



## **Cheshire West and Chester Council**

Children's Social Care Complaints and Compliments

Annual Report  
2023-2024

## **Introduction**

This report provides information about the Children's Social Care Complaints and Compliments received by Cheshire West and Chester Council during the period 1 April 2023 to 31 March 2024. It highlights performance against statutory and internal timescales for complaint handling and provides assurance that improvements or revisions to services have been identified as a result of listening and responding to both compliments and complaints.

The Council's Customer team, part of the Companies, Compliance and Assurance service within the Governance Directorate, was responsible for the coordination of complaints and compliments during this period. The Children and Families service are responsible for reviewing, resolving and responding to complaints and compliments. The Customer Team review all draft responses and provide advice and support to services about the complaints process and reasonable outcomes or remedies to complaints.

In accordance with statutory guidance, responses to complaints received by the Authority should be proportionate. Officers are encouraged to resolve matters locally at the first point of contact to avoid escalation wherever possible. Concerns raised with the service and resolved by close of play the following day are not counted as statutory complaints. Where this approach does not deliver a satisfactory outcome for the complainant, matters are then referred through the formal complaints' procedure. See [Appendix B](#).

The objectives of this report are to:

- be open and transparent about our social care complaints process
- meet our statutory obligation to produce an annual report
- provide clear and concise comparative data on complaints and compliments including details of complaints broken down by subject and service area
- provide a summary of customer profile and type of customer interaction
- identify service improvements as a result of complaints and compliments and demonstrate learning and improved practices and processes from these

## **Context**

Whilst considering this report it is important to know the overall picture of Children's social care involvement in the Cheshire West and Chester area. During 2023-24, children's services received **14485** child contacts. **6091** were received at statutory social work level. **3435** child contacts progressed to a statutory social care (Children in Need) referral in 2023-24. Of those **3435** receiving Statutory Social Work referral, 25 formal complaints were logged and responded to, representing 0.7% of the children the Council screened as requiring a Children's Social Care response. This is a small increase on the previous year from 0.4%, despite a 7% increase in statutory social care referrals (from 3,201 in 2022-23 to 3,435 in 2023-24).

## Performance Activity

### Summary of Complaint Activity

- 1.1 From April 2023 to March 2024 there were a total of 211 social care complaint representations made to Cheshire West and Chester Council. Of the 211 representations received, there were **25 valid complaints** progressed, with the remaining 186 either ineligible (53) or withdrawn / resolved via an alternative route, including through early intervention/local resolution (133). The number of representations and valid complaints from these has increased significantly over the past 3 years, with complaint representations up by 54% and valid complaints up by 78%.
- 1.2 Although these still represent a low percentage of the number of child contacts referred to statutory social care, referral rate has increased from 436 children per 10k population in 2021-2022, to 567 per 10k population in 2024, and accounts for some of increased volume of complaints. Proportion of agency social workers engaged in service as opposed to permanent staffing has also increased in this period, together with an increase in average caseload volume and staffing turnover rates. This will all have impact on customer satisfaction.
- 1.3 Of the 25 formal complaints, 7 requested a stage 2 escalation as the complainant remained dissatisfied. These 7 escalations were resolved as follows: 5 formal, 1 suspended as matters were taken to court and 1 resolved informally at a senior manager level. Then of those 5 formal stages 2s, 3 progressed to stage 3 of the process, with 2 going to Review Panel as the other was suspended while matters in court.

### Comparison with Previous Years

- 1.4 The table below shows the number of considered and progressed complaints for the year compared with the previous four years.

**Table 1: Total number of complaints considered.**

Year	Total no. of valid complaints processed	Withdrawn/ not pursued/ other	Ineligible*	Total no. of complaints representations considered
2023-24	25	133	53	211
2022-23	14	97	26	137
2021-22	14	93	24	131
2020-21	15	94	16	125
2019-20	37	44	54	135

*\*Complaints assessed as being not valid through the statutory Social Care complaint procedure, for example complaints that were being dealt with through court or doesn't match the criteria of who may complain and is therefore ineligible.*

## Numbers of Complaints - Analysis Complaint

### Outcomes

The table below shows where a formal complaint has been upheld, partially upheld or not upheld. Where complaints are complex and raise a number of different issues, there is a greater likelihood that some elements of a complaint will be upheld, whilst others not, and consequently the complaint will be classified as partially upheld overall. Despite the increase in stage 1 complaints processed, the majority of that increase was 'Not Upheld'. This means the service found no identified fault in their delivery. This could indicate customers are becoming more aware of the complaint process and using it rather than working with social workers and their managers to try and resolve issues, and where this is happening this is not found to be effective for customers.

Stage 2 complaints recorded more 'partially upheld' outcomes than previous years. Given there are external costs involved in progressing stage 2 complaints this is an indicator for the Customer and Children and Families teams to review their triage and stage 1 handling processes to ensure that we identify and resolve fault at earlier stages. We continue to manage very low numbers of escalations to stage 3 of the complaint process.

**Table 2 - Stage 1 outcomes and comparisons with previous years**

Year	Upheld	Partially upheld	Not upheld	Outstanding	Total
2023-24	2	14	9	0	25
2022-23	1	11	2	0	14
2021-22	1	10	3	0	14
2020-21	2	11	2	0	15
2019-20	4	19	14	0	37

**Table 3 - Stage 2 outcomes and comparisons with previous years**

Year	Upheld	Partially upheld	Not upheld	Open cases	Withdrawn	Total
2023-24	0	4	1	0	2	7
2022-23	0	1	0	0	4	5
2021-22	0	2	0	0	2	4
2020-21	0	1	0	1	1	3
2019-20	0	0	0	0	3	3

### Stage 3 outcomes and comparisons with previous year

Year	Upheld	Partially upheld	Not upheld	Open cases	Withdrawn	Total
2023-24	0	1	0	1	1	3
2022-23	0	1	0	0	0	1
2021-22	0	0	0	0	0	0
2020-21	0	0	0	0	0	0
2019-20	0	0	0	0	0	0

## 2. Breakdown of complaints received by Service Area

Table 4 below shows a breakdown of complaints received by each service area.

**Table 4**

Service Area	2023-24	2022-23	2021-22	2020-21	2019-20
<b>Children in Need</b>					
Winsford	5	1	2	1	5
Chester	1	3	0	1	5
Ellesmere Port	2	0	0	1	8
CP Court Team				(new)	
Winsford	0	0	1	0	
Chester	1	2	0	0	
Ellesmere Port	0	1	1	0	
<b>Children in Care (Permanence Teams')</b>					
Winsford	5	0	2	1	4
Chester	N/A	N/A	N/A	N/A	1
Ellesmere Port	7	4	0	6	1
<b>Leaving Care (Supporting Independence)</b>	1	0	2	0	2
<b>Children with Disabilities</b>	3	2	2	3	5
<b>Provider Services</b>					
Fostering	0	0	0	0	0
Adoption	0	0	0	0	0
<b>Integrated Early Support</b>	N/A	N/A	N/A	N/A	1
<b>Safeguarding</b>	0	0	1	0	2
<b>Integrated Access and Referral Team and Integrated Early Support (new)</b>	0	0	2	2	2
<b>Transition Team</b>	0	1	1	0	1
<b>Emergency Duty Team (new)</b>	0	0	0	0	
<b>Total</b>	<b>25</b>	<b>14</b>	<b>14</b>	<b>15</b>	<b>37</b>

As we know, there has been an increase in complaints overall and the largest increases in complaints from last year are within the Children in Need and Permanence Teams.

As with previous years, the Customer Relations Team will continue to work closely with the Children’s Services team to identify solutions to prevent customers using the complaint process to raise general dissatisfaction with decisions, rather than for its real purpose for highlighting alleged fault.

### **Breakdown of complaints received by Subject**

By their nature, complaints are specific to the circumstances of the individual and cover a wide range of individual experiences. Most complaints also relate to more than one aspect of a service that has been received.

Complaints received by the Authority have been classified on the primary area of concern (subject) identified by the complainant. Detailed below are the numbers that fall within each category:

**Table 5**

<b>Complaint Subject (Primary area of concern)</b>	<b>2023-24</b>	<b>2022- 23</b>	<b>2021- 22</b>	<b>2020- 21</b>	<b>2019-20</b>
<b>Standard of Service Delivery</b>	<b>16</b>	<b>7</b>	<b>10</b>	<b>10</b>	<b>14</b>
Inaccuracies in assessments	0	0	1	1	3
Lack of support	6	0	2	7	6
Failure to investigate concerns	1	0	2	0	1
Issues with contact arrangements	9	1	2	2	0
Other	0	6	3	0	4
<b>Social Worker</b>	<b>0</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>14</b>
Allegations of Misconduct	0	0	0	0	0
Issues with Attitude / Behaviour	0	0	0	0	2
Lack of Support	0	3	1	1	3

Preference for one parent over another	0	1	0	0	2
Social Worker and Team Manager	0	0	0	0	7
<b>Communication</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>5</b>
Lack of response	2	0	0	2	5
Late / missing reports	0	0	0	0	0
Cancellation of appointments	1	0	0	0	0
Child Protection Issues	1	1	1	0	0
<b>Financial Issues</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>2</b>
<b>Accommodation/Placement Issues</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>
<b>Adoption</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Fostering Issues</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>
<b>Eligibility for Service / Unhappy with Social Care involvement</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>2</b>
<b>Data Protection Issues</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total</b>	<b>25</b>	<b>14</b>	<b>14</b>	<b>15</b>	<b>37</b>

Complaints about the standard of service delivery has risen from last year, along with communications and social care involvement. The service recognises that social worker caseloads are higher than we would want and there are improvements to make in relation to improving management oversight (iLACS plan) and the context of this means the quality-of-service delivery and communication for families is going to be impacted.

### Complaint Response Times

*Table 6 - Complaint response times*

Statutory time frames	2023-24	2022-23	2021-22	2020-21	2019-20
<b>10 working days or less</b>	<b>4</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>
<b>20 working days or less</b>	<b>4</b>	<b>2</b>	<b>2</b>	<b>5</b>	<b>13</b>
<b>Outside the statutory timescale</b>	<b>17</b>	<b>10</b>	<b>12</b>	<b>9</b>	<b>24</b>
<b>Total</b>	<b>25</b>	<b>14</b>	<b>14</b>	<b>15</b>	<b>37</b>

There has been a slight increase on compliance despite the increase in stage 1 complaints this year. However compliance with statutory timescales continues to be a concern, with only 32% of complaints answered in time and 16% of all complaints exceeding double the maximum 20 day timeframe.

For the 2023/24 reporting year, we have had the benefit of 3 Customer Experience Leads for the last 6 months. They were recruited in September 2023 and one Lead focusses on supporting the Health and Wellbeing Directorate. Actions they, and the wider customer team, have taken include:

- Identify and deliver service improvements
- Develop a network of Customer Ambassadors to promote and embed good customer experience within services
- Launch and lead on the coordination of a Councillor Portal. Whilst this does not directly relate to a reduction in complaints it is another channel for keeping residents informed via their elected representatives
- Coordinate and support on the development of a Children's Complaints leaflet and animation on the website
- Youth Senate link and CIC Council for the Voice of the 'Customer'.
- Led a meeting to consider different feedback options for CSC/possible future customer surveys
- Our Way of Working Training to inform future L&D
- Plans for Customer Experience Lead to arrange “drop-in complaints sessions” open to all Health and Wellbeing services. This will provide services with the opportunity to discuss possible barriers affecting compliance and also seek advice on remedy payments

The Customer Relations Team have built a toolkit of support, including templates for responses to common issues to support the service with their drafts. The Customer Team is also advising the service on making more early and reasonable remedy offers.

The target of a minimum standard of 85% compliance within statutory timescales continues to be challenging for the service when mapped against demand. Whilst this has not been met further work will be undertaken in 2024/25 to improve on this performance rate which will be the focus for the new Lead Customer Experience Coordinator for Health and Wellbeing. This has always been a challenging target and even more so this year with the increase in demands for frontline services and statutory social care referrals. This increased frontline demand inevitably impacts capacity on services to respond to complaints. The Lead Customer Experience Coordinator will be working with the service and the Customer Ambassadors, to highlight the value of dealing with complaints promptly and identify ways to manage conflicting demands.

### **3. Local Government and Social Care Ombudsman (LGSCO)**

The Ombudsman reports on local authority figures based on the number of cases it receives in the reporting year; the number of decisions it makes in the reporting year (which may include cases ongoing from the previous year) and the Council's compliance with any recommendations.

In 2023-2024 the Ombudsman:

- Received 76 complaints (an increase of 8.5% on the previous year)
- Made decisions on 77 complaints (an increase of 13% on the previous year)
- Upheld 13 complaints (an increase of 62.5%)



Of the 8 **upheld** complaints 2 related to Children’s Social Care and both were remedied during the Ombudsman’s consideration which demonstrates the Council’s commitment to resolving complaints at any stage.

Reference	Issue	Decision Reason	Remedy
23007346	Failure to return a call	Injustice remedied during LGO consideration	New appeal/review or reconsidered decision, Provide services to person affected. [in this case a senior manager called the complainant and resolved the matter, offering to update a record of minutes].
23011725	Failure to consider complaint	Injustice remedied during LGO consideration	New appeal/review or reconsidered decision [in this case, the Council agreed to complete a Children Act stage two statutory complaints’ procedure within 65working days].

### Point of receipt for complaints within the authority.

The Customer Relations Team records ‘point of receipt’ of complaints into the Council. Table 7 shows that the established systems for ensuring that complaints are directed to the Customer Relations Team for co-ordination continue to work well.

**Table 7**

Point of receipt	2023-24	2022-23	2021-22	2020-21	2019-20
Service Area	3	1	3	1	5
Customer Relations Team	20	13	9	12	31
Director/Head of Service	0	0	0	0	1
Chief Executive	0	0	0	1	0
Other	2	0	2	1	0
<b>Total</b>	<b>25</b>	<b>14</b>	<b>14</b>	<b>15</b>	<b>37</b>

### 4. Profile/ Category of Complainants

A summary of customer profile and type of customer interaction has shown the following:

**Table 8**

Person making the complaint	2023-24	2022-23	2021-22	2020-21	2019-20
Child or young person being looked after or in need	0	0	0	1	4
Parent/s	22	12	11	12	30

<b>Local Authority foster carer</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>
<b>Special guardian</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Persons wishing to adopt</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Persons with sufficient interest in child's welfare</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>
<b>Advocacy service</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>2</b>
<b>Total</b>	<b>25</b>	<b>14</b>	<b>14</b>	<b>15</b>	<b>37</b>

There were no complaints received from a child or young person. The Customer Relations Team have therefore developed a small animation video with Creative Services for release along with a Business Card to be given out to children when the social workers interact with them. This will also involve updating the main leaflet and ensuring a child friendly version is linked to the animation and card, which will be published on the website. This will be tracked and monitored via our online complaints form to see if children are engaging in the animation and participating in the process by providing their views.

This information will be captured and a record of issues that children may be raising even if they do not progress as formal complaint will be shared with the service.

## 5. Compliments Received

5.1 Compliments were recorded by the corporate team during the year continue to be low, at 8 representing 2% of the total 325 compliments received.

We are continuing to work with services, particularly within social care, on a simpler solution to recording compliments received directly to the service (e.g. thank you cards etc) rather than the customer completing a compliment form. We will also continue to promote our online compliment form to customers to encourage positive feedback. This insight is considered just as valuable as complaint data in order to share best practice across all of our Council services. A consistent approach as to how services respond to compliments will also be reviewed in 2024/2025.

A selection of compliments recorded is included below as examples:

- Feedback from Parent to Social Worker:  
*I want to say thank you for everything you did for my little family. We really appreciate it. At the time I was very angry and upset with the world so never really thanked you x*
- Social Worker nomination for a CPA (Child to Parent Abuse) Hero award by a parent for the following reason to PEGS social enterprise:  
*XXXXX is a very supportive social worker; not just for my children but for me, mum, as well-XXXX is really wanting to help make a difference and works really hard to make things happen for us. XXXXXX took on our case part way and has done so much to get things moving,*

*accepting new ideas and challenging things where they need to be. All reports and referrals are detailed and reflect how well the social worker knows us. Definitely deserves recognition for all the effort that XXXX has put in and what a great job XXXX is doing!*

- *Feedback from Young Person to Social Worker:*  
*I just wanted to say thank you for everything you have done, even though times you got on my nervous. I will always be thankful for you for being there for the good and the bad times.*
- *Feedback shared with the Court by mum's Solicitor:*  
*Submission by mum's solicitor suggested that the Court should be reassured by the fact that the social worker allocated to work with the family, they hold in high regards and that in their experience the work that the social worker does with parents is very often successful.*
- *Feedback from Parent:*  
*Feedback from my recent dealing with children's services, in particular, Social Worker: XXXX has been understanding and professional throughout. I found it easy to have open and honest discussions with XXXX and felt listened to at all times.*

*XXXX kept me up to date at every point, which was greatly appreciated given the stressful situation I found myself in. XXXXX explained each step taken by children's services in full and answered all my questions.*

*The children were also at ease talking to XXXX and this was the first time they had ever spoken to a social worker. XXXX was very child centered in approach and I'm grateful we were assigned XXXX as our social worker, despite wishing not to be in this position in the first place.*

## **6. Outcomes- Learning and Service Improvement**

- 6.1 The Council has identified areas and opportunities from which learning can be taken from the complaints and the compliments process and used to improve future service delivery.

Our Way of Working Programme:

This is Children's Services' practice model and the framework by which professionals work with families. We know that this approach is having a positive impact on the approach of social workers with children and families, this being recognised in the recent Ofsted inspection. However, this could also be having a positive impact on the complaints that families make, especially if they are sensing that they can form a more positive relationship with their worker. The service continue to ensure that all new members of service undertake core training and refresher training is available.

## **Learning from Complaints and Compliments**

There are plans for the Customer Experience Lead to arrange “drop-in complaints sessions” open to all Health and Wellbeing services. This will provide services with the opportunity to discuss possible barriers affecting compliance and also seek advice on remedy payments. This will also provide the Customer Experience Lead with greater insight into the complaints being received

### **7. Future Plans for Complaint Handling**

- There is a need for service to review how complaints are logged, allocated and coordinated through the Firmstep portal used, as currently this progresses through one single point of contact which places some risk of failure or delay.
- We plan to work with service around Customer experience to gain increased feedback as a regular part of service delivery is being developed through the use of MS Forms. It is hoped that this influences improved service delivery and learning.
- There is further training required to support a new group of team managers with early resolution strategies.
- There is a newly developed leaflet for children to engage with complaints and compliments as appropriate and a revision of the general service complaints information guide for families. This is hoped to improve complaint handling and understanding of what the service are able to respond to.
- There are improvements to practice the service is required to make as a result of the iLACS inspection, results from this should have positive impact on families experience of service delivery.

End of report.

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## Appendix A

### What makes a Valid Complaint under Children's Social Care

Eligibility is established by the Customer Relations Team in conjunction with the Service as follows:

- That the person complaining is eligible to make a complaint (some examples below: Any looked after child or child in need/ A parent of the child/ Any person who has PR/ Any local authority foster carer)
- A complaint may be generally defined as an expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response. The complaint can be about any aspect of the service that has been provided. For example, a complaint may arise as a result of many things relating to statutory social services functions such as: • an unwelcome or disputed decision; • concern about the quality or appropriateness of a service; • delay in decision making or provision of services; • delivery or non-delivery of services including complaints procedures; • quantity, frequency, change or cost of a service; • attitude or behaviour of staff; • application of eligibility and assessment criteria; • the impact on a child or young person of the application of a local authority policy; and • assessment, care management and review. However, this is not an exhaustive list and the Customer Relations Team will seek legal advice as necessary.

### Exemptions from the Complaints Procedure

- If the person complaining does not meet the requirement of "who can complain"
- If the complaint is not in relation to the actions or decisions of the Local Authority complained to, or of any Body acting on its behalf.
- If the same complaint has already been dealt with at all stages of the complaint process
- Data Protection Matters
- Child Protection Conference Appeal
- Out of Time (needs to be within 12 months when the issue happened)

The Local Authority has the discretion to not deal with a complaint if they feel it would prejudice the following concurrent investigations:

- Court Proceedings
- Tribunals
- Disciplinary Proceedings
- Criminal Proceedings

If this is the case, the Local Authority will write to the complainant explaining the reasons for the decision.

## Appendix B

### Statutory Compliance Procedure

#### The Children's Social Care Complaints Procedure

The Children Act 1989 Representations Procedure (England) Regulations 2006; Children (Leaving Care) Act 2000; Adoption and Children Act 2002; and the Health and Social Care Act 2003 require the local authority to have a procedure for resolving complaints and representations received by, on behalf of, or relating to children and young people. A local authority must also ensure that action is taken if necessary, in the light of the outcome of a complaint.

The current Children's Social Care and Health complaints procedure consists of a three-stage process. The complainant retains the right to approach the independent Local Government and Social Care Ombudsman at any time. However, the Ombudsman would expect the local authority to consider the complaint initially.

#### Role of the Customer Relations Team

The Customer Relations Team is responsible for the handling and consideration of complaints and acts as a central point through which complaints can be made to the Council. Complaints can be made via telephone; in writing; through the online social care complaints portal; or directly to the dedicated social care complaints email inbox. Complaints received directly by the Service are currently referred to the Customer Relations Team to be assessed for eligibility.

The Customer Relations Team, often in liaison with the Service, will determine whether a complaint is eligible for consideration under the statutory framework or whether an alternative route (for example safeguarding or through the corporate complaints process if the issue complained about is not related to the quality of care provided) would be more appropriate (see Appendix A).

The Customer Relations Team offer training, advice and support to staff in their consideration of complaints and perform a quality assurance role in the preparation of complaint responses. The Team also liaise with complainants to keep them informed on progress with their complaints and provide advice about the complaints process and the role of the Local Government and Social Care Ombudsman.

The Team also coordinates the completion of Learning Outcome and Action Reports for the service, which ensures there is learning and improvement identified from investigations into complaints. This is recorded and reported centrally and monitored to ensure that the implementation of identified, agreed actions following the outcome of complaints is carried out. Learning is shared with other services, where it is relevant to do so, in order to improve service delivery Council-wide.

## **What is a Complaint?**

Any expression of dissatisfaction about a council service (whether that service is provided by the council or by a contractor or partner) that requires a response. There is no difference between a 'formal' and an 'informal' complaint. Both are expressions of dissatisfaction that require a response.

## **Who Can Make a Complaint?**

There are a variety of people who can complain:

- i. Any child or young person who is Looked After or who is a child in need or is a child with disabilities
- ii. Foster parents
- iii. People applying to adopt, or who are receiving services from our Adoption service
- iv. Care leavers
- v. Special Guardians

Complaints can also be accepted from individuals acting on behalf of a service user, for example an advocate or family member, although this must be with consent from the service user when they are considered old enough. Where a service user's capacity to make informed decisions may be in question, the Customer Relations Team - in conjunction with the Service Team Manager - will look at whether the person pursuing the complaint is acting in the young person's best interests.

## **Initial Expressions of Dissatisfaction**

Initially complaints are always assessed or 'triaged' by the Customer Relations Team. If, from initial assessment, it looks like the complaint can be resolved by close of play the following day, it is not required to proceed through the complaints process. These concerns/issues are often relatively minor and resolution can most easily be addressed locally through the service. The customer is always advised how they can progress their complaint if they remain dissatisfied.

## **Urgent safeguarding issues and alternative paths**

The Customer Relations Team review all complaints to identify any potential safeguarding risks or concerns that need immediate attention. Where safeguarding issues are identified, those matters are redirected to be considered under the appropriate safeguarding procedures without delay. Where there are no obvious safeguarding concerns complaints are referred via the Customer Relations Team to a Senior Manager to be considered through the social care complaints procedure.

All, or parts of a complaint may not be eligible under the social care complaint process. Where this is the case all non-social care elements will be referred to the corporate complaints policy or a more appropriate 'alternative path' and the customer kept informed about how their complaint, or parts of their complaint, will be dealt with.

## **Stage 1 – Local Resolution**

The majority of Stage 1 investigations are conducted by Team Managers from the relevant service. The investigation of a complaint is a managerial responsibility and should not be delegated to other staff. In the first instance complaints are allocated to the Senior Manager to appoint an appropriate Team Manager to investigate and draft a response to the complainant.

The initial timescale for providing a response is 10 working days, although this can be extended to 20 working days when a matter is more complex. Where the issue is identified as more complex, more often than not the senior manager becomes more involved to either support the manager, or take the lead, in securing an early resolution. The Customer Relations Team works with managers to ensure that quality responses are produced within the specific timescales. Decisions are recorded for each complaint as upheld, not upheld or partially upheld. The learning outcomes and remedial actions are shared with the complainant within the written response.

## **Stage 2 – Formal Independent Investigation**

If the complainant is dissatisfied with the findings of the Stage 1 complaint investigation, or has not received a response to Stage 1 within the 20 working days allowed, then a request for a Stage 2 investigation can be made.

Once the scope of the Stage 2 investigation has been agreed an Investigating Officer (IO) will be appointed. Investigators can be an officer from the service who has no previous knowledge of the complaint and no line management responsibility. Alternatively, the IO can be appointed from the North West Complaint Managers Group List of Independent People. The IO will lead and has overall responsibility for the investigation and will prepare the main report which will state outcomes and make recommendations to the service where appropriate. The Council's current practice is to recruit exclusively from this list.

A second person, the Independent Person (IP) will be appointed from the North West Complaint Managers Group List of Independent People. The IP ensures that the process of investigation is open, transparent and fair. They work alongside the IO to provide an independent and objective view of the investigation.

They see all the same relevant files as the IO and participate in all interviews and discussion relevant to the investigation. The IP reads the IO's report and produces their own report on the investigation, commenting on each complaint element and stating whether they agree with the IO's findings.

There are up to 25 working days for the completion of the Stage 2 investigation, with an extension of up to 65 working days available for complex cases.



Following an investigation the findings and any recommendations are set out in a report to the Director and the Service Team Manager. The service must provide a written response to the report and this will be sent to the complainant, along with a copy of the report, within 10 working days of receiving the report. The service may consider offering a meeting with the complainant to discuss the report and the response.

### **Stage 3 – Independent Review Panel**

Where complainants wish to proceed to Stage 3 they have 20 working days (from the date that they received notification of the department's response to the stage 2 report) to request a Review Panel.

The Independent Review Panel consists of three independent people drawn from the North West List of Independent People, one of whom is appointed as Chair of the Panel.

Following the investigation, panel members have 5 working days to agree the report. The report has to be sent to the complainant within the 5 working days and a copy is also given to the Director of Children's Services.

The Director has 20 working days from the day of the panel to write to the complainant with their response to the report. The letter should outline what the directorate intends to do as part of learning from the complaint. The letter will also explain that if the complainant remains unhappy they can contact the Local Government and Social Care Ombudsman.

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

Where complaints remain unresolved to the satisfaction of the complainant, a referral may be made to the Local Government and Social Care Ombudsman (LGSCO) for consideration. This can be done by the complainant following completion of all 3 stages of the children's social care complaint process or at an earlier stage if there is a mutual agreement between the complainant and the Council to do so. The Ombudsman will require reasons for the referral if it is done prior to completion of all stages of the policy. The Council will usually seek advice from the Ombudsman's office before making any referral.