



Northumberland

County Council

CHILDREN'S SERVICES ANNUAL REPRESENTATIONS 2022-23

1. Introduction

- 1.1 Children's Services continue to demonstrate their engagement with service users across the County and promote them having a strong voice in helping to monitor, develop and improve the way the department works. Feedback from customers helps us understand how our involvement affects the lives of people who use our services, their carers and families and in turn this helps inform our service development.
- 1.2 Feedback is obtained in many forms and people who use our services are encouraged to get in touch to provide feedback, both positive and negative, in the form of enquiries, comments, compliments and service improvement suggestions as well as representations or complaints.
- 1.3 Formal representations or complaints relating to statutory social services functions, as set out in The Children Act 1989 Representations Procedure (England) Regulations 2006, and submitted by a child or young person or a person deemed to have sufficient interest in the child of young person, must follow the statutory three stage process as set out in the aforementioned Regulations.
- 1.4 Complaints submitted in relation to Children's Services functions that do not fall within the remit of The Regulations, will be considered using the Council's own two stage Corporate Complaints procedure, details of which are available on the Council's website.

2.0 Making a complaint or compliment

- 2.1 Full information on how to provide feedback in relation to Children's Services is available on the Council website.

<https://www.northumberland.gov.uk/Children/Family/Compliments.aspx>

- 2.2 Written information, such as leaflets, regarding feedback processes is also available and provided to children and young people via officers involved as part of their care team.
- 2.3 Northumberland County Council have a dedicated team managing all representations received called Client Relations (CRT). The Client Relations Team

sits within the Public Health, Inequalities and Stronger Communities Directorate to provide a level of independence from front line service providers in Children's Services.

- 2.4 There are a number of ways to submit feedback in relation to Children's Services. From November 2023, a new casework management system was introduced across the council to record and manage all such cases. Relevant e-forms to submit contacts direct to the department via the new i-casework system are available on the Council website and can be found at <https://www.northumberland.gov.uk/About/Contact/compliments.aspx>.
- 2.5 Alternatively, a service user or their representative can continue to
- Email the clientrelations@northumberland.gov.uk team
 - Write to the Complaints Manager for Children's Services at County Hall, Morpeth, Northumberland, NE61 2EF
 - Telephone the Client Relations Team on 01670 628888
 - Use the Mind of My Own app.

3.0 Numbers and Analysis

- 3.1 CRT recorded and co-ordinated responses to 233 enquiries during the period 01/04/2022 and 31/03/2023. Enquiries are matters where the issue does not necessarily meet the requirements of formal complaint, for example, the service user has not raised the issue with the individual team previously; or the matter may be outside the jurisdiction of the Council's own complaint process, such as a school complaint, but still require a response, advice or guidance.
- 3.2 The individual teams within Children's Services are encouraged to make sure compliments made to their officers/teams are also recorded to enable services to reflect on examples of good practice. Compliments can be received from young people, parents/carers, other involved professionals and, on occasion, Court Judges. 96 compliments were recorded across the service during the period 01/04/2022 and 31/03/2023 and examples of these compliments can be found at Appendix 1.
- 3.3 With regard to formal recorded complaints, the table below shows how many complaints have been recorded in relation to Children's Services (both social care and education) and under which process (social care or corporate), broken down into individual financial years. The figures indicate a significant increase in the number of complaints recorded for this year. An increase in number should not be seen as a negative. Instead, it demonstrates that the Council continue to be open and encourage all feedback and will consider this fairly and through appropriate process. A considerable amount of work has been undertaken over the last year to promote the various feedback processes open to our service users along with engagement

with staff in the various teams within children’s social care and education to recognise formal complaints and have them recorded and dealt with appropriately.

Year	Social Care	Corporate	Total
2019/20	46	4	50
2020/21	33	14	47
2021/22	29	7	36
2022/23	38	33	71

- 3.4 The table confirms that 38 complaints were recorded and progressed under the statutory children’s social care representations process. In addition, 33 formal corporate complaints were recorded; 12 relating to children’s social care services and 21 related to education complaints. The majority of complaints received in relation to children’s social care services are from parents/carers or other involved persons deemed relevant to the child. Where it is clear the adult complaining is not doing so on behalf of or in relation to the child specifically and there is no apparent injustice to the child, complaints can be considered under the corporate process. [Getting the Best from Complaints statutory guidance; Sections 2.7 and 2.8]
- 1.5 Of the 38 social care complaints received, there were only 5 from young people themselves. Any complaints received from the young people themselves or where the complaint links to alleged injustice to the child, the statutory social care process is used.
- 1.6 It is generally understood that Cared For children and young people tend to raise concerns through the many other routes available to them. This includes their allocated social worker, IRO, through care team meetings or advocates. Concerns raised through these routes are generally dealt with either by the Care Home Managers or by working with the individual child/young person to ensure matters are fully resolved promptly and effectively.
- 3.9 Individual residential units record any concerns raised directly with them, how they are managed, and the outcome achieved. If the Unit cannot resolve the issue for the young person, it can be escalated to a formal complaint for consideration. During 2022/23, no complaints were escalated from the residential units.

- 1.7 Another route our young people can raise concerns is through the Mind of My Own facility, which contains several categories under which young people can provide feedback. One of these is “Sort a Problem”. These are not necessarily formal complaints but are issues that our young people have identified that are shared via the internal advocacy team to try and resolve.
- 1.8 In terms of “problems” received during this period, 9 were received with 7 coming direct from young people and 2 through a worker’s account.

4.0 Formal Complaints recorded

- 4.1 During 2022/23; 36 complaints were refused. Reasons for not progressing or refusing a social care complaint include the relevant child/young person being the subject of a concurrent investigation such as court proceedings (Regulation 8) or being outside the 12 month timescale for making a complaint (Regulation 9). Complaints have also been refused for other reasons such as there being a more appropriate, alternate process such as a statutory appeal or Tribunal; or in accordance with the Local Government Act 1974, the person has not suffered any personal injustice, is not a representative of a community or organisation or the reason for their complaint has been considered as Unreasonable under the terms of the Unreasonable and Vexatious Complainant policy.
- 4.2 Many complaints contain multiple elements to investigate. For example, a complainant may claim that communications with a service have been poor but also believe relevant process has not been followed correctly. All individual elements of complaint are investigated; and the Investigating Officer is asked to provide an overall outcome. They can decide to UPHOLD where all elements of complaint are proven and fault is found; PARTIALLY UPHOLD, where only certain elements are proven and NOT UPHOLD where no fault is found.

Of the 71 complaints that were accepted and progressed to Stage 1;

8 were fully UPHOLD;

24 of these complaints were NOT UPHOLD;

31 were PARTIALLY UPHOLD;

1 response was not issued within timescale and therefore escalated direct to Stage 2 at the complainant’s request; and

Overall, 13 complaints were progressed to Stage 2;

- 4.3 Where elements are Upheld or Partially Upheld, Officers look at what fault was found, whether corrective action needs to be taken to ensure there is no injustice and if lessons need to be learned from the fault found to improve service provision.

5.0 Complaint response timescales

- 5.1 Stage 1 children's social care complaints, in accordance with statutory requirements, should be responded to within 10 working days, with an extension to 20 working days in certain circumstances. For the 2022/23 year, 66% of complaints were responded to within the statutory timeframes. Further extensions are not accounted for within The Regulations, however, on a number of occasions this has been necessary due to delays in being able to meet with complainants or waiting for decisions regarding ongoing social work impact. It can be confirmed that all complaints were formally responded to.
- 5.2 Stage 1 corporate complaint process should be responded to within 15 working days, but this can be extended with the complainants agreement.
- 5.3. For the 2022/23 year where 31 corporate complaints were accepted and taken forward, 48% were responded to within the initial 15 working days. The average response time for corporate complaint response completion was 22 working days.
- 5.4 For all Stage 1 investigations both social care and corporate, officers from the closest point of, but have not been involved in the actual service delivery, are asked to act as Investigating Officer. This is often the Team Managers who undertake the investigations alongside their regular daily duties.
- 5.5 All extensions to the stipulated timeframes are discussed and agreed with the complainants. However, further work is being undertaken to ensure timeframes are met wherever possible

6.0 Complaints at Stage 2

- 6.1 At Stage 2 of the children's complaint process, statutory legislation states that an independent investigation should be undertaken. The Council commission the services of an independent investigation officer (IIO) and independent person (IP) who look into the complaint, review records, interview involved officers and consider council policies/procedures. They then analyse their findings and provide outcomes to the Council in a report advising whether the complaints are UPHELD, NOT UPHELD, PARTIALLY UPHELD and include recommendations and lessons learned for the Council to consider.

- 6.2 The Council then consider the reports and provide an adjudication letter to the complainant advising whether the findings and recommendations are accepted by the Council and whether there is any remedy to be put in place to resolve the complaint issues. This can include consideration of apology, financial remedy, change of policy/procedure etc.
- 6.2 Legislation states that complaints at this stage should be responded to within 25 working days or 65 working days depending on complexity. All complaints at stage 2 within Northumberland have been extended to the maximum 65 working day timeframe due to various issues including complexity of the complaint, the number and availability of staff to be interviewed, contact having to be made with former employees, availability of complainants and the investigating officers.
- 6.3 9 complaints recorded in 2022/23 were escalated to Stage 2. Investigations by the IIO and IP were completed within statutory timeframes, however, there were delays in the adjudication part of the process due to the long term sickness of the Complaints Manager who co-ordinates the work around this.
- 6.4 5 of the complaints escalated to Stage 2 in the children's social care process, were resolved to the complainants' satisfaction and were not progressed further.
- 6.5 At Stage 2 of the corporate complaint process, a review is undertaken by a Senior Manager. These should be responded to within 20 working days.
- 6.6 4 complaints were escalated to Stage 2 of the corporate process during the 2022/23 period. 2 were responded to within 20 working days and 2 were extended with agreement of the complainant. Following Stage 2 of the corporate process, complainant's who remain dissatisfied can escalate their complaint to the Local Government and Social Care Ombudsman.

7.0 Complaints escalated to Stage 3 - Review Panels

- 7.1 Stage 3 of the statutory social care complaint process is a Review Panel hearing, involving the appointment of 3 independent Panel Members, one of whom will act as Chair.
- 7.2 The purpose of the Review Panel is to consider the standard and quality of investigation undertaken at Stage 2, highlight any problems in that investigation and to provide the complainant with an opportunity for further reconsideration of their complaint points. The Review Panel can offer further suggestion on remedy for the Council to consider.

- 7.3 Review Panels should be held within 30 working days of request from the complainant; but this can prove difficult to achieve due to conflicting diary availability of all those involved, ie 3 independent panel members, the IIO, IP, Adjudicating Officer, Complaints Manager and the complainants themselves. Dates for Review Panels are always negotiated and agreed with the complainant.
- 7.4 During 2022/23, a total of 5 Review Panel hearings were held; 4 were complaints escalated through the process during 2022/23 with the other, being from a complaint carried over from 2021/22.
- 7.4 Following the Review Panel being held, formal agreed notes must be provided within 5 working days of the Panel meeting. A final letter from the Council must then be provided by the Executive Director of Children's Services within 15 working days to respond to the Panel findings and recommendations. On all 5 occasions, these statutory timeframes have been met.

8.0 External review

- 8.1 The Local Government and Social Care Ombudsman (LGSCO) look at complaints about Local Authorities once a complaint has completed all stages of the Local Authority complaint process. If a complaint has not been considered by a Local Authority, the LGSCO will usually refer it back to the Authority to look into and class this as a "premature" complaint. They are independent of all Government departments and have the same powers as the High Court to obtain information and documents. If they find the Authority is at fault, they will make recommendations to put things right.
- 8.2 The LGSCO produce an Annual Letter in relation to every Local Authority to indicate how many complaints have been received during the year, with the outcome of each complaint and an indication of how each Local Authority has performed. All statistical information for Northumberland County Council can be found via [Northumberland County Council - Local Government and Social Care Ombudsman](#)
- 8.3 The 2022/23 Annual Letter provides general feedback to every Council which covers all departmental complaints they have looked at. In relation to Children's Services the LGSCO received 11 complaint enquiries. Of those 11; 5 were not investigated and closed by the LGSCO; 1 was referred back to NCC for consideration (known as a premature referral); and 5 complaints were Upheld. Links to all cases are provided below.
- 8.4 Of the 5 complaints that were Upheld; the LGSCO were satisfied that NCC had accepted their findings, recommendations and issued appropriate remedy.

- 3.5 In relation to one of the 5 complaints Upheld, the LGSCO decided that it was in the wider public interest to issue a Public Report. The LGSCO reports:
- 3.6 The LGSCO found fault in the Council “decision not to provide free school transport to a young person with an Education, Health and Care (EHC) plan who was starting college. Our investigation found the Council’s post-16 transport policy was not clear enough to enable parents and young people to make informed choices. The policy recommended applicants check their eligibility before applying for a course and transport, but the policy’s wording made it difficult for families to do that. We recommended the Council apologise and make a payment to the young person’s mother and reassess the application for transport. We also asked the Council to revise its policy to make it clearer, remind staff of their role to provide timely and accurate information, and to review the decisions it made for the school year starting in 2021 where it refused transport to young people with EHC plans under the flawed policy.”
- 3.7 When a Public Report is received, the Council must take certain actions to publish this within the community and ensure this is placed before the appropriate Council Committee for consideration. This was considered by Cabinet on 09 May 2023. The report and notes of that meeting can be found on the Council website via the following link: [Public Report consideration](#)

[3.8 The LGSCO decisions for this year can be found below:](#)

<p>https://www.lgo.org.uk/decisions/children-s-care-services/other/21-018-332</p> <p>Final decision: We cannot investigate Miss X’s complaint concerning the Council’s involvement in a report considered in the Family Court. This is because the issues Miss X raises cannot be separated from the matters decided in court.</p>	Not investigated
<p>https://www.lgo.org.uk/decisions/children-s-care-services/disabled-children/21-009-137</p> <p>Final decision: Mrs X complains the Council failed to provide adequate support to her daughter during the transition to new services, which meant she did not receive support. Mrs X also complained about how the Council communicated about the timeframe for the transition. The Ombudsman intends to find fault with the Council for how it managed the transition to the new provider. The Ombudsman does not intend to find fault with the Council for how it decided the timeline for the transition. The Ombudsman recommends a financial remedy and service improvements.</p>	Upheld

<p>https://www.lgo.org.uk/decisions/education/school-transport/21-004-235</p> <p>Public Report decision: School transport Miss X complained about the Council's decision not to provide her son, Y, with transport to college. Miss X said the Council failed to properly consider Y's circumstances and her appeal, and its communication was poor. Finding Fault found causing injustice and recommendations made.</p>	Upheld
<p>https://www.lgo.org.uk/decisions/children-s-care-services/child-protection/21-015-998</p> <p>Final decision: Miss X complained about the way the Council handled the child protection process for her child, S, about delays in the statutory children's complaints procedure and about the Council's refusal to accept one element of the stage 3 panel's findings. The Council was at fault for not actively engaging with Miss X's domestic abuse support worker and for delays in the complaints process. It should apologise and pay Miss X a further £150, making a total payment of £250, to remedy the frustration and distress caused.</p>	Upheld
<p>https://www.lgo.org.uk/decisions/children-s-care-services/other/22-009-991</p> <p>Final Decision: We have upheld this complaint that the Council failed to adhere to the timescale set out in the statutory procedure for children's services. The Council has agreed to resolve the matter by providing a suitable remedy.</p>	Upheld
<p>https://www.lgo.org.uk/decisions/education/school-transport/22-010-947</p> <p>Final decision: We will not investigate this complaint about the Council's home to school transport policy. This is because the complaint does not meet the tests in our Assessment Code on how we decide which complaints to investigate. There is not enough evidence of fault by the Council.</p>	Not investigated
<p>https://www.lgo.org.uk/decisions/children-s-care-services/other/22-012-112</p> <p>Final Decision: We will not investigate this complaint that the Council has delayed consideration of a complaint under the statutory procedure for complaints about children's services. This is because the Council has upheld the complaint and offered a suitable remedy for the injustice caused by the delay.</p>	Not investigated

<p>https://www.lgo.org.uk/decisions/children-s-care-services/child-protection/22-013-113</p> <p>Final Decision: We cannot investigate this complaint about the Council’s involvement in contact arrangements between the complaint and his child. This is because the matter has been considered in court. Other matters are premature as they have not been through the Council’s complaints process.</p>	Not investigated
<p>https://www.lgo.org.uk/decisions/children-s-care-services/other/21-017-287</p> <p>Final Decision: Miss X complains the Council hindered Child Y being referred for a diagnosis and failed to provide support. Miss Y says instead the Council focused on fabricated mental health concerns. This meant Child Y was unnecessarily without support and medication, and caused significant distress to Miss X. The Ombudsman finds fault with the Council for its handling of some areas of the child and family assessment, however the Council has identified and remedied the fault through the statutory complaints process.</p>	Upheld
<p>https://www.lgo.org.uk/decisions/education/school-transport/22-016-234</p> <p>Final Decision: We will not investigate the Council’s alleged removal of a local school from its catchment area by postcode dataset. This is because we would be unlikely to find fault with the Council’s actions. In addition, Mrs X has not suffered a personal injustice due to this matter.</p>	Not investigated

4.0 Categorisation of Complaints

4.1 When complaints are recorded, the Client Relations Team assess and determine the nature of the complaint and what the content relates to. On the system previously used, the complaints could only be allocated one category, however, a number of the complaints involve more categories, and the new i-casework system provides improved intelligence gathering in regards to what is being complained about.

4.2 The following table indicates how the complaints were categorised according to the content and nature of the complaint being made.

Category	Number
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Communications/Information	20
Delay in Service	4
Failure to follow policy/procedure	15
Standard of service	8
Staff manner/attitude	6
Breach of confidentiality	2
Policy	0
Issue with social worker	5
Disagree with officer decision	11

4.3 Communication/Information has been the biggest categorisation of complaints;. Many of these complaints relate to the timeliness of calls/contacts being returned. Due to changes in technology public expectations in terms of almost instant response to any contacts has increased. Work is being done with staff regarding managing expectations of customers which will include timeframes for responses.

5.0 Lessons learned

5.1 Children's Services embrace the opportunities provided by the collation of feedback from service users whether positive or negative and use it to feed into continual service improvement. Complaints are very much part of that and any learning identified from the investigation of a complaint is considered and taken forward in the most appropriate way.

5.2 To make sure required learning is embedded into practice, a quarterly report is now provided to the Children's Service leadership team who consider the identified points of learning and decide on the best way for this to be taken forward. This could be in the form of team training or amendments to policy/practice.

5.3 The issue of complaints/feedback is now a standard item on team meeting agendas to make sure there is discussion and learning taken from not only the outcomes of complaints but the complaint management, handling and investigation also.

5.4 From consideration of complaints, the following actions were to be considered in relation to service improvements.

- Continue to improve quality of investigation and timeliness of response for complaints.
- Workers to manage parental expectations from the outset, particularly around communications.
- Explore the need for a policy or agreement in relation to the virtual or audio recording of meetings.
- Explore written information given to parents to ensure that they are clear about understanding and expectations regarding whichever process their child is involved in, ie Child in Need, Child Protection, etc.
- Strengthen record keeping particularly in relation to discussions with parents with a focus on decision making and rationale.
- Reminder to officers of Data Protection breach process and complaint.

5.5 Specific complaint examples and lessons are as below:

Complaint and learning suggested	Outcome/lesson learned
<p>Complaint re inappropriate SGO allowance being paid in relation to historic SGO situation.</p>	<p>Conclusion: Council accepted that the SGO allowance policy in place historically was incorrect in that no annual reviews had taken place as set out in relevant legislation. Policy change was made; historic remedy position agreed.</p>
<p>Complaint from parent that they were inappropriately excluded from meetings in relation to their child without warning.</p> <p>Recommendation - For the local authority to ensure clear recording of any concerns relating to parental behaviour within</p>	<p>Council have an Unreasonably Persistent and Vexatious Contact Policy which should be referred to when putting contact restrictions in place with parents when their behaviour gives cause for concern. Risk to Staff meetings can also be convened in consultation with managers and Council Health and Safety Team. All outcomes</p>

meetings, especially where their exclusion is being considered.	should be recorded on case files and clear communications with parents to advise of action to be taken and their rights in amongst this. Any queries re use of policy should be directed to Complaints Manager
<p>Complaint re Adoption allowance assessments</p> <p>Recommendation 1: NCC to ensure that all relevant sources/professionals are contacted in relation to an assessment.</p>	It was acknowledged that due to the age of the child in this case and the fact they were no longer in a school environment that the appropriate health professional would have been the health visitor and not the school nurse. Although in this case, any information from the health visitor would not have changed the outcome of the assessment; workers must ensure views from the most relevant professionals is included in any assessment.

6.0 Summary

- 6.1 There has been a significant increase in the numbers of complaints recorded under both processes. Over this year, the Client Relations Team became more involved with recording and managing complaints in relation to Education Services which may account for some of the increase. More work has been done with officers across the department to help them recognise and refer on complaints to be recorded. Although the number of complaints has increased, the number remains comparatively small when considering the thousands of contacts the department has with all their service users over the year.
- 6.2 The 2023/24 year will focus on improvement of complaint handling in terms of improving attempts at early resolution, ensuring response timeframes are met; and better recording and data collection via the introduction of the new i-casework complaint management system.
- 6.3 The department will be encouraged to recognise and record more compliments received to capture and promote examples of good practice.
- 6.4 Lessons learned will remain the focus of Children's Services to make sure service provision is continually reviewed and improved moving forward. This supports the ethos and focus of both OFSTED and the LGSCO.
- 6.5 Should further information be required in relation to any aspect of this report or the handling of Children's Services complaints, please do not hesitate to contact the

Complaints Manager for Children's Services on 01670 628888 or via email clientrelations@northumberland.gov.uk

- 6.6 Information can also be found on the Council website <https://www.northumberland.gov.uk/About/Contact/compliments.aspx>