

# **Children's Complaints and Representations Statutory Annual Report 2024 / 2025**

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## Introduction

This report has been written to analyse the complaints made against Children and Young People Directorate and provides information for the Statutory Children's Complaints and Representations Service and the Corporate Complaint Policy for Children and Young People directorate, for the period 1 April 2024 to 31 March 2025. The report and service are provided in accordance with the Complaints and Representations Procedures established under the Children Act 1989 and the Local Authority Act 1970. Guidance for which policy is applied is outlined below.

The Procedures were amended from 1 September 2006 by The Children Act 1989 Representations Procedure (England) Regulations 2006, and 'Getting the Best from Complaints', the accompanying guidance.

People who use Herefordshire's Children's Services are encouraged to give feedback on the quality and appropriateness of services they receive. This feedback can be in the form of compliments, comments, suggestions, queries or complaints.

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."*

The Statutory Children's Representations and Complaints Policy covers complaints about:

- Council's services to children in need or in care (looked after children)
- How the council applies to take a child into care
- Complaints about fostering, special guardianship and adoption services
- Complaints about services to children leaving care.

The 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 Procedure provides a Procedure for making representations about the discharge by a Local Authority of its functions under Part 3 and specified functions under Parts 4 and 5 of The Children Act 1989, certain functions under 2002 Act and functions regarding Special Guardianship support services.

Councils may decide not to accept a complaint that is made late but should not impose this restriction rigidly. It may suspend investigation of a complaint if there is ongoing court action or police investigations. The guidance allows councils to decide not to investigate a complaint if it would prejudice a concurrent investigation, including court proceedings. However, the guidance also allows a complainant to resubmit their complaint to the council once the concurrent investigation has ended (and for up to one year afterwards). Before deciding to end an investigation already in progress, councils should consider if it is possible to investigate some or all of the complaint without prejudicing any other investigation. Detailed records should be kept of any decision to end an investigation. Councils should tell complainants in writing the reason for the decision to end an investigation and the concurrent investigation at risk of being prejudiced. Councils should also tell complainants about their right to resubmit the complaint.

## **1.1 The Statutory Children's Representations and Complaints Procedure**

There are three stages to the Statutory Complaints Procedure:

### **1.1.1 Stage 1 – Local Resolution**

This stage is usually carried out by a Team Manager, however, following a review in November 2024 complaint investigations are now undertaken by the QA Assurance team to provide an independent element to the investigation. They are required to carry out an investigation by discussing the complaint with the relevant practitioners and the complainant(s) and considering any evidence which is held by the Local Authority, before making an informed finding on each specific complaint. There is a maximum timescale of 20 working days to complete this stage.

### **1.1.2 Stage 2 – Independent Investigation**

This stage involves the commissioning of an Independent Investigating Officer (IO) and an Independent Person (IP) who will carry out an evidence-based investigation by firstly meeting with the complainant(s), relevant practitioners concerned and viewing evidence held on the Local Authority files. The IO and IP will each prepare a report, including recommendations for the Local Authority to consider. A relevant Senior Manager, responsible for the service area being complained about will then consider the reports and recommendations and prepare an adjudication response to the complainant detailing whether they accept the findings and recommendations, before all reports and responses are sent to the complainant. There is a maximum timescale of 65 working days to complete this stage.

The Complaints Team are required to accept all requests for a Stage 2 Investigation, however attempts are always made to try and resolve the issues locally, by the Complaints Team offering to meet the complainant along with the relevant operational manager.

### **1.1.3 Stage 3 – Review Panel**

This stage involves the commissioning of three Independent Panel members including a Chair, who will attend a Panel meeting alongside the stage 2 IO and IP, the complainant, and a representative from the service who wrote the stage 2 adjudication, the Complaints Manager, a Clerk to the Panel and anyone else who is considered to be required.

The Panel will consider the adequacy of the Stage 2 Investigation in light of any additional information provided by the complainant. Panel will reach a view as to whether any findings need to be overturned and whether any additional recommendations need to be implemented.

The report provided by Panel will be shared with the Local Authority and the Director for Children's Services (DCS) will prepare a response to the complainant which will detail whether the recommendations are accepted. The Panel report and response from the DCS is then shared with the complainant.

## 1.2 The Corporate Complaints Procedure

The Corporate Complaints Procedure can be utilised when the representation does not fit the criteria to be investigated via the Statutory Complaints Procedure and is regarding a non-statutory service or if the representation is being made in the complainant's own right about a service which they have personally received, subject to the specific detail of the complaint. There are two stages to the Corporate Complaints Procedure:

### 1.2.1 Stage one

The Complaints Team will send a written acknowledgement to the complainant normally within 5 working days of receipt into the council. If the complaint has been received verbally, staff in the Complaints Team will make a written account of it which will be sent to the complainant with the acknowledgment to ensure the issues are all agreed and are correct. The Complaints Team may also offer to discuss the complaint over the telephone or in person, to identify and agree the points for investigation and the complainant's desired outcomes if they deem it to be necessary and appropriate.

The Complaints Team will then appoint an investigating officer. The investigating officer will, in most cases, be the principal officer or manager of the service being complained about because of their specialist knowledge. The Complaints Team will liaise with the Service Director, Service Manager or Head of Service responsible for the appropriate department if it is inappropriate to use an investigating officer in the service area concerned. If the complaint is too general, the investigating officer may need to contact the complainant to agree a statement of the complaint, so that points for investigation and the complainant's desired outcomes can be agreed.

The investigating officer will undertake an investigation in line with the timescale assigned by the Complaints Team – in accordance with the Complaints Handling Code, this is normally 10 working days but more complex complaints could take longer which will be explained to the complainant in writing by the Complaints Team. Where timescales exceed 20 working days, the complainant will be provided with the reason and this will be clearly explained and suitable intervals for updates will be agreed with the complainant. The complainant will also be provided with the details of the Ombudsman.

Where additional complaints are received after one has been recorded and the matters raised are related, it will be incorporated within the response that has been logged. However, where a response has already been sent or it is regarding new unrelated issues, or would unreasonably delay the response, the additional complaints will be logged as a new complaint.

The Complaints Team will review the response and outcome before providing a formal response to the complainant (this may involve the Complaints Team requesting further clarification or additional information from the investigating officer or the service involved).

The Complaints Team will send out the response to the complainant with a covering e-mail / letter stating that at this stage the complainant will have 20 working days to respond if they are dissatisfied with the outcome and request to escalate to stage 2.

If the complainant is dissatisfied with the response clear reasons should be given for the dissatisfaction and consideration of the complainant's desired outcomes.

If there is no further communication after the specified 20 working days, the Complaints Team will close the complaint.

### 1.2.2 Stage two

Request for stage 2 will be acknowledged and logged by the Complaints Team within 5 working days of the request for escalation being received. Within the acknowledgement, we will set out our understanding of any outstanding issues and the outcome the complainant is seeking. If any aspect of the complaint is unclear, the complainant will be asked for clarification.

The Complaints Team will assign the complaint to a different investigating officer to conduct a second investigation into the complaint and give consideration to the desired outcomes.

A final response will normally be sent to the complainant within 20 working days of the complaint being acknowledged. In complex cases the response timeframe may be extended to a maximum of 40 working days. In which case an explanation will be sent to the customer detailing progress and expected timescale for response.

Where timescales exceed 40 working days, the complainant will be provided with the reason and this will be clearly explained and suitable intervals for updates will be agreed with the customer. The complainant will also be provided with the details of the Ombudsman.

A stage 2 is the organisations final response. Where the council has investigated and taken all reasonable actions and the complaint remains unresolved, the complainant will be advised that the case will be closed and the Complaints Team will provide the complainant with details of the relevant Ombudsman should they wish to refer the issue.

### 1.3 Local Government and Social Care Ombudsman (LGSCO)

If a complainant remains dissatisfied following exhaustion of all stages of either complaints procedure they can take their complaint to the LGSCO. A complainant can access the LGSCO at any point, but the LGSCO normally provides the Local Authority with the opportunity to process through all stages of the complaints procedure unless they decide otherwise. Complaints referred back to the Local Authority to process are classed as 'premature referral' complaints. If the Local Authority take the decision to refuse to investigate a complaint or refuse to escalate the complaints to the next stage of the procedure, a complainant may then also approach the LGSCO.

### 1.4 Composition of Total Feedback Received

	<b><u>2023/2024</u></b>	<b><u>2024/2025</u></b>	<b><u>% Difference</u></b>
<u>Statutory Stage 1</u>	102	75	-26.5%
<u>Statutory Stage 2</u>	19	22	+15.8%
<u>Statutory Stage 3</u>	4	5	+25%
<u>Corporate Stage 1</u>	100	72	-28%
<u>LGSCO</u>	12	23	+91.6%
<u>Compliments</u>		126	

## **Appendix 1 – Complaints, regarding Childrens Services, processed through the Corporate Complaints Policy**

Whilst the Children's Complaints and Representations Annual Report (2024/2025) focuses on the statutory reporting under the Childrens Complaints Policy this appendix will identify complaints made under the Corporate Complaints Policy - [Corporate Complaints Policy \(herefordshire.gov.uk\)](https://www.herefordshire.gov.uk/corporate-complaints-policy)

These include complaints from parents, careers and linked professionals regarding their interactions with Childrens Services in Herefordshire.

When handling complaints regarding Childrens Services we review these on an individual case by case basis to establish whether the complaint should be processed through the Childrens Complaints Policy or by the Corporate Complaints Policy. The distinction between the two policies is to determine who is making the complaint and what is the complaint regarding; we often receive complaints from parents careers and linked professionals and these complaints are often around concerns or issues pertaining to themselves and not the child, alternatively they may be regarding the child but they are not representing the voice of the child nor are they indicating any harm to the child. As you will see through the report often the individual is complaining about the lack of communication, a council decision, a services failure or staff attitude in respect of themselves therefore these complaints are handled under the Corporate Complaints Policy. The following tend to be managed through the Corporate Complaints Policy:

- Early Help
- Child protection including S47 enquiries and conferences
- Assessments of potential foster carers and adopters
- Foster carer registration
- Section 7 and Section 37 court reports

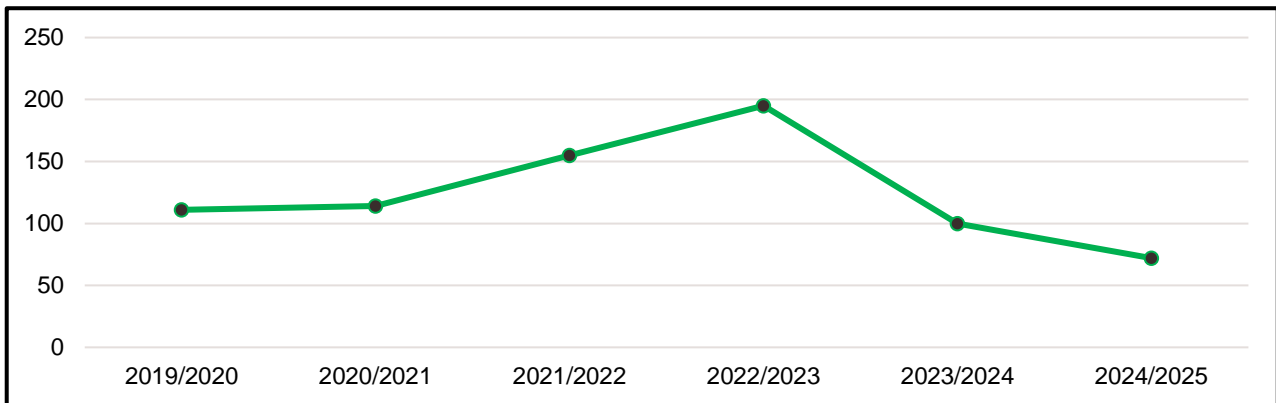
**2 Complaints, regarding Childrens Services, processed through the Corporate Complaints Policy**

- 2.1 Volume of complaints received
- 2.2 Category of complaints
- 2.3 Timeliness of complaint responses
- 2.4 Outcomes of complaint investigations



## 2.1 Volume of complaints received

The below information captures those complaints regarding Childrens Services, under the Corporate Complaints Policy, over the past four years to provide a reflective analysis.



The number of complaints, regarding Childrens Services, processed through the Corporate Complaints Policy have steadily increased over the past six years, saying this, this municipal year there is another notable decrease in corporate complaints received, that relate to children's services. This is a positive step, showing significant improvement from Children's Services.

### **2019 - 2020**

111 Corporate Children's Complaints

### **2020 - 2021**

114 Corporate Children's Complaints

### **2021 - 2022**

155 Corporate Children's Complaints

### **2022 - 2023**

195 Corporate Children's Complaints

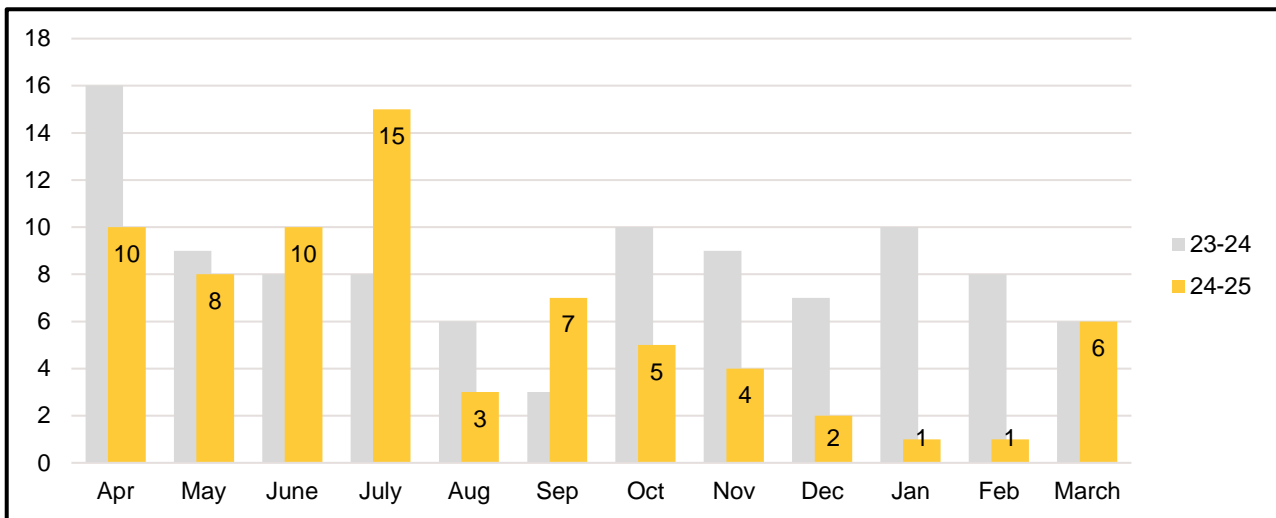
### **2023 - 2024**

100 Corporate Children's Complaints

### **2024 - 2025**

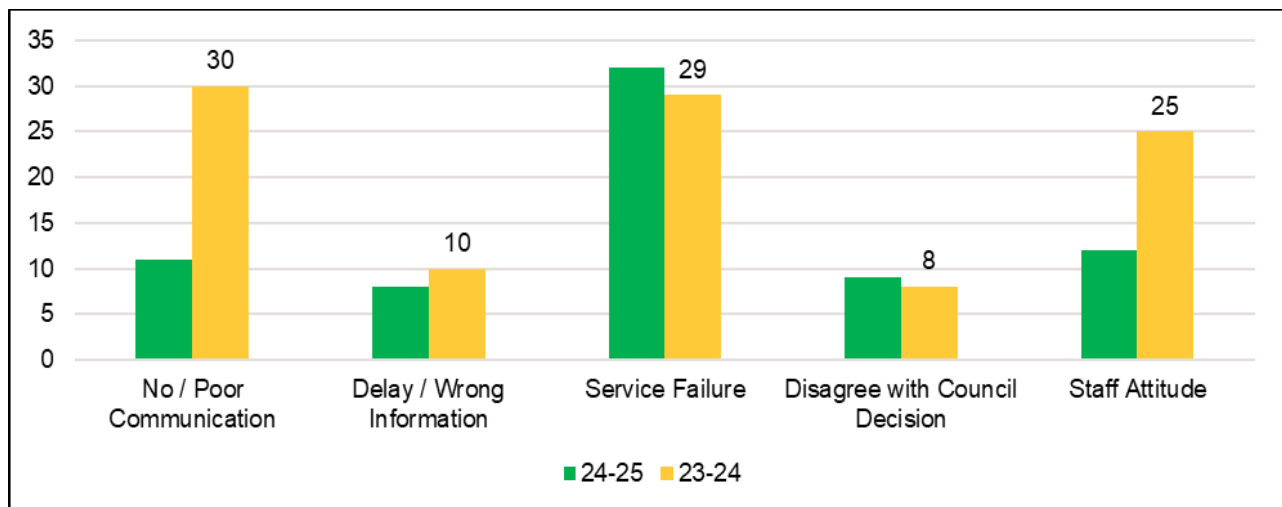
72 Corporate Children's Complaints

The below chart highlights the corporate complaints received by month, in comparison to the previous year;



The reason for the decrease in the number of corporate complaints could be suggested as; consistency in management within children's services and a general understanding of how Children's Complaints should be differentiated being implemented into standard practice.

## 2.2 Category of complaints



Analysis of complaints over the past five years reveals a consistent pattern of issues, primarily stemming from inadequate communication, service failures, and unsatisfactory staff attitudes. Several recurring themes contribute to these complaints. Staffing complexities, particularly over the last two to three years, with high turnover among frontline staff, have hindered consistent and effective communication. Complainants have reported a lack of introductions to new social workers, difficulties in contacting them, and significant delays in receiving responses. Furthermore, inconsistent case handovers have resulted in young people feeling unheard and unsupported as they are forced to repeatedly explain their history.

Service failures are often linked to a perceived lack of support or failure to deliver promised services. This issue is often intertwined with communication challenges, where misunderstandings

arise regarding the nature and expectations of available services, as well as individual responsibilities within agreed-upon plans.

It is important to acknowledge the significant improvement in staffing this year, reaching 100% permanent managers and 70% permanent social workers within children's services. While Herefordshire Children's Services has faced numerous challenges, it is crucial to leverage feedback and complaints to drive positive change and continuous improvement. Encouragingly, families have acknowledged that the complaints procedure provides a platform to be heard and have furthermore noticed the considerable progress made within children's services in recent years.

### **2.3 Timeliness of complaint responses**

The timescale for response, under the Corporate Complaints Policy, is 15 working days.

#### **2019-20**

Out of 111 complaints 15 responses were extended to take longer than 15 working days

#### **2020-21**

Out of 114 complaints 16 responses were extended to take longer than 15 working days

#### **2021-22**

Out of 155 complaints 23 responses were extended to take longer than 15 working days

#### **2022-23**

Out of 195 complaints 87 responses were extended to take longer than 15 working days

#### **2023-24**

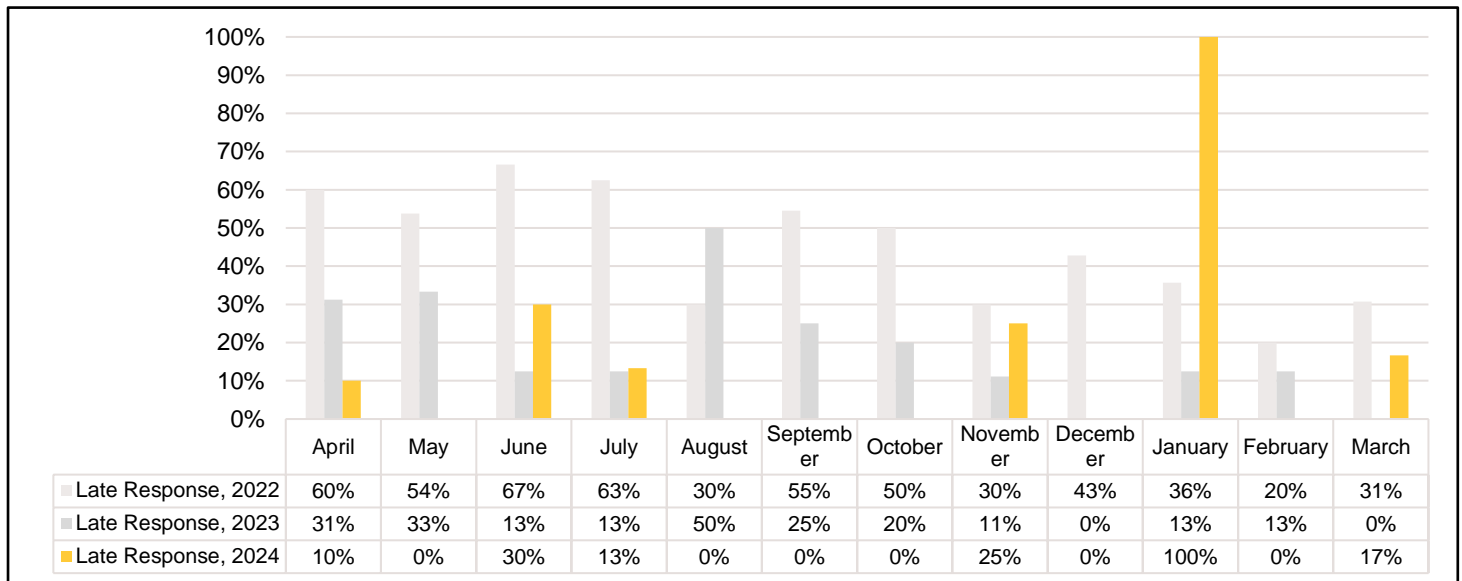
Out of 100 complaints 20 responses were extended to take longer than 15 working days

#### **2024-25**

Out of 72 complaints 9 responses were extended to take longer than 15 working days

This financial year, 12.5% of complaints received were responded too later than the allocated 15 working days which is a significant decrease from the 20% that were responded too late, in the previous financial year and 45% the year prior, this data alone shows the continued improvement within children's services.

The below chart compares, by month, the percentage of complaints that were responded too out of the 15 working day timescale in correlation to the data from 2022-2023 and 2023-2024. The below chart indicates, by percentage, the number of complaints that were responded too out of timescale, by month.



In the past year, leadership has strongly emphasised the importance of timely and effective complaint resolution at the local level. While there have been prior challenges with meeting the 15-day response target, recent improvements in complaint handling procedures are yielding positive results. Specifically, issues related to Investigating Officer transitions have been successfully addressed, resulting in better communication and continuity for complainants. Furthermore, the Complaints Team proactively collaborates with Investigating Officers within the QA service to manage workloads and provide realistic response timelines, enhancing complainant satisfaction. The requirement for operational manager oversight in the new process ensures both promptness and thoroughness in complaint responses. As a result of these combined efforts, the Quality Assurance service has consistently demonstrated a significant increase in on-time complaint responses over the past six months, marking a commendable achievement in improved service delivery.

## 2.4 Outcomes of complaint investigations

Reporting Period	Upheld	Partially Upheld	Not Upheld
2024/2025	25	13	34

**NB:** At the time of writing this report, a number of complaints remained open/outstanding, therefore these figures are not definitive and may alter should data be requested in the future.

### **Complaints, regarding Childrens Services, processed through the Children's Statutory Representations and Complaints Policy**

This report seeks to recognise the determination of children and young people to see that Social Care processes improve and develop and outline not just what complaints were made, but what difference they have made in the work of Herefordshire Children's Services.

This is the fifth year that the children's complaints process was administered by the Council's Complaints Team, taking over its management from Childrens Services in 2019. The team continue to review the policies and procedures for administering Children's complaints, reporting on complaints to the children's services senior management team, and arranged training for complaint investigation officers which was delivered by the Local Government and Social Care Ombudsman (LGSCO).

The procedure covers complaints about councils' actions under Part 3 and some of Parts 4 and 5 of the Children Act 1989, as well as some adoption and special guardianship services. When deciding if a complaint should be considered under the procedure councils should check which part of the Act the service being complained about falls under. Generally, assessments and services in the following areas should be considered under the procedure:

- Children in need
- Looked after children
- Special Guardianship support
- Post-adoption support

#### **3 Complaints, regarding Childrens Services, processed through the Children's Statutory Representations and Complaints Policy**

- |     |   |
|-----|---|
| 3.1 | Volume of complaints received             |
| 3.2 | Who has complained                        |
| 3.3 | Category of complaints                    |
| 3.4 | Timeliness of complaint responses         |
| 3.5 | Outcome of complaint investigations       |
| 3.6 | Stage 2 complaints                        |
| 3.7 | Recommendations and learning from stage 2 |
| 3.8 | Stage 3 complaints                        |

### 3.1 Volumes of complaints received

There were 79 complaints made under the Children's Complaints and Representations Policy in 2024/2025, with 4 being withdrawn. This totals a 22.5% decrease from the previous year.

#### 2018 – 2019

36 Children's Complaints and Representations

#### 2019 - 2020

30 Children's Complaints and Representations

#### 2020 - 2021

14 Children's Complaints and Representations

#### 2021 - 2022

26 Children's Complaints and Representations

#### 2022 - 2023

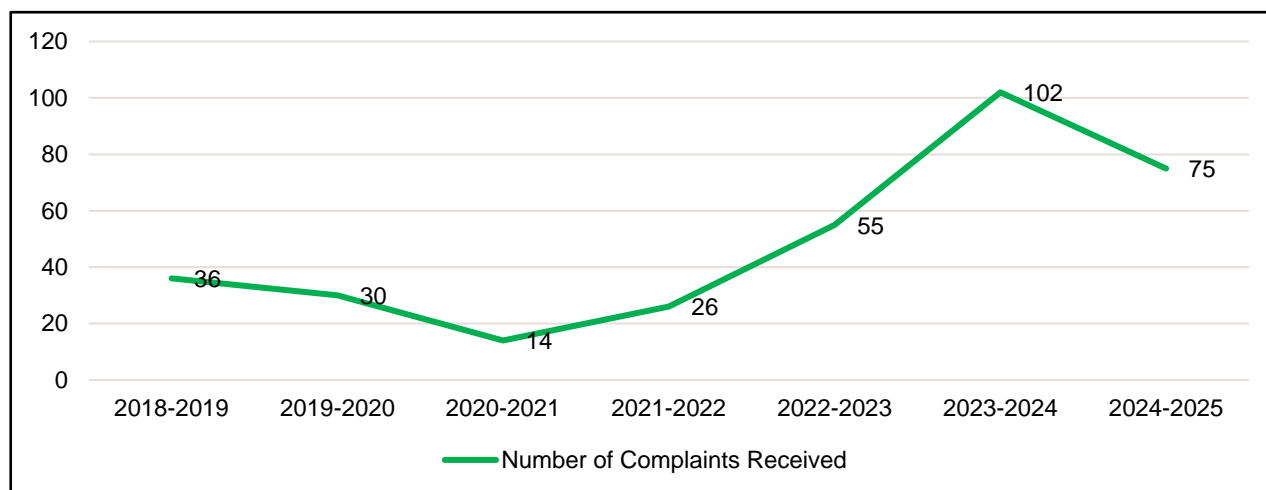
55 Children's Complaints and Representations

#### 2023 – 2024

102 Children's Complaints and Representations

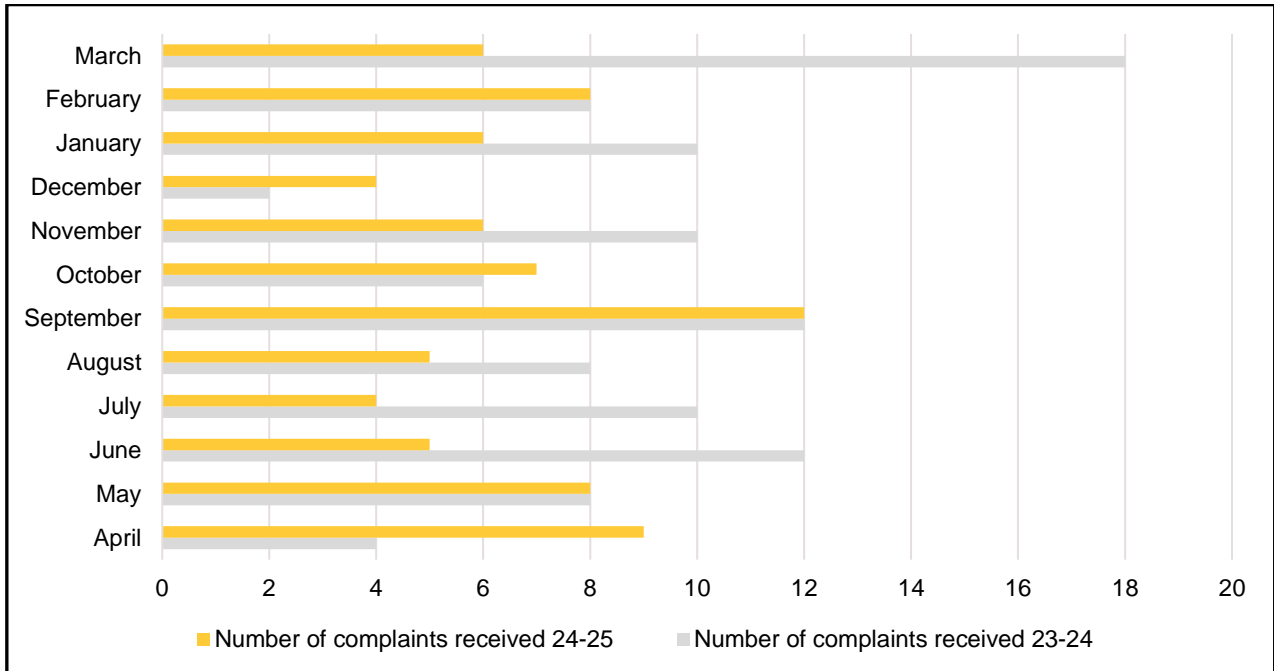
#### 2024 – 2025

75 Children's Complaints and Representations

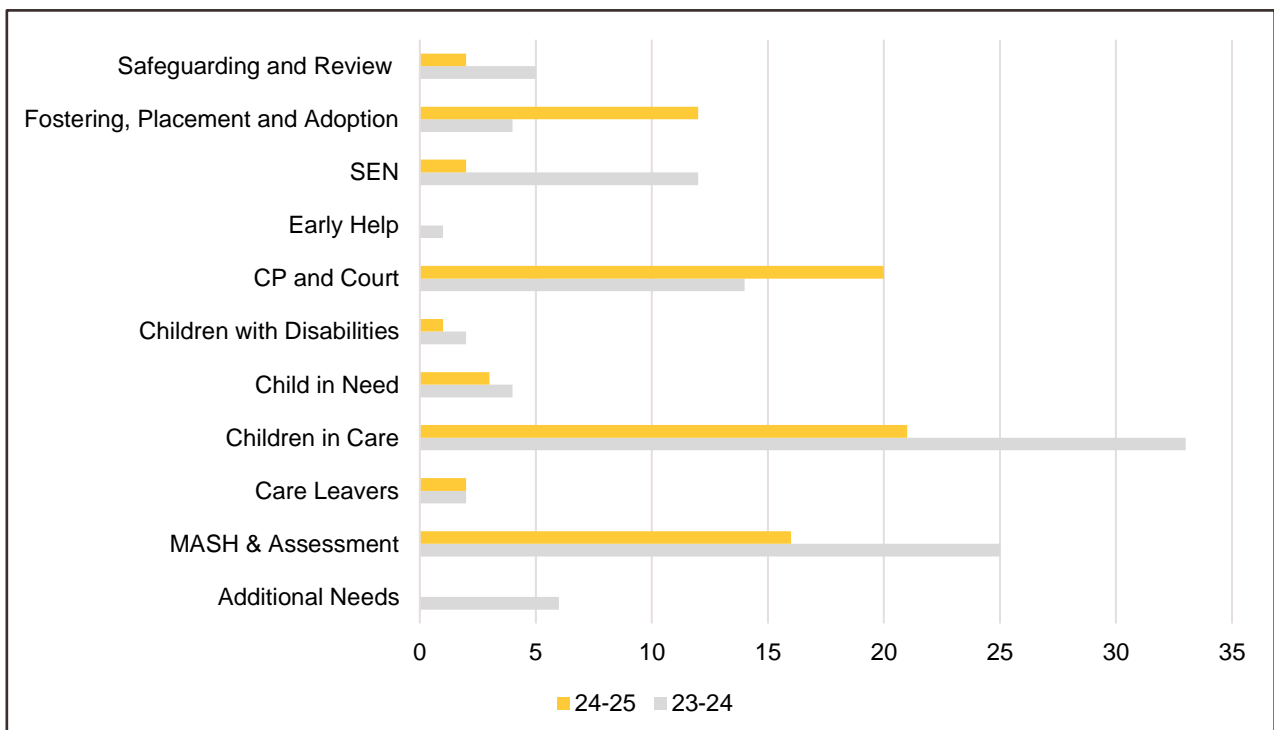


The Children's Complaints and Representations policy has demonstrably fostered a more open and responsive environment since 2022/2023. While the initial years saw an increase in processed complaints, this can be interpreted positively as reflecting greater awareness and accessibility of the complaint procedure. The changes implemented have empowered families, children, and young people to voice their concerns with confidence, knowing that Children's Services values their feedback and is committed to learning and improvement. Moreover, the encouraging decrease in complaints received this year suggests that the changes implemented are having a positive impact and result in improved service delivery and a higher degree of satisfaction among those utilizing children's services.

The below chart highlights the complaints received from April 2024 – March 2025, in comparison to the previous year.



The below chart shows the number of complaints received by service area.



Of the 75 complaints received;

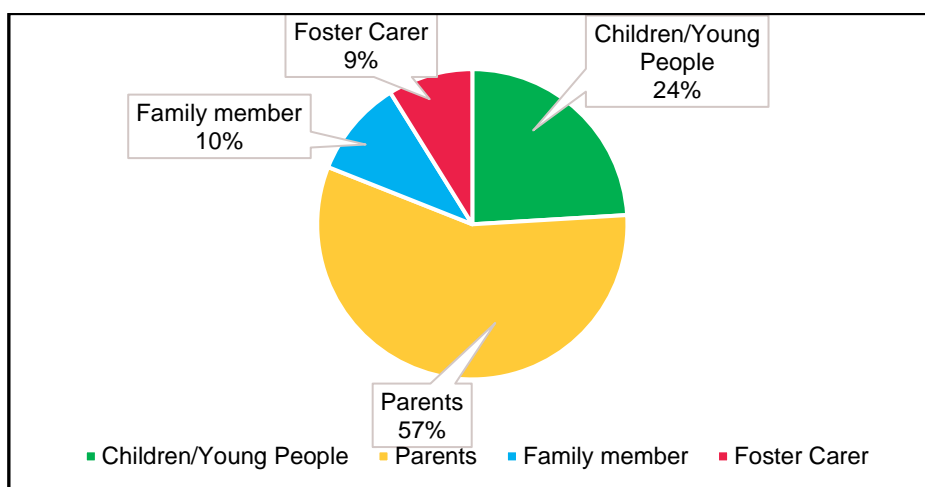
- 53 were resolved at stage 1
- 22 were progressed to stage 2 (see point 8 for reasons)
- 5 were progressed to a stage 3

70% of complaints were resolved at the local resolution stage, stage 1, this is a slight decrease in resolution from the previous year where 77.45% complaints were resolved but still a significant improvement from previous years and another notable improvement from 22/23 where 52% were resolved with local resolution.

The apparent increase in complainant satisfaction with Stage 1 responses suggests a positive trend in Children's Services' engagement with families to address their concerns. This improvement is likely facilitated by the complaints procedure, which prioritises the thorough exploration of all internal resolution avenues before escalating complaints to Stage 2. While families retain the right to escalate their complaint to Stage 2 should they choose not to engage with internal resolution attempts, or in the absence of a timely and substantive response from the Local Authority at Stage 1, the data indicates a growing effectiveness in resolving issues at the initial stage. This proactive approach to addressing concerns contributes to a more efficient complaints process and potentially mitigates the need for further escalation.

### 3.2 Who has made complaints?

Most complaints were made by family members of children both currently and previously receiving support from children's services within the local authority, with the rest of complaints coming from children and young people either directly or with support of an advocate. Of the 79 complaints received, 19 of those were received directly from the child or young person, 14 of those were supported by an advocate.



Below indicates who can complain on behalf of the children and young people;

*Section 26(3) and Section 24D of the Children Act 1989 and Section 3(1) of the Adoption & Children Act 2002 require the responsible authority to consider representations, including complaints, made to it by:*

- Any child or young person (or a parent of theirs or someone who has parental responsibility for them) who is being looked after by the local authority or is not looked after by them but is in need;
- Any local authority foster carer (including those caring for children placed through independent fostering agencies);
- Children leaving care;
- Special Guardians;
- A child or young person (or their parent) to whom a Special Guardian Order is in force;
- Any person who has applied for an assessment under Section 14F(3) or (4);
- Any child or young person who may be adopted, their parents and guardians;

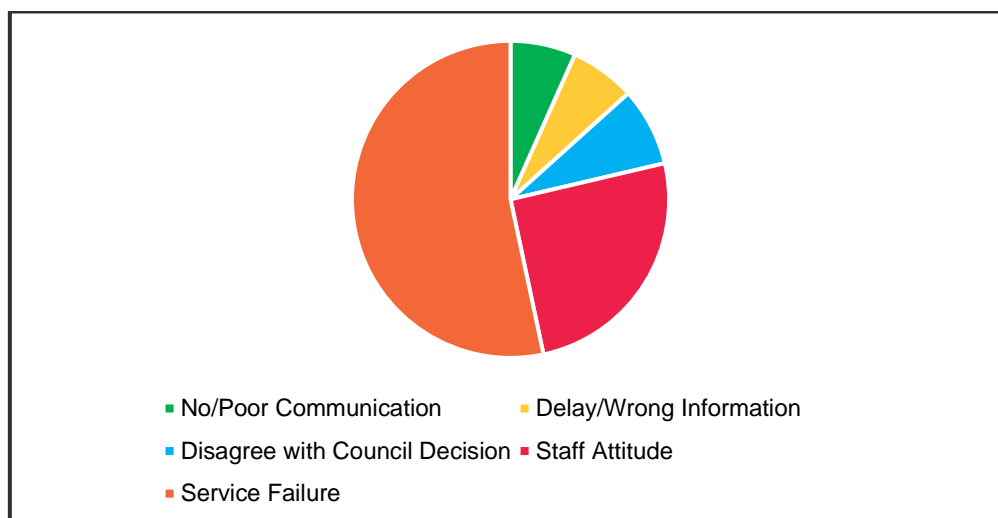


- *Persons wishing to adopt a child;*
- *Any other person whom arrangements for the provision of adoption services extend;*
- *Adopted persons, their parents, natural parents and former guardians; and*
- *Such other person as the local authority consider has sufficient interest in the child or young person's welfare to warrant their representations being made by them*

### 3.3 Category of complaints

There can be multiple reasons for a complaint, which is why the total number of complaints and total number of reasons for complaint will differ. The complaints raised relate to:

- Service failure - This has included quality of service, errors made in assessments or lack of support/services being provided that had been offered;
- No/Poor communication – This included not being kept informed or involved through the process, information not being explained, relevant staff not being available at time of contact, the complainant feeling that they are not being listened too;
- Staff attitude – This included complainants feeling that the Social Worker does not involve them in the decision making process;
- Disagree with council decision – The complainant felt that the process was not effective and they did not agree with the decision making process
- Delay/wrong Information – The complainant believes that their information had been shared inappropriately (also shared with Information Governance as a data breach)



### 3.4 Outcomes from complaint investigations

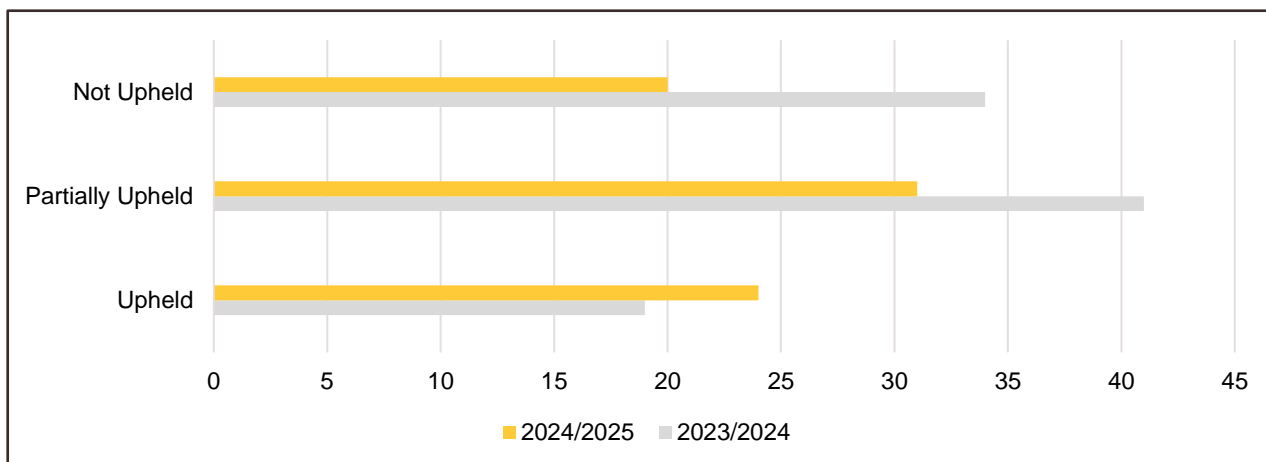
Reporting Period	Upheld	Partially Upheld	Not Upheld
2023/2024	19	41	34
2024/2025	24	31	20
% difference	27.27%	27.78%	51.85%

NB: At the time of writing this report, a number of complaints remained open/outstanding, therefore these figures are not definitive and may alter should data be requested in the future.

This data shows there has been a decrease in complaints found to be fully upheld, with an increase in those found to be partially upheld. Stage 1 of the Statutory Complaints Procedure is classed as 'local resolution' where the Quality Assurance will investigate and respond at Stage 1.

Of the 75 complaints received in 2024/2025, outcomes from Investigation Officers include:

- 24 were upheld;
- 31 were partially upheld;
- 20 were not upheld;



It is the view of the Ombudsman that complaints should be 'upheld' or 'not upheld' and as such, this is the expectation of the Local Authority.

### 3. 5 Timescales for Responding to Stage 1 Statutory Complaints

The statutory timescale for response at the first stage of investigation of a children's complaint is 10 working days, though this can be extended to 20 working days if the complaint is complex or a large investigation would need to be carried out.

- 45 of the 75 complaints were extended to take longer than 10 working days

- 21 of these 45 were responded to within 20 working days

This has been identified as a significant area for improvement. If we aim to respond to complainants and resolve the concerns within 10 working days we are less likely to receive more complaints due to a lack of response. The extension of a further 10 working days should only be used for large / complex / collaborative responses.

- 24 of the 75 complaints were responded to late at the first stage, over the 20 working days. Meaning 32% of complaints were responded too out of statutory timescale, although this is a decrease from the 40% last year and 62% the year before, there continues to be a significant area for development.

- 51 of the 75 complaints were responded to within statutory timescales,

	23/24	%	24/25	%
<b>Within 10</b>	54	52.9%	30	40%
<b>11-20</b>	6	5.8%	21	28%
<b>20+</b>	42	41.2%	24	32%

### 3.6 Stage 2 Statutory Independent Investigations

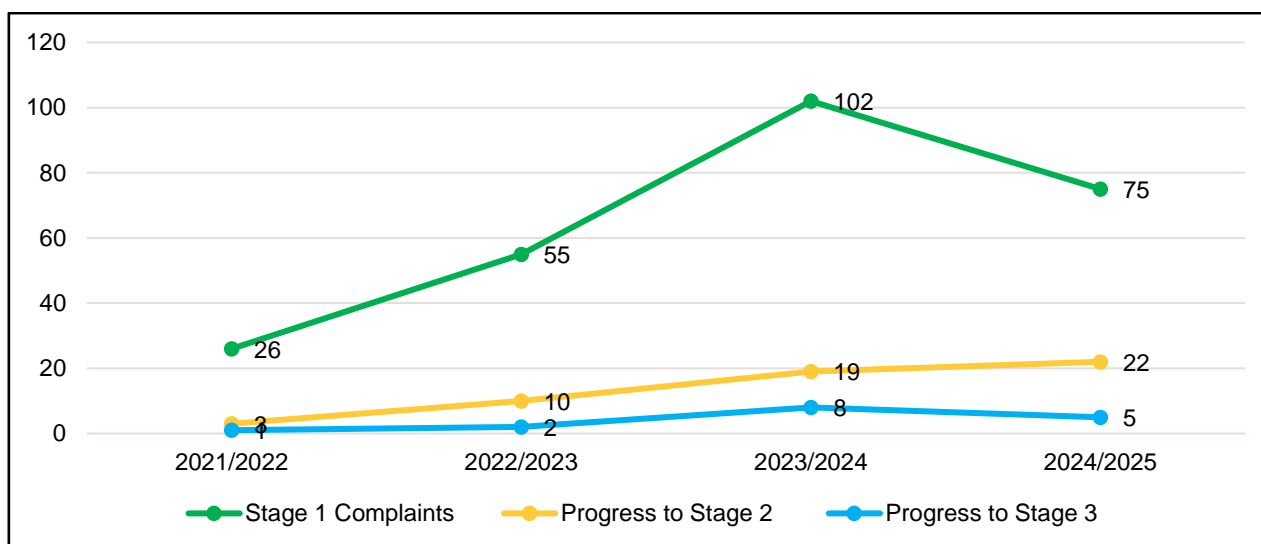
Following the stage 1 internal investigation if a complainant remains dissatisfied they have the right to progress their complaint to stage 2. Reasons for escalating to stage 2 have been;

- Late response at stage 1
- Lack of response at stage 1
- No actions completed following stage 1
- Dispute/disagree with the councils view/decision

The below table shows the number of Stage 2 Investigations commissioned this reporting year whilst also some comparative data of the preceding year with the percentage of stage 1 complaints progressing to the next stage.

Reporting Period	Number of Stage 1 Complaints	Number of Stage 2 Investigations	Percentage of stage 1 progressing to stage 2
2022/2023	55	10	18.18%
2023/2024	102	19	18.63%
<b>2024/2025</b>	<b>75</b>	<b>22</b>	<b>29.33%</b>

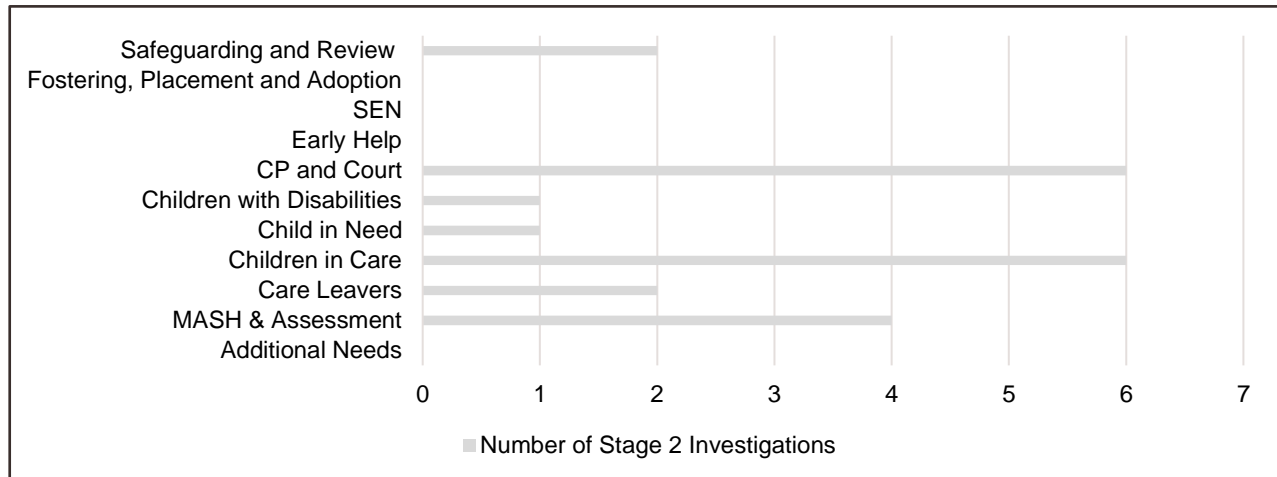
While we are pleased to report a reduction in the number of initial Stage 1 complaints received, we observed a corresponding increase in escalations to Stage 2 of the statutory complaints procedure during the year. Notably, 50% of these escalations, totalling 11 cases, occurred in the fourth quarter. We are actively analysing the reasons behind this trend to identify areas for improvement in our initial complaint resolution processes and prevent future escalations.



This data shows that the percentage of complaints escalating to a Stage 2 Independent Investigation previously remained under 20% however this has increased to nearly 30%. It should be noted that escalation to Stage 2 is a right which the complainant holds and as such if a complainant is firm in that view, we are duty bound to commission officers to undertake this work. We wish to thank the services who are extremely supportive and accommodating when we receive such requests as Senior Managers will often make arrangements to meet with complainants to try and resolve the concerns through a final attempt.

It should not be assumed that a request to escalate to Stage 2 of the Statutory Complaints Procedure is because of a poor response from Stage 1. A complainant may disagree with a Stage

1 response for a variety of reasons and ultimately their view on matters may differ from that of the Local Authority. The Complaints Team continue to work alongside the service areas to ensure a thorough and robust response is provided at Stage 1, which is evidence based and can be used to support the stance of the service should the complaint escalate to a Stage 2.



### 3.7 Recommendations and Learning from Stage 2 Statutory Investigations

The below provides a selection of recommendations which have been accepted by the Council following a Stage 2 Independent Investigation.

<b>Care Leaver / 16+ Service</b>
<p><b>Recommendation</b> The IO has upheld all four complaints raised by X and as such, recommends that full and frank apologies are provided</p> <p><b>Recommendation</b> Regarding the fact that no C&amp;F Assessment was undertaken, the IO recommends that Children's Services work to ensure and assure themselves that a failure of this nature cannot happen in the future</p>
<b>Children in Care</b>
<p><b>Recommendation</b> The Investigator recommended that the Complainant be offered an apology for the failings outlined within this report.</p> <p><b>Recommendation</b> The Investigator would recommend that Children's Social Care review the way in which children's wishes and feelings are considered and ensure that robust management oversight is maintained.</p> <p><b>Recommendation</b> The Investigator would recommend that emails which are relevant to the case management of a child's case are added to the child's case file. The case guidance is clear if there are emails which are pertinent or where there are decisions, they should be uploaded. Emails are sometimes used as a 'conversation' and when this happens it would not be appropriate for all to be on file. The fostering SW can be sent any emails which are not on the file to ascertain which are appropriate</p> <p><b>Recommendation:</b> For SW to reflect on their management of this case and receive any additional training and enhanced supervisory oversight until she is able to demonstrate positive working practice.</p>
<b>CP &amp; Court</b>
<p><b>Recommendation</b> I recommend that this report is shared with the Service Manager and Team Manager for Social Worker to address the issues about their practice that this investigation has uncovered.</p> <p><b>Recommendation</b> I recommend the Council ensures all Children's Services managers are given training on complaints handling and resolution.</p> <p><b>Recommendation</b> I recommend that this report, the Independent Person's report and the Adjudication Report is shared with the staff listed in section 6 for their learning.</p>
<b>MASH &amp; Assessment</b>
<p><b>Recommendation</b> I recommend that a senior manager reviews the case to see where improvements need to be made and put training in place if appropriate. I do not have the remit to direct managers to invoke disciplinary procedures</p>

### 3.8 Stage 3 Complaints

Assuming complainants exhausted the complaints procedure by the time of writing the annual report, the annual report cannot give an accurate reflection of the number of complaints received in 24/25 that escalated to stage 3 as they have not all concluded the stage 2 procedure. At the time of writing, April 2025, 5 complaints received this year escalated to stage 3.

## 3 Compliments

This report seeks to recognise the determination of children and young people to see that Social Care processes improve and develop and outline not just what complaints were made, but what difference they have made in the work of Herefordshire Children's Services and the recognition of individual officers.

### 4.1 Volume of compliments received

External compliments are recorded and reported centrally by the complaints team. This year, Children's Services received 126 compliments about professionals and services.

### 4.2 Who complimented

The majority of our external compliments received came via members of the public, predominantly from families involved with Children's Services. We also received a large number from young people within Children's Services, highlighting the positive working relationships being developed. A smaller proportion of these external compliments were received via professionals, such as schools and fostering agencies.

## 5 Support Services

### 5.1 Hear Me, Children's Rights and Advocacy Service

Development of the Hear Me Advocacy services, pending a successful bid of funds to develop the service:

- Increase in advocacy staff (additional 82 hours to provide additional services and grow our offer)
- Introduction of an administrative post to support the team and manage all administrative functions that are currently managed by the service manager
- Increase in capacity to support children and young people to make complaints and ensure their voice is heard in all aspects of their journey

Hear Me provides a children's rights and advocacy support service. They can help find information needed, or go to meetings, in a supportive role, write letters on a young person's behalf, or speak for them in situations where they don't feel able to speak for themselves. They also help children and young people make complaints against the local authority.

They can help if one or more of the following apply:

- Child in care
- Unaccompanied asylum seeker child
- Homeless and aged 16-17
- Child in need plan and need support making a complaint against the local authority
- Care leaver and under 25 years of age
- Child protection plan
- Receive support from the children with disabilities team

All children and young people making complaints are offered support from a professional advocacy service. Of the 75 complaints received, 14 of these were made by the child or young person, supported by an Advocate.

## **5.2 Onside Advocacy**

Onside is a charity set up in 1993 and currently providing support across Worcestershire and Herefordshire. Onside recognises that for a range of reasons, many people in our local communities face disadvantage and inequality of access, and may encounter barriers to getting the right support, services, information and advice. Onside provide a range of services and support options to help people overcome those barriers and feel more confident and empowered to speak up, make decisions and choices, improve their health and wellbeing and engage with other people and their communities. Herefordshire Council commission Onside to provide advocacy support to Adults wanting to raise a complaint against the Local Authority. Onside provide skilled and trained advocates to offer practical and proactive guidance and support to ensure people facing disadvantage are treated fairly as citizens, have equal rights within all aspects of their lives and have access to the right services.

## **5.3 The Complaints Team**

Growth of the Complaints Team to act as dedicated support for Children's complaints:

- Supporting the organisation to remain compliant and meeting our statutory responsibilities
- Protecting the organisation from reputational and financial damage
- Facilitate LGSCO complaints handling training for Children's Services managers

A review of the website is underway to ensure that it is accessible to all those who have a right to complaint, this includes translated complaints forms, easy read versions of information and up to date contact details.

The Complaints Team will continue to work with Social Care teams to ensure that awareness is raised amongst children and young people regarding making complaints if they feel the need to.

## 6.1 Complaint responses taken to the LGSCO:

The Local Government and Social Care Ombudsman (LGSCO) looks at complaints about councils and some other authorities and organisations, including education admissions appeal panels and adult social care providers (such as care homes and home care providers). The service is free, independent and impartial.

### 2019-2020

9 complainants took their complaints to the LGSCO for review:

- 3 were not upheld
- 3 were closed after initial enquiries
- 1 was deemed as premature
- 2 were upheld and the complainant(s) was awarded £2500 and £300

### 2020-2021

6 complainants took their complaints to the LGSCO for review:

- 1 was not upheld
- 2 were closed after initial enquiries
- 3 were upheld and the complainant(s) was awarded £1000 and £300 and upheld but no injustice

### 2021-2022

13 complainants took their complaints to the LGSCO for review:

- 2 were not upheld
- 7 were closed after initial enquiries
- 1 was deemed as premature
- 2 were upheld and one complainant was awarded £600
- 1 concluded complaint in 2020 was reviewed by the LGSCO in 2021, with an outcome of: Upheld - Maladministration & Injustice, awarding £4,270.00 and £600.00

### 2022-2023

9 complainants took their complaints to the LGSCO for review:

- 1 was not upheld
- 4 were closed after initial enquiries
- 2 were deemed as premature
- 1 was upheld and the complainant was awarded £100
- 1 was upheld with no further action

### 2023-2024

12 complainants took their complaints to the LGSCO for review:

- 5 were deemed as premature
- 3 Upheld: Fault and Injustice
- 1 Not upheld: no injustice
- 1 Upheld: Fault and Injustice, financial redress of £250 plus cost of doorbell
- 1 Upheld: no further action, organisation already remedied.
- 1 Not upheld, no further action

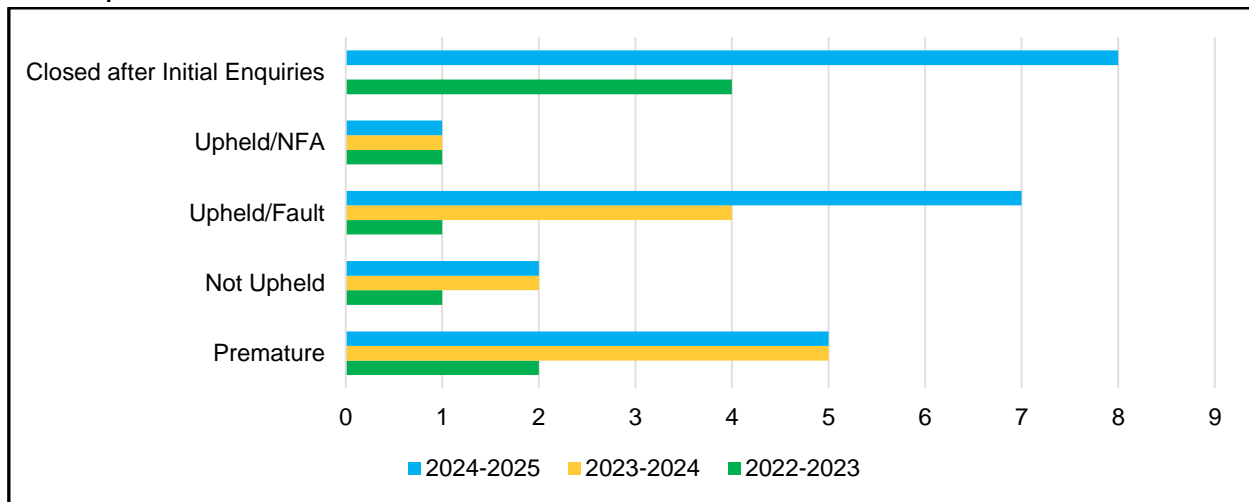
### 2024-2025

23 complainants took their complaints to the LGSCO for review:

- 5 were deemed as premature
- 1 Not upheld: no injustice



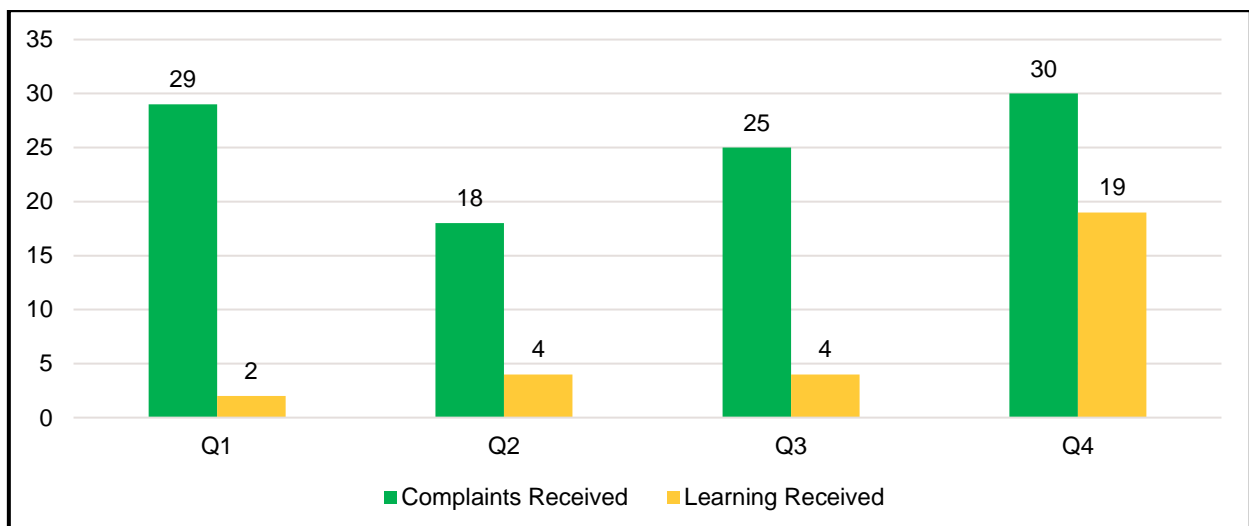
- 0 Upheld: Fault and Injustice
- 7 Upheld: Fault and Injustice, financial redress
- 1 Upheld: no further action, organisation already remedied
- 1 Not upheld, no further action
- 8 Closed after initial enquires



## 6.2 Learning: what difference have complaints made?

Learning from complaints helps social care practitioners in their practice development and wider service improvement, which benefits other children and young people receiving services. When complaints are seen as, constructive, feedback and tools for improvement they can shape the way to making things better for all.

The below chart highlights the number of learning templates completed and returned this year, in comparison to the number of complaints received:



Numbers of lessons learnt forms being completed, remains low. It is the expectation of all officers at Herefordshire Council that a lessons learnt form is completed as part of the complaint investigation.

Some examples of improvements and changes that have been made as a result of the complaints made in 2023-2024 are as follows:

- Communication has been an ongoing issue for Children's Services and is a key area of learning and improvement; this is a part of wider learning across Children's Services currently, embedded into the Quality Improvement Plan.
- There is an increase in the recognition and use of the interpreter services and ensuring this is in place consistently for those where English is not the individuals first language.
- There is wider recognition that information needs to be passed to families in a timelier manner to ensure that they are able to review and process this prior to meetings; in addition communicating information in an effective way that makes sense to the family involved.
- For all staff to utilise the information recording systems held to ensure that all information is logged appropriately and is correct. When Investigating Officers have investigated complaints, it is advised that the complaint reference number is added to the case file of the complainant so that, should it be needed, professionals can request complaint information from the Complaints Team.

In addition to the above, stage 2 Investigating Officers have made the below recommendations to encourage learning throughout the service and to support the continued improvements being made;

- Children's Services to review its contractual arrangements with providers as a matter of urgency.
- That formal written responses should be provided to Complainants at Stage 1 of the Complaints Procedure.
- Children's Services staff are reminded that any complaint received by them should be forwarded to the Complaints Team in order for it to be formally logged and monitored.
- The IO recommends that following on from the review into the matter of children and young people being the subject of S20 Voluntary Care Orders for extended periods of time, the Local Authority reassure itself that all current cases are consistently examined and assessed for appropriateness.
- The IO recommends that the Local Authority reassures itself that oversights of this nature, YP's not participating in a Pathway Plan Review, cannot reoccur.
- The IO recommends that Stage 1 complaint responders are reminded of the benefits of meeting with complainants prior to the production of a Stage 1 response letter. Providing complainants with an early opportunity to discuss their concerns, might assist in the context and understanding of a complaint, which in turn, might allow for a response to thoroughly addresses all aspects.
- In both complaints that have no findings this decision is made due to a lack of evidence. In this case specifically, the IO recommends that case file recording include copies of recording from externally commissioned agencies such as supported housing providers. Ensuring all relevant information pertaining to individual young people is accessible, should simplify data collection.

### 6.3 Financial Implication of Complaints

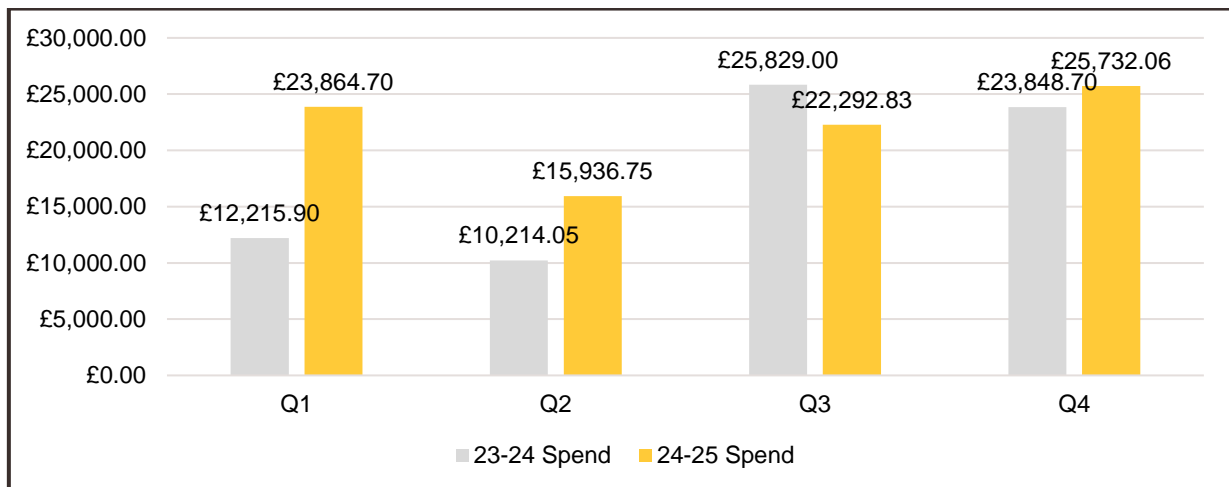
Financial year 22/23, concluded stage 2 and stage 3 complaints cost a total of; **£19,830.20**

Financial year 23/24, concluded stage 2 and stage 3 complaints cost a total of; **£72,107.65**

Financial year 24/25, concluded stage 2 and stage 3 complaints cost a total of; **£87,826.34**

These figures have been taken from invoices submitted following the conclusion of stage 2 investigations and stage 3 panel hearings during the financial year.

The below chart offers a comparison on spent from the previous financial year.



**NB:** this does not include the current complaints that are being investigated at stage 2 and pending stage 3 review panel

## 7. Analysis

### 7.1 Analysis of Complaints and Compliments Report: Corporate Complaints, Children's Services

This report analyses complaints and compliments data related to Children's Services, focusing on trends, key messages, and recommendations for continued improvement. The analysis covers the period from 2019/2020 to 2024/2025, with a specific focus on comparing the last two financial years.

#### Key Observations:

- **Overall Reduction in Corporate Complaints:** A significant decrease in Corporate Stage 1 complaints (-28%) indicates improvement in Children's Services. This reverses a trend of increasing complaints seen over the previous four years (2019-2023).
- **Increase in Statutory Stage 2, Stage 3, and LGSCO Complaints:** While Corporate Stage 1 complaints have decreased, there has been an increase in complaints escalated to Statutory Stage 2 and 3, as well as complaints to the Local Government and Social Care Ombudsman (LGSCO). This could suggest that while initial issues are being addressed more effectively, more complex or unresolved issues are being escalated.
- **Positive Trend in Compliments:** The presence of 126 compliments suggests a positive shift in perception and service delivery.
- **Timeliness Improvement:** A significant reduction in the percentage of complaints responded to outside the 15-day timeframe (from 45% in 2022-23 to 12.5% in 2024-25) demonstrates improved efficiency in complaint handling.

#### Root Cause Analysis of Complaints:

Analysis of complaints over the past five years identifies recurring themes:

- **Inadequate Communication:** Difficulties contacting social workers, lack of introductions, and delays in responses are major concerns. High staff turnover exacerbates this issue, leading to inconsistent case handovers and the feeling of being unheard.
- **Service Failures:** Perceived lack of support or failure to deliver promised services is a frequent complaint. This is often linked to communication issues and misunderstandings regarding expectations.
- **Staff Attitudes:** Unsatisfactory staff attitudes contribute to negative experiences and complaints.

#### Contributing Factors:

- **Staffing Complexities:** High turnover among frontline staff has negatively impacted communication and continuity of care.
- **Lack of Understanding:** Initially, a lack of understanding of how Children's Complaints should be differentiated impacted the handling process.

#### Positive Developments:

- **Improved Staffing:** Achieving 100% permanent managers and 70% permanent social workers is a significant step forward.
- **Perception of the Complaints Procedure:** Families acknowledge that the complaints procedure provides a platform to be heard.
- **Progress Recognition:** Families have noticed considerable progress made within Children's Services in recent years.
- **Emphasis on Timely Resolution:** Leadership has emphasized the importance of timely and effective complaint resolution at the local level.
- **Proactive Collaboration:** The Complaints Team proactively collaborates with Investigating Officers to manage workloads and provide realistic response timelines.
- **Operational Manager Oversight:** The new process includes operational manager oversight, ensuring promptness and thoroughness in complaint responses.

#### Recommendations:

Based on the analysis, the following recommendations are proposed:

1. **Sustain and Enhance Communication Strategies:**
  - Implement mandatory introduction protocols for new social workers assigned to cases.
  - Establish clear communication channels and response timeframes, ensuring they are communicated effectively to families.

- Utilise technology to improve communication, such as secure messaging platforms or dedicated phone lines.
- 2. **Address Service Delivery Gaps:**
  - Conduct thorough assessments to identify and address service delivery gaps.
  - Develop clear service agreements outlining expectations and responsibilities for both service providers and families.
  - Regularly review and update service plans to ensure they meet evolving needs.
- 3. **Enhance Staff Training and Development:**
  - Provide comprehensive training on effective communication, conflict resolution, and empathy.
  - Offer ongoing professional development opportunities to improve staff skills and knowledge.
  - Implement mentorship programs to support new staff and promote knowledge transfer.
- 4. **Improve Case Handovers:**
  - Establish standardized protocols for case handovers to ensure seamless transitions.
  - Involve young people and families in the handover process to ensure their voices are heard.
  - Provide comprehensive documentation and information sharing to maintain continuity of care.
- 5. **Address Escalated Complaints:**
  - Analyse the reasons for the increase in Statutory Stage 2 and 3 complaints and LGSCO complaints.
  - Implement strategies to address the root causes of these escalated complaints and prevent future occurrences.
- 6. **Acknowledge and Celebrate Successes:**
  - Recognize and reward staff for positive contributions and improved outcomes.
  - Share success stories and positive feedback to promote a culture of continuous improvement.
- 7. **Utilise Compliments for Learning:**
  - Analyse compliments to identify areas of strength and best practices.
  - Share these best practices across the organisation to improve overall service delivery.
- 8. **Continuous Monitoring and Evaluation:**
  - Regularly monitor complaint and compliment data to identify trends and patterns.
  - Evaluate the effectiveness of implemented strategies and make adjustments as needed.
  - Seek feedback from families and stakeholders to inform ongoing improvement efforts.

### Conclusion:

The decrease in corporate complaints and the improved timeliness of responses are encouraging signs of progress within Children's Services. However, the increase in escalated complaints highlights the need for continued focus on addressing root causes and improving communication, service delivery, and staff training. By implementing the recommendations outlined in this report, Children's Services can build upon its successes and further enhance the quality of care provided to children and families. The rise in compliments is a testament to the hard work of the staff, and acknowledging these positive outcomes alongside the complaints will foster a culture of continuous improvement.

## 7.2 Analysis of Statutory Children's Complaints and Representations Report (2024/2025)

This report analyses complaints made under the Children's Complaints and Representations Policy, highlighting key trends, areas of improvement, and recommendations for Children's Services. The analysis considers data from the past several years to provide context and identify significant shifts.

### Key Messages:

- **Overall Decrease in Complaints:** There has been a 22.5% decrease in complaints received compared to the previous year (2023/2024), with 75 complaints recorded in 2024/2025 (4 withdrawn) compared to 102 in 2023/2024. This suggests a possible improvement in service delivery and/or increased user satisfaction.
- **Positive Impact of the Complaints Policy:** The increase in complaints processed since 2022/2023 can be seen as a positive sign, indicating greater awareness and accessibility of the complaint procedure. This has empowered families, children, and young people to voice their concerns.
- **Effective Local Resolution:** A significant 70% of complaints were resolved at Stage 1, demonstrating the effectiveness of local resolution efforts. This is a slight decrease from the previous year's 77.45% but remains a considerable improvement compared to 2022/2023 where only 52% were resolved at Stage 1.
- **Complaint Origins:** Most complaints originate from family members of children both currently and previously receiving support from Children's Services, with a significant number also received directly from children and young people, often supported by an advocate.
- **Common Complaint Themes:** Recurring reasons for complaints include:
  - Service failure (quality, errors, lack of promised support).
  - No/Poor communication (lack of information, unavailability of staff, feeling unheard).
  - Staff attitude (lack of involvement in decision-making).
  - Disagreement with council decision.
  - Delay/wrong Information (inappropriate information sharing).
- **Shift in Complaint Outcomes:** There's a notable shift in the outcomes of investigations. While the number of fully upheld complaints has decreased, the number of partially upheld complaints has increased.
- **Timeliness Issues:** A substantial number of complaints (45 out of 75) required an extension beyond the initial 10-day response timeframe. Of these, 24 were responded to late at the first stage, exceeding the extended 20-day statutory timescale. This indicates a continued challenge with responding to complaints within the required timeframe, despite improvements from previous years.
- **Escalation to Stage 2:** The most common reasons for complainants escalating to Stage 2 are: Late response at stage 1, lack of response at stage 1, No actions completed following stage 1 and disagreement with the councils view/decision
- **Increase in Stage 2 Progression:** There has been an increase in the percentage of complaints progressing from Stage 1 to Stage 2, rising from 18.63% in 2023/2024 to 29.33% in 2024/2025.

### Recommendations:

1. **Address Timeliness of Responses:**
  - Implement strategies to ensure adherence to the statutory response times for Stage 1 complaints.
  - Review and streamline internal processes to expedite investigations.
  - Provide additional training to staff on complaint handling procedures and the importance of timely communication.
  - Explore opportunities to improve communication with complainants during the investigation process, particularly when extensions are necessary.

**2. Focus on Communication:**

- Develop clear communication protocols to ensure families and children are kept informed and involved in decision-making processes.
- Emphasize the importance of active listening and empathy in staff training.
- Provide training on clear and accessible communication techniques.

**3. Improve Service Delivery:**

- Conduct a thorough review of service delivery processes to identify and address recurring issues leading to complaints.
- Implement quality assurance measures to prevent errors in assessments and ensure consistent service provision.
- Strengthen internal communication and collaboration to ensure a coordinated approach to service delivery.

**4. Reduce Escalation to Stage 2:**

- Prioritize thorough and comprehensive responses at Stage 1 to address complainant concerns effectively.
- Ensure that all actions promised at Stage 1 are completed promptly and communicated to the complainant.
- Explore alternative dispute resolution methods to resolve disagreements and prevent escalation.

**5. Analyse partially upheld complaints:**

- A review should be carried out of all partially upheld complaints to ascertain what themes are emerging to see if changes to policy / practice can be implemented to improve

**6. Data Analysis and Reporting:**

- Continue to monitor complaint data closely to identify trends and emerging issues.
- Regularly review and update the Children's Complaints and Representations Policy to ensure it remains effective and accessible.
- Share learning from complaints with staff to promote continuous improvement and prevent future occurrences.

By addressing these recommendations, Children's Services can further enhance its complaint handling process, improve service delivery, and build stronger relationships with the families and children it serves.