



# **DARLINGTON**

Borough Council

## **Children's Social Care Complaints, Compliments and Comments Annual Report 2023/24**

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## **Introduction**

1. Darlington Children's Social Care welcomes complaints, compliments and comments as a way of improving service delivery to children, young people and their families. The purpose of this report is to inform the service users, carers, the public, Council Members and Children's Social Care staff of the effectiveness of the Children's Social Care Complaints, Compliments and Comments Procedure (the Procedure). The report identifies topics and trends in relation to complaints information, makes suggestions for service improvements, where appropriate and identifies areas of organisational learning that have taken place in relation to people, policy and process.

## **The Law**

2. The Council is required by law to have management arrangements in place for considering children's social care representations, including complaints, under the Children Act 1989. National legislative procedures for social care were amended in September 2006 with the introduction of the Children Act 1989 Representation Procedure (England) Regulations 2006 (the Regulations). It is a requirement of the Regulations that the Council publishes an annual report. In addition to the Regulations the Department for Education and Skills produced some comprehensive guidance for local authorities on managing complaints, called 'Getting the Best from Complaints'.
3. Key features of the Regulations include:
  - (a) A requirement for local authorities to appoint a Complaints Manager;
  - (b) A requirement for review panels to be retained by local authorities but with more robust arrangements for constituting and running them; and
  - (c) A 12 month time limit to make complaints.

## **Complaints and Information Governance Team**

4. The Complaints and Information Governance Manager is appointed as the 'Complaints Manager' in accordance with the requirements of the Regulations. The Complaints and Information Governance (CIG) Team is independent of Children's Social Care operational line management. This ensures a high level of independence in the way children's social care complaints are managed within the Council.

## **Public Information**

5. We are committed to making sure that everyone has equal access to all our services, including the Procedure. To help make the Procedure easily accessible we have produced two leaflets (one for children and young people and one for adults) covering all Council services to reflect the single point of access for complainants within the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.

6. Information is available on the Council's website. There is also an electronic form which people can use to make a complaint, pay someone a compliment or pass comment on Council services. People may make a complaint in any format they wish.
7. This can be in writing, by email, via the web, over the phone, in person or by any other reasonable means.
8. The Complaints Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

## **Children's Services Social Care Complaints Process**

### **Stage 1 – Local Resolution**

9. This initial stage allows children's social care managers the opportunity to try and resolve complaints locally, usually within the team being complained about.

### **Stage 2 – Investigation**

10. Stage 2 involves a full and formal investigation. An 'Independent Person' must also be appointed to oversee the investigation and report independently to Children's Social Care Services. Both the Investigating Officer and Independent Person produce reports, which are submitted to a senior manager who writes the final response to the complainant.

### **Stage 3 – Review Panel**

11. A review panel is convened when the complainant is dissatisfied with the Stage 2 response. The panel consists of an independent chairperson and two individuals who are independent of the Council.

### **The Local Government and Social Care Ombudsman**

12. Although complainants can refer complaints at any stage to the Local Government and Social Care Ombudsman (LGSCO) they will not normally investigate until the Council has conducted its own investigation and provided a response.

### **External Support to the Complaints Process**

#### **Advocacy**

13. The Council commissions an advocacy service for children and young people who make a complaint. This is an independent service provided by NYAS.

#### **Investigating Officers**

14. While the Regulations do not require investigating officers to be independent of the Council, we have signed up to a contract for the provision of Independent Investigating Officers.

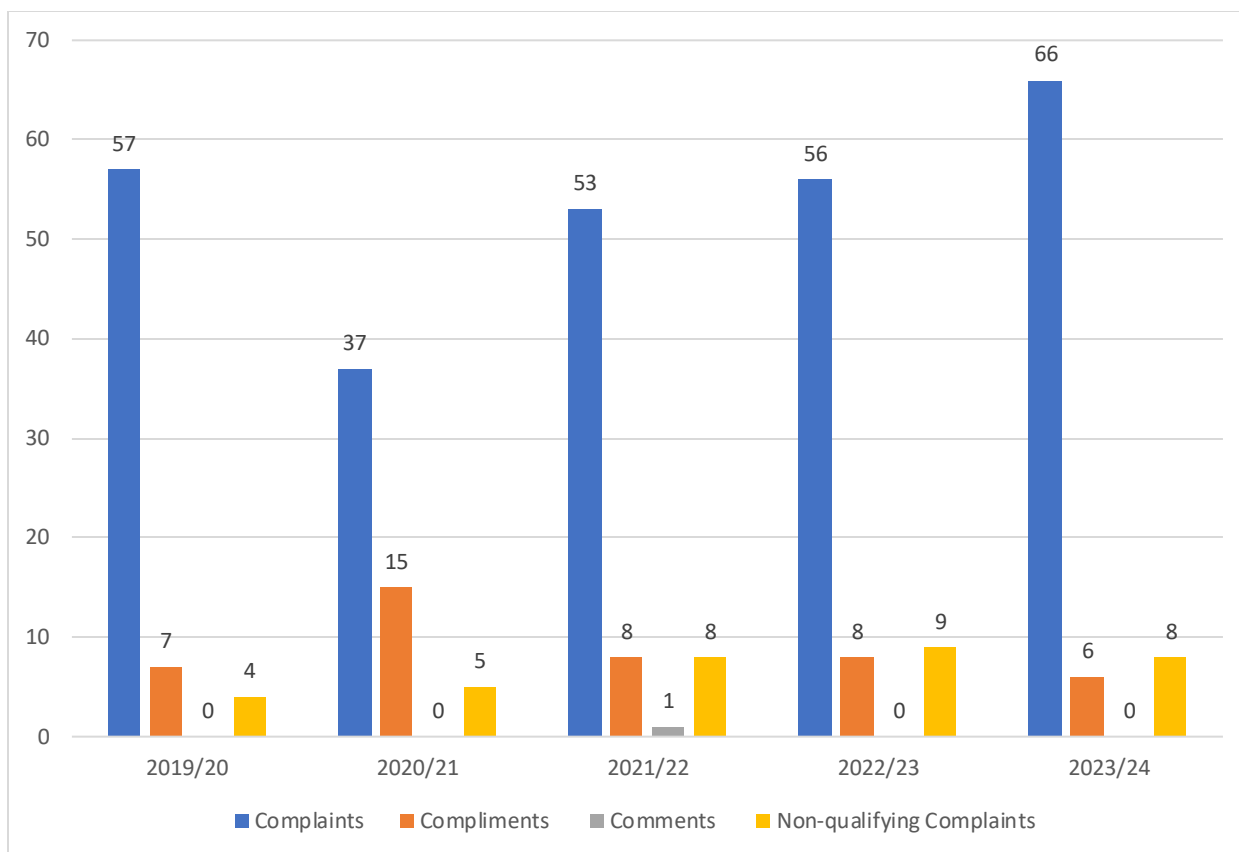
#### **Independent Persons**

15. The Council has signed up to a contract for the provision of independent persons.

#### **Review Panels**

16. The Council has also signed up to a contract for the provision of an independent chair and independent panellist service.

### Total Complaints, Compliments and Comments received



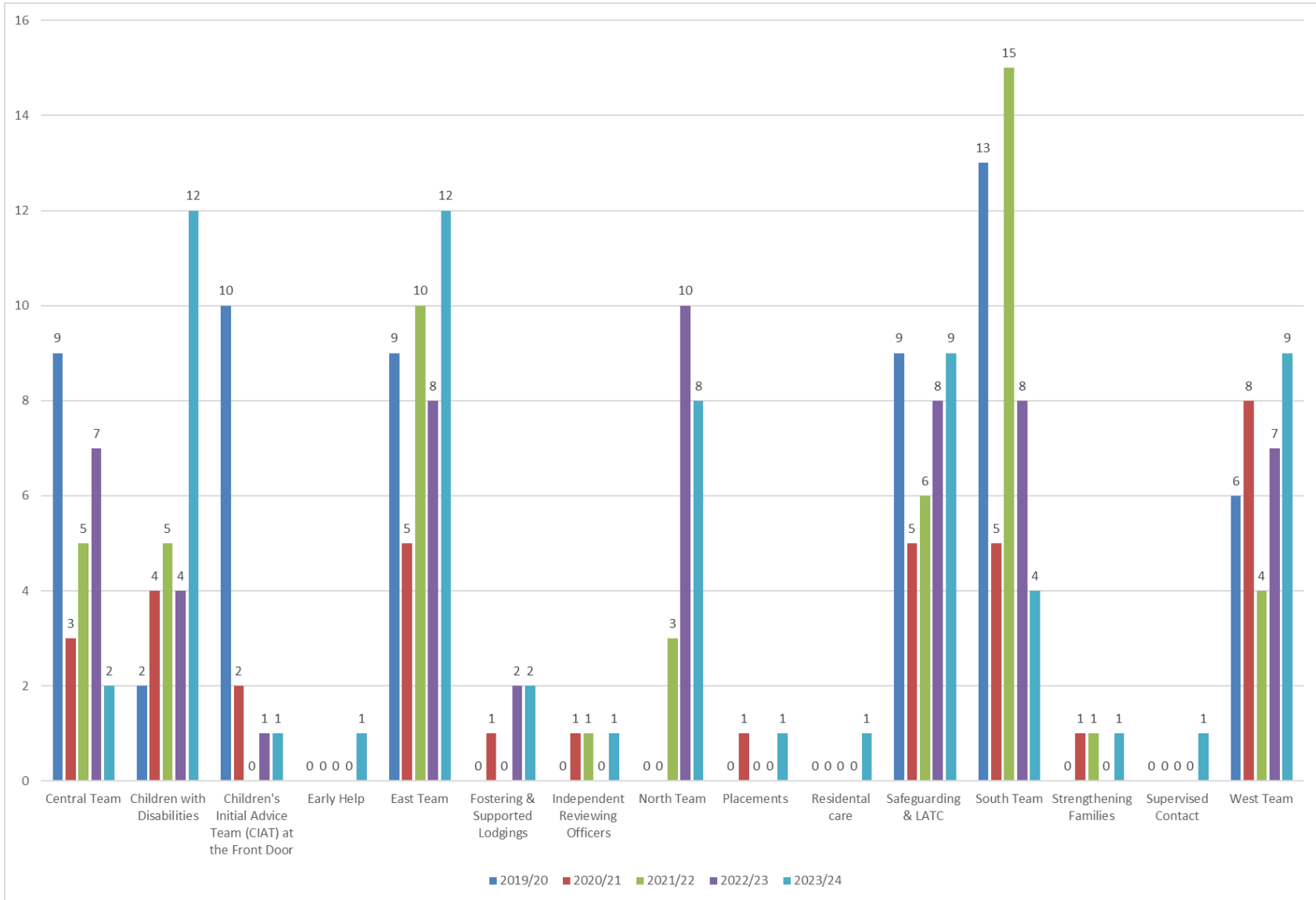
17. The Council saw a significant increase in the number of complaints received, investigating 66 complaints, an increase from 56 in 2022/23, 53 in 2021/22, 37 in 2020/21 and 57 in 2019/20. 65 were investigated at Stage 1, while one was escalated directly to Stage 2.

18. The Council received six compliments, a decrease from eight in 2022/23 and 2021/22, 15 in 2020/21 and seven in 2019/20.

19. The Council did not receive any comments in 2023/24 or 2022/23, compared to one in 2021/22, and zero in 2020/21 and 2019/20.

20. The Council received eight non-qualifying complaints, a decrease from nine in 2022/23, the same number as in 2021/22 and an increase from five in 2020/21 and four in 2019/20.

### Breakdown of Stage 1 Complaints by Service Area/Team



*N.B. Those teams that are not listed did not receive any complaints during 2023/24.  
Direct comparison data may not available for all teams due to changes in the Council's organisational structure.*

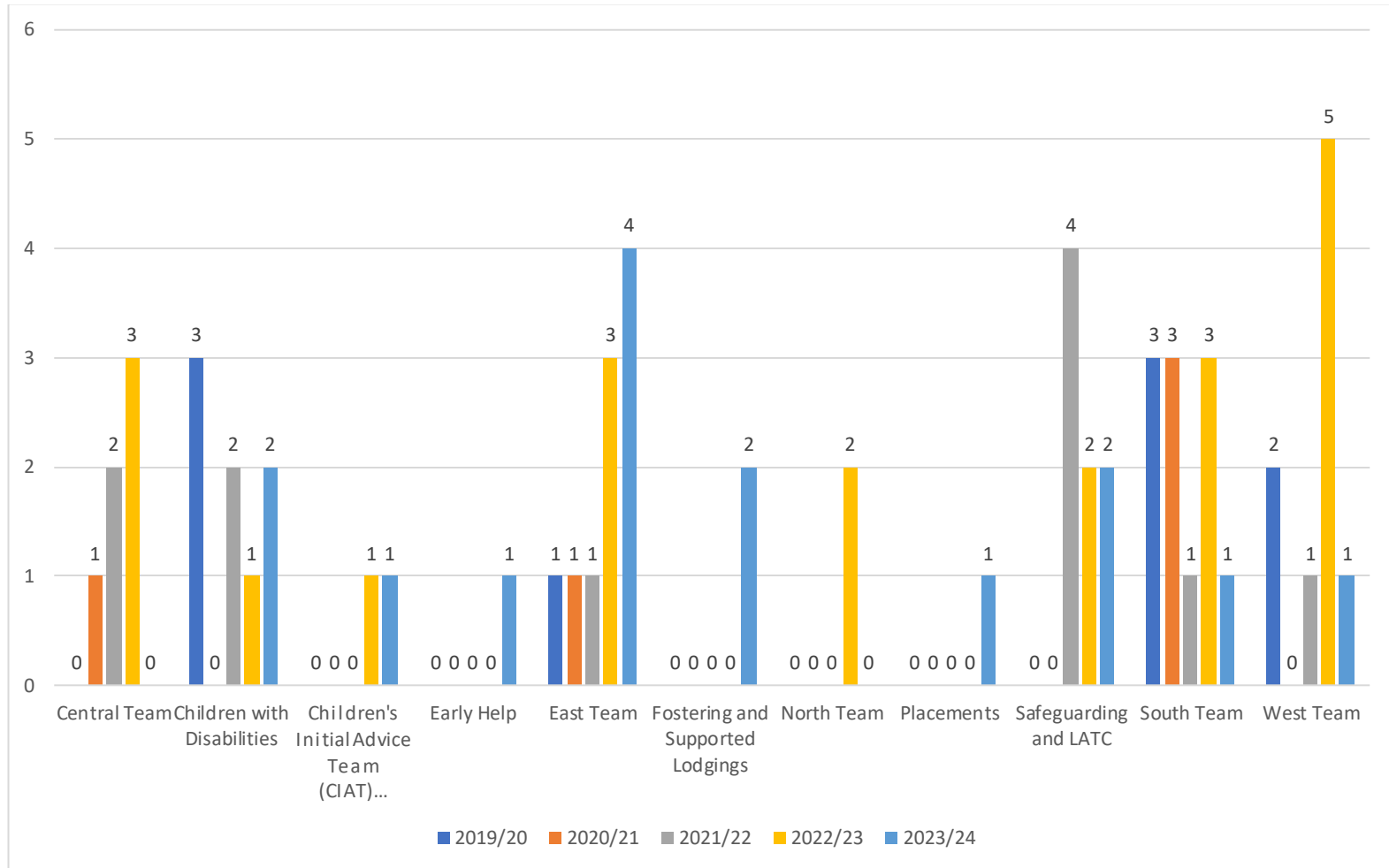
21. Central Team (formerly Team C) received two complaints, a reduction from seven in 2022/23, five in 2021/22, three in 2020/21 and nine 2019/20. There were no identifiable themes.
22. Children with Disabilities (formerly Life Stages 0 -25) received 12 complaints, an increase from four in 2022/23, five in 2021/22, four in 2020/21 and two in 2019/20. Issues with communication was the most common cause of complaint, followed by people's dissatisfaction with the outcome of their assessment and the attitude of their child's social worker.
23. Children's Initial Advice Team (CIAT) at the Front Door received one complaint, the same as in 2023/23, this was an increase from zero in 2021/22 and a decrease from two in 2020/21 and 10 in 2019/20\* (*\*Children's Access Point (CAP) and First Response Team*).
24. Early Help received one complaint, an increase from zero in 2022/23, 2021/22, 2020/21 and 2019/20.
25. East Team (formerly Team B) received 12 complaints, an increase from eight in 2022/23, 10 complaints in 2021/22, five in 2020/21 and nine in 2019/20. The most common cause of complaint was people's dissatisfaction with the behaviour of, treatment by and their relationship with their child's social worker.
26. Fostering and Supported Lodgings received two complaints, the same number as in 2022/23, an increase from zero in 2021/22, one in 2020/21 and zero in 2019/20. There were no identifiable themes.
27. Independent Reviewing Officers received one complaint, an increase from zero in 2022/23, the same number as in 2021/22 and 2020/21 and an increase from zero in 2019/20.
28. North Team (formerly Team E) received eight complaints, a decrease from 10 in 2022/23, an increase from three complaints during 2021/22 and zero in 2020/21 and 2019/20. The most common cause of complaint was poor communication. Other issues included dissatisfaction with the accuracy of recorded information and contact arrangements.
29. Placements received one complaint, an increase from zero in 2022/23 and 2021/22, the same number as in 2020/21 and an increase from zero in 2019/20.
30. Residential Care received one complaint, an increase from zero in 2022/23, 2021/22, 2020/21 and 2019/20.
31. Safeguarding and LATC (formerly Looked After Through Care (LATC) Team) received nine complaints, an increase from eight in 2022/23, six in 2021/22, five in 2020/21 and the same number as in 2019/20. The most common cause of complaint was dissatisfaction with the attitude/behaviour of the child's social worker.
32. South Team (formerly Team D) received four complaints, a decrease from eight in 2022/23, 15 in 2021/22, five in 2020/21 and 13 in 2019/20. The only identifiable theme was dissatisfaction with the attitude/behaviour of social workers.



33. Strengthening Families received one complaint, an increase from zero in 2022/23, the same number as in 2021/22 and 2020/21 and an increase from zero in 2019/20.
34. Supervised Contact received one complaint, an increase from zero in 2022/23, 2021/22, 2020/21 and 2019/20.
35. West Team (formerly Team A) received nine complaints, an increase from seven in 2022/23, four in 2021/22, eight in 2020/21 and six in 2019/20. The most common theme was general dissatisfaction with the service provided by the social worker, followed by communication issues.

### Breakdown of Stage 2 Complaints by Service Area/Team

36. 15 complaints were investigated at Stage 2, a decrease from 20 in 2022/23, an increase from 12 in 2021/22, seven in 2020/21 and 10 in 2019/20. Two were subsequently suspended under Regulation 8, as a result of concurrent court proceedings.

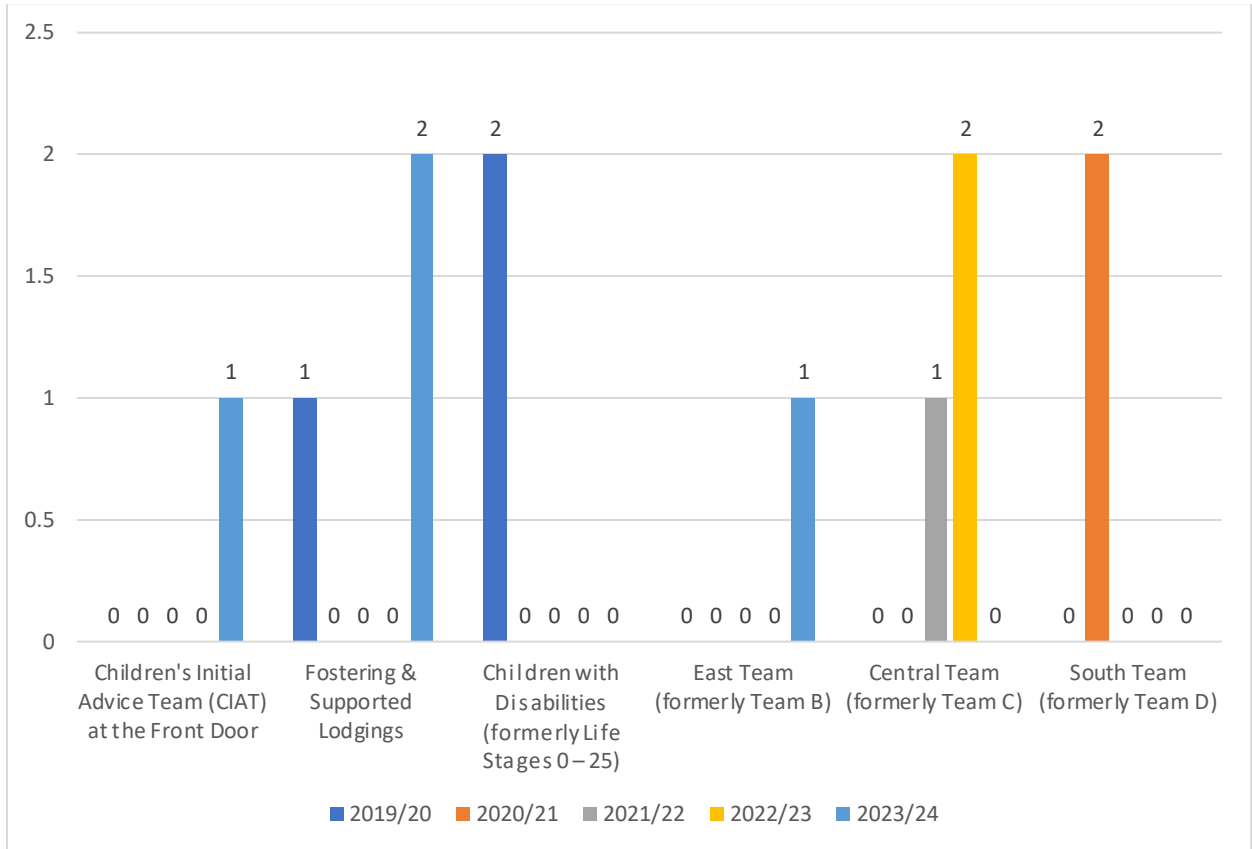


*N.B. Those teams that are not listed did not receive any complaints during 2023/24. Direct comparison data is not available for all teams due to changes in the Council's organisational structure.*

37. Central Team (formerly Team C) did not receive any stage 2 complaints, a decrease from three in 2022/23, two in 2021/22, one in 2020/21 and the same number as in 2019/20.
38. Children with Disabilities (formerly Life Stages 0 – 25) received two stage 2 complaints, an increase from one in 2022/23, the same number as in 2021/22, an increase from zero in 2020/21 and a decrease from three in 2019/20.
39. Children’s Initial Advice Team (CIAT) at the Front Door received one stage 2 complaint, the same number as in 2022/23, an increase from zero in 2021/22, 2020/21 and 2019/20.
40. Early Help received one stage 2 complaint, an increase from zero in 2022/23, 2021/22, 2020/21 and 2019/20.
41. East Team (formerly Team B) received four stage 2 complaints, an increase from three in 2022/23, one in 2021/22, 2020/21 and 2019/20. Two complaints concerned dissatisfaction with contact arrangements.
42. Fostering and Supported Lodgings received two stage 2 complaints, an increase from zero in 2022/23, 2021/22, 2020/21 and 2019/20.
43. North Team (formerly Team E) did not receive any stage 2 complaints, a decrease from two in 2022/23 and the same number as in 2021/22, 2020/21 and 2019/20.
44. Placements received one stage 2 complaint, an increase from zero in 2022/23, 2021/22, 2020/21 and 2019/20.
45. Safeguarding and LATC (formerly Looked After Through Care (LATC) Team) received two stage 2 complaints, the same number as in 2022/23, a decrease from four in 2021/22 and an increase from zero in 2020/21 and 2019/20.
46. South Team (formerly Team D) received one stage 2 complaint, a decrease from three in 2022/23, the same number as in 2021/22 and a decrease from three in 2020/21 and 2019/20.
47. West Team (formerly Team A) received one stage 2 complaint, a decrease from five in 2022/23, the same number as in 2021/22, an increase from zero in 2020/21 and a decrease from two in 2019/20.

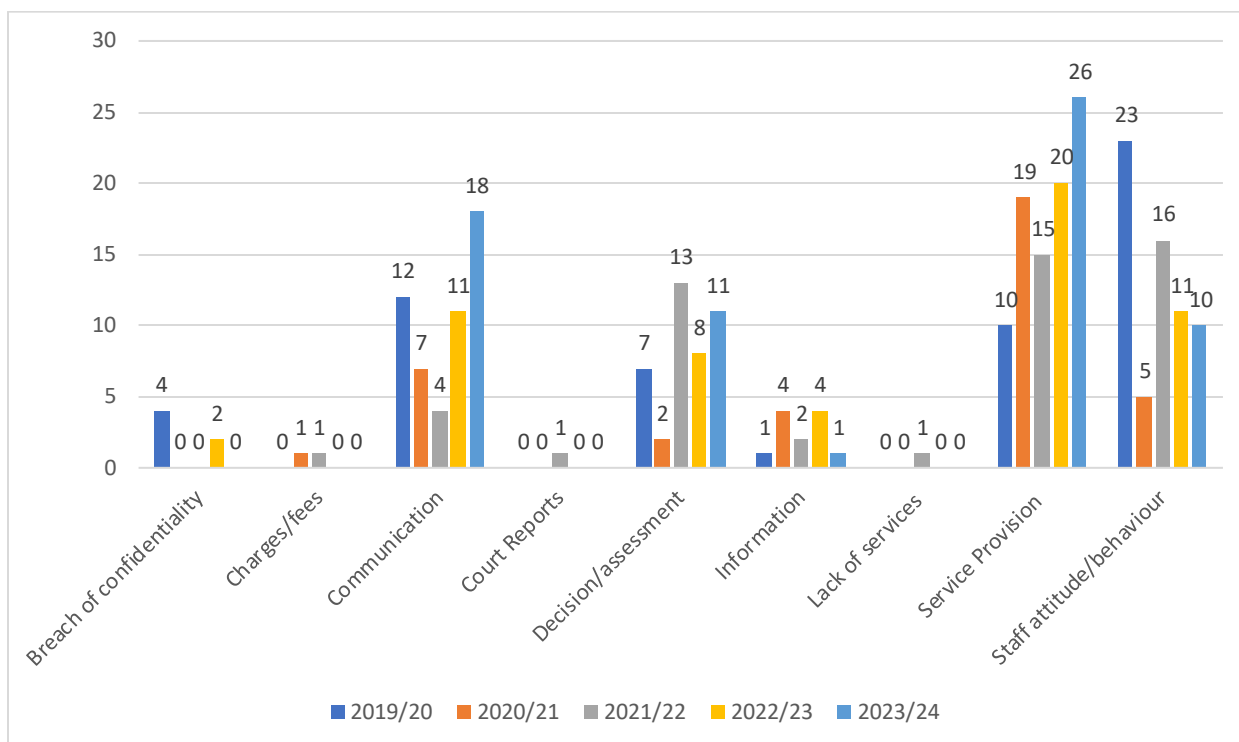
### Breakdown of Stage 3 complaints by Service Area/Team

48. Four complaints were escalated to Stage 3, an increase from two in 2022/23, one in 2021/22, two in 2020/21 and three in 2019/20. One was subsequently suspended under Regulation 8, as a result of concurrent Court proceedings, and ultimately did not progress to a Stage 3 Panel hearing.



*N.B. Those teams that are not listed did not receive any complaints during 2023/24. Direct comparison data is not available for all teams due to changes in the Council's organisational structure.*

### Breakdown of complaints by Issue



49. Service/provision was the most commonly complained about issue in 2023/24. The Council received 26 complaints about this issue, an increase from 20 in 2022/23, 15 in 2021/22, 19 in 2020/21 and 10 in 2019/20.

50. Communication was the second most commonly complained about issue in 2023/24. The Council received 18 complaints about this issue, an increase from 11 in 2022/23, 4 in 2021/22, 7 in 2020/21 and 12 in 2019/20.

51. Decision/assessment was the third most complained about issues in 2023/24. The Council received 11 complaints about this issue, an increase from 8 in 2022/23, a decrease from 13 in 2021/22, and an increase from two 2020/21 and seven in 2019/20.

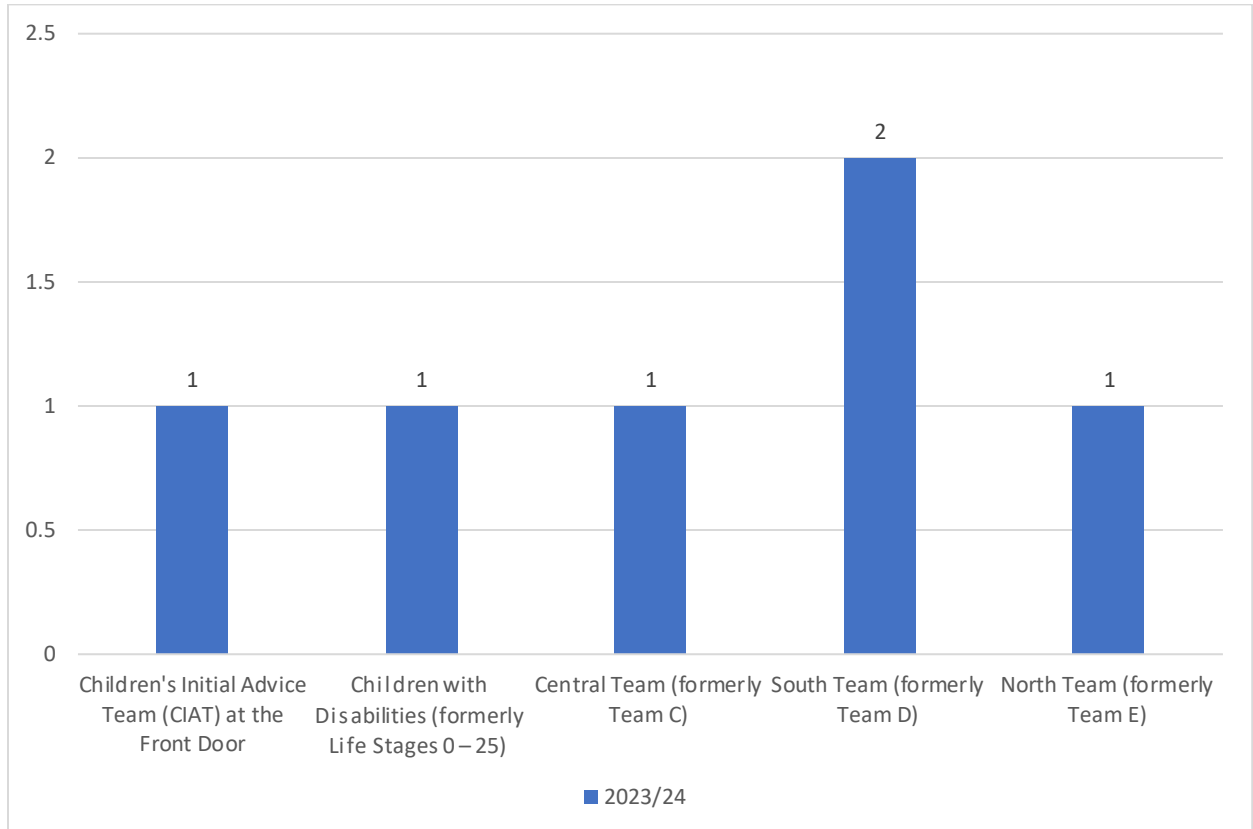
52. Staff attitude/behaviour was the fourth most commonly complaints about issue in 2023/24. The Council received 10 complaints about this issue, a decrease from 11 in 2022/23, 16 in 2021/22, an increase from five 2020/21 and a decrease from 23 in 2019/20.

53. The Council also received one complaint about information, a decrease from four in 2022/23, an increase from two in 2021/22, a decrease from four in 2020/21, and the same number as in 2019/20.

### Breakdown of Comments by Service Area/Team

54. The Council did not receive any comments during 2023/24 or 2022/23, a decrease from one during 2021/22, and the same number as in 2020/21 and 2019/20.

### Breakdown of Compliments by Service Area/Team



55. The Council received six compliments, a decrease from eight in 2022/23 and 2021/22, 15 in 2020/21, although an increase from the four received in 2019/20.

### Complaint Outcomes

**Stage 1** - The below table shows the decisions reached on Stage 1 complaints during 2023/24.

Service Area/Team	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Central Team (Formerly Team C)	0	0	1	1	1	0	3
Children's Initial Advice Team (CIAT) at the Front Door	0	0	0	1	0	0	1
Children with Disabilities (formerly Life Stages 0 -25)	0	0	4	4	2	0	10
Early Help	0	0	0	1	0	0	1
East Team (formerly Team B)	0	0	3	3	1	1	8
Fostering & Supported Lodgings	0	0	0	1	1	0	2
Independent Reviewing Officers	0	0	1	0	0	0	1
North Team (formerly Team E)	0	0	4	2	2	0	8
Placements	1	0	0	0	0	0	1
Residential Care	0	1	0	0	0	0	1
Safeguarding & LATC (Formerly Looked After Through Care (LATC) Team)	0	0	1	2	2	2	7
South Team (formerly Team D)	0	0	1	1	0	1	3
Strengthening Families	0	0	1	0	0	0	1
Supervised Contact	0	0	0	1	0	0	1
West Team (formerly Team A)	0	0	2	1	0	3	6
<b>Totals</b>	<b>1</b>	<b>1</b>	<b>18</b>	<b>18</b>	<b>9</b>	<b>7</b>	<b>54</b>

**Stage 2** - The below table shows the decisions reached on Stage 2 complaints during 2023/24.

<b>Service Area/Team</b>	<b>Inconclusive</b>	<b>Not Upheld</b>	<b>Partially Upheld</b>	<b>Upheld</b>	<b>Withdrawn</b>	<b>Total</b>
Children's Initial Advice Team (CIAT) at the Front Door	0	0	2	0	0	<b>2</b>
Children with Disabilities (formerly Life Stages 0 -25)	0	1	1	0	0	<b>2</b>
Early Help	0	0	0	0	1	<b>1</b>
East Team (formerly Team B)	0	1	2	1	0	<b>4</b>
Fostering & Supported Lodgings	0	0	2	0	0	<b>2</b>
South Team (formerly Team D)	0	0	1	0	0	<b>1</b>
West Team (formerly Team A)	0	0	2	0	0	<b>2</b>
<b>Totals</b>	<b>0</b>	<b>2</b>	<b>10</b>	<b>1</b>	<b>1</b>	<b>14</b>

**Stage 3** - The below table shows the decisions reached on Stage 3 complaints during 2023/24.

<b>Service Area/Team</b>	<b>Inconclusive</b>	<b>Not Upheld</b>	<b>Partially Upheld</b>	<b>Upheld</b>	<b>Withdrawn</b>	<b>Total</b>
Children's Initial Advice Team (CIAT) at the Front Door	1	0	0	0	0	<b>1</b>
East Team (formerly Team B)	0	0	0	0	1	<b>1</b>
Fostering & Supported Lodgings	0	2	0	0	0	<b>2</b>
<b>Totals</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>4</b>



### **Local Government and Social Care Ombudsman (LGSCO) Complaints**

56. Three complaints were referred to the LGSCO during 2023/24, and increase from one in 2022/23 and 2022/23, two in 2020/21 and one in 2019/20.
57. Four complaints were determined by the LGSCO during 2023/24, an increase from zero in 2022/23, one 2021/22, two in 2020/21 and one in 2019/20.

### **Organisational Learning**

58. All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints several service improvements were made following complaint investigations during 2023/24. Some examples of these are detailed below.

### **Children's Initial Advice Team (CIAT) at the Front Door**

59. The Council agreed to review its process for responding, when other local authorities make requests for information.
60. Following another complaint, the Council agreed to reinforce to social workers the importance of accurate record keeping.

### **Children with Disabilities**

61. It was agreed the Council would review its current procedures regarding parent carer assessments to ensure this is communicated to families, so they understand their rights and support is provided where this is needed. The Council also agreed to review its rationale for not sharing Child in Need Plan (CNP) paperwork with families, to ensure it is complying with the principles of being open and transparent with families as well as sharing updated assessments and plans with them in a timely way.

### **East Team (formerly Team B)**

62. The Council reminded staff of importance of ensuring core group meetings are held every 20 days in Child Protection Cases and that all those with parental responsibility are kept up to date.
63. Following another complaint, the Council agreed to ensure social workers are aware of the procedures around sharing minutes to meetings, specifically where a decision has been made to exclude parents from meetings.
64. As a result of a further complaint, the Council agreed to ensure that all those with parental responsibility are updated regarding any changes to planned meetings, and that communication is recorded accurately. Also that CIN meetings are held within the statutory timeframe, and appropriately recorded, either by the allocated worker, or a duty worker.

### **Fostering and Supported Lodgings**

65. It was agreed a policy would be developed regarding re-allocation/support from a Supervising Social Worker when the usually allocated worker is on sick leave. Staff were also reminded of the need to maintain a professional manner in any written correspondence.

66. Following a further complaint, strengths based case recording training was delivered to the team. Learning was also taken forward to ensure recording is balanced and made in line with our policies. The need for cultural diversity training was also identified.

### **South Team (formerly Team D)**

67. It was agreed the Complaints Team to develop an automated weekly report within their complaints management system to enable team and service managers to track open complaints.

## **Performance against the Children's Social Care Complaints, Compliments and Comments Procedure**

68. The below performance measures are in relation to those complaints responded to during 2023/24.

### **Timescales**

#### **Stage 1**

69. The target for responding to a complaint at Stage 1 is 10 working days, with a possible extension of up to 20 working days if the complaint is complex.

- (a) 50.98% of Stage 1 complaint responses were sent within 10 working days. This was an increase in performance from 26% in 2022/23.
- (b) A further 25.49% of Stage 1 complaint responses were sent within 20 working days.
- (c) In total 76.47% of Stage 1 complaint responses were sent within the maximum 20 working day timescale, an increase in performance from 60% % in 2022/23.

#### **Stage 2**

70. The target for responding to a complaint at Stage 2 is 25 working days, extendable up to a maximum of 65 working days.

- (a) 6.25% of Stage 2 complaint responses were sent within 25 working days during 2023/24, an increase from 0% 2022/23.
- (b) 12.50% of Stage 2 complaint responses were sent within the maximum timescale allowed (65 working days), an increase in performance from 7.14% % in 2022/23.
- (c) 87.50% of Stage 2 complaint responses were sent after 65 working days, an increase in performance from 92.86% in 2022/23.

#### **Stage 3**

71. At Stage 3 the Review Panel should be held within 30 working days of the request. 100% of Review Panels were held within 30 working days.

72. The Review Panel should write to the Director within 5 working days of the panel. They did so in 100% of cases.

73. The Director should write to the complainant within 15 working days of receiving the Panel's response. The Director wrote to the complainants within 15 working days in 100% of cases, as was the case in 2022/23.

### **Performance against key performance indicators**

74. In relation to children's social care complaints the Council's key performance indicator is the number of upheld decisions received from the Local Government and Social Care Ombudsman (LGSCO). Children's Services received two upheld decisions during 2023/24, an increase from zero in 2022/23 and 2021/22, one in 2020/21 and zero in 2019/20.
75. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 5 December 2023 and 10 September 2024 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

### **Further recommendations**

76. While there has been an improvement in performance against the Stage 1 and Stage 2 timescales, Children's Services and the Complaints & Information Governance Team should continue to work to improve performance.