate	38	45	23
Confidentiality	2	2	3
Welfare Issue	19	2	0
Inaccurate Decision Making	9	0	0
Issues relating to Staff	16	28	7
Provision/accuracy of information	15	17	15
Financial Problems	4	2	0
Contact Arrangements	17	12	2
Total	142*	123*	75*

NB: Withdrawn overall = 10. The total numbers differ from the number of issues complained about as once discussions and investigations have taken place issues and findings can change.

8.3 Most issues raised were not upheld following investigations being undertaken by the relevant responding manager.

8.4 Although the issue of failure to consult / listen /communicate is high in the number of partially agreed complaints, it is also relatively high in the complaints which were not agreed and there was a 50% drop in the number of complaints which were agreed relating to this area. It can be said that this is one issue which is often raised in conjunction with other issues such as issues relating to staff, which would account for why the numbers in each table are higher than the other issues raised. It is an area of development that the service is aware of and focus will be had on this in the coming year in conjunction with the Learning and Development team.

8.5 Over 50% of the Contact issues raised were not upheld, the majority were partially upheld, with less than 1% being upheld. Similarly, over 50% of complaints received relating to a delay /quality of service/ provision, were either not upheld or only partially upheld, whilst over 80% of complaints which related to staff were either not upheld or only partially upheld. Of the complaints relating to welfare issues, a large majority were not upheld.

9. Complaints made by Young People

9.1 Of the total number of complaints registered as Local Resolution, 29 were raised by young people. All the complaints made by young people and registered under Early Resolution were resolved to the satisfaction of the young person and did not require escalation. When a complaint is made by a young person, team managers try to either meet or have a discussion with the young person prior to responding to their complaint; to provide reassurance that they are being listened to and ensure that all issues which are concerning the young person are identified and addressed at this stage. Advocates from the Children's Rights Service also assist in this approach by providing liaison between young people and Children's Social Care.

Service Area	2019/20
Assessment and Intervention	3
Duty and Advice	1

Children Residential	1
Children & Disability Residential	0
Fostering/ Placement	2
Looked After and Care Leavers	21
Child Protection & Review	1
Total	29

9.2 The table below shows that many of the issues raised related to a delay in or a failure to provide a service, or that the service which was provided was not of the quality it should have been and that there had not been effective communication. These issues largely related to the Looked After Children and Care Leavers teams.

9.3 The second highest number of complaints related to Financial Issues, where a young person disagreed with the Local Authority over how much money they were to receive or how this money could be spent.

9.4 Contact arrangements continue to raise concern for young people, but only 0.3% of the complaints featured contact arrangements as an issue and they related to the Fostering /Connected Person team, Looked After Children teams and Duty and Advice. The issue of contact can often be a difficult one to respond to in line with what the Young Person's wishes and feelings may be, and often arrangements are put in place by Courts, therefore it is positive that these complaints were able to be resolved.

Issue	2019/20
Delay in Service Provision/ Failure to provide a service/ standard /quality of service provided	11
Failure to consult / communicate / lack of communication	11
Welfare Issue	2
Inappropriate Management	3
Inaccurate Decision Making	4
Issues relating to Staff	3
Access to records	1
Financial Problems	7
Contact Arrangements	3
Loss / Damage to property	1
Other	2
Total	48*

NB: *Some young people raised complaints about more than one issue.

10. Stage One Complaints

10.1 Below shows the number of people who made complaints and enquiries through the stages of the statutory Childrens Act Complaints Services procedure over the last 5 years:

	2015/16	2016/17	2017/18	2018/19	2019/20
Stage One	74	202	152	85	18
Stage One –Corporate	-	-	-	-	(14)
Stage Two	2	5	5	5	3

Stage Two - Corporate	-	-	-	-	(1)
Stage Three	1	1	1	2	1
Stage Three – Corporate	-	-	-	-	(2)
Ombudsman	1	2	5	4	7
Total	78	210	163	96	29 (17)

10.2 In 2019/20 18 complaints were registered at Stage One. This is a significant reduction of approximately 75% compared to the previous year and again is evidence of the collective effort which has been made to resolve complaints to the complainant's satisfaction at the Early resolution stage.

11. Stage 1 Complaints - Preferred methods of initial contact:

11.1 It can be noted from the table below that most of the preferred methods of initial contact with the Complaints Unit is by telephone and email.

Methods of contact	2015/16	2016/17	2017/18	2018/19	2019/20
Leaflets	23	32	10	4	0
In Person	1	1	3	2	0
Letter	8	18	31	34	3
Email	12	58	52	13	5
Telephone	22	76	35	15	6
Via the Ombudsman	0	0	0	0	0
Internet	8	13	19	17	4
Other	0	4	2	0	0
Total	74	202	152	85	18

12. Stage One Complaints – How Involved (relationship with child).

12.1 Approximately 70% of the Stage One complaints received came from parents who had been involved with Children's Social Care. There was a significant drop in the number of Stage One complaints received from young people (20%) this compares to approximately 50% the previous year. It is the view of the Children's Complaints team that the young people receiving a service within Kirklees do an awareness of the complaints procedure and how they can access this to voice their concerns, and what the figures evidence is a improved joined up working between the Complaints Unit, Children's Social Care and the Children's Rights Service, to resolve the issues for young people as soon as possible preventing the need for matters to be registered at a formal stage.

Complainant – How Involved	2015/16	2016/17	2017/18	2018/19	2019/20
Parent	35	114	77	30	13
Young Person	30	53	50	43	3
Relative	6	24	18	8	1
Foster Carer	2	10	5	4	1
Other Person	1	1	2	0	0
Solicitors	0	0	0	1	0
Total	74	202	152	85	18

13. Service Area Stage One Complaints

13.1 Below is a breakdown of the complaints by service area. Most of the complaints received relate to; Children Looked After and Care leavers, and Children's Social Care Assessment and Intervention service area.

Service Area	2015/16	2016/17	2017/18	2018/19	2019/20
Assessment and Intervention	24*	101*	60*	25*	9
Disabled Children's Service	6	12*	9	6	3
Children Residential	16*	20	6	4	0
Children & Disability Residential	0	2	1	0	0
Fostering/ Placement	4	12*	5*	4*	2
Looked After and Care Leavers	21*	51*	68*	48*	3*
Family Support /Early Help	1	9*	1	1	0
Child Protection & Review	5*	2*	1	28*	1
Contact Centre	2	0	2	1	0
Emergency Duty Team	0	1	0	0	1*
Integrated Youth Support	0	1	0	0	0
Other	2	1	3	1*	0
Total	81	212	156	94	19

NB: *One complainant raised issues about more than one service. The services that they complained about were: Looked After and Care Leavers; Child Protection & Review unit and the Emergency Duty Team.

13.2 The table below highlights the types of issues raised at Stage One:

Issue	Total 2015/16	Total 2016/17	Total 2017/18	Total 2018/19	Total 2019/20
Delay in Service Provision/ failure to provide a service/ standard /quality of service provided	4	8	17	1	10
Failure to consult/communicate/ lack of communication	23	115	68	36	14
Welfare Issue	5	31	14	0	0
Inappropriate Management	1	4	1	0	0
Inaccurate Decision Making	6	33	27	4	5
Issues relating to Staff	24	61	45	26	11
Bullying by Service User	2	9	1	1	0
Service Provision/Assess	15	32	27	24	5
Provision /accuracy of Information	6	27	18	11	0
Financial Problems	4	14	17	10	1
Contact Arrangements	5	25	22	13	6
Other	7	20	0	0	4
Total	102	379	257	126	56*

NB: *The number of issues highlighted is significantly more than the number of complaints received, due to Complainants raising more than one issue, or upon further exploration more issues become apparent.

13.3 There was a total of 56 initial issues raised by Complainants at Stage One, some Complainant's raised more than one issue, however this is a significant reduction of over 50% in comparison to the number of issues raised in 2018/19.

13.4 Most of the issues related to failure to consult /communicate, issues relating to staff, service provision and assessment, however there was a decrease in the number of complainants raising an issue relating to all these areas compared with the previous year, i.e. approximately 25% of complaints registered in 2019/20 relating to failure to consult compared with approximately 40% in 2018/19.

14. Stage One Complaints made by Young People

14.1 From the total number of complaints registered at Stage one, 3 were registered by young people (approximately 16% of the total number of complaints received), which is a significant reduction compared to 2018/19, where they represented approximately 50%. The complaints concerned issues relating to staff and/or the failure of services to be provided. Following investigations, the issues were not upheld, and the young people either accepted the responses they were provided / did not seek to escalate his complaint to the next stage. All three young people were supported by the Children's Rights team in the making their complaints.

14.2 The table below shows the service areas complained about by young people at Stage One:

Service Area	2017/18	2018/19	2019/20
Assessment and Intervention	3	2	0
Disabled Children's Service	2	0	0
Children Residential	5	4	0
Children & Disability Residential	0	0	0
Fostering/ Placement	1	3*	0
Looked After and Care Leavers	39	36*	3*
Contact Centre	0	1	0
Emergency Duty Team	0	0	1*
Other	0	2*	0
Total	50	48	4

NB: One Young Person complained about more than one service

15. Outcome of Stage One Complaints

15.1 There were 18 Complainants who had complaints registered at Stage One, with some relating to more than one issue. Below is a breakdown of the outcome of Stage One complaints received over the last five years and the outcome of investigations completed.

Complaints Not Upheld:

Issue	2015/16	2016/17	2017/18	2018/19	2019/20
Delay in Provision/ failure to provide a service/ standard /quality of service provided	0	5	0	0	7
Failure to consult /communicate	9	44	26	6	3
Welfare Issue	4	14	8	0	0
Inappropriate Management	0	0	1	0	0

Inaccurate Decision Making	6	23	16	3	4
Issues relating to Staff	16	37	20	14	9
Service Provision/Assess	12	6	11	11	0
Provision/accuracy of information	3	15	7	2	1
Financial Problems	4	9	13	5	0
Contact Arrangements	1	16	14	9	6
Other	1	9	0	0	1
Total	56	178	116	50	31*

Stage One Complaints Partially Upheld:

Issues	2015/16	2016/17	2017/18	2018/19	2019/20
Delay in Service Provision/ failure to provide a service / standard /quality of service provided	0	3	3	1	8
Failure to consult / listen /communicate	13	49	30	15	0
Welfare Issue	0	5	3	0	0
Inappropriate Management	0	2	0	0	0
Inaccurate Decision Making	0	4	7	1	0
Issues relating to Staff	5	11	21	9	0
Bullying by Service User	0	1	0	0	0
Service Provision /Assess	2	3	11	6	0
Provision/accuracy of information	1	3	9	8	0
Financial Problems	0	4	3	3	1
Contact arrangements	3	6	8	2	1
Other	5	4	0	0	0
Total	29	95	95	45	10*

Stage One Complaints Upheld

Issue	2015/16	2016/17	2017/18	2018/19	2019/20
Delay in Service Provision/ Failure to provide a service/ standard /quality of service	4	0	14	0	8
Failure to Consult /communicate	1	22	12	15	19
Welfare Issue	1	12	3	0	0
Inappropriate Management	1	2	0	0	0
Inaccurate Decision Making	0	6	4	0	0
Issues relating to Staff	3	13	4	3	1
Bullying by Service User	2	8	1	1	0
Service Provision /Assess	1	23	5	7	0
Provision/accuracy of information	2	9	2	1	4
Financial Problems	0	1	1	2	0
Contact Arrangements	1	3	0	2	0
Other	1	7	0	0	0
Total	17	106	46	31	32*

NB: *these numbers differ as once discussions take place between the responding Manager and the Complainant issues can be added or withdrawn.

16. Stage Two Complaints

16.1 Prior to complaints being considered at Stage Two Complaints Managers explore with the Complainant and the Service all reasonable options for resolution. Where this is not feasible Complaints are registered at Stage Two. Of the Stage One complaints in the last five years:

- 2 of 74 proceeded to Stage Two in 2015/16
- 5 of 202 proceeded to Stage Two in 2016/17
- 5 of 152 proceeded to Stage Two In 2017/18
- 5 out of 85 proceeded to a Stage Two in 2018/19, and in
- 2019/20, 3 of 18 proceeded to Stage Two.

16.2 Breakdown of Stage Two complaints by service area:

Service Area	2015/16	2016/17	2017/18	2018/19	2019/20
Disabled Children's Service	0	0	1	2*	2*
Assessment and Intervention	*2	0	2*	1	1*
Duty and Assessment	*2	1*	0	1	0
Child Protection & Review	0	1	0	0	1*
Fostering/Placements	0	3*	1*	1*	1
Looked After and Care Leavers	0	1	2	1*	0
Family Support/ Early Help	0	0	0	1*	0
Other service area	-	-	-	-	1
Total	4	6	6	7	6

* NB: Complainant made complaints about more than one service.

Although there were only three complaints registered at Stage Two, each related to more than one issue. When an investigation commences for Stage Two the complainant is given the opportunity to meet with the Investigating Officer and at this time the Complainant may raise new issues that were not investigated at Stage One. The following table shows the types of issues and the outcomes of Stage two complaints on conclusion:

Issues	Partially Agreed	Agreed	Not Agreed
Financial problems	0	0	1
Failure to Consult/Listen	0	3	9
Delays/Quality in Service Provision	0	16	0
Failure to provide service	0	0	1
Information not provided	0	0	8
Total	0	19	19

17. Stage Three complaints - Review Panel Hearings.

17.1 Complainants who are not satisfied with Stage Two responses have a right to have their complaints considered by three independent people who form the Stage Three Panel. However, prior to complaints being considered by a Stage Three Panel, a Complaints Manager explores all reasonable options for resolution with the Complainant and the Service. In 2019/20 one complaint which proceeded to Stage Three, this related to three areas of complaint, Standard / Quality of service Lack of Communication and Delay in provision /assessment; separate elements of the complaint were upheld, partially upheld and not upheld. Notably, areas for service improvement /development which related directly to the learning from the complaint had been identified and were progressing prior to the outcome.

18. Ombudsman Complaints and Enquiries:

18.1 Complainants have the right to refer their complaint(s) to the Local Government Ombudsman at any time. The Ombudsman will decide whether to investigate for maladministration. The terminology used by the Ombudsman is outlined below:

Outcome	Definition
'Preliminary' or 'informal Enquiries	Requesting basic information in the preliminary stages.
Investigation discontinued – injustice remedied	Investigation stopped without any recommendations because the Local Authority may have put things right.
Not to initiate an investigation	No or insufficient evidence to suggest an investigation is appropriate.
Outside Jurisdiction	The issue is not one the Ombudsman can deal with.
Investigation complete, satisfied with authority's actions, not appropriate to issue report	This is now covered under one of the following: <ul style="list-style-type: none"> • Upheld: Maladministration and Injustice • Upheld: Maladministration, No Injustice • Not upheld: No Maladministration
Investigation complete – Maladministration and injustice	Investigation completed with evidence of maladministration and injustice caused to the complainant.
Ongoing /pending	Awaiting final decision
To discontinue investigation	Investigation has been stopped. No further action is needed as the injustice caused to Mr. X by the alleged fault is not so significant that the Ombudsman would recommend a remedy
Assessment /enquiry	Collecting basic information prior to being passed to an investigator
Not upheld; no further action	No fault found & no further action required.
Closed after initial enquiries. Out of jurisdiction	Early decision made not to investigate complaint. May be out of jurisdiction/ cannot lawfully investigate /inappropriate to investigate. Early assessment may show an investigation could not achieve anything.
Upheld; maladministration & injustice	Authority found to be at fault evidence of injustice caused to the complainant. Recommend how the organization should put things right.

18.2 Ombudsman complaints and enquiries

18.3 In the reporting period, very few complaints were considered by the Local Government Ombudsman. Of those referred only two proceeded to investigation and only one was found to have maladministration and injustice. This finding was in relation to the way the complaint was initially investigated as oppose to any actions by the services involved. With regard to the remaining five contacts the Ombudsman was satisfied that the Local Authority had considered the complaints appropriately

Outcome	2015/16	2016/17	2017/18	2018/19	2019/20
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Assessment/enquiry	0	0	2	2	0
investigation discontinued – injustice remedied	0	0	0	0	1
Not to initiate an investigation	0	0	0	0	2
Closed after initial enquiries, out of jurisdiction	1	1	1	2	1
Not upheld; no maladministration	0	0	0	0	1
Upheld; maladministration & injustice	0	1	1	0	1
Ongoing/pending	0	0	1	0	0
To discontinue investigation	0	0	0	0	1
Total	1	2	5	4	7

19. Performance.

19.1 The tables below show that all complaints were acknowledged by the Complaints team within 3 working days, and of the complaints responded under the Local /Early Resolution process and /or Stage one of the Statutory process the majority were responded to within 20 working days. The small number of Stage One complaints that took longer than 20 working days to respond to were complex, and the Complainants were kept informed of the progress of their complaint.

Complaints acknowledged

Year	Total	Within 3 working days	After 3 working days
2015/16	74	74	0
2016/17	202	202	0
2017/18	152	152	0
2018/19	85	85	0
2019/20	18	18	0

Local /Early Resolution Response times

Total	Within 20 working days	After 20 Working Days
158	125	33

Response times to Stage One Complaints:

Stage One responses	Total	Average number of days	Within 20 working days	After 20 working days
2015/16	74	16.4	62	12
2016/17	202	20	149	53

2017/18	152	12.9	129	23
2018/19	85	10	80	5
2019/20	18	10	15	3

19.2 The Childrens Act requires complaints from children and young people registered at Stage one to be responded to within 20 working days including the allowed extension. As a matter of good practice and in acknowledgement that children and young peoples' voices must be heard and responded to in a timely manner, the Complaints team has reduced this time scale, and all responding managers are asked to respond to children /young people within 6 working days, where possible.

19.3 The table below shows that 100% of the Stage One complaints from children and young people were responded to within the statutory time scales of 20 working days and that 33%of complaints were responded to within 10 working days. Available data does currently indicate how many of these were responded to within the local target of 6 working days and therefore this is something which the Complaints Unit will progress over the forthcoming year.

Stage One Young People complaint responses	Total	Average Days	Within 6 working days	Within 10 working Days	Within 20 working days	After 20 working days
2017/18	50	8.7	12	33	5	0
2018/19	43	8.3	15	24	4	0
2019/20	3	15	0	1	2	0

19.4 The maximum permitted time for a Stage 2 investigation to be carried out is 65 working days. Adherence to timescales is influenced by external factors such as the number of people to interview, and the availability of the Investigating Officer and the Responding Manager, when delay is incurred Complainants are kept informed. The table below shows Stage Two Complaint response times.

Stage Two Response	Total	Average Days	Within 25 Working Days	Within 65 Working Days	After 65 Working Days
2015/16	2	105	0	0	2
2016/17	5	70	1	2	2
2017/18	5	84	0	0	5
2018/19	5	79	0	1	4
2019/20	3	71	0	2	1

20. Compensation payments.

Under Section 92 of the Local Government Act 2000, Local Authorities are empowered to remedy any injustice arising from a complaint. If the Ombudsman finds the Council guilty of maladministration, then it can recommend that the Council pays a Complainant compensation or a payment. In this reporting period there was one compensation recommendation made by

the Ombudsman; this related to the length of time it took a complaint to progress through the statutory process.

21. Service Improvements /Learning from Complaints

21.1 At all stages, any lessons / findings identified from Complaints are expected to be followed up by managers with the relevant staff to inform individual learning and development; whilst themes and patterns for learning identified from complaints is shared with the Learning and Development Service. To strengthen embedding learning across the Service, the Complaint team and Learning and Development team have strengthened pathways to review complaints and compliments to ensure that key messages influence practice.

21.2 The Compliments and Complaints team monitors the implementation of recommendations agreed at the Stage Two and Three process of the Complaints procedure, and those made by the Local Government Ombudsman.

22. Diversity Monitoring

22.1 The purpose of collecting information on ethnicity, gender and disability is to be able to measure the extent to which the Complaints Procedure is reaching all service users and/or their carers. This is also a requirement of Ofsted. The majority of complainants in the reporting period were recorded as White / British, with the next largest ethnic group being Asian / Pakistani; although a significant number of Complainants did not provide information relating to their ethnicity as indicated in the table below.

Ethnicity	2015/16	2016/17	2017/18	2018/19	2019/20
White/British	44	74	77	42	79
Mixed White/Asian	1	3	1	0	2
Mixed White/Black Caribbean	3	8	0	2	3
Asian/Pakistani	4	17	8	9	12
Asian Other	-	-	-	-	3
Black African	1	2	1	1	2
Not Stated	19*	93*	63*	29*	66*
Asian/Indian	1	0	0	0	1
Black Caribbean	1	3	0	0	1
Bangladeshi	-	-	-	-	1
Other	0	2	2	2	1
Total	74	202	152	85	175

* NB: Complainants that did not provide information on ethnicity were mainly relatives or parents.

Gender of Complainants

Gender	2015/16	2016/17	2017/18	2018/19	2019/20
Female	41	124	98	51	110
Male	27	70	49	29	59
Joint e.g.: Mr. & Mrs.	6	8	5	5	6
Total	74	202	152	85	175

23. Present position and future developments:

Present position:

- Response performance to complaints continues to improve this is supported by the Senior Leadership continuing to influence and support Early Resolution management of complaints.
- A high number of complaints continue to be resolved through Early Resolution leading to a significant reduction in the number of complaints requiring registering through the statutory Complaints procedure.
- The voice of the child is apparent in the process of managing complaints, all responding managers are asked to ensure that children and young people are spoken with; and the Children's Right's Service advocate on behalf of the children and young people to ensure that they are satisfied with Complaint responses and outcomes.
- The Children's Services Complaints Managers attend the Yorkshire and Humberside Complaints Managers Group to share best practice, knowledge, and aid service development.
- The Complaints Managers continue to liaise with the Learning and Development Manager to ensure that learning from complaints is embedded within training and development opportunities.
- Robust partnership working with the Children's Rights team has been established to help young people achieve Early Resolution outcomes wherever possible.
- The Complaints Annual report is presented to the Corporate Parenting Board and Complaints reports are regularly reports shared with Senior Leader /Management teams.

Future Developments:

- To raise the profile of Complaints in a positive manner, to reinforce the ethos of a family focused and restorative approach to complaint management.
- Complaints Managers to attend Children's Services Senior Manager meetings and Team Meetings to; refresh understanding of the Complaints procedures and continue to promote Early Resolution and the need for effective recording of learning from complaints.
- The Complaints team will review the current procedures for capturing learning from complaints and compliments with a view to developing a more effective process from which meaningful data can be extracted and shared, to inform best practice across the Service and within teams.
- Strengthen the Early Resolution procedure in line with the Council's Restorative Practice model.

If you would like to comment on this report, please contact:

Helen Sanderson or Yasmin Mughal
Compliments and Representations Managers
Compliments and Complaints Unit
Civic Centre 1
High Street Huddersfield HD1 2NF

Tel: 01484 225140

Email: helen.sanderson@kirklees.gov.uk
yasmin.mughal@kirklees.gov.uk
childrens.complaints@kirklees.gov.uk