

**Children, Young People and  
Family Services  
Compliments and Complaints  
Annual Report 2021/22**



**Listening to, learning from, and resolving complaints for children, care leavers and their families.**

**An analysis of Children Act and Corporate Complaints and Compliments received within Safeguarding.**

## Content of the report

1.	Introduction	3
2.	Learning from compliments and complaints within the service improvement journey	5
3.	The overarching themes we have seen this year	5
4.	Compliments	6
5.	Complaints from children and care leavers received this year	7
6.	Complaints from parents and carers	11
7.	Trend comparison to last year	13
8.	Stage 2 Escalations Avoided	14
9.	Alternative Dispute Resolution (ADR)	14
10.	Categories of the complaints	15
11.	Case status at the time the complaint was made	15
12.	Who complained and whose complaints escalated?	16
13.	Timeliness of formal complaint responses	16
14.	Findings of complaint enquiries at stage 1	17
15.	Statutory stage 2 complaint investigations	18
16.	Stage 3 Independent Complaint Panel Reviews	21
17.	Local Government & Social Care Ombudsman Enquiries	22
18.	Demographics Information	24
19.	How has learning from compliments and complaints influenced service development	25
20.	Next Steps: continuous improvement of the complaints service	25

## 1. Introduction

In Hull, we have a strong culture of seeking and valuing feedback from families, and especially from our children and young people looked after. We ensure that families and our children are made aware of the services complaint functions and that this is well-connected and valued by operational service areas, the senior leadership team and elected members. Complaints are seen as valuable and unfiltered feedback directly from families and children which provides valuable insight about an organisation's performance, detecting early warning signs of problems and offering opportunities to improve service delivery.

The Children, Young People and Family Services, (CYPFS) has a dedicated complaints service for statutory children act complaints and corporate complaints within safeguarding, that is focused not simply on administrative processing of compliments and complaints, but on ensuring that families' views are heard and make a difference. The direct contact the complaints service has with children and families adds a richness to this area of listening, learning and service development which is shared across the service with children's social care managers and the social work teams. It is vital that feedback from children in care and care leavers is part of our learning and improvement process and contributes towards improving outcomes for the future. It is important that families and children give feedback about their experience of children's social care involvement in their lives so that services know what they are doing well and what they need to strengthen.

This report describes the issues that have been raised and provides a broad analysis of the themes from complaints considered under the Children Act Complaints Regulations

The main learning themes captured from complaints and compliments which have been received in the last twelve months are:

- ❖ Keeping children and their lived experience at the centre of the work, mindful of culture and identity and the many routes to a secure and stable future.
- ❖ Identifying what a good permanence plan looks like and how to achieve the best longer-term outcomes for children and young people.
- ❖ Listening to what families and children tell us about their lives and what they want so they are heard, helped to make sense of their life stories, and can influence decisions made about them.
- ❖ The central importance of forming effective social work relationships and making a difference.
- ❖ Adopting an 'eyes wide open', strengths-based approach with outcomes for children in clear sight and being mindful of misplaced optimism
- ❖ Ensuring that care planning begins before birth when needed and addresses the impact of maltreatment on current and future needs.
- ❖ Hearing and understanding the family's story and what it means, within an attachment and systems framework, taking a narrative rather than episodic approach
- ❖ Recognising that 'Parents' also means fathers/step-fathers/father figures – the importance of including and assessing them and their family networks.
- ❖ Encouraging a culture of urgency, with brave conversations from the outset to avoid drift and delay.
- ❖ Enhancing working together, inter-professional and inter-agency communication.
- ❖ Promoting a reflective, observant, curious practitioner-researcher mind-set that embraces the expert role, to enhance analysis and critical thinking in assessment and intervention.

In this past year, the key learning themes from complaints and compliments, mirror those identified via inspection and ongoing learning from audit work. As such, there is already aligned improvement work in place to address practice and system issues which have been a factor in complaints.

## **Our principles of responding to complaints**

Our aim is to ensure that the interests of children are placed at the heart of the complaints process, as the Children Act legislation intended, and resolve the concerns being raised fairly and swiftly. We have under continual review our mechanism to strengthen and maximise our learning opportunities from complaints, to impact on and improve service delivery and outcomes for children.

How the service responds to complaints will also support the local authority to avoid circumstances where the Local Government and Social Care Ombudsman (LGSCO) may identify maladministration when considering complaints after the council's processes have ended.

When someone wishes to give compliments, provide feedback, or make a complaint they can expect the local authority to deal with their concerns in line with these principles.

## **The importance of timely responses**

The most appropriate person to deal with any complaint is identified quickly by the complaints service. The complaint timescales are designed to ensure complaints are handled effectively, fairly and swiftly; we know that the sooner the problems are addressed the easier they are to be resolved. The complaint timescales are written into the statutory guidance and are standards against which the council is monitored.

If a complaint resolution is not provided in line with the timescales, families can automatically request that their complaint progresses to the next stage of the complaint process.

The further a complaint escalates it adds additional anxiety and worry to families and lengthens the period of time they are waiting for their concerns to be addressed, as well as putting strain on their relationship with children's social care. It is also more costly for the local authority, in terms of both time and money, and can be more difficult to resolve. The Local Government and Social Care Ombudsman can make a finding of maladministration for any complaint that is not dealt with within the statutory timescales.

It has been described to us from children and care leavers that they have confidence in the complaint process when:

- ❖ They are offered NYAS advocacy support to make the complaint
- ❖ The team manager meets face-to-face with them to discuss their concerns and that this happens quickly
- ❖ They are treated in a fair way and with respect
- ❖ Complaint responses do not simply say what we think the child wants to hear, but are truthful and factual
- ❖ They feel their voices have been heard
- ❖ That wrongdoing is accepted, and not defended
- ❖ A personal and meaningful apology is provided
- ❖ The concerns raised are resolved

Ten working days is the expectation to respond to children and care leavers complaints, with good practice expectation to make direct contact with the child/young person the same day the complaint is received.

We do not apply extensions to young people's complaints, unless there are exceptional circumstances, as we have been told how frustrating it is when a response is not swift. Any delay in responding compounds a child's feeling that their 'voice' is not valued and that their concerns are not being taken seriously.

## **2. Learning from compliments and complaints within the service improvement journey**

The service is committed to improving social work practice and service delivery, including by learning from complaints and compliments.

The themes from complaints and the learning captured is filtered into the quality assurance processes within CYPFS and the Ofsted service improvement plan. Since early 2021 we have embarked upon a transformation plan and adopted Signs of Safety as our new practice model. This model provides the framework for social workers to work with families, exploring and developing a shared understanding of their strengths, risks, and protective factors, to ensure, with the right safety planning, children are able to remain in the care of their parents or other family members.

All-front line social care staff and their leaders & managers have attended bespoke practice learning programmes delivered by “Research in Practice”. The theoretical foundation of this training is grounded in an understanding of developmental trauma and attachment theory, and the needs for children and young people to form and maintain emotional bonds with reliable adults who can meet their needs, and who will respect and promote their sense of identity, culture, religion, and ethnicity.

There is a clear emphasis on the importance of robust analysis and critical thinking, throughout the assessment process, including decision making at different stages and risk management. The emphasis is on keeping in clear sight the route to long term stability and security with contingency planning in place.

We also have strengthened many parts of the service that we rely on for self-evaluation and improvement. This includes additional roles such as the court case manager, a strategic lead for Improvement, Performance and Quality introducing practice lead roles that can better support practitioners, significantly strengthened performance management approaches and increased the amount of independent auditing of practice that we undertake. Also, six-weekly Improvement Boards are supported by ‘Line of Sight’ meetings with the chief executive.

Learning themes from complaints are shared with the principal social worker (PSW) and with the social work academy, and learning informs improvement and development activity that takes place via team-level ‘Stop-The-Clock’ sessions, updates to practice guidance and policy, direct support to team managers and social workers and revisions to induction learning and mandatory training for staff.

## **3. The overarching theme we have seen this year**

Social work recruitment and retention challenges (which are a national, as well as a local, challenge) continue to impact the service provided to some children and families. From complaints and compliments, audit work and oversight panels, the children who enjoy a stable and consistent relationship with their social worker are generally making good progress. Where progress for children has stalled and complaints are received, there is often a pattern of frequent changes of social worker that has been the single most significant factor.

Children benefit most from their relationships with their social workers, and this is achieved through effective recruitment and retention of skilled workers and stable teams. For this reason, the recruitment and retention of social workers and team managers will continue to be the most important priority over the next 12 months.

A consistent approach and quality of practice across all teams and services is important for children and refreshed social work practice standards which includes responding and resolving

complaints has been co-produced by the social work academy team with practitioners and leaders across the service, these will be finalised and published by 31<sup>st</sup> July 2022. The social work practice standards will incorporate the signs of safety practice model and the PSW will lead on a series of '7-minute briefings' to disseminate key learning points.

#### **4. Compliments**

It is equally important that we learn collectively from what has gone well for children and families as we do when things have not gone so well.

114 compliments were received during the year in relation to the children's social care workforce. This is a 22% decrease on the year before when 147 compliments were received, it is a focus area for us to capture consistently the compliments we receive from workers of the service. The compliments came from a variety of sources which are categorised as from children, families, CYPFS workforce and professionals outside of children's social care.

We have now implemented a system to ensure that staff who are complimented on their work receive a personal 'thank you' from the Director.

We need to do more with the themes from compliments. In a similar approach to learning from complaints we will ensure the key themes are fed into the 'learning from success' work being led by the PSW.

Snapshot examples are below:

##### **Compliments from children and care leavers**

- ❖ A child looked after told us "It was nice having you as my social worker"
- ❖ A child looked after told us about their social worker "Thank you for traveling with me to my new placement outside Hull"
- ❖ A child looked after told us "I have a good relationship with my social worker, he is helping me to begin to trust people"

##### **Compliments from parents and carers**

- ❖ You have given me faith that there are people willing to help
- ❖ Thank you for building a warm and friendly relationship with us as a family
- ❖ We have a positive relationship with the social worker as she is responsive and attentive
- ❖ Thank you for supporting me to build a relationship with my daughter
- ❖ Thank you for making a massive difference in our family's life
- ❖ It is such a positive relationship with the social worker
- ❖ Thank you for the high level of communication
- ❖ Thank you for making our child's stay in residential a positive one
- ❖ Thank you for finding the right placement for our child
- ❖ I feel listened to and supported
- ❖ Thank you for the support and guidance throughout the adoption process
- ❖ A credit to social care
- ❖ The complaints service is fantastic, they have kept us informed and decisions have been clearly explained
- ❖ The complaints service is approachable and easy to access

## Compliments from colleagues and other professionals

- ❖ The report was thorough, very detailed and well balanced
- ❖ Well prepared for the foster panel
- ❖ Excellent in facilitating a multiagency meeting to prevent a placement breakdown
- ❖ Efficient and detailed recording
- ❖ Amazing support and guidance provided to the family
- ❖ Gone above and beyond their role
- ❖ The plan was clear and well thought out with the child clearly at the centre
- ❖ Child focused work being done
- ❖ Prompt allocation of a social worker to support the family
- ❖ Well prepared and thought-out evidence presented to the court, clearly child focused
- ❖ Excellent care and support at one of our residential homes
- ❖ Thank you for the support you have given me whilst training to be a social worker

## 5. Complaints from children and care leavers received this year

We know from talking to children the importance of achieving changes for themselves and others because of their complaint. Children want to be reassured that there is independence and openness in the complaint process, and it is important to children that their voice is central, clearly heard and that we take immediate action to resolve their worries.

### Advocacy

Local authorities have a duty to make arrangements for the provision of advocacy services for children and young people making or intending to make a complaint or representation under s.24 (d) or s.26 of the Children Act 1989.

NYAS will provide advocacy support to all children and care leavers when they make complaints. <https://www.nyas.net/> Advocacy support from NYAS was offered to all 54 children and care leavers who accessed the complaints service this year, 30 children and 1 care leaver took up this offer of support.

Right click on the link to access the leaflet [NYAS Advocacy for Complaints leaflet](#)

We have gleaned feedback from NYAS throughout the year on how we have responded to and managed complaints from children and care leavers. The NYAS advocates described to us that the complaint process is clear for children and young people. Additionally, they described a positive working relationship with the complaint service, where there is a good level of communication ensuring the complaint runs smoothly for children and young people. Advocates describe positive outcomes being achieved from the complaint process and explained that it would help children and care leavers to feel heard and assured their concerns have been taken seriously if the local authority monitor and ensure completion of any recommendations made. The complaint service now create and manage action plans for all complaints from children and care leavers, detailing the actions agreed to remedy the complaint. This will ensure timely and effective monitoring of the completion of the complaint outcomes.

The Mind of My Own app provides an additional set of tools that children and young people can use to express their views, including to make a complaint. So far, we have not received directly using MOMO.

## **54 children and care leavers made complaints in this year, compared to 31 last year**

### **Children and care leavers told us that it is important to them that**

- ❖ They are happy where they are living
- ❖ Their social worker stays the same
- ❖ They are listened to by their social worker and carers
- ❖ They have a thorough pathway needs assessment
- ❖ They have a clear pathway plan in place
- ❖ They are involved when changes to where they live are needed or being planned
- ❖ They stay living in Hull

### **Key themes from children and care leavers complaints**

The 43 complaints from children focussed on:

- ❖ Changes of social worker
- ❖ Being unhappy about the number of placements they have had
- ❖ Not being able to contact their social workers when they want them
- ❖ Not feeling listened to

The 11 complaints from care leavers focussed on:

- ❖ Not having things explained to them (i.e., Assessments, plans, placement moves)
- ❖ Not feeling listened to
- ❖ No clear pathway plan in place for them
- ❖ Being unhappy where they are living

### **Complaints from children in their own words**

- ❖ "I think it's my fault when social workers get changed"
- ❖ "I don't want to keep telling my story to new social workers"
- ❖ "We just want someone to listen and to do something about it"
- ❖ "It really helps to have an advocate"
- ❖ "If changes in social workers happen, we need to know in advance and why"
- ❖ "It really helps when staff are open and honest with us"

### **Complaints from care leavers in their own words**

- ❖ "We just want someone to listen and to do something about it"
- ❖ "It really helps to have an advocate"
- ❖ "We need consistency"
- ❖ "It really helps when staff are open and honest with us"
- ❖ "We want our views to be sought when making decisions"
- ❖ "There needs to be more choices for accommodation"

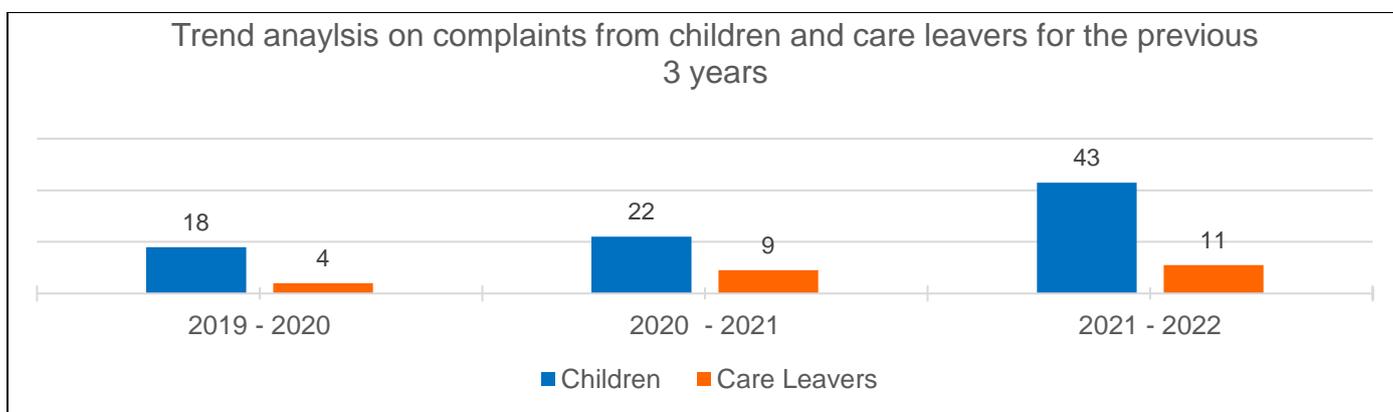
### **Complaints from children: the statistics**

- ❖ 41 of the children who made complaints were children looked after, 1 was a child in need and 1 child was subject of a special guardianship order (SGO)
- ❖ 8 children were living in local authority children's homes, 19 were living in foster homes, 11 were living out of town, 2 young people were in a hostel, 2 children were living with parents and 1 was living independently.
- ❖ The youngest child to make a complaint was 9 years old and the oldest was 17
- ❖ 21 boys made a complaint and 22 girls
- ❖ 14 complaints were resolved within 10 working days, 10 within 20 working days and 13 required a little more time to resolve which was agreed with the children

- ❖ 3 complaints were withdrawn, 2 were informal complaints as the concerns raised were resolved the same day and 1 escalated directly to a formal stage 2 complaint investigation.
- ❖ The satisfaction rate for the resolution of complaints made by children during the year was 95%

### Complaints from care leavers: the statistics

- ❖ 11 complaints were made by care leavers
- ❖ 8 young people were living in supported housing, 2 young people were living in a hostel and 1 was living independently
- ❖ The youngest care leaver to make a complaint was 18 years old and the oldest 25
- ❖ 6 boys made a complaint and 5 girls
- ❖ 6 complaints were resolved within 10 working days, 2 within 20 working days and 1 required a little more time to resolve which was agreed with the care leaver. 1 complaint was not accepted because it was investigated under a different procedure as it was a data breach and 1 escalated directly to a formal stage 2 complaint investigation
- ❖ The satisfaction rate for the resolution of complaints made by care leavers during the year was 91%



### Learning from children and care leavers complaints

It is very apparent that compliments are often the mirror-image of complaints. When things do not go as well as they could for children, young people and families, it is often the relationship with their social worker (affected by too much change) and communication which is at the heart of their complaint. As can be seen from the compliments, children and their families value positive, stable, and responsive relationships with their social worker and the difference that these make to their lives.

Equally, there is a strong correlation between complaints, compliments and the feedback from children looked after and care leavers via the respective 'Bright Spots' surveys completed in 2021. 91% of children looked after knew who their social worker was and, of these, 91% trusted their social worker and 87% reported finding it easy to contact their social worker. However, two-thirds of the older children reported having two or more social workers during the previous 12 months. In 'Bright Spots' children told us, in the same way that they did via complaints, about how it feels when we do not manage change well enough, when it is not well-planned, when there are no sensitive endings and good-byes, when there is insufficient explanation and when they have to 'retell their story' to a new worker. This leaves some children feeling that they are to blame for their social worker leaving. Changes of social worker, and how these are managed, is one of the priority issues raised by our 'children in care' council (Young Voices Influencing Care – YVIC).

There are national, as well as local, challenges relating to the recruitment and retention of social workers. Achieving a stable and highly skilled social work workforce is critical to improving outcomes for all children and is a key strategic priority as part of the improvement plan.

A wide range of actions are being taken to achieve this greater stability: investment in 'new starters' and 'growing our own' via increased student placements, including via 'step-up', additional social work apprenticeships, more newly qualified social workers, better and more flexible progression and transfer arrangements, a range of recruitment initiatives and a focus on continuing professional development via high-quality learning opportunities.

Our Young Voices Influencing Care (YVIC) members know that changes in social worker will still happen for some children, but they want us to manage this change better than we sometimes do. To help us, YVIC members made a podcast (February 2022) about how it feels when change is not well managed. Since the release of this podcast, we have ensured that time has been set aside to listen to it, across the whole service, and to make personal and service-level promises about what we will do differently as a result.

The service has developed practice standards for case transfer for making sure that when there is change, children are involved and understand the reasons, so that they are not left feeling rejected or that they are to blame and that social workers and their managers keep at the forefront of their thinking and planning how to make any change as seamless as possible for children. With effect from July 2022, our principal social worker will dip-sample the records of a cohort of children who have experienced a change of social worker, and, wherever possible, speak to the child, to make sure we are getting it right for children.

The significant majority of children looked after (79% of 8–11-year-olds and 92% of 12–18-year-olds) told us in 'Bright Spots' that they are involved 'some' or 'most of' the time in the decisions which affect them. But some children and care leavers have complained when they do not feel listened to and when they feel that their views have not been sought when decisions are being made. The imperative of ensuring that children are listened to and that their views inform planning and decisions is a constant theme of improvement activity, including our best practice guidance on capturing the views of children and reflecting these in our plans for them and our investment in additional tools for children to use, such as the 'Mind of my Own' apps so that they have a range of ways of expressing their views.

A small number of care leavers complained about not having important things explained to them, about not feeling listened to and about not having in place a clear pathway plan. There has been a significant focus during 2021-22 on ensuring that pathway planning is up to date for young people and that pathway plans are co-produced with them. This has led to improvement and, at their monitoring visit in March 2022, inspectors found timely pathway plans of improved quality, with evidence of the direct contribution of care leavers.

A small number of care leavers accessed the complaints process to tell us that they were unhappy with where they are living. Whilst 74% of care leavers (Bright Spots) reported being happy where they are living, continuing to develop the accommodation 'offer' to our care leavers is one of the key priority areas for further development being addressed via the care leavers' forum. Forum had a particular focus on accommodation as its main theme in January 2022.

Thematic learning from complaints is increasingly being considered within stop the clock sessions across the service, supported by service-area specific reports capturing themes and key learning. Recent complaints from children in relation to holidays during term-time not being supported, for example, led to focused work via the wider leadership group to ensure that all staff fully understand the local authority's position.

'Voice and influence' is also one of the five key strategic priorities across the service: this means not only getting better at making sure that the experiences of children are informing service development (via, for example, YVIC, forum and other consultation processes) but also that, for individual children, our practice is child-centred and child-focused and always informed by their lived experience.

## **6. Complaints received from parents and carers**

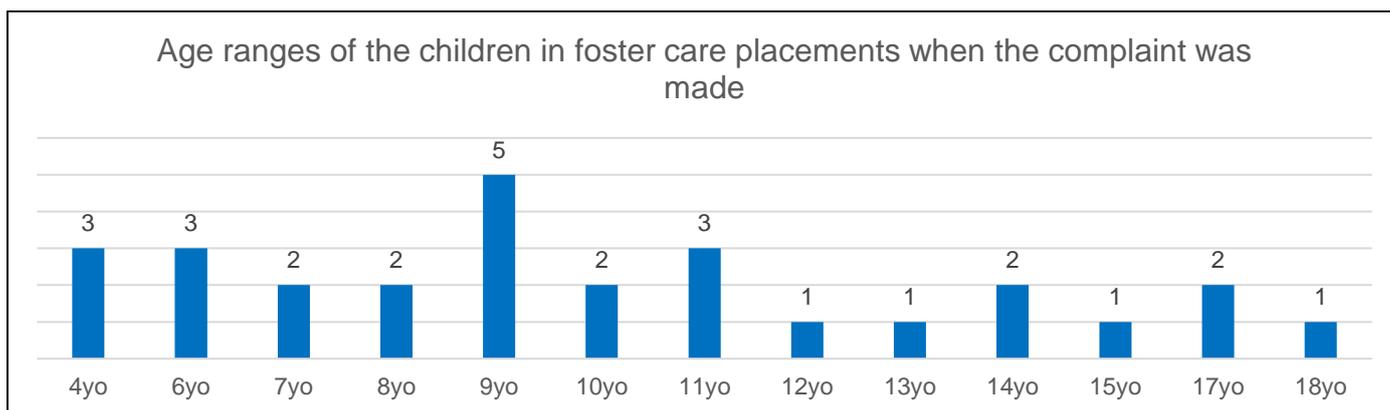
### **Families told us that**

- ❖ They value the time to talk about the content of assessments and reports
- ❖ It is important to clearly see their family in the assessment and plan
- ❖ Social workers need to be clear on what section 20 voluntary accommodation means
- ❖ They appreciate it when workers respond to their calls in a timely manner
- ❖ They find it very difficult when social workers and managers are changed
- ❖ It is upsetting when family time is cancelled, and children are late
- ❖ Fathers want their views to be considered in decisions made about their children
- ❖ Fathers want family time and appropriate communication with their children to be recognised as important as mothers
- ❖ Parents of children in care want their parental responsibility to be respected and recognised with regular communication and update on their children
- ❖ Child protection planning and intervention must be timely and effective
- ❖ There needs to be clear expectations and planning at the Public Law Outline stage
- ❖ Fewer delays with stepparent adoption
- ❖ They expect their children to receive the best care in foster families
- ❖ The parent absent from their child's day to day life would like the same communication and updates as the parent who cares for their children

### **Foster carers told us that**

- ❖ Clear and smart care plans are needed for the child from the outset of any placement
- ❖ They value clearly defined support and timely communication with the child's social worker
- ❖ Agreed support for them is particularly important when children first come to be cared for by them.
- ❖ It is vital for the success of the placement that detailed information is provided
- ❖ The support, and the procedures being followed, need to be clearly explained and described in writing when an allegation is made against them by a child
- ❖ Securing permanency for children must be timely and well planned
- ❖ The children's social workers visits to see the child in placement are really important to both the child and the foster carers to help build and maintain relationships and as part of the ongoing assessment of the child's needs and future plans,
- ❖ Social work visits need to be consistent and timely for the child
- ❖ Social workers need to stay the same
- ❖ Family time plans for children need to consider the views of foster carers alongside the family while keeping the focus on the child's best interests
- ❖ When children are moving, clear communication, planning and support needs to be in place for the child.
- ❖ The progression of special guardianship orders needs to be timely, avoiding drift and delays

The graph below shows the age ranges of the children in foster care placements when the complaint was made



### Connected carers told us that

- ❖ It is vital that viability assessments and connected carers assessments are thorough and analytical with the child's best interest at the centre of the assessment
- ❖ They would like the Special Guardianship Orders to be progressed swiftly
- ❖ Advice and signposting on how to access independent advice

### Improvement Action Linked to Foster & Connected Carer Complaints

Some foster and connected carers have complained about delays in securing permanent orders for children (Special Guardianship Orders) when this is their agreed plan. In October 2021, we secured additional funding from the Department of Education to commission a team of social workers, with additional legal support, to tackle this issue for a cohort of children whose plans were not progressing swiftly enough.

We have also strengthened practice in relation to how we assess family members as alternative carers for children whose parents are not providing safe enough care. This includes better early engagement with the family network, including developing the family safety plan and agreeing who will step-in to care for children if need be. Viability assessments are now more routinely completed as part of pre-proceedings work and are increasingly undertaken by fostering social workers. In February 2022, the locality monthly 'stop the clock' day included a presentation about learning from a specific complaint relating to initial (viability) assessments of family & friends' carers. The session included agreed actions for social workers and authorising managers to strengthen practice.

### Headline complaints statistics 2021/22

- ❖ The service has responded to 418 complaints this year
- ❖ This included 29 informal complaints, 52 of which were declined and 13 subsequently withdrawn totalling 94 which the complaints service dealt with
- ❖ This is an 11% increase overall in the volume of complaints compared to last year
- ❖ Most complaints were from parents (60%), then from children and care leavers (13%) and lastly from grandparents (9%)
- ❖ 43 children made complaints and 41 were happy with the resolution at stage 1
- ❖ 11 care leavers made a complaint and 10 were resolved at stage 1
- ❖ The resolution rate for the children and care leavers complaints was 94%
- ❖ 252 statutory Children Act complaints were received and allocated to service managers for resolution
- ❖ The resolution rate for statutory stage 1 complaints was 90%
- ❖ 18 complaints were averted from escalating to a stage 2 complaint investigation, when there was initial dissatisfaction following the stage 1 written response.

- ❖ 14 alternative dispute resolution meetings were undertaken
- ❖ 26 formal stage 2 statutory complaint investigations have been undertaken
- ❖ 3 stage 3 statutory independent complaint panel reviews were held
- ❖ 72 corporate complaints relating to children's social care were received.
- ❖ The resolution rate for corporate stage 1 complaints was 90%
- ❖ 7 corporate stage 2 complaints were undertaken by service group managers
- ❖ No corporate stage 3-member panels request were accepted this year
- ❖ 13 families escalated their complaint to the Local Government and Social Care Ombudsman

## 7. Trend comparison to last year

- ❖ There has been an increase of 11% in the overall volume of complaints received, following a 15% increase in the previous year.
- ❖ 90% of people who complained were satisfied with the outcome after stage 1. The previous financial year, the resolution rate was 91%.
- ❖ There has been a higher volume of statutory Children Act complaints escalating to stage 2 for investigation (26 this year, compared to 14 and 12 in the previous years)
- ❖ 5 complaints entered the complaints procedure at stage 2 as the complaint was in relation to historic social work practice
- ❖ There were 3 Stage 3 complaint panel reviews held this year
- ❖ There has been a significant increase in the number of families asking to have complaints investigated when there are public or private family law proceedings ongoing.
- ❖ There has been a decrease in the number of families contacting the LGSCO being dissatisfied with how the complaint has been dealt with by CYPFS

Trend comparison on the year previous	2021 - 2022	2020 - 2021
Statutory & Corporate complaints	418	375
Informal complaints	29	Not recorded last year
Complaints not accepted due to court involvement / another process followed - managed by the complaints service	52	70
Withdrawn	13	13
Statutory stage 1 (Children Act) complaints	198	126
Statutory stage 1 complaints from children and care leavers	54	31
Averted stage 2 escalations by complaints service	18	Not recorded last year
Alternative dispute resolution intervention	14	7
Statutory stage two complaint investigation	26	14
Statutory stage three independent complaint panel review	3	5
Statutory complaint enquiries received by LGSCO	7	5
Statutory complaints investigated by LGSCO	2	7
Corporate stage 1 complaints	72	135
Corporate stage 2 complaint enquiry	7	12
Corporate stage 3 members panel requests	4	5
Corporate stage 3 members panel	0	0
Corporate complaint enquiries received by LGSCO	6	3
Corporate complaints investigated by LGSCO	2	2

The complaints 'not accepted' is due to a significant increase in the number of families asking to have complaints investigated when there are either public or private family law proceedings ongoing. The council cannot accept concerns into the complaints procedure which relate to evidence and information put into the court arena or any concerns which link to information which was potentially relevant to the matter in dispute, and which may not have been available to the court at the time of decision making within the legal arena. The concerns raised are shared with the service area involved and with legal services. In these situations, this is explained to families by the complaints service and in a written format.

In June 2022, the Director wrote to family law solicitors in Hull about this issue. The letter reiterated the constraints and highlighted the additional stress and anxiety caused to families when they are advised to complain, only to have their complaint declined.

## **8. Stage 2 Children Act Escalations Avoided**

Where a family returns to the complaint service after receiving the formal written response to the complaint, describing they do not feel the complaint has been resolved, the complaints service mediates and establishes the further remedy required to fully resolve the complaint for the family. This area of the complaints service intervention and impact with families had not been captured previously in reporting but is now captured since January 2022. 18 family's complaints have been resolved and did not escalate between January to March 2022. An improved clear line of sight on this area of the work will be seen now that this additional problem-solving intervention is being recorded.

Families described us to us why they felt their complaint had not been resolved at stage 1:

- ❖ Not feeling listened to and that the complaint was not taken seriously as the service manager did not meet with the family face to face
- ❖ There was a delay in meeting with the manager to resolve the concerns being raised
- ❖ The agreed actions from the stage 1 complaint enquiry were not acted upon in a timely way
- ❖ The written response to the complaint was not detailed enough to capture what was agreed in the meeting
- ❖ The apology offered did not feel sincere

## **9. Alternative Dispute Resolution (ADR)**

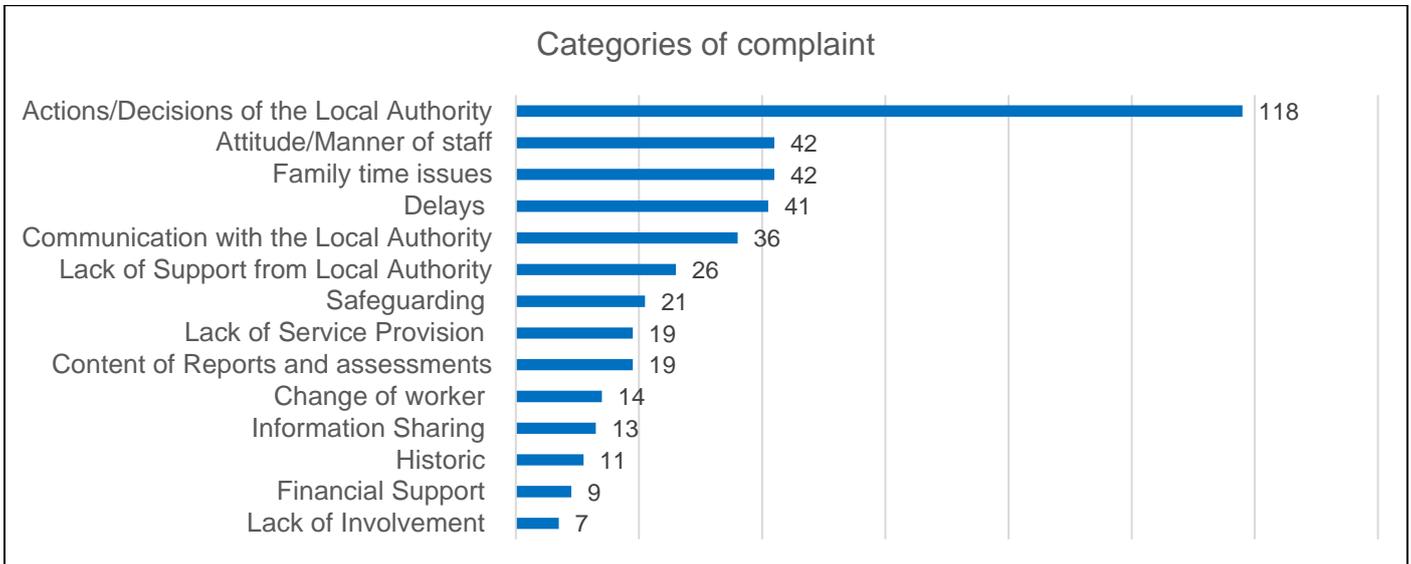
Alternative dispute resolution meetings are offered to families, where appropriate, where complaints have not been resolved within the initial stage 1 response. There is a 10-working day deadline applied to complete this problem-solving approach. This has proved highly successful in resolving complaints for families since its introduction. It is entirely voluntary for families and does not affect their right to escalate a complaint to stage 2 of the process.

This year 14 ADR meetings have been undertaken in comparison to 7 last year. 12 complaints were resolved. 2 complaints escalated to stage 2 for investigation as parents described their wish for independent people to investigate their complaint.

This area of problem solving is placed within the local policy and has been reviewed by the LGSCO, who clarified that this was an acceptable approach when the family were clear this was at its discretion, and no delay resulted in applying this.

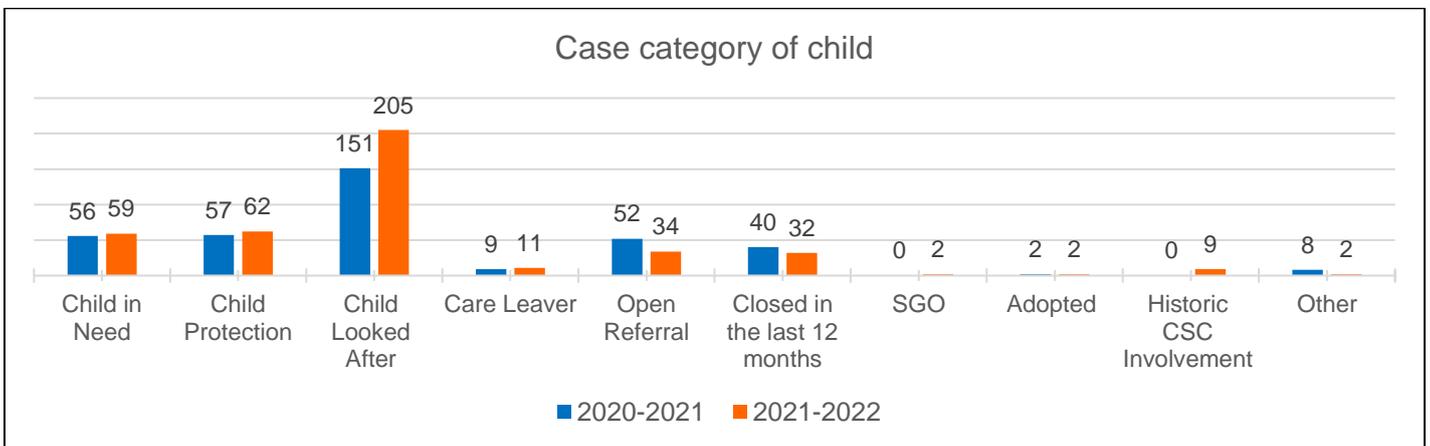
## 10. Categorization of the complaints

The main theme identified within the complaint is categorised in the graph below. Earlier in the report we described more specifically the concerns that children, care leavers and families shared with us. The categorisation provides us with a helicopter vision on the main themes of the complaints we have received.

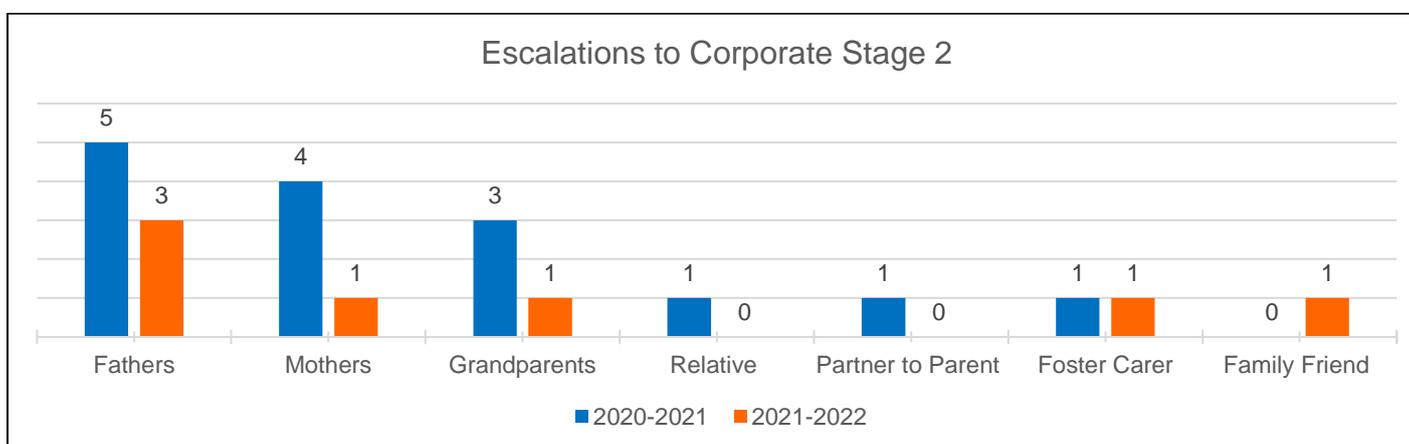
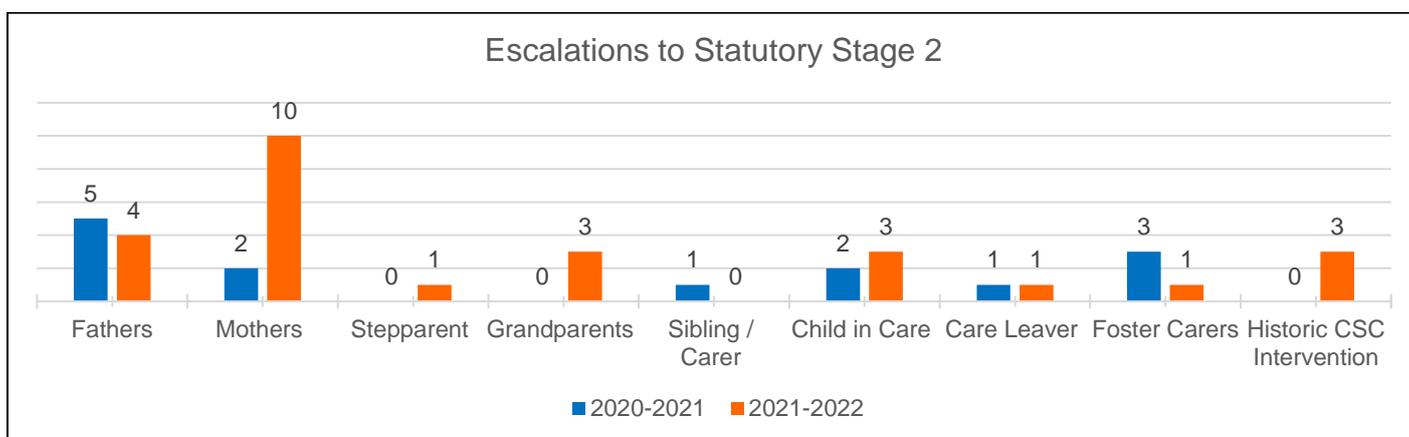
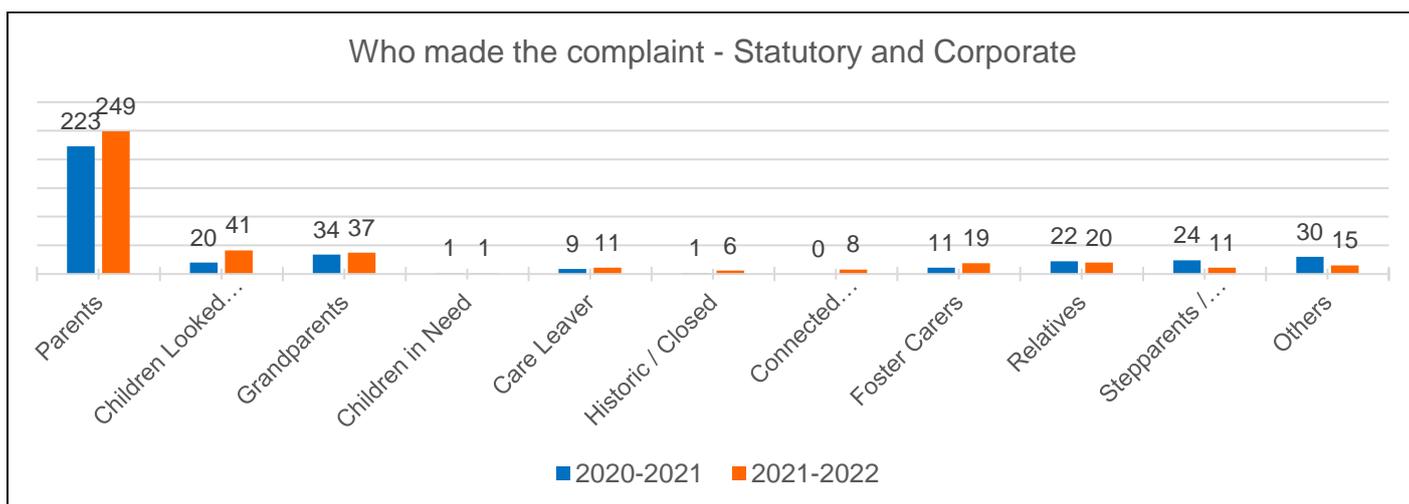


## 11. Case status at the time the complaint was made

Parents of children looked after access the complaints service the most and have done so for the last 5 years, this is followed by parents of children in need of protection and then complaints from parents receiving child in need support



## 12. Who complained and whose complaints escalated?



## 13. Timeliness of formal complaint response

Complaints, whether within the statutory Children Act or corporate processes, should normally be responded to (in writing) within 10 working days, but with a permitted extension up to 20 working days where there are complexities.

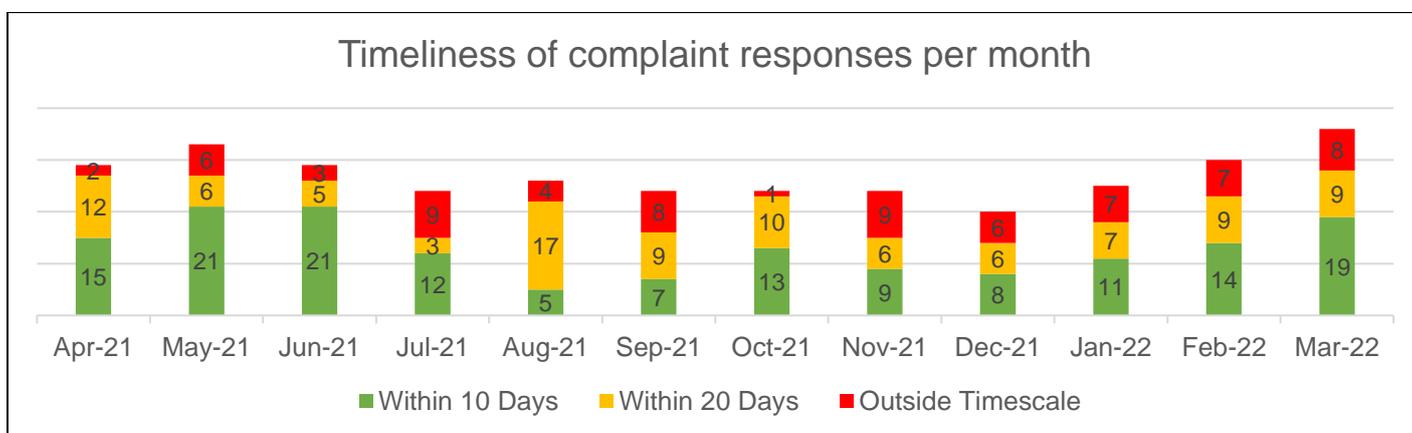
Performance on timeliness for the year:

- ❖ 48% of complaints were responded to within 10 days, last year this figure was 38%
- ❖ 31% within 20 working days, last year this figure was 32%
- ❖ 21% outside the 20 working days, last year this figure was 30%
- ❖ 78% complaints were resolved within timescales, compared to last year this figure was 69%

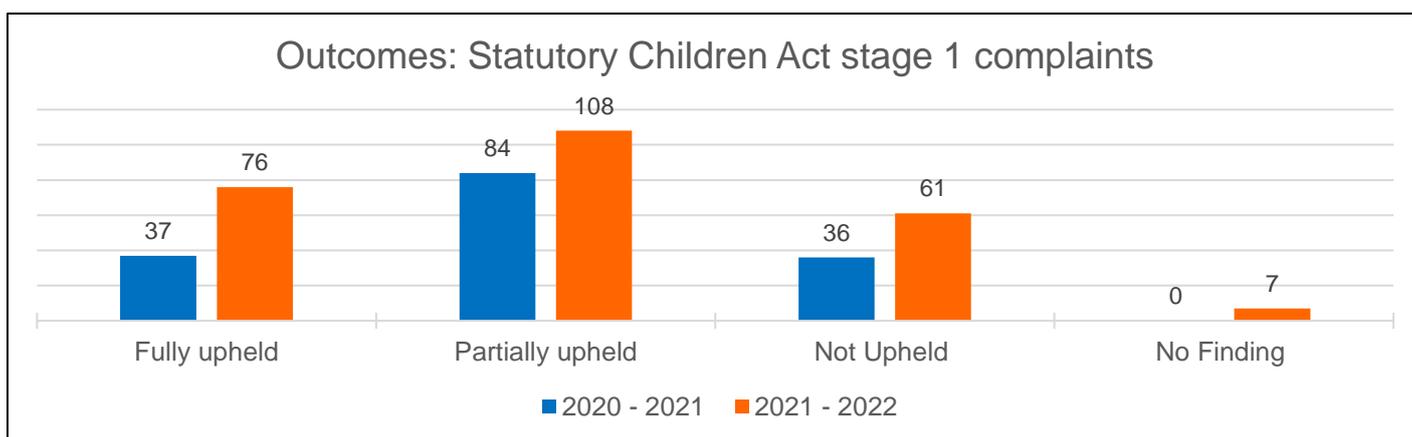
The timeliness of responding to complaints is a focus area for the service and this has improved over the last year. Factors which can affect this performance are annual leave and the availability of managers. A further factor is where the complaint is more complex and involves several service areas and further time is required to undertake a robust and comprehensive enquiry into the complaint to resolve the concerns for the family.

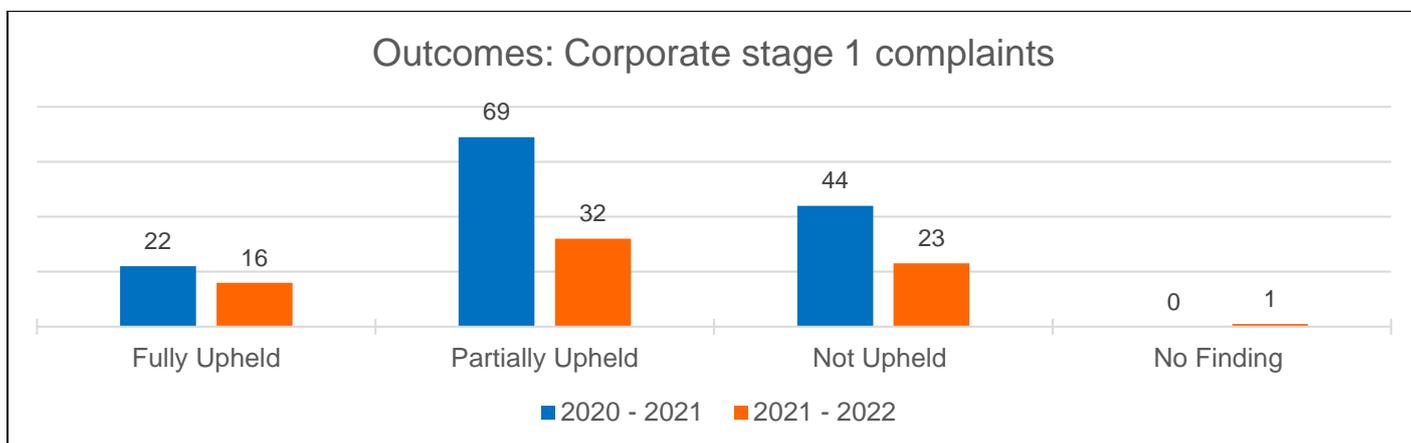
A focus on further improvement to strengthen the timeliness of responses in the coming year remains in place. This includes:

- ❖ Monthly performance reporting to the Director’s SLT meeting
- ❖ Weekly overview reporting of ‘open’ complaints to ensure that Heads of Service and Group Managers can have oversight of progress and take action where needed to speed up responses
- ❖ Regular dialogue between the complaints coordinators and team managers to ensure that complaints are being prioritised and to offer advice where needed on resolution options.
- ❖ Direct assistance to team managers by the complaint coordinators in drafting and quality assuring complaints responses.



#### 14. Findings of complaint enquiries at stage 1





The graphs showing the outcomes from the children act complaints describes that we are agreeing with families when they are raising concerns through the complaints process. This evidence linking to complaints that escalate to stage 2 which has been 10.3% showing that the families focus is on problem solving and resolution in the best interest of their children.

The second graph showing the corporate complaint outcomes shows a decrease in the complaints being upheld and predominately the corporate complaints relate to the service intervention and relationship with an adult not the child.

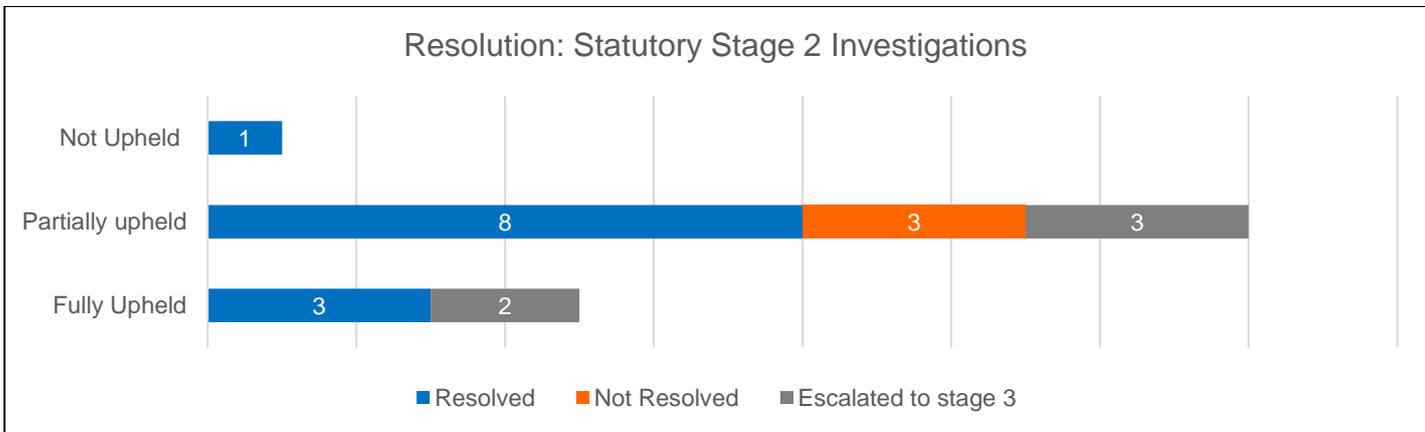
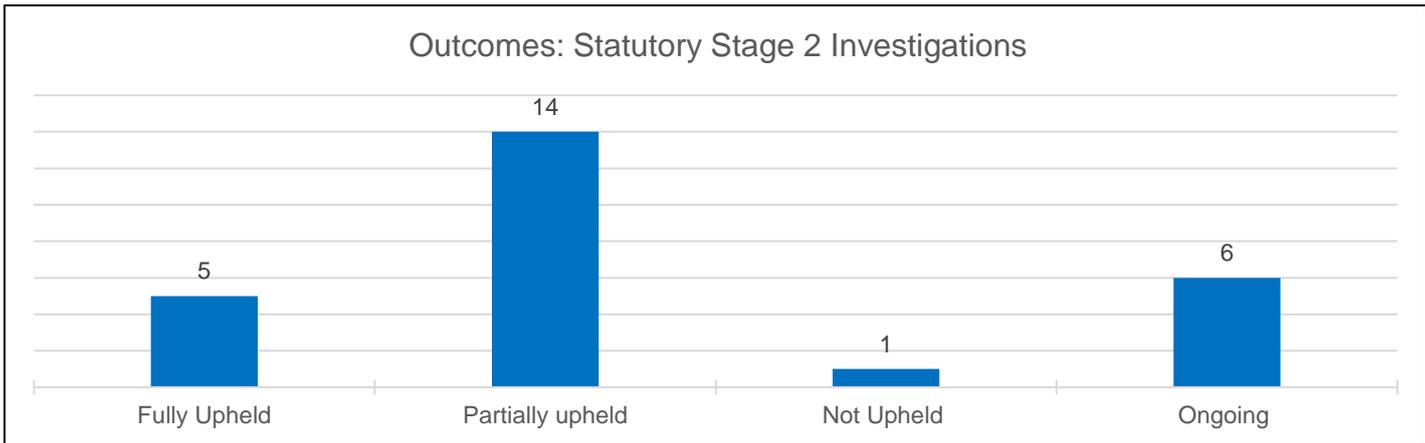
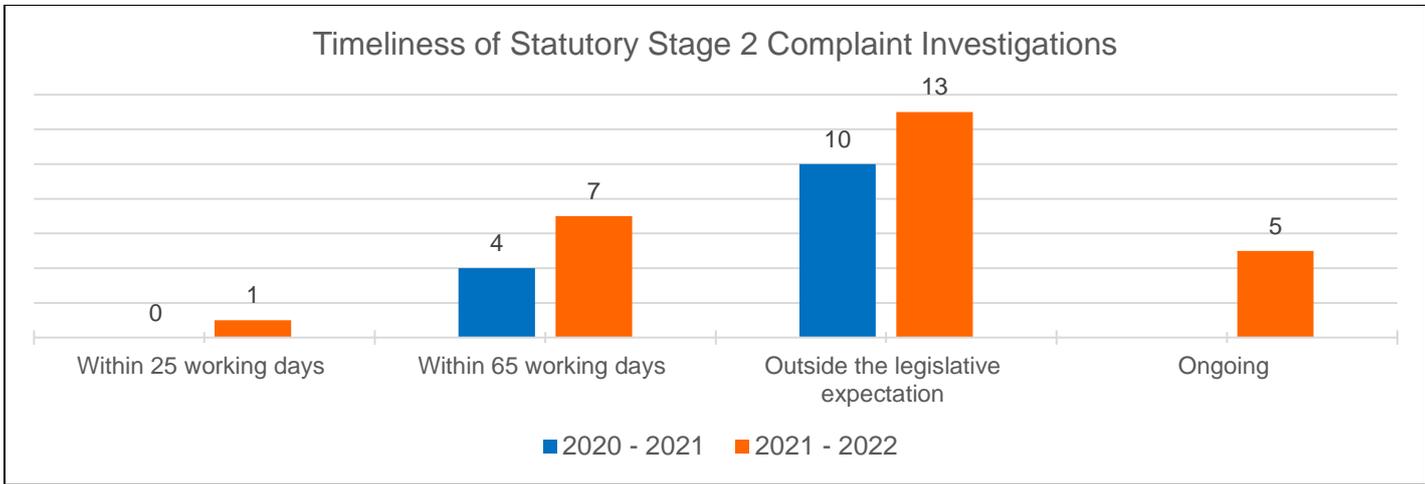
### 15. Statutory Children Act Stage 2 Formal Complaint Investigations

Consideration of complaints at Stage 2 is achieved through an investigation conducted by an investigating officer and an independent person. The investigating officer completes a report on the investigation including details of findings, conclusions, and outcomes against each point of complaint with recommendations on how to resolve the complaint as appropriate. The independent person also provides a report to the local authority once they have read the investigating officer's final report. The complaints service quality assures each stage 2 report and requests change or improvement whenever reports are not written in a way which everyone can understand.

There is a statutory time frame attached to the complaint investigations of 25 working days with an extension period of up to 65 working days. The adjudication of the complaint by a Head of Service is required within the legislative timeframe.

- ❖ 26 investigations were initiated at stage 2 between April 2021 and March 2022, compared to 14 in the previous financial year
- ❖ Of the 26, 20 were completed, with 6 ongoing at the time this report was completed
- ❖ From the 20 stage 2 complaint investigations started and completed within this financial year, 12 were resolved, which is a 60% resolution rate, compared to 86% last year.
- ❖ Of the 8 complaints which were not resolved, 3 escalated to stage 3, including one child looked after and one care leaver complaint. Two families described the complaint as not being resolved but stated they did not wish to continue with the escalation of the complaint.

A commissioned service Choices and Voices undertake the stage 2 complaint investigations and there has been an under estimation of the complexity and time required to complete the investigations. A target of 50 working days was applied and there has been process and system amendments to improve on the timeliness throughout the year. There has also been an increase in this area of complaints across the country which has impacted on the resource available and staffing capacity. There has been a significant reduction in complaints escalating to stage 2 in the first quarter of this year, which also impact on improving timeliness. This remains a focus area for the coming year.



## Learning from Stage 2 complaint investigations

There has been unprecedented number of complaints investigated at the second stage to the statutory complaints procedure this year. In reviewing the complaints received, it seems that a number of factors have contributed to this increase:

- ❖ Media coverage of the Ofsted judgements of the service and a sense for some families that interventions families do not want are inappropriate and constitute poor practice; eight complaints were from parents in these circumstances and the elements not upheld outweighed the complaints which were upheld.
- ❖ The experience of the pandemic and the additional challenges placed on staff in meeting with families has resulted in fractures of trust and relationships, which is seen as an important context in several of the investigations undertaken.

- ❖ The impact on the workforce of extensive change, uncertainty and challenges in recruitment and retention, resulting in more frequent changes in allocation of workers and impact on continuity of practice, relationships, and responses.
- ❖ Former looked after young people, or those who had once been children in need approaching the local authority to complain about their historic experiences of receiving care and support.
- ❖ Practice that was not of the required standard, but which is now being addressed through the service-wide improvement plan.

The thematic learning from these complaints is largely consistent with the areas of focus that we have as a service in our improvement plan. Those themes are:

### **Focusing on and listening to the child**

Stage Two investigations have shown that there needs to be consistent consideration of the child's needs, wishes and feelings and lived experience, with social workers building trusting relationships with the child. Most children for whom the local authority has a responsibility have had damaging experiences and need help from practitioners to regain their confidence and trust in adults; they need to be listened to at their pace and their views explicitly taken account of. It is easy for workers to get distracted by the adults in the child's life, particularly if they have behaviours that are demanding, but practitioners need to respectfully focus on what the child is communicating, both verbally and behaviourally.

### **Assessment is at the core of everything we do**

Good assessment underpins everything and has been shown within many of the stage two investigations to be an area that continues to need to be strengthened for some children and families. Assessment is not just a one-off activity but is something that is continuous and evolving all the time in all of our interactions. It should inform planning and review but is seen in several investigations as something that is an output, rather than part of the whole. Risk analysis should form an important part of assessment but has been seen to be absent from explicit consideration in a number of investigations.

### **Avoid rigid judgements/thinking about a family**

There is a fine line between judging and making professional judgements about a family. The Stage Two investigations undertaken in the past year have, in some cases, revealed situations where non-evidenced judgements have been made about a family's circumstances, and in particular, about the motivations of concerned relatives with parental responsibility. Where these views have stuck, they have formed the basis of planning and intervention in the family's life without consideration of an alternative hypothesis.

This is where the role of highly quality critically reflective supervision is so important. We have seen improvements in the frequency and quality of supervision over the period, but supervision has been one of the main areas of focus in July's service-wide month of learning and new training for supervisees and supervisors has been developed.

### **Clarity about the lawfulness of our actions**

Stage two investigations highlighting the need for greater legal literacy and clarity were referred to in the 2020-2021 Complaints Annual report. This remains an area of development that has been raised during investigations. In particular, this has concerned the importance of only intervening in the freedom of families when within a clear legal framework. This links to accountability, defensible decision-making and the need to record effectively. Shortly after the start of the reporting period and linked to learning from complaints and focused audit work, new guidance was issued to social

workers and their managers relating to the practice of imposing restrictions on family life without the lawful basis for doing so.

### **Recording with care**

Good recording is essential in social work practice. It should be analytical, objective, clear and focused on the child's experience. Hull Practice Standards (2019) state, 'Recording is an essential component of gathering information, analysis and decision-making and a means of demonstrating defensible decision making. Recording should be concise and clear, so that children and families can understand it when they access their files'.

Good recording helps the reader understand the family and be clear about the social work plan, its legal basis and the reasons why certain decisions have been made. In over half of the 26 complaint investigations undertaken in this period, the investigating officer has referred to the challenges in finding relevant information in the child's records. BASW published recording top tips in July 2020, which practitioners may find useful: [Recording Top Tips](#) . Good recording explains how decisions are made. Research in Practice has recently published this guidance: [Defensible decision making](#)

### **Improvement action related to our learning from stage 2 complaints**

The learning from stage 2 complaints has mostly reinforced the wider improvement work already captured in the service-wide improvement plan.

We have had a clear focus in all of our routine audit and improvement work on ensuring that our work is child-centred and that our recordings regularly and routinely capture the child's voice.

Our routine audit of practice work also focuses on the quality of social work assessments and our practice learning programme included workshops on analysis and critical thinking. Social workers also need access to regular, good quality reflective supervision which challenges them about their analysis and the judgements which they reach. The quality and consistency of supervision is also assessed routinely in audits and revised supervision standards were issued during the year.

There has also been a concerted focus on ensuring that, where children cannot be cared for safely at home by their parents, the wider family network is explored thoroughly to identify suitable alternative long-term family (connected) carers.

### **16. Stage 3 Independent Complaint Panel Reviews**

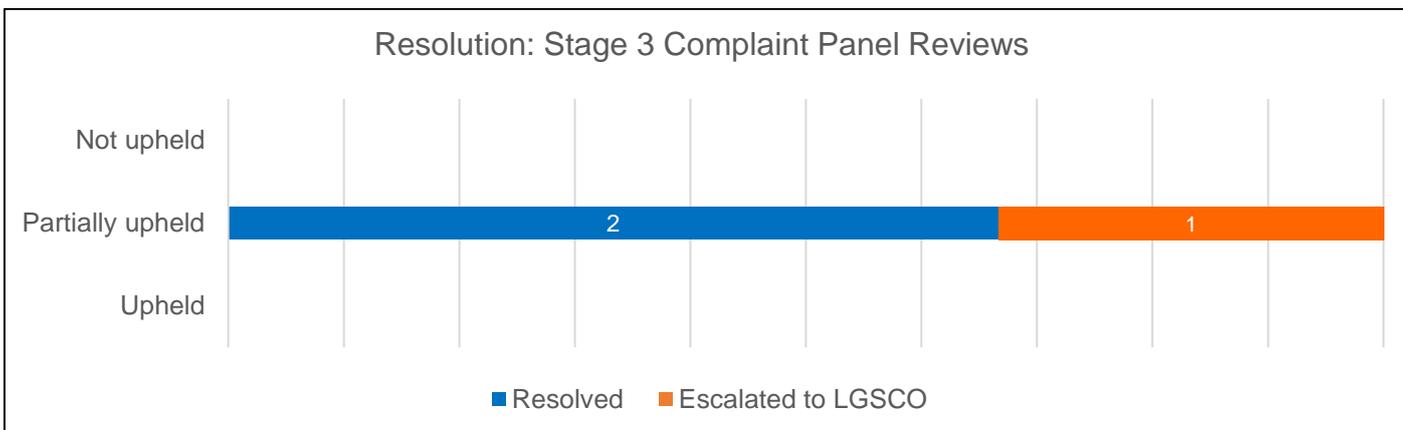
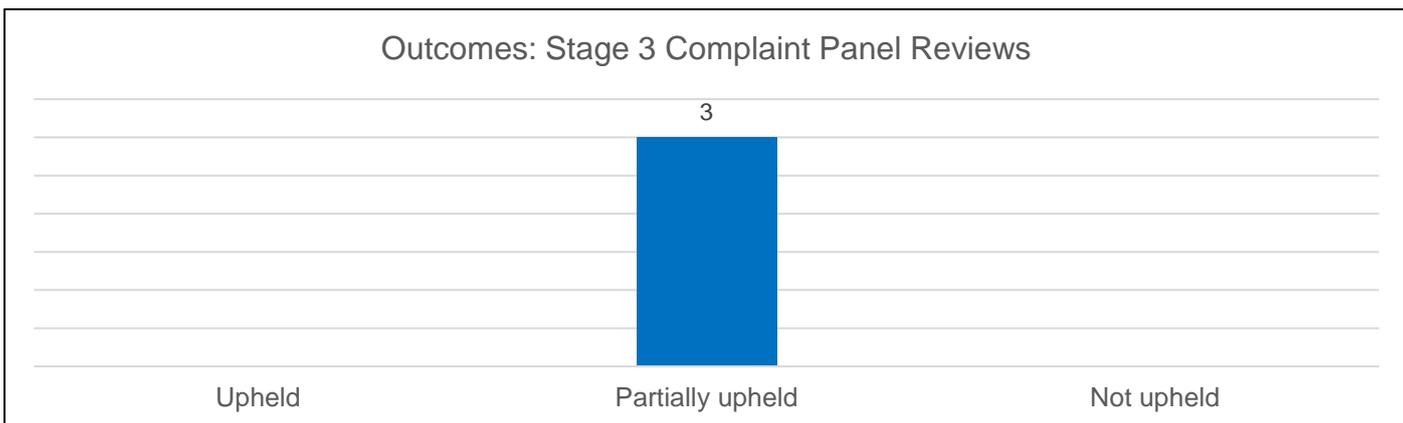
Occasionally family's concerns are not resolved at the second stage of the complaints procedure, and they request that their complaint be reviewed at the third stage by an independent review panel. The review panel is made up of three experienced professionals who are independent of the local authority. The panel review is attended by the family, the stage 2 investigating officer and independent person, the local authority senior manager and the complaints manager. The panel considers the stage 2 complaint investigation, listens to the views of the family, and makes recommendations to the director of children's services on how the complaints raised may be resolved. Panels also have an important role in considering and capturing the key themes from what complaints at this stage are telling us for wider learning, reflection, and improvement.

### **Learning from stage 3 independent complaint panel reviews**

In 2021-2022, three review panels were convened to consider complaints at the final stage of the complaints procedure. Those panels addressed concerns relating to historic support provided to a family and two situations concerning children living with connected carers.

The learning from those reviews was:

- ❖ A need to focus on good communication, understanding that the need to safeguard parental confidentiality does not prevent all information sharing with connected carers. They need information about risk, about decision-making and planning and have a right to know about information that concerns themselves.
- ❖ Children need the local authority to have good, trusting relationships with people in their family, whatever their role and so good communication, even when information sharing is necessarily limited, is vital.
- ❖ Ensuring robust, accountable (defensible) decision making, particularly in relation to the removal of children from family members' care and in deciding family time (contact) arrangements.
- ❖ Being aware that narratives about a family's functioning need to be evidenced and the serious risk inherent with allowing inaccurate information to go unchecked and becoming 'facts' that then influence significant decision-making about a child's life.
- ❖ Remembering the social worker's role in giving family members information about their rights and where to go to gain free advice and support, (for example, from the Family Rights Group).
- ❖ The importance of management oversight and quality assurance of a case cannot be underestimated, coupled with the fundamental need for good, reflective, supportive yet challenging supervision where decision-making is considered, and attitudes and narratives explored. Effective supervision is a cornerstone of good social worker practice.
- ❖ The need for there to be a holistic view and assessment of complex family situations, which provides opportunity for balancing of risks to securely inform assessment, planning and review of children's plans



## 17. Local Government and Social Care Ombudsman

The Local Government and Social Care Ombudsman investigate complaints made by the public against local government bodies, including children's services.

When families ask the LGSCO to take their complaints the LGSCO consider four inter-related tests:

- ❖ The Public Interest Test – This assesses the level of wider public interest arising from the individual case.
- ❖ The Injustice Test – This assesses the level of personal injustice the complainant claims to have been caused as a direct result of the actions or inactions of the service provider.
- ❖ The Fault Test – This assesses the scale and nature of the fault, that the complainant alleges has occurred and whether it is directly linked to the injustice claimed.
- ❖ The Remedy Test – This assesses how likely it is we will be able to achieve a meaningful outcome to the complaint.

In the last 12 months 13 families contacted the LGSCO. All the reports from the LGSCO can be accessed via the website <https://www.lgo.org.uk/>

Of these 13 complaints to the LGSCO:

- ❖ 3 were judged to be premature (compared to 1 last year)
- ❖ 6 were not accepted by the Ombudsman for investigation as they were happy with CYPFS response to the complaint
- ❖ 4 were accepted for investigation this year, compared to 9 last year.
  
- ❖ Overall, 3% of the families who complained to us escalated their complaint to the LGSCO for investigation
- ❖ 3 families contacted the LGSCO and were categorized as premature complaints
- ❖ 4 families with statutory complaints contacted the ombudsman which equates to 1.5%
- ❖ 6 families with corporate complaints contacted the ombudsman which equates to 8%
- ❖ Conversion from LGSCO enquiry to investigation was 4 complaints covering both statutory and corporate complaints in the children's social care arena

Where the Ombudsman did not accept a complaint for investigation, the reasons included that the complaint was outside of LGSCO jurisdiction, or that there was satisfaction with the way in which the authority had investigated the complaint.

### Complaints referred to the Local Government and Social Care Ombudsman

Where families have exhausted the service's complaints procedures and they remain unhappy, they have recourse to the Local Government and Social Care Ombudsman (LGSCO).

Families are always advised of their right to contact the LGSCO at the completion of the complaints process. If families contact the LGSCO before they have completed the whole procedure, they will usually be referred back to the local authority so that the complaint can be adequately considered under the council's procedures.

The LGSCO conclusions in respect of the 4 cases investigated by them were as follows:

Complaint 1: The LGSCO decided that the council had appropriately resolved the complaint and had carried out the complaint investigation and responded adequately already.

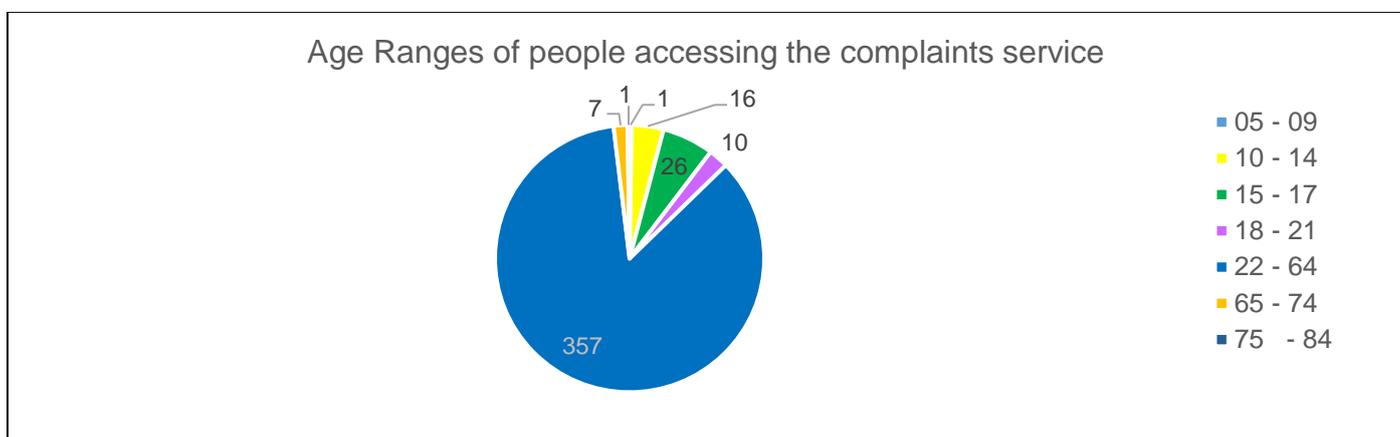
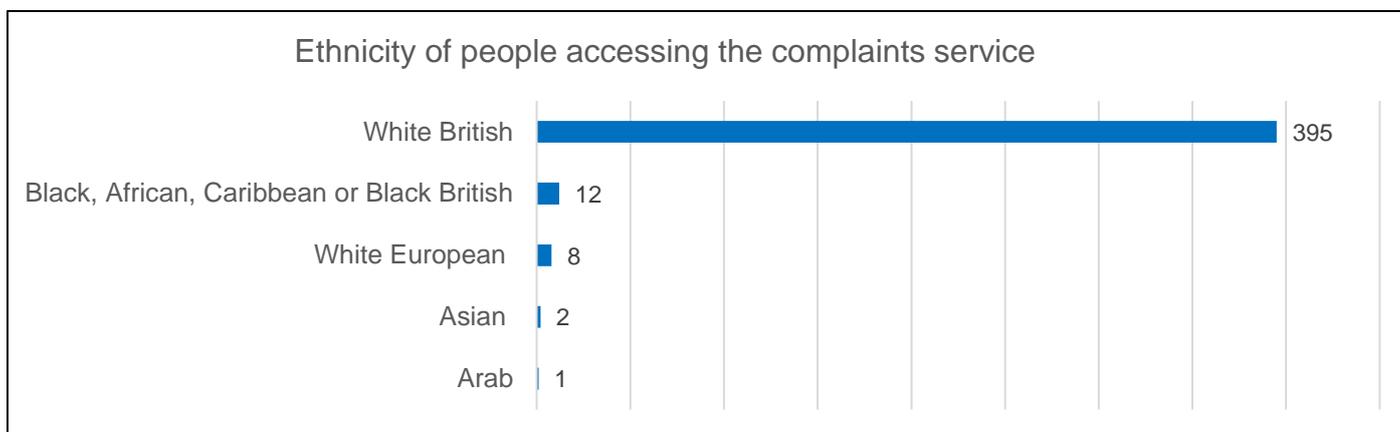
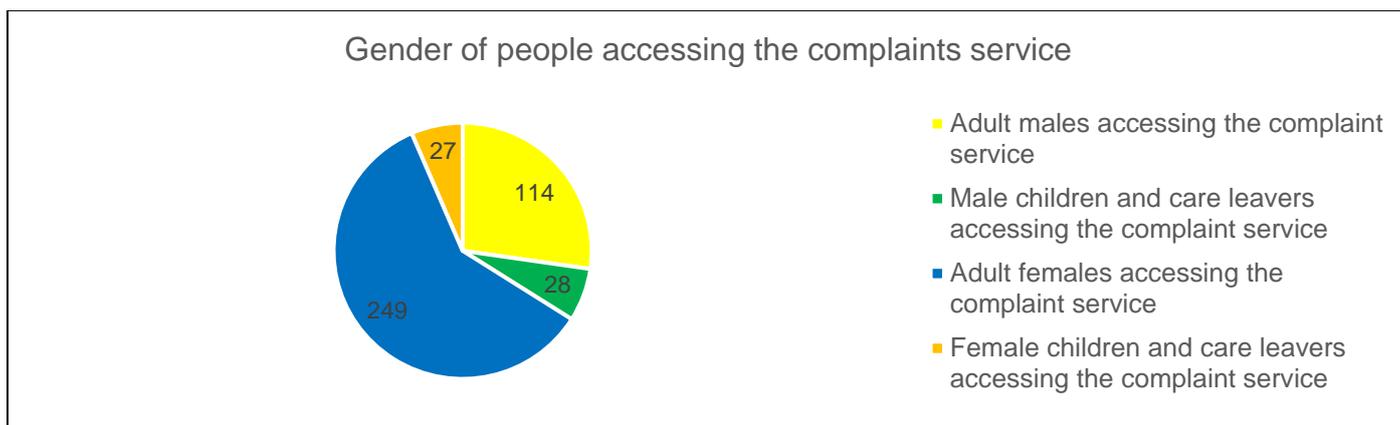
Complaint 2: The LGSCO advised that this father's complaint about the decisions made in safeguarding his child had been investigated by the council thoroughly and considered it unlikely

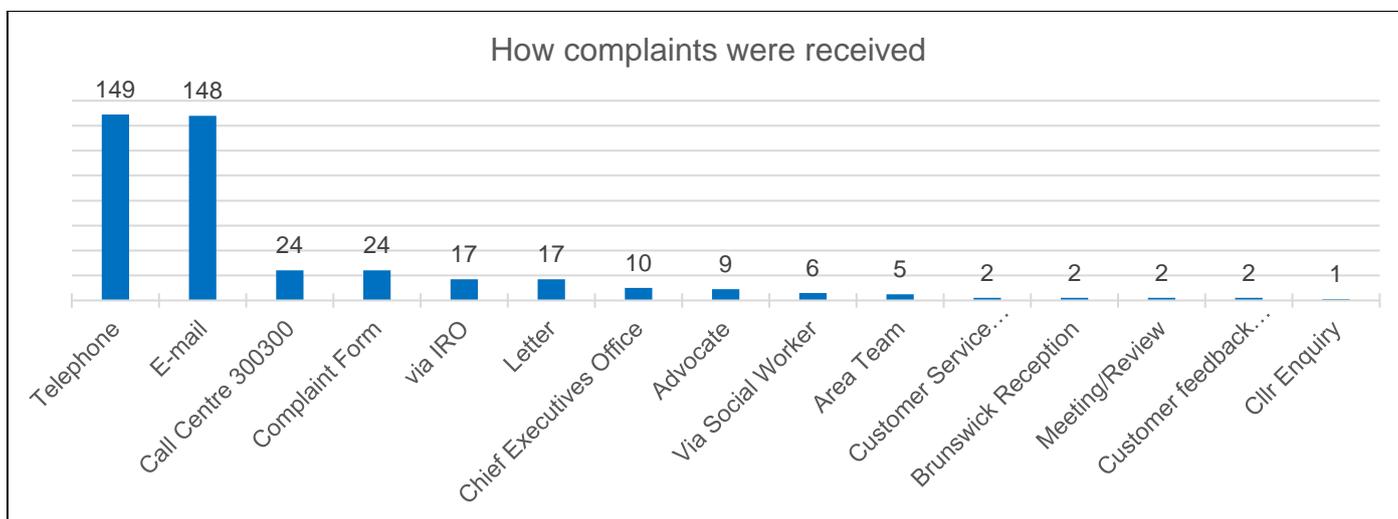
that further investigation by the Ombudsman would lead to a different outcome and was satisfied with how the complaint was investigated thoroughly by the council.

Complaint 3: The LGSCO investigated and supported this corporate complaint from foster carers. Maladministration was identified when it unnecessarily delayed and poorly handled its investigation into an allegation that they had abused their foster child. The investigation found the allegation of abuse to be unsubstantiated. Recommendations were applied, which the service completed, and the foster carers were provided with a small ‘time and trouble’ financial redress.

Complaint 4: The LGSCO investigated this complaint and upheld some of this corporate complaint from a father. Maladministration was identified in the complaint handling only and a recommendation made for a small time and trouble payment.

### 18. Demographics information





## 19. How has learning from compliments and complaints influenced service development

As a service there are many ways in which we work to hear the voices of children, families, and young people and to ensure what we hear translates into service improvement and influences our decision-making. The learning from complaints and compliments, much of which has been set out in this report has been factored into a number of important projects and developments in the city, including:

- ❖ The development of the brilliant film *Dream On*, an animation created with teenagers from Hull Young Voices Influencing Care. With over 2,000 views by July 2022, this film has communicated the opinions and experiences of children in care in Hull to many people across the city. It can be accessed [here My Pockets - Dream On](#)
- ❖ Case transfer practice standards. Every child or young person will get a written explanation and a meeting where their old social worker introduces their new social worker whenever possible.
- ❖ Every child and young person should have as much information about their life as possible from before they were looked after. The service is in the process of facilitating more training on life story work as a priority.
- ❖ Mind of My Own (MOMO) is a platform where our children and young people can share their wishes and feelings. We are training and supporting our social workers to use this platform and promote the 'all about me' option to allow young people to share the ways they like best to share their views and feelings.

## 20. Next steps: continuous improvement of the complaints service

- ❖ Quality assurance of the Children Act Stage 2 complaint investigation process is under review and evaluation, concluding in Autumn 2022
- ❖ Methods for capturing systematic thematic learning from complaints is being evaluated and strengthened with the help of the principal social worker and social work academy
- ❖ Service specific complaints data reporting has been developed for operational group managers to inform their review of complaints received in their service and as a useful tool to use locally to improve practice.
- ❖ Sharing learning, hearing feedback from frontline managers; workshops are scheduled to share learning from complaints and receive feedback about the complaints process during 'stop the clock sessions, this is an area being strengthened in the next six months.
- ❖ The core principles for responding to complaints now form a part of our overall service-wide practice standards due for release by 31<sup>st</sup> July 2022.

- ❖ The complaints service and the PSW are planning consultation with children and care leavers who have made a complaint in the last twelve months to capture their feedback on the complaints process and the impact making a complaint had for them and planning to begin this piece of work in the autumn.
- ❖ Bespoke online complaints training for managers has been commissioned for the coming year with the first session taking place on 22<sup>nd</sup> July 2022.
- ❖ New arrangements are in place to reduce the volume of complaints escalating to stage 2. The complaints manager and Head of Service now hold short twice-weekly catch-up meetings to discuss any complaint at risk of not being resolved at stage 1 and then hold a short meeting with the relevant operational Head of Service to plan additional action to resolve. We are also negotiating additional time, and identifying officers to investigate, historical complaints which might previously have been accepted straight into stage 2.
- ❖ The service is currently creating an action plan for developing the complaint service, to include the capacity to coordinate complaint responses to all CYPFS complaints.

Report prepared by:

Deborah Witty, children's social care complaints service manager – approved at CST on the 11<sup>th</sup> October 2022