



# Annual Complaints Report Children's Social Care, Achieving for Children (London Borough of Richmond) 2023-24

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## 1. Introduction

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- 1.1 This report is produced annually as a statutory requirement for the London Borough of Richmond: it provides a summary analysis of social care complaints within Richmond Children's Services.
- 1.2 There is a duty on all local authorities to maintain and operate a complaints procedure for children's social care services.
- 1.3 Children's Social Care complaints for Richmond Council (Achieving for Children) are managed within the remit of the Resident Engagement Service. The Statutory Complaints Team currently comprises a Complaints Manager, which is a statutory requirement, supported by two complaints officers. The Statutory Complaints Team sit within the same management structure as the Corporate and Ombudsman Complaints Team.
- 1.4 The Complaints Team is an important corporate function within the Council. Its role is to support the organisation to ensure that the Council and Achieving for Children has effective and efficient complaints procedures, in line with best practice and statutory requirements. The Complaints Team also have responsibility to train and support Council officers to respond effectively to complaints and ensure learning from complaints feeds directly into service improvement.

## 2. Executive Summary

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- 2.1 There is a legal requirement to have in place a complaints procedure and produce an annual report for complaints about the Council's actions under Part 3 and some of Parts 4 and 5 of the Children's Act 1989.
- 2.2 The statutory complaints procedure is a 3-stage procedure with recourse to the Local Government and Social Care Ombudsman if the Council is unable to resolve the complaint.
- 2.3 This year learning from complaints has focused on improving the flow and standard of communication, strengthening emotional support for young people, improving knowledge of the type of support available to parent carers, and improving procedures.
- 2.4 Complaint numbers have remained consistent; across all 3 stages of the Statutory complaints process, 29 complaints were closed compared to 28 last year. 20 were at stage 1 and 9 were at stage 2. There were no stage 3 complaints this year.
- 2.5 Most complaints were for the Safeguarding Teams (44%) and Referral and Assessment Teams (22%).

- 2.6 At stage 1, the two most raised principal issues of complaint were 'quality of assessment' and 'delays in service'. Most stage 1 complaints were partly upheld (11 of the 20 complaints), 5 were upheld and 4 were not upheld. 35% of stage 1 complaints were responded to on time (7 out of 20 complaints).
- 2.7 Of the 9 stage 2 complaints, 2 were withdrawn. Of the 7 that received an investigation, 2 were completed on time (within 65 working days). Both were partly upheld.
- 2.8 This year 2 complaints (7%) were received directly from young people and 27 complaints at all stage (93%) were from parents or guardians.
- 2.9 Achieving for Children completed 43 stage 1 Corporate complaints which is a 10% increase on the 39 stage 1 corporate complaints last year. 20 escalated to stage 2 compared to 28 last year which is a 29% decrease.
- 2.10 Of the 43 stage 1 corporate complaints, 36 (84%) were on time compared to 30 (77%) of the 39 complaints last year. 14 (70%) of the 20 stage 2 corporate complaints were on time compared to 13 (46%) of the 28 stage 2 last year. 35 of the 43 stage 1 corporate complaints were for Education and SEND services.
- 2.11 During 2023/24, 11 Ombudsman enquiries and/or investigations were completed by the LGSCO for Achieving for Children. This is 38% higher than the 8 in 2022/23, but still 31% lower than the 16 complaints in 2021-22. Only 3 of these complaints resulted in a full investigation following initial assessment and details are provided in Section 15.
- 2.12 Section 16 sets out the Complaints Team's key achievements this year and priorities going forward into 2024/25.

### 3. Legislation

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- 3.1 There is a legal requirement for the Local Authority to have in place a complaints procedure, in accordance with Sections 24(D) and 26 of the Children Act 1989 and the Children Act 1989 Representations Procedure (England) Regulations 2006 and the accompanying statutory guidance published by the DfE, Getting the Best from Complaints: Social Care Complaints and Representations for Children, Young People and Others (01.09.2006) for the management of social care complaints.
- 3.2 The complaints procedure covers complaints about the actions of children's social care services under Part 3 and some of Parts 4 and 5 of the Children's Act 1989. These are Children in Need, Looked after Children/Care Leavers, Special Guardianship Support and post-adoption support. The following areas tend to be exempt; Early Help, Child Protection, S47 enquiries and conferences, assessments for potential foster carers and adopters, foster carer registration and Section 7 and 37

court reports. Achieving for Children may decide to investigate these areas under other procedures, such as the Council's corporate complaints process.

- 3.3 There is also a legal duty for the Local Authority to have in place advocacy arrangements for children and care leavers who wish to make representations or complaints regarding Children's services and their care pursuant to the Advocacy Services and Representations Procedure (Children) (Amendment) Regulations 2004. Alongside these Regulations there is statutory guidance entitled Providing Effective Advocacy Services for Children and Young People Making a Complaint under the Children Act 1989.

## 4. Overview of the Children's Complaints Procedure

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- 4.1 The statutory complaints procedure is a three-stage process. At stage 1 (also known as local resolution stage) complaints are investigated by the team where the complaint issue arose. In these cases, the team manager or service manager will usually investigate and respond to the complaint. The timescale for a stage 1 complaint response is 10 working days. However, where the complaint is complex or requires more time, an extension of up to a further 10 working days can be agreed by the Complaints Manager.
- 4.2 Where the complainant is dissatisfied with the stage 1 response, they can request a stage 2 investigation. This stage requires an independent investigation, and two independent people are appointed by the Complaints Manager for the role of Independent Investigator and Independent Person. The investigation team produce reports which are passed to a senior officer within Children's Services for adjudication and response to the complainant at stage 2. The statutory timescale for this stage is 25 to 65 working days.
- 4.3 It is a statutory requirement to commission an Independent Person (IP) to oversee the integrity of a stage 2 investigation to ensure it remains child focused. It is good practice to appoint an IP who has not been employed by the council for a minimum of three years. Richmond commission external officers to undertake this role.
- 4.4 Stage 3 is the final stage of the complaint procedure. If a complainant remains unhappy following the findings of the stage 2 investigation, they can request that their complaint is reviewed at stage 3 by an independent panel. The panel hearing should take place within 30 working days of the request. The panel is made up of three people, all independent of the local authority; the complainant has an opportunity to present their case to the panel alongside the Local Authority. The Chair of the Panel communicates the panel decision to the complainant and the Executive Director of Children's Services within five working days of the panel hearing and the Executive Director must respond to the complainant within a further 15 working days of the panel date.
- 4.5 A complaint is defined as '***an expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response.***'

- 4.6 Complaints can be made by the young person receiving a direct service from Children's Social Care or by a person on their behalf such as an advocate or family member where the service user has provided their written consent if they are Fraser competent<sup>1</sup>.
- 4.7 Where a service is provided by a contractor on behalf of Achieving for Children, a complaint can either be made directly to the provider service or to the complaints team at Richmond Council. Whilst the complaints team will encourage a provider service to firstly attempt resolution through its own procedures, if this is not possible, the Quality Assurance and Contract Monitoring team will investigate.
- 4.8 Complaints will be considered if they are made within 12 months of the incident although Achieving for Children can apply their discretion to waive this time limit in some instances.
- 4.9 The Complaints Team have the discretion to put on hold a complaint (or certain aspects of a complaint), if there is a concurrent legal process addressing the same issues. Once the concurrent process is complete, the complainant has 12 months to request that their complaint is re-opened.
- 4.10 Complaints are counted in the year in which they were responded to or closed: 2023-24 complaint figures include complaints that will have been initiated in the previous year (2023-23) but then closed in this reporting year.
- 4.11 Achieving for Children commissions its advocacy provision through 'Coram Voice' to assist children and young people when making a complaint or a representation. This year the Complaints Manager has contributed to the quarterly contract monitoring meetings led by our Children's Commissioning Team.

## 5. Learning from complaints/Quality Assurance

- 5.1 Getting the Best from Complaints (5.7.1) requires Local Authorities to monitor the operation and effectiveness of their complaints procedures with quality assurance systems that feed complaint outcomes into operational delivery.
- 5.2 Achieving for Children is a learning organisation and recognises that complaints are valuable as they provide an opportunity to improve services for the individual and improve practice to prevent the same mistakes from happening. Outcomes, particularly from stage 2 and 3 statutory complaints are shared at the Performance, Quality and Innovation Board. This is a forum where practitioners and managers across social care, education and SEND services can reflect on the learning from complaints to improve their own practice and their team's performance.

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<sup>1</sup> Fraser competent is a term used to describe a child under 16 who is considered to be of sufficient age and understanding to fully appreciate what is involved in their treatment.

5.3 Achieving for Children also highlight learning from complaints – Achieving for Children carry out seven-minute briefings which are concise learning sessions designed to enhance knowledge and improve practice. Notably, improving case recording and awareness of the Parent and Carer Needs Assessments process has been the subject of these target sessions.

5.4 Learning implemented from complaints is described below:

- **Improving Communication Flow:** Implementing timely process to facilitate efficient communication, such as punctual dispatch of case closure letters/assessments and ensuring the representation of both parents/guardians' perspectives.
- **Structured Communication Protocols:** Developing comprehensive written communication guidelines to clarify contact points, methods, and timings for parents/guardians, outlining their role and AfC's involvement in their child's care. This strategy will be beneficial for managing disproportionate communication from parents/guardians, mitigating the risk of them being perceived as unreasonable and maintaining open communication channels.
- **Enhancing Child Protection Information:** Improving the standard of information and procedures for parents/guardians in Child Protection scenarios including:
  - prompt distribution of child protection reports/assessments within statutory deadlines,
  - providing parents/guardians ample time for review and preparation for the Child Protection Conference,
  - clarifying the process,
  - ensuring bi-weekly home visits and;
  - aligning social workers with families' needs, particularly for children residing outside London, to guarantee consistent social work visits and ongoing communication with the parent/guardian.
- **Tailored Child Safety Plans:** Refining child safety plans to be age-appropriate, contextually relevant to the family's situation, and using correct pronouns, thereby enhancing the support provided to the children and families.
- **Direct support for Young People:** Strengthening support for young people by formally acknowledging the emotional impact of challenging conversations, especially when opinions diverge, and ensuring follow-up in writing to validate their feelings and perspectives.
- **Targeted assistance for parents/carers:** Strengthening knowledge of the Parent and Carer Needs Assessments (PCNA) process across teams to ensure that these are being undertaken as independent evaluations rather than integrating them into social work assessments.

From Ombudsman complaints for Children's Social Care:

- **Developed localised procedures** for the Children Looked After team to create contingency plans for disrupted foster placements, reviewed with commissioning partners and internal fostering teams, to reinforce existing guidance and prevent potential disruptions.

- **Collaboration with the Integrated Care Board** to enhance the joint assessment process for Disabled Children for Continuing Health Care, reflecting the National Framework.

### **Case Study: Enhancing Parental Engagement and Communication (stage 1)**

**Background:** A parent of a child under a supervision order expressed concerns regarding feeling alienated. They reported insufficient communication from Achieving for Children (AfC), citing a lack of updates, including photographs, school, and welfare reports. The parent sought improved communication, clarity on entitlements and AfC's responsibilities, and enhanced support during contact sessions with their children. The repetitive and frequent nature of the parent's email and telephone contact posed challenges for AfC in addressing the complaint and maintaining effective daily communication.

The investigation clarified AfC's responsibilities with regards to court-ordered information sharing. While some parental expectations exceeded entitlements, areas for AfC improvement were identified, such as providing adequate photographs and school updates.

**Learning:** A communication protocol was established to streamline inquiries and provide clear guidance on contact points, ensuring efficient management of parental queries. This protocol clarified the parent's entitlements and outlined their role in supporting their child, alongside AfC's responsibilities.

The protocol proved beneficial in managing communication with anxious parents, fostering positive family relationships, and preventing the perception of unreasonableness. AfC has adopted this approach for broader application, demonstrating a commitment to open communication and family support.

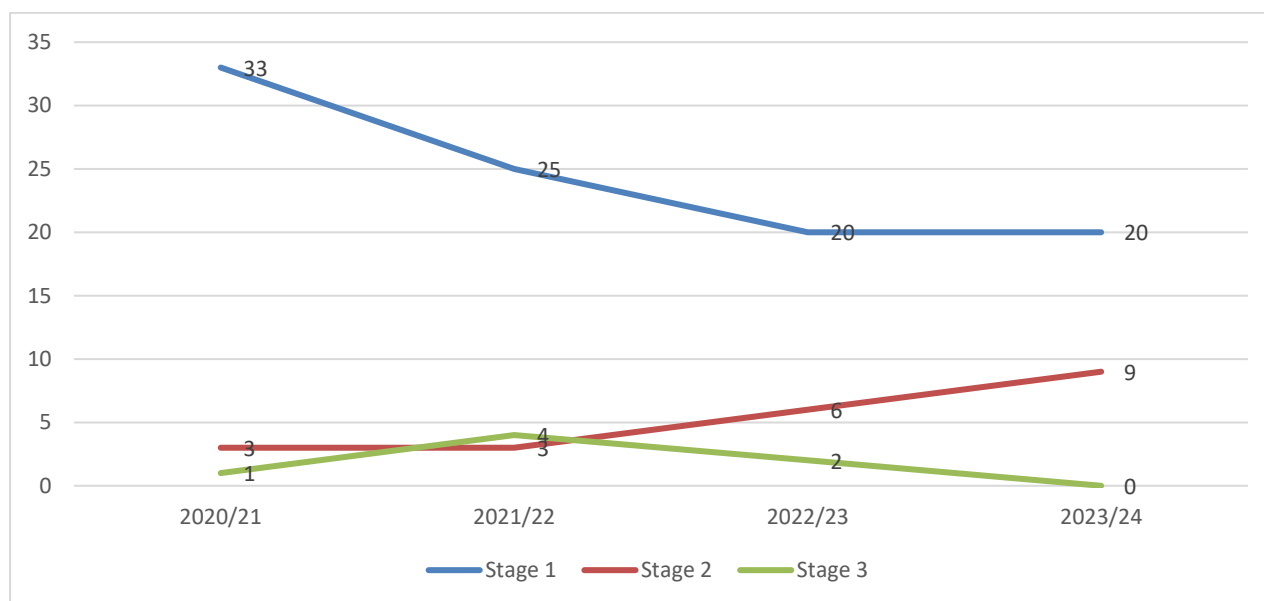
## **6. Statutory complaint numbers and representations**

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- 6.1 Achieving for Children and the Council welcome all feedback, including complaints and representations about its services. Service users, families and carers can provide their views in an open and transparent way and can easily access the complaints procedure.



**Chart 1: Children’s statutory complaints completed by year and stage 2020/21 to 2023/24**



6.2 In 2023-24, Achieving for Children services completed 29<sup>2</sup> complaints across all three complaint stages, which is slight increase on the 28 completed across all stages in 2022-23. However, it should be noted that increase has been at stage 2, where three more complaints were completed compared to last year. There were no stage 3 complaints completed this year. The breakdown of the 29 complaints across all three stages is detailed in **Chart 1** above and **table 1** below.

6.3 Overall, the numbers are consistent with last year although mostly notably there have been no stage 3 complaints this year. At stage 1 and 2 there have been small fluctuations in numbers.

**Table 1: Children’s statutory complaints received and completed by stage and year 2020/21 to 2023/24**

Stage	2020/21 completed	2020/21 rec.	2021/22 completed	2021/22 rec.	2022/23 completed	2022/23 rec.	2023/24 completed	2023/24 rec.
S1	33	35	25	20	20	19	20	22
S2	3	5	3	6	6	7	9	6
S3	1	2	4	2	2	2	0	3
Total	37	42	32	28	28	28	29	31

6.4 Two stage 2 complaints were withdrawn part-way through the process, after the independent officers were appointed. Complaints are withdrawn at the request of the

<sup>2</sup> One stage 1 complaint was carried over from the previous year. Two stage 1 complaints received this year will be carried over and closed in the next financial year. In total 22 new stage 1 complaints were received and 20 completed, though these are not the same complaints.

complainants. Withdrawn complaints are still included in the numbers because the issues raised are important to include in the overall analysis of formal complaints and may still result in changes to how a service is delivered or result in wider practice change.

**Table 2: Complaints completed by stage and quarterly reporting period: 2023-24**

	Q1	Q2	Q3	Q4	Total
Stage 1	8	7	5	0	20
Stage 2	1	3	1	4	9
Stage 3	0	0	0	0	0
<b>Total</b>	<b>9</b>	<b>10</b>	<b>6</b>	<b>4</b>	<b>29</b>

- 6.5 The volume of formal complaints should be set in context by looking at the overall level of contact and interaction Achieving for Children has with partners, residents, and service users. The 29 formal complaints completed this year is a low proportion, given that in 2023-24, the department handled 11,638 contacts from partners and agencies of which 1,270 resulted in social care referrals, 1,188 social care assessments were undertaken, and 689 new Section 47 (Child Protection) enquires were instigated<sup>3</sup>.
- 6.6 In addition to the 29 formal complaints, during the year the Statutory Complaints Team dealt with 47 enquiries over a wide range of representations or issues or concerns that did not fit within the remit the Statutory Complaints Process. Combined, this means that the team handled and triaged and dealt with 76 matters, 29 of which were formal complaints.
- 6.7 Representations are low level complaint matters that have been resolved informally and quickly to prevent escalation to the formal complaints process. Issues or concerns are other matters that residents have sent directly to the Complaints Team for triaging, signposting, or redirecting to another team or process, for example, school complaints or safeguarding issues. These numbers are included in **table 3** below to demonstrate the breadth of the work undertaken by the Complaints Team alongside the formal complaints completed through the statutory complaints process this year.

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<sup>3</sup> Last year there were 12,823 contacts from partners and agencies of which 1,204 resulted in social care referrals, 2,295 social care assessments were undertaken, and 665 new Section 47 (Child Protection) enquires were instigated.

**Table 3: Representations, issues or concerns handled by the Complaints Team in 2023-24**

Type of case	Number
Formal Complaints completed through the Statutory complaints process	29
Corporate complaints for social care (triaged through Corporate Complaints Process)	8
Representations: Low level complaints sent to services for quick resolution	8
Statutory complaint requests rejected (redirected) or no consent	4
Enquiries passed to other services or directorates	18
Complaints specifically about schools/early years provision (for school complaints process)	4
Issues for extender partners/agencies	0
Data Protection/FOI requests/Right to Rectification, redirected to Information Governance Processes	4
Safeguarding issues	1
Historical abuse	0
Other	0
<b>TOTAL number of cases handled by the complaints team this year (includes the 29 formal complaints)</b>	<b>76</b>

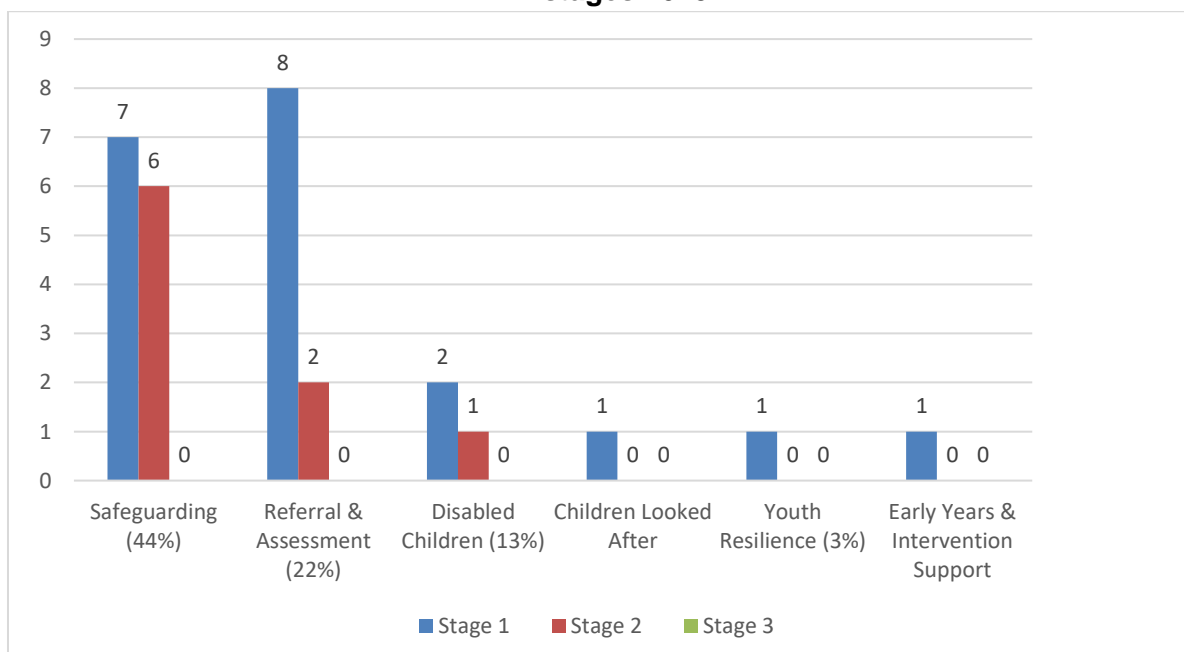
## 7. Statutory Complaints by service area

- 7.1 **Table 4** details the breakdown of complaints completed within the wider service area during the reporting year. Of the 20 Stage 1 complaints the majority were for the Referral and Assessment Teams (8 complaints) and the Safeguarding teams (7).
- 7.2 Numbers and overall percentages of completed complaints across all three stages and services are set out in **table 4** and **chart 2** below.

**Table 4: Statutory Complaints completed by lead Service, Stage and Quarter 2023/24**

Stage 1	Q1	Q2	Q3	Q4	Total
Referral & Assessment Service	3	3	2	0	8
Safeguarding	3	3	1	0	7
Children with Disabilities	1	0	1	0	2
Early Years & Intervention Support	1	0	0	0	1
Children Looked After	0	1	0	0	1
Family Youth & Resilience Service	0	0	1	0	1
<b>Total</b>	<b>8</b>	<b>7</b>	<b>5</b>	<b>0</b>	<b>20</b>
Stage 2					
Referral & Assessment Service	0	1	0	1	2
Safeguarding	1	2	1	2	6
Children with Disabilities	0	0	0	1	1
<b>Total</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>4</b>	<b>9</b>
<b>GRAND TOTAL</b>	<b>9</b>	<b>10</b>	<b>6</b>	<b>4</b>	<b>29</b>

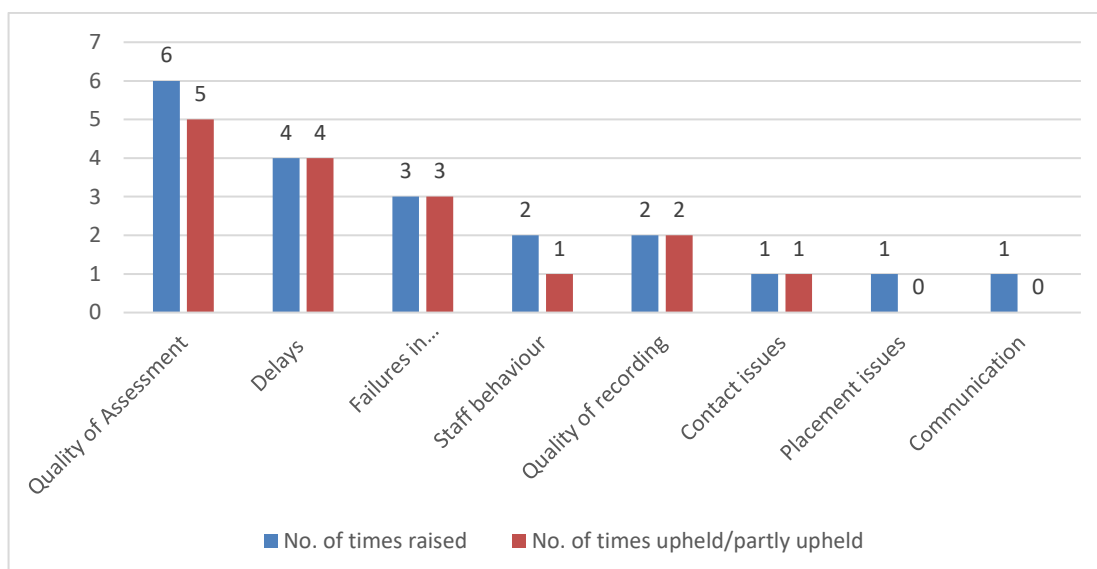
**Chart 2: Statutory Complaints completed by lead service area across all stages 2023-24**



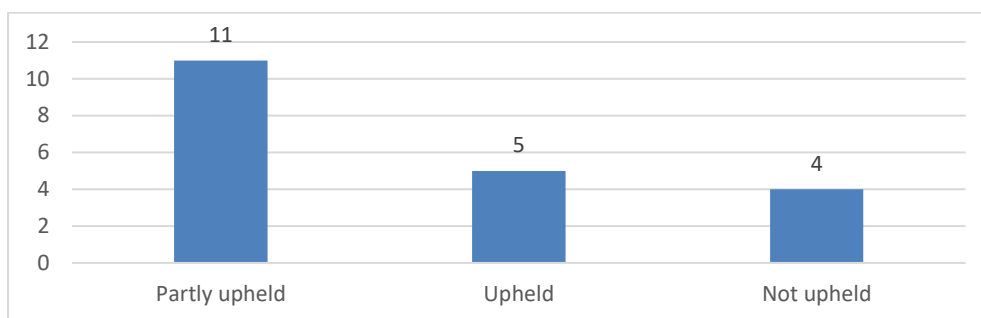
## 8. Statutory Complaints by Issue and outcome: Stage 1

- 8.1 Complaint issues allow us to understand how services are perceived by young people and their families, and what can be learnt from complaints to improve service provision. Most complaints for Children’s Social Care are complex and contain multiple issues. For the 20 stage 1 complaints, the primary theme and outcomes have been analysed initially but for the first time, we have also provided data on all of the issue raised from the 20 stage 1 complaints to demonstrate the breadth of concerns raised.
- 8.2 This year 2 stage 1 complaints were made by young people and 18 were made by parents/guardians.
- 8.3 **Chart 3** below demonstrates that Achieving for Children have partly upheld the majority of complaints. This evidences that multi-issue nature of social care complaints, and the positive complaints culture in Achieving for Children which recognises that there is learning from most complaints.
- 8.4 **Chart 3** also demonstrates that that the principal issues raised across the 20 stage 1 complaints are distributed widely which does not indicate any concerning trends. **Chart 4** supports this by illustrating that most complaints (65%) were partly upheld, as some mistakes were made but not all the issues complained about were wrong.

**Chart 3: Stage 1 complaints completed by Primary Issue and times upheld/partly upheld 2023-24**



**Chart 4 – Stage 1 overall complaint outcomes 2023/24**



8.5 When broken down by type of complaint the most frequently mentioned primary issue was **quality of assessment** which individually accounted for 30% (or 6) of stage 1 complaints. Last year **staff attitude/conduct** was also the majority primary issue raised from stage 1 complaints and it is positive that that complaints of this nature have reduced this year.

8.6 Complaints about quality of assessment were all from parents and broadly raised issues such as dissatisfaction with social worker opinion within the report, disputing facts, the use of language, perceptions of bias and delays in receiving the report. Complaints were upheld where there had been delays, more detail could have been added or more could have been done to involve both parents in the assessment process.

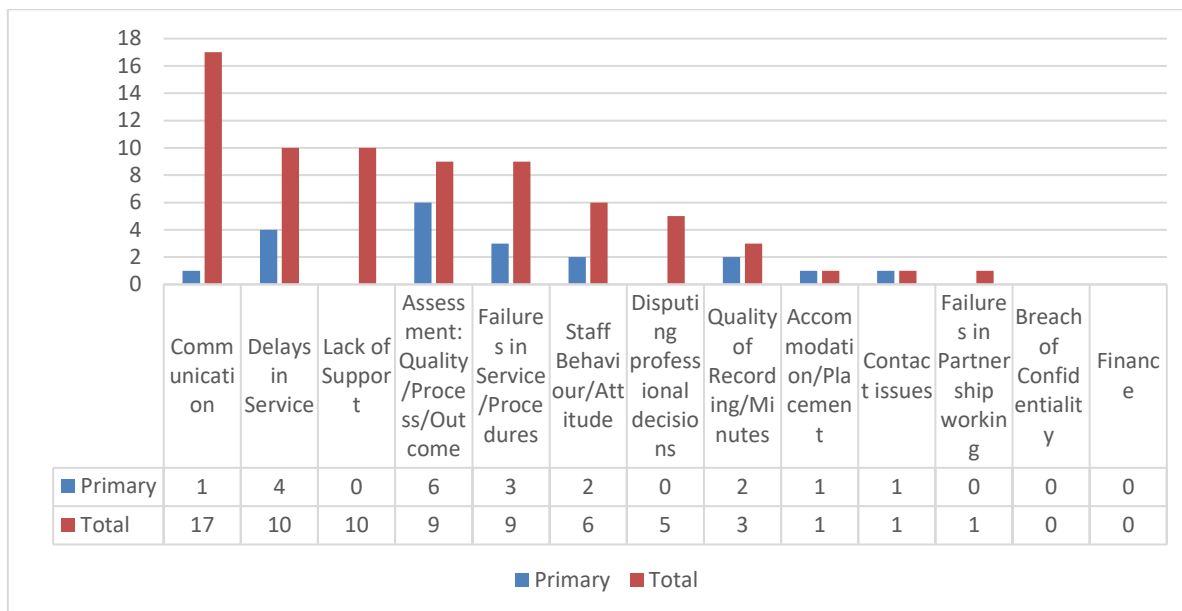
8.7 **Table 5** shows primary issues raised this year, compared to last year. The most notable trend is a reduction in complaints about **staff attitude/conduct** and **lack of support** and an increase in complaints about the **quality of assessments** and **delays**.

**Table 5 – Stage 1 Complaints completed by Primary Issues 2022/23 – 2023/24**

Stage 1	2022/23		2023/24	
Staff attitude/conduct	6	30%	2	10%
Lack of support	6	30%	0	0%
Failures in service/procedure	3	15%	3	15%
Disputing decisions	2	10%	0	0%
Quality of assessments	2	10%	6	30%
Confidentiality	1	5%	0	0%
Placement issues			1	5%
Delays			4	20%
Contact issues			1	5%
Quality of recording			2	10%
Communication			1	5%
<b>TOTAL</b>	<b>20</b>		<b>20</b>	

8.8 Whilst **Chart 3** on page 12 sets out the primary issues for each stage 1 complaint, **Chart 5** below sets out each issue raised within the 20 stage 1 complaints. Across the 20 stage 1 complaints a total of 63 issues were raised, demonstrating the breadth and often complexity of children’s statutory complaints.

**Chart 5: Full data on the issues raised from the 20 Stage 1 complaints 2023-24**



**Case Study: Enhancing Child Safety Plan Communication (stage 1)**

**Background:** A complaint was lodged by a parent regarding the clarity of information provided in the safety plans for their young child, created by the Early Help team. Despite the complaint, the parent acknowledged the exceptional support from a team member, describing them as ‘super helpful’ and ‘a credit to the organisation.’ The parent’s positive feedback was appreciated, as it contributed to AfC’s ongoing staff development. The insights offered by the parent regarding the safety plan were enlightening and have prompted AfC to re-evaluate their strategies to better support families and young people moving forward.

**Learning:** The complaint led to the recognition that safety plans should be tailored to the child’s age and the family’s specific circumstances. The language used should be understandable to the child, considering their age, and appropriate pronouns should be consistently applied. It has also been agreed that future safety plans will be age-appropriate and contextually relevant to the family’s concerns. This commitment to continuous improvement reflects AfC’s dedication to providing clear, understandable, and supportive safety plans for children and their families.

## 9. Statutory Complaints by Issue and Remedies: Stage 2

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- 9.1 Whilst the number of complaints escalating to Stage 2 complaints has risen slightly from seven to nine, on seven received an investigation as two were withdrawn for the following as the complainants disengaged from the complaints process.
- 9.2 Of the remaining 7 stage 2 complaints that received a full investigation, all were partially upheld. All stage 2 complaints were made by parents/guardians and raised broad issues such as involvement in Child in Need and Child Protection processes, the accuracy of information in assessments, assessments and reports not being shared, responsiveness to complaints raised directly in services, delays in processes and assessments, communication and general perceptions about the level of support offered.
- 9.3 Most stage 2 complaints were from parents of older children who were Looked After by Achieving for Children, and one complaint was from adoptive parents about post-adoption support. A strong theme from these complaints were feelings of lack of involvement in social care processes, meetings and decisions relating to their child.
- 9.4 Learning from the stage 2 complaints was discussed and disseminated at the Performance Quality and Innovation Board and provided opportunities to improve services as follows:

### **Procedural improvements:**

- Improving knowledge and awareness of the Parent Carer Needs Assessments process
- Discuss learning on post-adoption support with Adopt South London
- Reducing delays in completing and sharing of reports and assessments
- Minimising delays in adhering to Care Orders to avoid disrupting contact arrangements
- Reminding social workers of the importance of accurate record keeping

### **Parental Engagement:**

- Encouraging more parental involvement in meetings and correspondence
- Increasing transparency by sharing reports and assessments with parents
- Improving adherence to the statutory complaints procedure when complaints are received directly in services.
- Implementation of communication protocols with parents to keep lines of communication open and manage expectations.



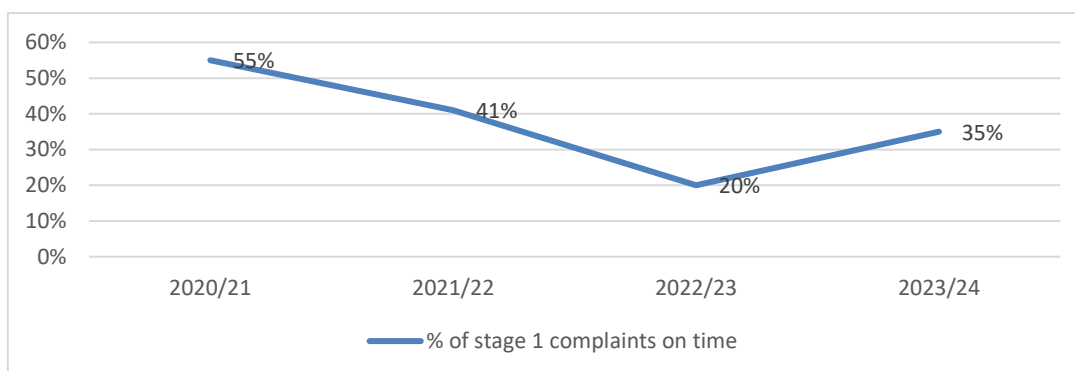
## 10. Statutory Complaints by Issue remedy: Stage 3

10.1 This year there were no completed stage 3 complaints. However, looking forward into next year, there are currently 3 open which are expected to conclude during the first quarter.

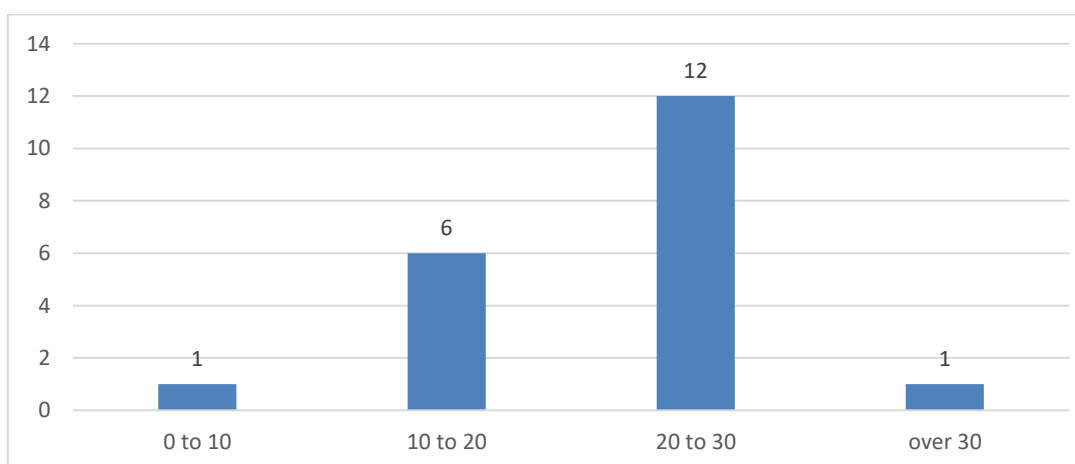
## 11. Response times

11.1 This year 20 stage 1 complaints were completed. 35% (or 7) of stage 1 complaints received a response on time which is shown on **Chart 6**. This is an improvement on the 20% responded to on time in 2022-23. On average stage 1 complaints were completed by 22 days which is only 2 days over the statutory 20-day timescale.

**Chart 6 percentage of stage 1 complaints on time 2023-24**



**Chart 7 Stage 1 response times completed complaints 2023/24**



11.2 ‘On time’ means complaints that received a response within 20 working days. Stage 1 complaints should be investigated and completed within a timescale of 10 working days. This can be extended up to 20 working days for more complex complaints or in other instances where an extension is agreed by the Complaints Manager. Where complaints are delayed, the complaints team always ensure that complainants are

advised of extensions to deadlines and kept informed about the progress of their complaint.

11.3 Stage 2 complaints have a statutory timescale of 25 to 65 working days. Two complaints were withdrawn. Of the remaining seven, two were completed within 65 days. The remaining five took 67 to 111 days respectively. The average time to complete stage 2 investigations was 77 days. Two Stage 2 complaints are open at year end and will be closed in 2024-25.

## 12. Complaints from young people

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12.1 The Complaints Team are always keen to receive complaints from children and young people directly as the statutory complaints process is in place for them. If it is considered that a complaint is best made from a child or young person, and they are Fraser competent, we aim to work directly with them alongside advocacy support.

12.2 This year the Complaints Team have received two complaints directly from young people at stage 1 compared to none in the previous year. It is expected that the number of complaints made directly from young people will be low and the social work teams are proactive in having conversations to resolve concerns quickly with young people.

### **Case study: Support for family reintegration (Stage 2)**

**Background:** A young person lodged a formal complaint regarding AfC's execution of statutory duties, specifically concerning the denial of support services following a family assessment that deemed them ineligible. During the early help stage, AfC was actively involved with the family due to concerns about a parent's mental health. The young person requested alternative accommodation due to family difficulties; however, AfC prioritised family unity and facilitated the individual's return home, emphasizing that out-of-home care is a last resort. The response to the complaint was crafted with empathy, explaining the early nature of the assessment and the possibility of ongoing support for the family. It emphasised the value AfC places on family bonds and the social worker's commitment to aiding the young person in mending their relationship with their parent.

**Learning:** The situation highlighted the emotional toll that strained parent-child relationships can have on young people. AfC pledged to give greater recognition to these emotional challenges and to ensure personal follow-ups after difficult discussions, especially when opinions diverge. This learning was integrated into managerial supervisions and shared with the entire team for broader organisational growth.

AfC has resolved to enhance its communication strategies, ensuring that young people are fully aware of the decision-making processes that affect them. This commitment to improvement reflects AfC's dedication to transparent operations and its support for the well-being of families and young individuals.

## 13. Young people: equalities data

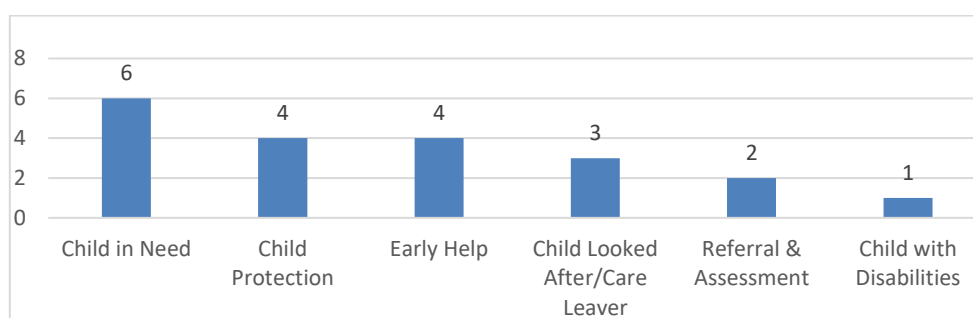
13.1 The following section reviews the breakdown of the 29 statutory complaints completed at all stages by the category of support that the young people have received. The section will then go onto review the breakdown of equalities data of these young people.

13.2 At stage 1, this year:

- 15% (or 3) of complaints were about Looked After Children and Care Leavers
- Child Protection accounted for 20% (or 4) complaints
- Child in Need accounted for 30% (or 6 complaints)
- Early Help accounted for 20% (or 4) complaints
- Referral and Assessment accounted for 10% (or 2) complaints
- 1 One complaint was about a Child with Disabilities

13.3 At Stage 2, all 9 complaints were from families either in Child in Need, relating to a Looked after Child and in once instance open to Child Protection. Two escalated to Stage 3.

**Chart 8: Stage One complaints received by category of support for the young person 2023/24**



13.4 Additionally, two of the young people who were the subject of a complaint this year (at all stages) were registered as Disabled. Complaints concerning children with a disability accounted for:

- One family relating to child protection and adoption support.
- One family with a child on a Child in Need plan.

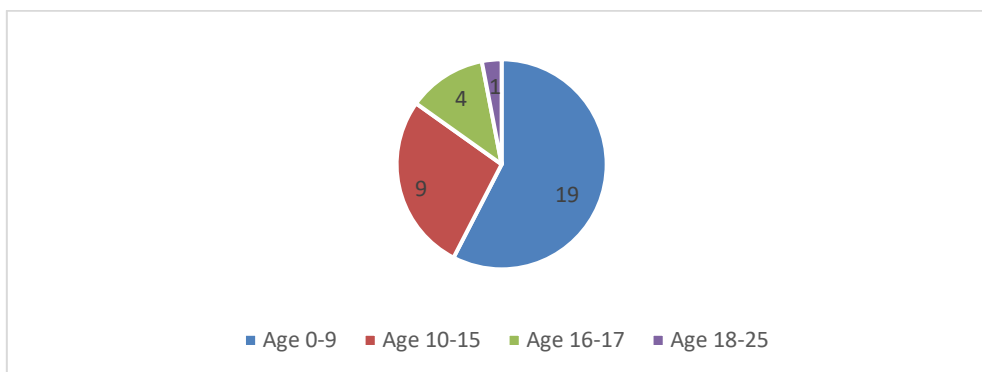
13.5 Most complaints concerned children aged 0-9 years old (19 children), followed by children between 10-15 years of age (9 children). Complaints concerning children in the 16-17 age range accounted for 4 young people. One complaint concerned a young person in the 18-25 category was received.

13.6 There is very little difference in complaints spit by gender. There were 14 young males compared to 17 young females who were subject of a complaint. Additionally, one young

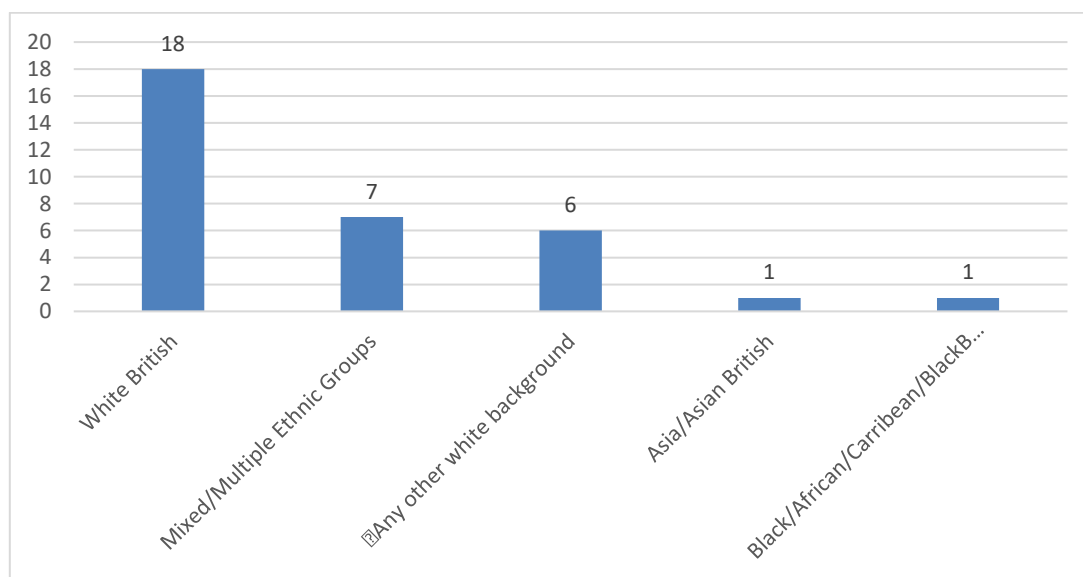
person self-identified as male and one child’s gender was unknown as they were unborn at the time of the complaint.

13.7 **Charts 9, 10 and 11** below provide equalities data concerning the age, ethnicity and religion of young people that were the subject of a complaint this year<sup>4</sup> .

**Chart 9: Age range of young people subject of a complaint 2023/24**

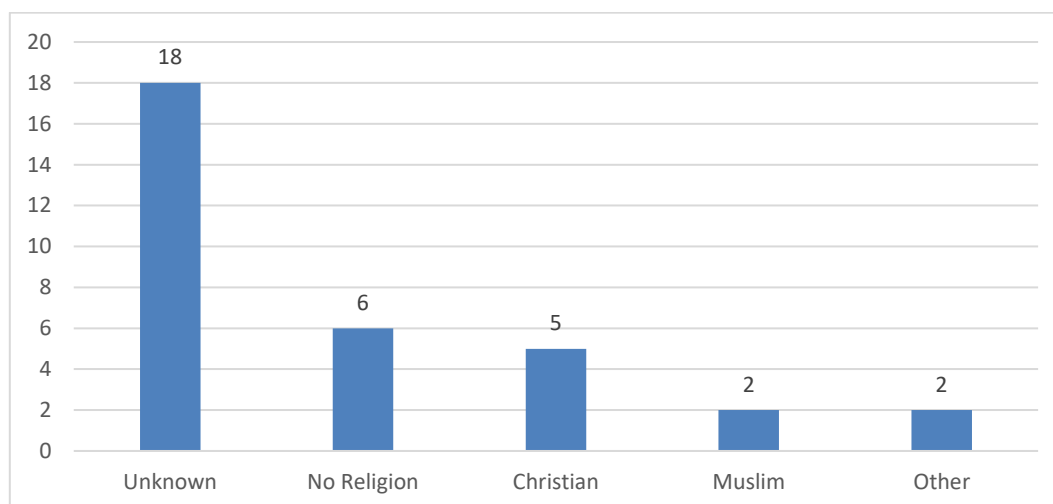


**Chart 10: Ethnicity of young people that were the subject of a complaint 2023/24**



<sup>4</sup> The number of young people that are the subject of a complaint this year is 33. This is higher than the 29 complaints at all stage, because some complaints concerned multiple siblings within one family.

**Chart 11: Religion of young people that were the subject of a complaint 2023/24**



13.8 The volume of these complaints should be taken in the context of the overall level of interaction as 130 new Child Protection plans started in the year (compared to 148 last year), the department supported 114 Looked after Children (130 last year), 46 of whom started care. There were also 260 children on a Child in Need Plan (287 last year).

## 14. Corporate complaints

14.1 This report provides a brief overview of corporate complaints closed by Achieving for Children. Detailed reporting on corporate complaints is within Richmond council's Corporate Complaints Report 2023-24.

14.2 This year Achieving for Children completed 43 stage 1 corporate complaints which is a 10% increase on the 39 stage 1 corporate complaints last year. 20 escalated to stage 2 compared to 28 last year which is a 29% decrease.

14.3 Most corporate complaints were for Education and SEND which accounted for 35 of the 43 stage 1 corporate complaints.

14.4 With regards to timescales:

- 36 (84%) of the 43 stage 1 corporate complaints were on time compared to 30 (77%) of the 39 complaints last year.
- 14 (70%) of the 20 stage 2 corporate complaints were on time compared to 13 (46%) of the 28 stage 2 last year.

14.5 In education, AfC are aware of delays or dissatisfaction with some of the statutory processes related to EHCP's, specifically duties placed on Local Authorities in terms of securing the provision outlined in plans. For example, complaints concerning a lack of therapy delivery remains a challenging area across health and education partners,

and continues to be related to ongoing recruitment challenges within the Integrated Care System, and decreasing capacity within the independent market to meet the increasing demand, this is also impacted by the increase in requests for EHCP's and the broader shortage of specialist placements available nationally, the latter is something AfC is tackling in terms of developing local specialist provision which, overtime will come with increased capacity and local expertise.

14.6 Learning from Education and SEND corporate complaints this year is as follows:

- **Enhanced Communication Strategy:** The significance of timely communication with parents and adherence to EHCP statutory timelines was reinforced through post-complaint reflection and discussion sessions.
- **SEND Service Training:** There was a commitment to ongoing training for coordinators on consistent communication and timely completion of statutory EHCNA's and Annual Review activity ensuring additional support, guidance, and focus on these areas to prevent future occurrences.
- **Process Monitoring:** Weekly meetings were introduced to monitor statutory performance in relation to live EHCNAs, focusing on compliance with statutory deadlines and enabling managerial intervention for problem-solving.
- **Policy Transparency:** The Home to School Travel policy was updated to clearly define child's home address when there is shared custody to determine travel eligibility, enhancing transparency and understanding of the assessment process.
- **Partnership working:** A review will be undertaken with the Integrated Care Board (ICB) to consider if funding directed toward individual therapy packages might be better utilised in increasing local NHS provider contracts, to give greater control of how resources are deployed. AfC will also consider co-designing an escalation route with the ICB for both parties to follow when a referral to the ICB is made due to required provision remaining unallocated when there are no approved providers available.

## 15. Ombudsman Cases

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- 15.1 This report provides a brief overview of Local Government and Social Care Ombudsman (LGSCO) closed by Children's Services. Detailed reporting on Corporate and Ombudsman Complaints is within Richmond Council's Annual Corporate Complaints Report 2023
- 15.2 A complainant has the right to refer their complaint to the Local Government and Social Care Ombudsman (LGSCO) at any time. Generally, the Ombudsman will seek to ensure that the Local Authority/Achieving for Children, has been provided with the opportunity to first respond to the complaint in accordance with the Council's own statutory complaints process.
- 15.3 When the LGSCO find fault, AfC always provide an apology and commit to learn from the complaint. Sometimes financial remedy is also provided to put the complainant or their family member, back to the position they were in before the injustice was caused.

- 15.4 During 2023/24 11 Ombudsman enquiries and/or investigations were completed by the LGSCO for Achieving for Children. This is 38% higher than the 8 in 2022/23, but still 31% lower than the 16 complaints in 2021-22. It is positive that the general trend is a decrease in the number of complaints escalating to the LGSCO that are being formally investigated.
- 15.5 Of the 11 complaints decided by the LGSCO in 2023/24, 3 were for SEND, 4, were for Social Care, 1 was jointly for SEND and Social Care, 1 was for Early Years and, 2 are unknown as the Ombudsman did not pass the details onto the Council. Only 3 of these complaints resulted in formal investigations following the Ombudsman's initial assessment as set out in **table 6** below.

**Table 6: SEND/Education Ombudsman cases:**

Quarter		Complaint details	LGSO decision
1	SEND	The Council's handling of their child's EHCP and SEN provision and associated communication failures.	<b>Formal Investigation:</b> The LGSCO found fault that the Council had failed to respond to the parent's requests regarding provision along with its confusing and contradictory communications regarding the child's EHCP. The Council was asked to apologise and pay £300 for the failings identified, to backdate specialist SEN provision and amend the EHCP accordingly.
1	Social Care (Safeguarding)	The Council's communication with parents and handling of support needs for a Child in Need.	<b>Premature Decision</b> by the LGSCO as the Council were still progressing the complaint through the Statutory Children's Complaint's process.
2	Early Years	The Council had not refunded top-up nursery fees charged by nurseries when their child received the Free Early Education Entitlement (FEEE).	<b>Formal Investigation:</b> The LGSCO found that despite the Council originally failing to understand the complaint, it had subsequently rectified this and taken action to ensure a nursery's charges complied with Government guidance. The Council accepted it had failed to understand the complaint and that it had taken too long to audit the nursery's charges. It had offered £600 as a symbolic payment for the delay which the LGSCO considered a suitable remedy.

2	Social Care (Children looked after)	The Council's handling of finding a new placement for the child/young person they were fostering when they gave the Council substantial notice due to health issues.	<b>Formal Investigation:</b> The LGSCO found that the Council failed to arrange another placement within the notice period given which left the complainant and child/young person in the lurch, which caused a chaotic end to the placement. The Council was asked to apologise and pay £500 for the failings identified.
2	Unknown	The Council were not sent the complaint details.	<b>Incomplete/Invalid complaint decision</b> by the LGSCO as the complainant had failed to provide sufficient information for them to proceed and they notified the complainant accordingly.
3	SEND	The Council's alleged failure to provide education as set out in an EHCP, but the Council had notified the complainant a year + before that it had 'ceased to maintain' & had closed the plan.	<b>Assessment Decision</b> after initial enquiries: The LGSCO decided that the complainant could have appealed to the Tribunal at the time and that there was no good reason given for the complaint being out of time and therefore closed the case.
3	SEND/Social Care (Safeguarding)	The Council's organisation of the Initial Child Protection Conference and support provided to the parent during the assessment for an EHCP.	<b>No worthwhile outcome achievable by investigation decision</b> by LGSCO after initial enquiries. The Council had already apologised and there was no good reason given for the complaint being out of time.
4	Unknown	LGSCO did not notify the details of the complaint to the Council.	<b>Complaint previously considered decision by the LGSCO</b> and details not provided to Council.
4	SEND	The Council's failure to make provision specified in an EHCP required by a Tribunal	<b>Assessment decision</b> after initial enquiries. The LGSCO decided not to investigate as it was reasonable to have expected the complainant to appeal to the Tribunal and the matter was out of time.



4	Social Care (Referral & Assessment)	The Council's alleged failure to adhere to statutory requirements when responding to complaints.	<b>No worthwhile outcome achievable by investigation decision</b> by LGSCO after initial enquiries. The Council had already undertaken a Statutory Stage 3 complaint panel and following that had apologised, made symbolic payment of £450 and implemented the panel's recommendations.
4	Social Care	The Council's alleged unlawful removal of children from the family home	<b>Assessment decision</b> after initial enquires. The LGSCO decided not to investigate investigation as the matters complained of were not separable from matters subject to court action.

## 16. Going forward and the key priorities for 2023/24

16.1 The Complaints Team have made significant strides in improving our complaints handling process this year by:

- **Creation of a public-facing Adult Social Care complaints policy:** This new policy aims to provide more transparency about how decisions are made by the Complaints Team and how statutory regulations interact with other policies and procedures.
- **Strengthened quarterly reporting:** To foster a positive culture of learning from complaints, we have enhanced reporting to all council's Senior Management Teams. We also plan to produce six-monthly complaints report for the Director's Board in addition to the annual report.
- **Targeted collaborative work with the Housing Directorate:** In response to an increase in housing-related complaints, we have implemented a procedure to identify high-risk issues and themes. We've also strengthened partnership working between housing and social care teams for more cohesive complaints handling.
- **Collaboration with the SEND teams in Achieving for Children:** Fortnightly meetings now take place to discuss current open complaints and provide support and guidance for the most complex cases. This has also significantly improved the number of complaints sent on time.
- **Work to strengthen complaints practice and culture:** In consideration of the LGSCO and HOS Joint Complaints Handling Code, we have begun work to enhance complaints practice. This included amending timescales for Corporate Complaints under the HOS jurisdiction to commence on 1st April 2024, updating staff guidance on effective complaints handling, and updating information on the Council's complaints webpage.
- **Continued comprehensive complaints training for staff:** This has included regular online training including a webinar on complaints handling, face-to-face complaints

training at an Adult Social Worker Forum and securing information about the complaint processes on staff induction for all new starters.

16.2 In 2024-25 our priorities will be to:

- **Policy Development:** The establishment of a publicly accessible Statutory Children's Social Care complaints policy. This initiative aims to enhance transparency regarding the decision-making processes of the Complaints Team and the interplay between statutory regulations and other policies.

The launch of a new Corporate Complaints Policy from 1 April 2025 which is fully aligned with the Ombudsman Joint Complaints Handling Code.

- **Complaints Practice Enhancement:** To maintain our adherence to the Ombudsman Joint Complaints Handling Code, we will reinforce our robust complaints practice through:
  - **Continuous Staff Training:** Implementing an ongoing training programme on the requirements of the Code.
  - **Performance Management Integration:** Collaborating with Human Resources to incorporate complaints handling objectives into staff appraisal documents and job descriptions.
  - **Equality and Accessibility:** Partnering with the equality lead to refine our approach to recording and monitoring reasonable adjustments for individuals lodging complaints.
  - **Contractor Oversight:** Enhancing procedures to ensure that contractors and third-party service providers on behalf of the Council manage complaints effectively.
  - **Reporting Enhancements:** We will introduce biannual complaints reports to Executive Directors and Lead Members, supplementing the existing annual complaints reporting structure.