

Title of report: Summary of complaints received in relation to children's services from April 2023 – March 2024

Meeting: Children and Young People Scrutiny Committee

Meeting date: Tuesday 30 July 2024

Report by: Complaints and Children's Rights Manager

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose

For children and young people scrutiny committee to note and consider the summary of complaints received in relation to children's services.

Recommendation(s)

That:

The Summary of Complaints received in relation to Children's Services be noted.

Alternative options

The committee could not consider complaints received and their processing within the Council. This is not recommended as the complaints procedure is a key source of understanding gained in to the delivery of the council's frontline children's services. Complaints also provide a source of information that enables the council to improve and develop our corporate parenting responsibilities and service provision for children and families in our care.

Key considerations

1. The subheadings for this report have been taken from the questions asked at the scrutiny briefing. A complaint, for the purpose of this report, and within our Policy, is defined as: *“An expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response.”*
2. The statutory procedure exists to consider complaints not just by or on behalf of children, but from their parents, foster carers, special guardians, adopters and others who may have an interest in their wellbeing. The Statutory Children’s Representations and Complaints Policy covers complaints about:
 - a. Council’s services to children in need or in care (looked after children)
 - b. How the council applies to take a child into care
 - c. Complaints about fostering, special guardianship and adoption services
 - d. Complaints about services to children leaving care.
3. The Corporate Complaints Policy covers complaints about:
 - e. Complaints about child protection matters (including S47 enquiries and conferences)
 - f. Assessments of potential foster carers and adopters
 - g. Foster carer registration
 - h. How the council assesses families and prepares reports for the court in private proceedings (so-called Section 7 or 37 reports).

Complaints that fall under the children's complaints and representations policy are those that have a demonstrable impact on the child or young person and come from a person who is deemed able to complain on behalf of the child or come from the child or young person themselves. For a full analysis of the complaints received in children’s services please see Appendix 1.

Community impact

4. The Herefordshire Council Plan (2024 to 2028) is committed to improving children’s services and supporting families who are in our care. A stated Delivery plan (2024/2025) objective is to develop a revised Children’s Improvement Plan within which we wish to ensure that the views and lived experience of children and young people inform strategic intent and service delivery

Environmental Impact

5. There are no environmental impacts associated with providing this report to the children and young people’s scrutiny committee.

Equality duty

6. Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
7. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. As this is a decision on back office functions, we do not believe that it will have an impact on our equality duty.

Resource implications

8. There are no resource implications for consideration with this report

Legal implications

9. There are no specific legal implications arising from this report.

Risk management

10. Lessons Learnt from Complaints;
- a. IF lessons learnt from complaints are not identified and fed into the council's strategy and planning
 - b. THEN situations about which complaints are made are likely to reoccur with increased likelihood of Local Government Ombudsman findings of maladministration and injustice. Consultees
11. Complaints not being dealt with;
- c. IF complaints are not being investigated in a timely manner by the services
 - d. THEN we potentially fail to address deficits in service provision and overlook improvements to our children's services. We also potentially miss the time scales for dealing with complaints with the consequence that some complaints may be escalated to the Local Government Social Care Ombudsman

Appendices

Appendix 1: Scrutiny Report: summary of complaints received in relation to children's services

Background papers

None.

Report Reviewers Used for appraising this report:

Governance	Click or tap here to enter text.	Date Click or tap to enter a date.
Finance	Click or tap here to enter text.	Date Click or tap to enter a date.
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Equality Duty	Click or tap here to enter text.	Date Click or tap to enter a date.
Procurement	Click or tap here to enter text.	Date Click or tap to enter a date.
Risk	Click or tap here to enter text.	Date Click or tap to enter a date.
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Please include a glossary of terms, abbreviations and acronyms used in this report.