



**Derbyshire County Council**  
**Children's Services Department**  
**Compliments, Complaints and Representations**  
**Annual Report**  
**April 2017 to March 2018**

## **Introduction**

This report provides information about compliments, complaints and representations received during the 12 months from 1st April 2017 to 31st March 2018.

Complaints to the Department fall within two broad categories:

- Those relating to Children's Social Care which are dealt with under the Statutory Complaints procedures and;
- Those relating to wider Children's Services which are dealt with under the Council's Corporate Complaints procedures.

For more detailed information regarding how a complaint and representation is defined and the general procedure that the County Council follows in order to resolve complaints, please refer to **Appendix 1**.

All complaints and representations for Children's Services are registered and monitored by the Complaints Team within the Children's Services Quality Assurance Team. Complaints and representations are a mechanism to identify dissatisfaction and resolve issues if things go wrong or fall below expectation. Monitoring customer feedback provides us with information about the types of complaints and compliments that are received by the department and gives us valuable insight into where we could improve our service provision or delivery.

## **Context**

The majority of feedback received by Children's Services relates to the quality and effectiveness of direct support provided by workers to children and young people and their families. To provide some context to the number of compliments and complaints received in 2017-18:

- Between 1st April 2017 and 31st March 2018, a total of 24,095 initial contacts were received by Safeguarding and Specialist Services. Compared to the previous year, this was a decrease of 7.4% (1654 contacts).
- This resulted in a total of 7,368 referrals, a decrease of 1,277 (14.8%) from the previous year.
- During this period a total of 8,513 single assessments were completed which was a 6% increase when compared to the previous year.
- 719 Children in Care were looked after at 31st March 2018 (14% increase compared to the previous year).
- 1010 child protection plans were started during the year (2% decrease compared to previous year).
- There was a total of 5428 children in need (including those on a child protection plan and children in care) as at 31st March 2018. This is a 5% increase compared with information recorded as of 31st March 2017.
- Pupil numbers remain at approximately 112,000 (to the nearest 1000 as shown in Statistical First Release (SFR)).
- 16,200 three and four year olds benefitted from some free early education funding which was a reduction compared to 16,820 in the previous year). In

addition, 1,700 two year olds have benefitted from some funded early education.

### **Complaints and Representations**

All complaints and representations relating to Children's Services must be made known to the Complaints Team who are responsible for registering them. The Team will then monitor the progress of the complaint or representation, ensuring that a written response is provided to the child/young person or the person representing them and that the response is of good quality and addresses all areas of the complaint.

Children and young people are made aware of their right to complain about, comment on or compliment the service they receive. This can be written information such as a complaint leaflet, email or letter and/or verbally by their key worker or advocate.

Young people who complain on their own behalf should be offered the service of an advocate to support them during the period the complaint is being made and responded to.

Children's Services Department received a total of 409 complaints and representations during the 12 months ending 31st March 2018. This includes an overall increase in the number of complaints from 189 to 292 (54%) and an increase in the number of representations from 94 to 117 (24%).

Comparative analysis of complaints and representations received during the last four years is presented below:

<b>Communication Type</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-2018</b>	<b>% change on previous year</b>
Complaints	201	170	189	292	54%
Representations	80	113	94	117	24%

Of the 292 complaints received during 2017-18:

- 218 (74%) related to services provided by our Early Help and Safeguarding teams.
- 72 (25%) related to services provided by our Schools and Learning Services.
- 2 (1%) related to services provided by our Quality, Performance and Partnership teams.

The breakdown is very similar to the pattern of complaints received in 2016-17.

The following table breaks down the number of complaints by service areas/teams:

Directorate	Service Area / Team	Number of complaints received	% of total complaints received
Early Help & Safeguarding	Multi Agency Teams (MAT)	15	5%
	Social Work & Family Support	163	56%
	Disabled Children Team (DCT)	12	4%
	Services for Teenagers	1	0%
	Fostering/Adoption	17	6%
	Starting Point	10	3%
	<b>Total</b>	<b>218</b>	<b>74%</b>
Schools & Learning	Outdoor Residential Education	2	1%
	Elective Home Education	4	2%
	Integration Pathways Team	1	0%
	Schools	4	2%
	Special Educational Needs & Disability (SEND) Services	49	17%
	Virtual School	1	0%
	School Admissions & Transport	7	3%
	Development	1	0%
	Inclusion	1	0%
	Education Welfare	1	0%
	Education Improvement	1	0%
	<b>Total</b>	<b>72</b>	<b>25%</b>
Quality, Performance & Partnership	Quality Assurance	2	1%
	<b>Total</b>	<b>2</b>	<b>1%</b>

\* NB: Small percentages subject to rounding

Overall the number of complaints has increased in both Early Help and Safeguarding which has increased by 55% (78) and Schools & Learning by 47% (23). There have been some notable changes in the pattern of complaints as follows:

- The pattern for statutory complaints has remained broadly similar to 2016/17 with notable increases across all service areas.
- The pattern for corporate complaints has changed with a 58% decrease in the number of complaints relating to school admissions and transport from 17 in 2016/17 to 7 in 2017/18 and a 188% increase in complaints relating to SEND from 17 in 2016/17 to 49 in 2017/18.

Of the 117 representations received during 2017-18:

- 68 (58%) related to services provided by our Schools & Learning Services.
- 48 (41%) related to services provided by our Early Help and Safeguarding teams.
- 1 (1%) related to Quality, Performance and Partnerships.

The breakdown is very similar to the pattern in 2016-17.

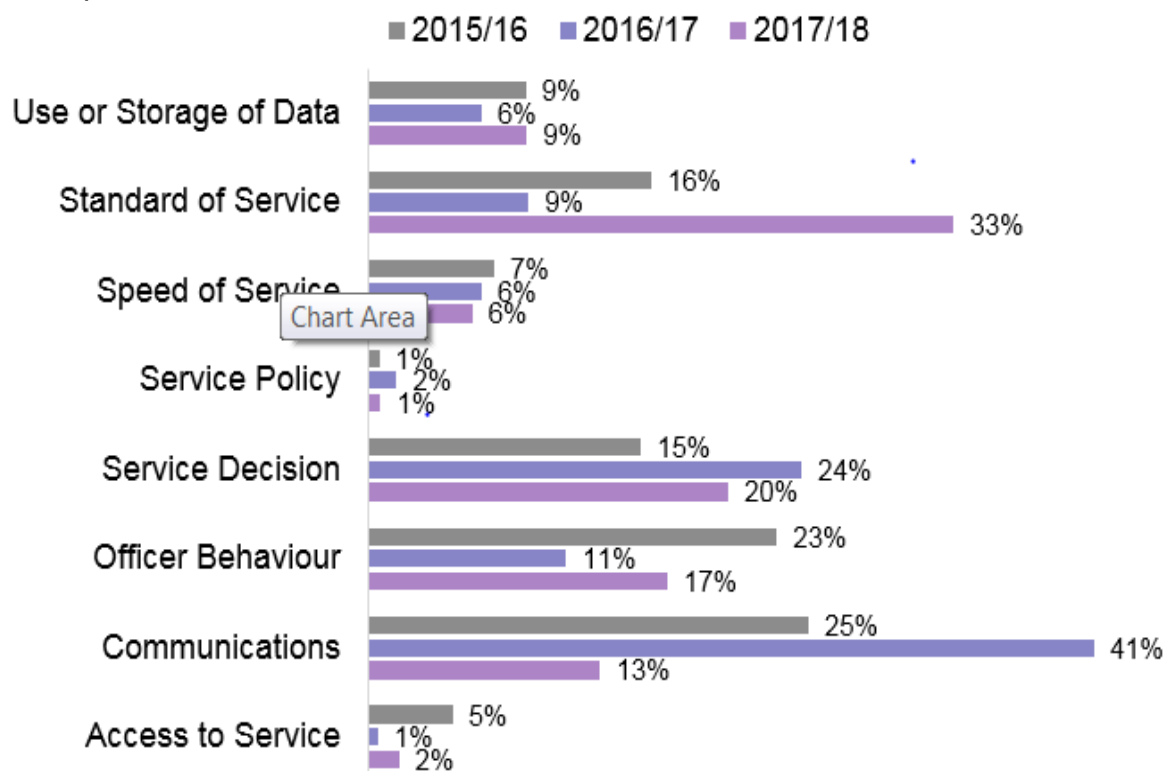
The following table breaks down the number of representations by service areas/teams:

Directorate	Service Area / Team	Number of complaints received	% of total complaints received
Early Help & Safeguarding	Disabled Children Team (DCT)	6	5%
	Fostering/Adoption	2	2%
	Inclusion	1	1%
	Multi Agency Teams (MAT)	1	1%
	Social Work & Family Support	38	32%
	<b>Total</b>	<b>48</b>	<b>41%</b>
Schools & Learning	Education Improvement	2	2%
	Education Welfare	1	1%
	Elective Home Education	1	1%
	Inclusion	2	2%
	School Admissions & Transport Team	12	10%
	Schools	10	9%
	Special Educational Needs & Disability (SEND) Services	40	34%
	<b>Total</b>	<b>68</b>	<b>58%</b>
Quality, Performance & Partnerships	Business Support	1	1%
	<b>Total</b>	<b>1</b>	<b>1%</b>

\* NB: Small percentages subject to rounding

## Focus of Complaints

The following chart provides a year on year breakdown and comparison of the areas of complaint:



\* NB: Small percentages subject to rounding

The highest number of complaints received related to the standard of service, accounting for 33% (96) of the 292 complaints received. Of those 96 complaints 71 (74%) related to statutory complaints and 25 (26%) related to corporate complaints. This was an increase of 24 percentage points when compared to the previous 12 months (9%). Complainants cited a lack of support by social workers as their main area of dissatisfaction. A number of complainants also referred to issues relating to the Education, Health and Care Plans (EHCP) process including both timeliness and quality.

The second highest number of complaints received related to service decisions. This accounted for 20% (59) of the 292 complaints received. Of those 59 complaints 40 (68%) related to statutory complaints and 19 (32%) related to corporate complaints. There was a slight reduction of complaints made on this basis (4 percentage points) compared to the previous year at 24%. More specific reasons cited for complaints were disputes with social workers with regard to decisions relating to statutory child protection interventions and school related matters such as school admissions.

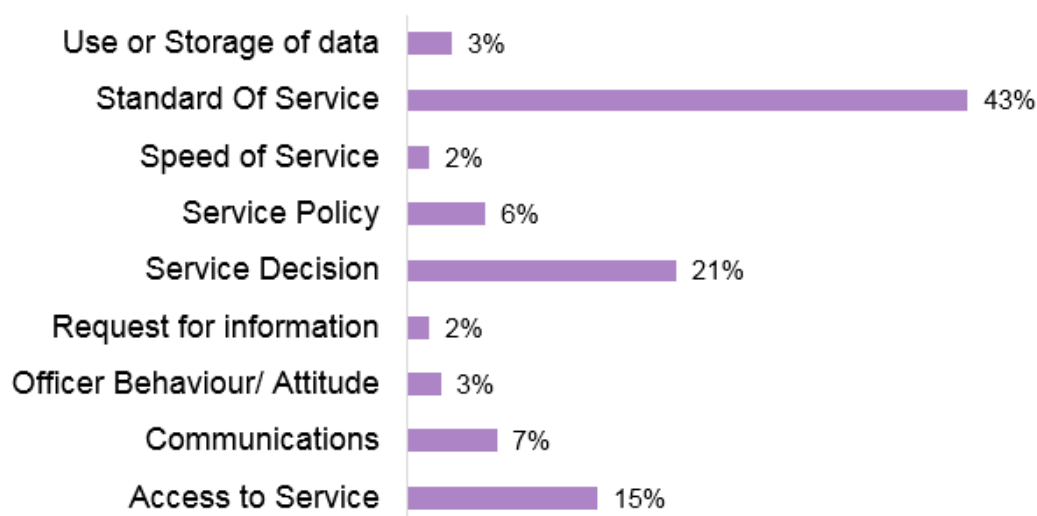
The third highest number of complaints related to the behaviour and attitude of staff. This accounted for 17% (49) of the 292 complaints received. Of those 49 complaints 40 (82%) related to statutory complaints and 9 (18%) related to corporate complaints. This is a slight increase of 6 percentage points compared to the previous 12 months (11%). Conduct of social workers was one of the main areas of dissatisfaction referred to.

There has been a significant reduction of 28% in the overall number of complaints citing communication issues as the primary reason with 41% of the complaints received in 2016/17 compared to 13% received in 2017/18.

### Focus of Representations

The following chart provides a breakdown of the areas of representation:

The highest number of representations also related to the standard of services (43%) and service decisions (21%). School related matters and issues relating to Education, Health and Care Plans (EHCP) account for the majority of representations made throughout the year.

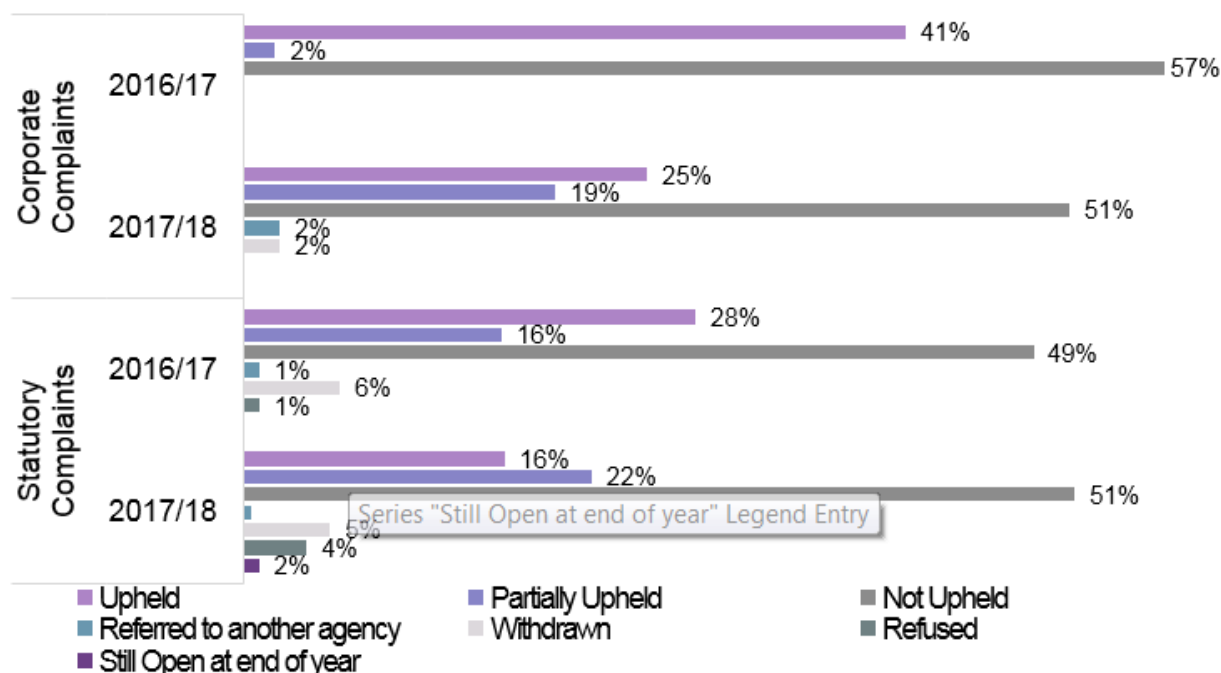


\* NB: Small percentages subject to rounding

### Complaint Outcomes

19% of complaints were upheld, a decrease of 12 percentage points in comparison to the previous year at 31%, although the proportion of complaints that were partially upheld has increased by 9 percentage points in comparison to the previous 12 months at 12%. The proportion of complaints that were not upheld is the same as the previous year at 51%.

The below chart shows the outcomes recorded against complaints:



\* NB: Small percentages subject to rounding

### Statutory Complaint Outcomes

The table below provides an analysis of statutory complaint outcomes by service areas:

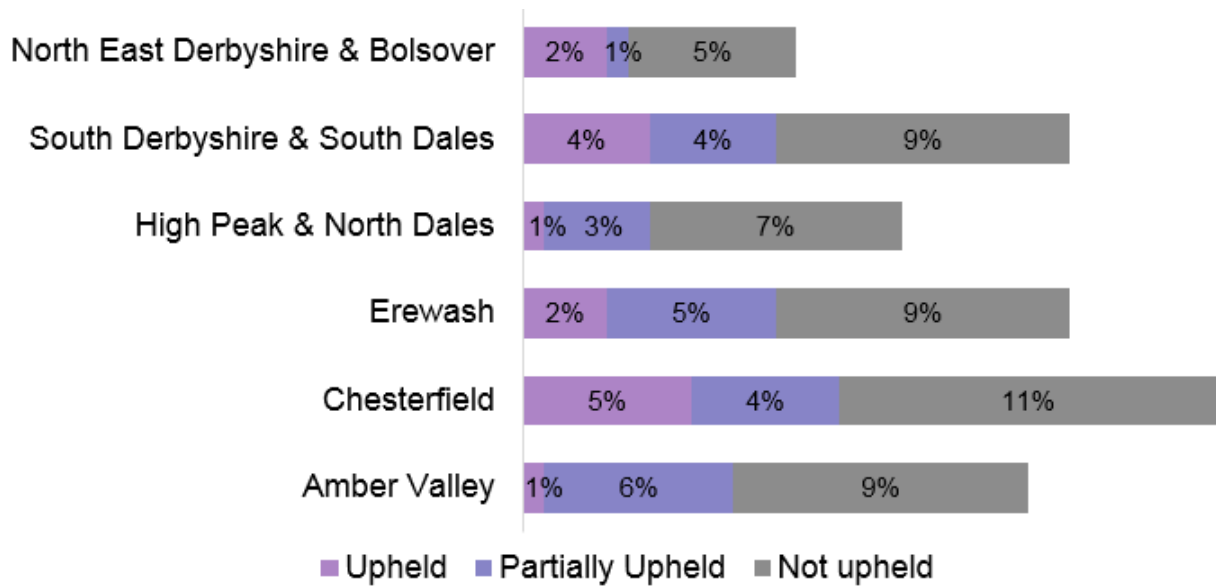
	DCT	Fostering & Adoption	Social Work & Family Support	Starting Point	Total
Upheld	1%	2%	13%	0%	16%
Partially Upheld	2%	2%	18%	0%	22%
Not upheld	2%	4%	41%	4%	51%
Withdrawn	0%	0%	5%	0%	5%
Refused	0%	0%	4%	0%	4%
Still Open	0%	1%	1%	0%	2%
<b>Total</b>	<b>5%</b>	<b>9%</b>	<b>82%</b>	<b>4%</b>	<b>100%</b>

\* NB: Small percentages subject to rounding

51% of statutory complaints were not upheld, 22% were partially upheld and 16% were upheld. As 80% of statutory complaints were recorded against Social Work and Family Support this area accounted for the highest proportion of all categories of complaint outcomes.

The chart below breaks down the outcomes of complaints relating to Social Work and Family Support by localities:

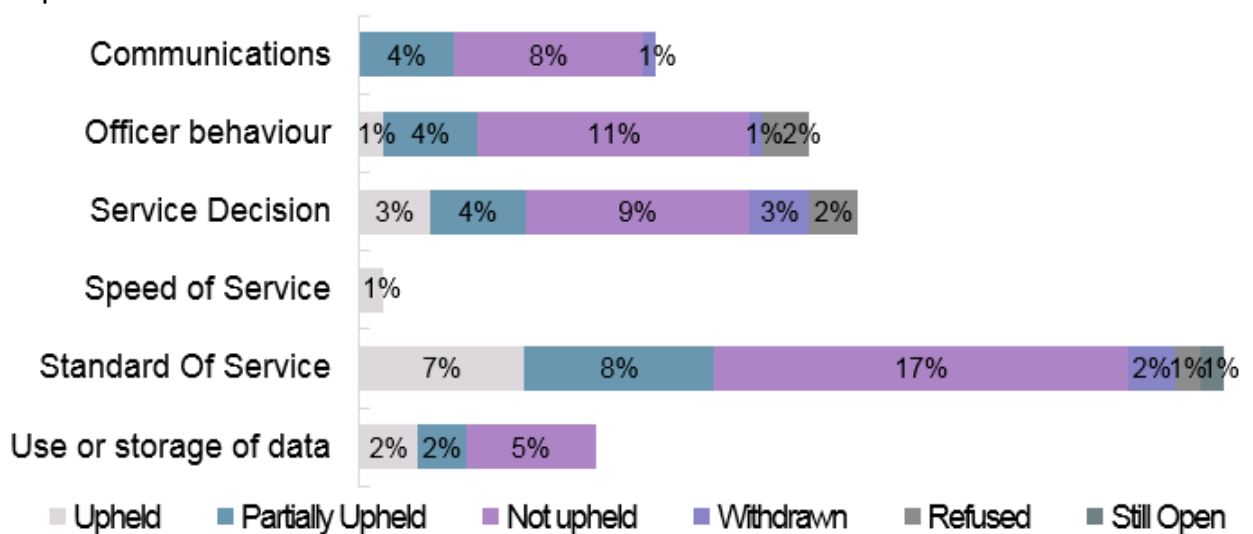




\* NB: Small percentages subject to rounding

The highest proportion of upheld statutory complaints relate to Chesterfield (5%). Amber Valley accounted for the highest proportion of partially upheld complaints at 6%. Chesterfield also had the highest proportion of complaints that were not upheld at 11%.

The below chart provides a breakdown of statutory complaint outcomes by focus of complaint:



\* NB: Small percentages subject to rounding

36% of statutory complaints related to service standards, 17% of these were not upheld, 8% were partially upheld and 7% were upheld.

### Outcomes of Corporate Complaints

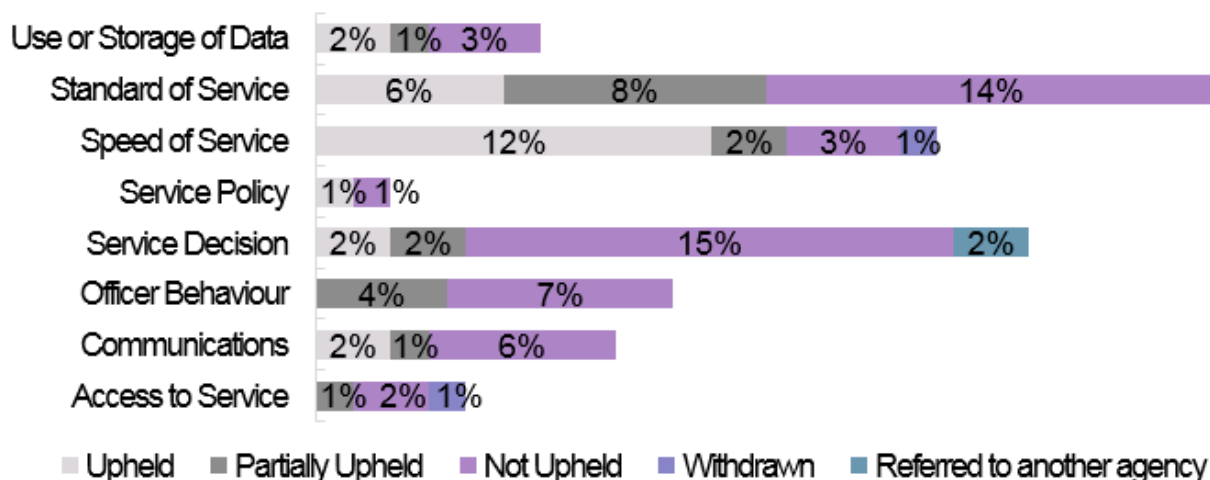
The table below provides an analysis of corporate complaints outcomes by service areas:

	Not Upheld	Withdrawn	Partially Upheld	Referred to another agency	Upheld	Total
DCT	1% (1)	0%	0%	0%	0%	1% (1)
Development	0%	0%	0%	1% (1)	0%	1% (1)
Education Improvement	1% (1)	0%	0%	0%	0%	1% (1)
Education Welfare	1% (1)	0%	0%	0%	0%	1% (1)
Elective Home Education	2% (3)	0%	0%	0%	0%	2% (3)
Inclusion	1% (1)	0%	0%	0%	0%	1% (1)
MAT	12% (10)	0%	2% (2)	1% (1)	3% (2)	18% (15)
Outdoor Residential Education	1% (1)	0%	1% (1)	0%	0%	2% (2)
Quality Assurance	0%	0%	0%	0%	2% (2)	2% (2)
School Admissions & Transport	7% (6)	0%	1% (1)	0%	0%	8% (7)
Schools	5% (4)	0%	0%	0%	0%	5% (4)
SEND	18% (16)	2% (2)	13% (12)	0%	20% (18)	53% (49)
Services for Teenagers	0%	0%	1% (1)	0%	0%	1% (1)
Social Work & Family Support	1% (1)	0%	1% (1)	0%	0%	2% (2)
Virtual School	1% (1)	0%	0%	0%	0%	1% (1)
<b>Total</b>	<b>51% (44)</b>	<b>2% (2)</b>	<b>19% (18%)</b>	<b>2% (2)</b>	<b>25% (22)</b>	<b>100% (91)</b>

\* NB: Small percentages subject to rounding

SEND Services accounted for the majority of corporate complaints (53%), 20% of which were upheld, 13% were partially upheld and 20% were not upheld or withdrawn. All complaints relating to SEND related to timeliness and quality of EHCP.

The below chart provides a breakdown of corporate complaint outcomes by focus of complaint:



\* NB: Small percentages subject to rounding

The highest proportion of upheld and partially upheld corporate complaints related to service standards and speed of services both at 14%.

The Local Authority continues to recognise that whilst it may not uphold some complaints received, it can and should acknowledge the feelings of service users. Wherever possible the Local Authority encourages complainants to meet with service staff to resolve issues locally. Where necessary the Council provides advocacy services to those children and young people who would like to make their complaint themselves. Operational teams are also supported by the Children's Services Quality Assurance Team to resolve disputes and provide objective management oversight of complaints being considered through the relevant complaints procedure.

### **Acknowledgements of Complaints and Representations**

The statutory timescale for the acknowledgement of complaints is five days but locally this has been set at two working days.

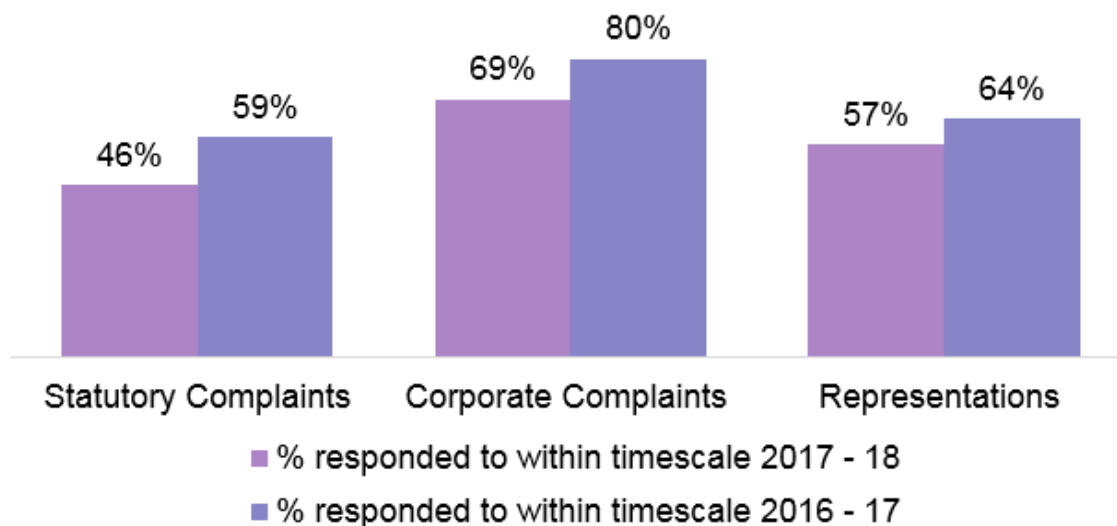
In 2017-18, 84% of all complaints were acknowledged within the departmental timescale of two working days from receipt, showing an increase of 11 percentage points compared to the previous year of 73%. 93% of statutory complaints were acknowledged within the statutory timescale of 5 working days from receipt, showing an increase of 4 percentage points compared to the previous year of 89%. 93% of representations were acknowledged within the two working day timescale.

### **Response Times**

Our departmental standard is to respond to complaints and representations within 20 working days of receipt. This reflects the complex nature of the complaints the department receives and the operational context within which the responses are made.

During 2017-18, 53% of complaints were responded to within 20 working days. This is a decrease of 12 percentage points compared to the previous year of 65%. 57% of representations were responded to within timescale. This is a decrease of 7 percentage points compared to the previous year at 64%. This may be a consequence of the significant increase in the number of complaints and representations in 2017-18. Responding to complaints and representations within timescale remains a priority for improvement during 2018-19.

The following chart shows the percentage of complaints and representations that were responded to within timescale.



### Stage 2 Complaints

If the complainant is dissatisfied with the outcome of their complaint at Stage 1 they may request an independent investigation of their complaint. All requests to go to Stage 2 of the complaints process are considered by the Head of Quality, Performance and Participation.

During 2017-18 the department received 4 requests for complaints to be escalated to Stage 2 of the corporate or statutory complaints procedure. All but one of these investigations were completed within the agreed timescale.

### Stage 3 Complaints

There were no stage 3 complaints during 2017-18.

### Complaints about Services Commissioned by the Local Authority

All services commissioned by the Local Authority are required to have their own complaints procedure within the terms of their contract with DCC. Ofsted regulate many of these services and set out how they manage complaints regarding these services on their website. All services provided under Ofsted regulation must have an internal complaints procedure, however, where complainants remain dissatisfied with the response provided by the commissioned service, they may use the Authority's complaints procedures.

When Derbyshire County Council investigates complaints about commissioned services it will routinely inform Ofsted of their investigation and outcomes where the service is regulated.

## **Local Government Ombudsman Complaints**

Complainants who approach the Local Government Ombudsman (LGO) are asked to raise their complaint with the Council before the LGO will consider it. Following our investigation into the matter; if the complainant is still not satisfied with our response, the Ombudsman will scrutinise the process used for handling the complaint and provide a response on their findings.

30 complaints were considered by the LGO during the year 2017-18. This represents a significant increase when compared to the 10 considered during the previous year.

The following is a breakdown of complaints by service area and outcome:

	Received	Investigated	Outcome
SEND	9	2	1 no fault found 1 fault found for delays in response to complaint
School Transport	4	2	2 no fault found
School Admissions & Exclusions	3	3	3 no fault found
Elective Home Education	1	1	1 fault found for delays in response to complaint.
Social Care	13	2	1 no fault found 1 fault found but Council already remedied

Further information regarding the Local Government Ombudsman is available on the following link [www.lgo.org.uk](http://www.lgo.org.uk)

## **Compliments**

It is pleasing to see that a number of compliments have still been received over the last 12 months despite the continued resource pressures being faced by Children's Services.

During the 12 months ending 31st March 2018, the department received 85 compliments, a decrease of 24 in comparison to the previous year.

Of the 85 compliments received:

- 55 (65%) related to services provided by our Early Help and Safeguarding teams.
- 27 (32%) related to services providing by our Schools & Learning Services.
- 3 (4%) related to services provided by our Quality, Performance & Partnerships Teams.

The following table provides a breakdown of compliments received by service area:

Directorate	Service Area / Team	Number of Compliments received	% of total compliments received *
Early Help & Safeguarding	Children in Care Provision	5	6%
	DCT	6	7%
	Fostering & Adoption	11	13%
	MAT	24	28%
	Social Work & Family Support	8	9%
	Starting Point	1	1%
	<b>Total</b>	<b>55</b>	<b>65%</b>
Schools & Learning	Educational Psychology Service	2	2%
	Elective Home Education	6	7%
	School Improvement	1	1%
	SEND	18	21%
	<b>Total</b>	<b>27</b>	<b>32%</b>
Quality, Performance & Partnerships	Child Protection Service	1	1%
	Information & IT	1	1%
	QA	1	1%
	<b>Total</b>	<b>3</b>	<b>4%</b>

\* NB: Small percentages subject to rounding

The following section provides some examples of the compliments received praising the quality of support offered within the last 12 months:

"Thank you for everything you do for me - I know I was hard work at one point- you're an amazing Social Worker"  
To my Social Worker

"Your professionalism, understanding and input definitely contributed to achieving a positive outcome for X and I, for that I'm truly grateful"  
To SEND Services

"Student's mental health improved a lot and is now finishing year 11"  
To Elective Home Education

"They are an amazing team and I do hope that they get the recognition they deserve"  
To Fostering and Adoption Services

## **Learning and Improving**

Children's Services understands the value of compliments and complaints in helping to learn from the experiences of children, young people and their families. The comments below highlight some of the learning that has been taken from complaints and what steps we have taken to improve the quality of our services:

- Where necessary we have reminded staff of the importance of good communication including receiving and returning telephone calls, emails and other forms of contact in a timely way.
- We are taking steps to improve our response times for complaints whilst recognising that it is important that the relevant service is given opportunity to resolve issues at a local level before the need for a stage 2 complaint occurs.
- Where necessary we have reminded staff of the importance of communicating with all parents who hold parental responsibility and establish any positive actions they can take to support and care for their child.
- Privacy is important to us and when things go wrong we investigate and take action quickly. As a direct result of complaints, our Call Derbyshire staff have been given clear guidance on asking specific questions regarding anonymity when the referrer is either a family member or a member of the public. We have also reminded them how this should be recorded, to provide referrers with assurance that their information is not inappropriately disclosed.
- Families tell us that continuity of worker is important, and when they leave, we aren't very good at telling people and this means they don't know who to talk to. We acknowledge that a change in worker can be unsettling and we will be looking at how we can improve the communication around this issue going forward.
- Where necessary we have reminded operational staff of the importance of being clear with parents/carers about the assessment process including what will be shared with who, when and how. We should clearly communicate what is to be shared in a timely way and provide an explanation for the reasons for doing so.
- We are taking further steps to improve our systems to track, monitor and report on the progress of complaints during the year.
- Together with other Local Authorities across the region, we are exploring the reasons behind the significant rise in complaints about SEND Services, and how we can better manage and respond to parental expectations.
- The focus of complaint handling should be about finding resolutions swiftly and effectively rather than the necessity to proceed through a complaint procedure which can be daunting, particularly for children and young people. Our intention is to work with children and young people to raise awareness and look at new ways for them to access the complaints process easily and safely, in the knowledge that they will be listened to.
- We acknowledge that it is essential that parents and carers also have access to good quality information in relation to making a complaint on behalf of a child and it is our intention to review our policies and procedures and public facing information relating to complaints to ensure they remain fit for purpose.

## **Conclusion**

It is the case that many Local Authorities are seeing an increase in the volume and complexity of complaints, at a time of increased demands on services and resources. This adds to the challenge for all concerned in complaint handling to seek resolutions or provide satisfactory replies to complaints, allowing the person to feel they have been listened to and for steps to be carried out to prevent errors recurring.

This reporting year shows an increase in complaints and representations received, with complaints rising from 189 in 2016-17 to 292 in 2017-18. There is no straightforward explanation for this increase, it will be caused by a number of factors including rising demand and high expectations of public services. Although we do not welcome an increase in complaints, this does demonstrate that there is public awareness of the complaints procedures, accessibility and that individuals can be assured that any concern will be given full consideration and carried through the appropriate procedure wherever possible.

Representations have also seen an increase from 94 in 2016-17 to 117 in 2017-18. This provides an important route for local people to raise their concerns with Elected Members, who in turn will actively make enquiries and seek relevant information on behalf of their constituents on which to make a response.

Our ambition moving forward is to further improve and develop the process and practice of complaint handling, and our arrangements to share the learning from complaints, so that we can offer children and families even higher quality services and support in the future.



## Appendix 1- Details of the Complaints Process

A complaint is an expression of dissatisfaction or disquiet by a service user or their representative which requires a response in writing. This can be made by the complainant directly or from a representative such as an MP, friend or advocate. Those received from a representative are classed as a representation; these include requests for information and/or clarification on matters relevant to the person they are representing.

Compliments, complaints and representations provide valuable feedback from children and families about the services that we provide. Our objective is to address individual concerns about the delivery, quality and appropriateness of services.

Derbyshire County Council Children's Services Department has a duty to meet the requirements outlined in the following regulations and procedures in respect of services to children:

- The Local Authority Social Services Complaints (England) Regulations, 2006
- The Representations Procedure (Children) Regulations, 2006
- DCC Corporate Complaints Procedure

Those wishing to make complaints in relation to a Child in Care can at any time refer their complaints to the Regulatory Authority.

This report does not include any information relating to complaints of significant harm which are dealt with under the Derbyshire Safeguarding Children Board Procedures.

The Children's Services Department actively encourages feedback, both positive and negative, to allow us to continually improve the service we provide. We do not necessarily equate negative feedback with poor practice or blame. Children and young people and their families should not feel that providing honest feedback will have a negative impact on the support they receive. Instead we use it to accept responsibility where that is appropriate and learn from our mistakes. In addition to access to the formal complaints procedure, children and young people and their families are also encouraged to raise any issues with those directly providing support or their managers.

The Children's Services Department's approach has an initial focus on supporting local staff to resolve issues directly both flexibly and quickly. The process emphasises the need to agree with the complainant what is to be looked into, explain how this will be done, clarify the timescales and what outcomes are reasonable to expect.

The Department operates two complaints procedures:

- Statutory Complaints are those received about services provided by social care. This procedure includes three stages:
  - Stage 1: Local resolutions. The statutory timescale to respond is within 10 working days of receipt. However, given the complex nature of most complaints received and the requirement of detailed investigation

- or liaison with other agencies it has been agreed that all responses are made within 20 working days.
- Stage 2: An independent investigation and adjudication process. The statutory timescale to respond is within 12 weeks from the agreement to proceed to stage 2. In this procedure an independent person is also allocated to undertake the investigation with the allocated investigating officer.
  - Stage 3: An independent complaints review panel. The statutory timescale requires the panel to meet within 30 days, or a mutually agreed date from the request for a complaint to be escalated to stage 3.
- Corporate complaints are those received about services other than social care. This procedure includes two stages:
    - Stage 1: Local resolution. The timescale to respond to these complaints is 20 working days.
    - Stage 2: An Independent investigation and adjudication process. The timescale to respond to this process is 12 weeks from agreement to proceed to stage 2.

The Council has a very limited role in complaints relating to schools and would only become involved in serious matters such as the non-delivery of the National Curriculum, serious safeguarding matters or where the Local Authority has named the school provision in a child or young person's Statement of Special Education Needs or Education, Health and Care Plan.