

Public Document Pack



Monitor Officer
Christopher Potter

County Hall, Newport, Isle of Wight PO30 1UD
Telephone (01983) 821000

Agenda

Name of meeting	POLICY AND SCRUTINY COMMITTEE FOR CHILDREN'S SERVICES, EDUCATION AND SKILLS
Date	THURSDAY 2 SEPTEMBER 2021
Time	5.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Members of the committee	Cllrs R Quigley (Chairman), D Adams, R Downer, S Ellis, S Hendry, K Lucioni and T Outlaw
Co-opted Members (Voting)	Rob Sanders (Dioceses)
	Democratic Services Officer: Marie Bartlett democratic.services@iow.gov.uk

1. **Minutes** (Pages 5 - 10)

To confirm as a true record the Minutes of the meeting held on 17 June 2021.

2. **Declarations of Interest**

To invite Members to declare any interest they might have in the matters on the agenda.



Details of this and other Council committee meetings can be viewed on the Isle of Wight Council's Committee [website](#). This information may be available in alternative formats on request. Please note the meeting will be audio recorded and the recording will be placed on the website (except any part of the meeting from which the press and public are excluded). Young people are welcome to attend Council meetings however parents/carers should be aware that the public gallery is not a supervised area.

3. **Public Question Time - 15 Minutes Maximum**

Questions may be asked without notice but to guarantee a full reply at the meeting, a question must be put including the name and address of the questioner by delivery in writing or by electronic mail to Democratic Services at democratic.services@iow.gov.uk, no later than two clear working days before the start of the meeting. Therefore the deadline for written questions will be Friday, 27 August 2021.

Members of the public are invited to make representations to the Committee regarding its workplan, either in writing at any time or at a meeting under this item.

4. **Children's Social Care Annual Complaints report** (Pages 11 - 92)

To consider the annual report in respect of Children's Social Care.

5. **Planning for future school places** (Pages 93 - 102)

To consider a report on the process for planning for future school places.

6. **Covid and Education recovery plan**

To enable a discussion on the implementation of Government proposals for early years, schools and providers of 16-19 education.

7. **Performance and Budget Update** (Pages 103 - 118)

To consider current performance trends and budget 2021/22.

8. **Committee's Work Plan**

To consider the inclusion of any relevant items within the committee's workplan.

9. **Members' Question Time**

To guarantee a reply to a question, a question must be submitted in writing or by electronic mail to democratic.services@iow.gov.uk no later than 5.00 pm on Tuesday, 31 August 2021. A question may be asked at the meeting without prior notice but in these circumstances there is no guarantee that a full reply will be given at the meeting.

CHRISTOPHER POTTER
Monitoring Officer
Tuesday, 24 August 2021

Interests

If there is a matter on this agenda which may relate to an interest you or your partner or spouse has or one you have disclosed in your register of interests, you must declare your interest before the matter is discussed or when your interest becomes apparent. If the matter relates to an interest in your register of pecuniary interests then you must take no part in its consideration and you must leave the room for that item. Should you wish to participate as a member of the public to express your views where public speaking is allowed under the Council's normal procedures, then you will need to seek a dispensation to do so. Dispensations are considered by the Monitoring Officer following the submission of a written request. Dispensations may take up to 2 weeks to be granted.

Members are reminded that it is a requirement of the Code of Conduct that they should also keep their written Register of Interests up to date. Any changes to the interests recorded on that form should be made as soon as reasonably practicable, and within 28 days of the change. A change would be necessary if, for example, your employment changes, you move house or acquire any new property or land.

If you require more guidance on the Code of Conduct or are unsure whether you need to record an interest on the written register you should take advice from the Monitoring Officer – Christopher Potter on (01983) 821000, email christopher.potter@iow.gov.uk, or Deputy Monitoring Officer - Justin Thorne on (01983) 821000, email justin.thorne@iow.gov.uk.

Notice of recording

Please note that all meetings that are open to the public and press may be filmed or recorded and/or commented on online by the council or any member of the public or press. However, this activity must not disrupt the meeting, and if it does you will be asked to stop and possibly to leave the meeting. This meeting may also be filmed for live and subsequent broadcast via a hosted internet site (except any part of the meeting from which the press and public are excluded).

If you wish to record, film or photograph the council meeting or if you believe that being filmed or recorded would pose a risk to the safety of you or others then please speak with the democratic services officer prior to that start of the meeting. Their contact details are on the agenda papers.

If the press and public are excluded for part of a meeting because confidential or exempt information is likely to be disclosed, there is no right to record that part of the meeting. All recording and filming equipment must be removed from the meeting room when the public and press are excluded.

If you require further information please see the council guide to reporting on council meetings which can be found at <http://www.iwight.com/documentlibrary/view/recording-of-proceedings-guidance-note>

All information that is recorded by the council is held in accordance with the Data Protection Act 2018. For further information please contact Democratic Services at democratic.services@iow.gov.uk



Minutes

Name of meeting	POLICY AND SCRUTINY COMMITTEE FOR CHILDREN'S SERVICES, EDUCATION AND SKILLS
Date and Time	THURSDAY 17 JUNE 2021 COMMENCING AT 5.00 PM
Venue	COUNCIL CHAMBER, COUNTY HALL, NEWPORT, ISLE OF WIGHT
Present	Cllrs R Quigley (Chairman), D Adams, V Churchman, R Downer, S Hendry, K Lucioni, P Spink and R Sanders
Officers Present	S Ashley, S Crocker, B Farmer, M Johnson, K Marriott, D Price, R Reynolds, C Sadler, P Thistlewood
Cabinet Members	Cllr D Andre

1. **Minutes**

THAT the Minutes of the meeting held on 4 March 2021 be confirmed.

2. **Declarations of Interest**

No new declarations were received at this stage.

3. **Public Question Time**

No public questions were received.

4. **Introduction, Covid update and update on Holiday Activities**

The Director of Children's Services gave an introduction to the committee and explained the purpose of the committee. Ordinarily the meeting follows the pattern of alternating between a children's social care focus and an education focus.

The Assistant Director for Access, Recourses and Development introduced herself to new members of the committee and presented the presentation on Holiday Activities and a Covid-19 update. The first point raised was regarding Covid-19 winter grants and this was to sight councillors of the impact on the Covid-19 winter grants. The grants were given to vulnerable households with children. £615,666 in funding from DWP to be spent between December 2020 and 16 April 2021. At least 80% of the total funding must be ring-fenced to provide support with food, energy and water bills. With up to 20% of the total funding allocated for other types of households, including individuals. Furthermore, at least 80% of the total must be

ring-fenced to provide support with food, energy and water bills. Up to 20% could be made available for other essential items. The grants were distributed through 40 schools and colleges and 60 early years settings. 4,8171 were provided with vouchers for five weeks of the holidays. 17,967 vulnerable households were supported across the Isle of Wight. Financial support provided to 23 households through Citizens Advice. 104 young carers supported and 110 care leavers.

31 Community Grants ranging from £320 to £14,990 were awarded to 23 providers. The providers consisted of voluntary sectors and charities across the Island, care was taken to ensure every town to have provision to support the local community. Provisions ranged from food parcels, meal deliveries and support with utility bills. 10,662 children, families and individuals were beneficiaries of the grants.

Whilst the funding spent was under the total allocated it was important to note that this was due to additional support that the Citizens Advice Bureau was able to put in place for families. £97,000 of debt being resolved through debt relief orders and other mechanisms across the various families being supported.

The Connect4Communities programme was included in the presentation explaining to members the programme was publicised extensively across the councils communication systems including Instagram, Twitter and Facebook.

RESOLVED:

THAT the report was noted.

5. **Performance and Budget Update**

The item was presented by both The Deputy Director for Childrens Services, Childrens and Families branch and The Head of Strategy and Operations for the Children's and Families branch on the Isle of Wight. An overview of the local context was given to members, 27,000 children and young people 0-19 on the Isle of Wight making up 19.3% of the population in the area. 20.4% of the local authorities' children are living in poverty. 18% of Primary School age children are entitled to free school meals, this was in line with the national average. 13% of children of secondary school age were entitled to free school meals, this was lower than the national average of 15%. 8.7% of all school children compared with 34.6% across the country. School children with social, emotional and mental health needs make up 3.2 % which is higher than the England average of 2.7%.

The statistics and data was shown and explained to the committee. Including rates per 10,000 of referrals to Children's Social Services, contacts and referrals, timely responses, children subject to child protection planning, children in need rates per 10,000, looked after children per 10,000 aged under 18, age profile of looked after children and caseloads. Performance of the workforce figures were also given. Vacancy rate was maintained at 12% below the national average of 16%. Agency worker rate was also maintained at 12% below the England average of 16.4%.

The transformation programmes that children's services would be implementing were also put to the committee:

- The Hampshire and Isle of Wight Approach – strengths based, family focused way to empower families and support resilience.
- Multi-disciplinary team (RAFT) – delivering targeted support and interventions to enable more children to stay safely at home and to support reunification.
- New case management system – to reduce bureaucracy and maximise the time social workers can spend supporting children and families.
- Modernising placements – to improve choice for children, quality of care, the cost and stability for parents.
- Improving access to performance and quality data – to ensure to deliver more effective and efficient services.

Through a self-assessment a number of key areas were identified for continued improvement and these included:

- Further embed the Hampshire approach and Isle of Wight Approach to produce plans that are strength based and co-produced with families.
- Support families to enable to children to stay safely at home and ensure that if children do become looked after, where appropriate reunification is a consideration.
- Ensure enhanced partnership working with schools to promote attendance and attainment for the most vulnerable children.
- Ensure that supervision frequency is met and supervision of social workers is of high quality, including reflection of practice.
- Further increase the number of in house foster carers and placements
- Further develop pathways to independence for care experienced young people, including deposit schemes

The Chairman asked what were the two main points of improvements moving forward ? The Assistant Director of Children Services said the two main areas were implementing The Hampshire and Isle of Wight approach and modernising placements programme.

RESOLVED:

- I. THAT arrangements be circulated to members of the Committee regarding a visit to the Multi Agency Service Hub (Mash).
- II. THAT the performance and budget data for quarter 3 and quarter 4 2020/21 was noted.

6. **Young Carers Support**

The Head of Strategy and Operations presented the committee with the report on Young Carers. The report was requested to come to the committee by the previous chairman. It provided a summary of the Isle of Wight Council's commissioned young carers programme.

Currently the YMCA was supporting 300 young carers across the Isle of Wight. The programme of support included 1 to 1 support and that was for those with higher levels of need. This support can be provided at home or at school. Social opportunities are also part of the programme however during the COVID-19 pandemic this had been harder, although there was an opportunity for virtual meetings. Advisory staff were available to support and listen to the young people and a helpline was also available. Activities were provided and they acted as respite for the young people, every summer there is a young carers festival put on and this was involved a residential trip to the mainland.

Through the winter grants scheme the young carers of the Island and their families were supported. £ 8,400 was paid to the YMCA in grants and was distributed to 104 families requiring additional support. This provided food vouchers, essential items and support towards gas and electricity bills. 10 families were also supported in having a holiday this year with the Get Away Foundation. 305 young carers engaged with the project in the last quarter alone.

A Councillor asked if the strategy due for review would come to this committee and It was agreed that it would be useful for this to come to the committee before it was adopted.

RESOLVED:

THAT the report, the progress made, and the further services planned as outlined in 2021-22, be noted.

THAT the draft Isle of Wight Carers Strategy following a review be submitted to the Committee for comment before formal approval is given by the Cabinet.

7. **Annual Fostering Report**

The Children in Care Service Manager presented the annual fostering report to the committee. It was noted that in the year 2020/21 9 new general fostering households and 25 connected households had been recruited a target to recruit 10 new fostering households for this year was the aim.

Highlights of the report included:

- Marketing had continued were possible,
- Restructure of the fostering team on 1 April 2020 was managed and had performed well, the service had been split into three hubs to improve efficiency,
- Fostering provided virtual training to foster carers,
- Fostering survey completed,
- Careful matching maintained throughout lockdown to ensure placement stability was maintained.
- There had been an increase in fostering households since March 2020.

The Committee asked about the timeframe for the review of foster carers allowances. It was advised that it was part of the modernising placements

programme to ensure foster carers in Hampshire and the Isle of Wight were looked at in the same way. It was work in progress and hoped to be completed in 12 months.

It was noted that the Chairman of the Policy and Scrutiny Committee for Health and Social Care was aware of issues with face to face health care appointments and any difficulties encountered by foster carers accessing face to face health assessments would be passed on.

RESOLVED:

- I. THAT progress on the Modernising Placement project be reported to the Committee.
- II. THAT the Chairman of the Policy and Scrutiny Committee for Health and Social Care should be advised of any difficulties encountered by foster carers in accessing face to face health assessments with their general practitioners.

8. **Annual Adoption Report**

The Director of Children's Services advised that the Department for Education required sub regional groupings of adoption services and the Isle of Wight was now in partnership with Portsmouth and Southampton (Adopt South).

The Head of Adopt South, Rachel Reynolds, advised that they launched in April 2019. The Government required the partnership for three main reasons which were:

1. Increase in pool of adopters,
2. Join together for adoption support,
3. Make efficiencies.

She highlighted the achievements since they started in 2019:

- 298 children had families identified
- 106 of these children had been hard to place
- 238 families approved
- Adoption support team had dealt with nearly 4000 enquiries

Adoption support – can now present larger therapeutic parenting programmes, made good use of money provided by DfE for families who suffered challenges during the pandemic. Virtual services were offered, making it more accessible for families on the Isle of Wight. A consultation was being undertaken from 30 June 2021 to engage with adopters over the future of the service and bringing things back to face to face or keeping it virtual.

In discussing the impact on children and families when making staff changes in the team the Committee was advised that there was an allocated member of staff on the Island for adoption support. It was extremely important that families who needed support were provided with the right support in a timely manner.

RESOLVED:

THAT The annual adoption report, including the Adopt South summary report for year 2020/21 was noted.

9. **Committee's Work Plan**

It was noted that the Corporate Scrutiny Committee had requested the Committee look at the recent Local Government and Social Care Ombudsman cases when dealing with the annual complaints report. They also requested a report regarding the future of school places across the Island at the next meeting in September 2021.

RESOLVED:

- I. THAT the Committee would meet informally before the next meeting to discuss possible items for inclusion in the future workplan.
- II. THAT the findings of the recent Local Government and Social Care Ombudsman's cases would be reflected in the report on the annual complaints report to the 2 September meeting 2021 meeting.
- III. THAT a report be requested on the process involved in the planning for future school places for the 2 September 2021 meeting.

10. **Members' Question Time**

There were no members questions.

CHAIRMAN



Committee report

Committee	CHILDREN'S POLICY AND SCRUTINY COMMITTEE
Date	2 SEPTEMBER 2021
Title	CHILDREN'S SERVICES COMPLAINTS REPORT
Report of	DIRECTOR OF CHILDREN'S SERVICES

1.0 SUMMARY

1.1 This report is to update the Isle of Wight Council's Children's Policy and Scrutiny Committee on:

- the production of the 2019/20 and 2020/21 versions of the statutory Annual Complaints Report (ACR) for Children's Social Care Complaints (see Appendix 1 and 2) received into the Isle of Wight Council's Children's Services Department (the department); and
- a summary of Local Government & Social Care Ombudsman (LGSCO) complaints, referred to as Statements or Public Interest Reports (PIRs), in regard to any service within the Isle of Wight Council's Children's Services Department during the 2020/21 reporting period.

1.2 The report provides an overview of the main complaints processes used and identifies how the department has used outcomes and feedback from complainants to identify opportunities for learning.

1.3 The report also provides a comparison of the number of LGSCO complaints received by the department compared to the Council's Statistical Neighbours.

2.0 BACKGROUND

2.1 There are two main processes used by the Council to manage complaints regarding children's services functions:

- **Children's Social Care Complaints process** – focuses on complaints within the remit of the statutory guidance "Getting the Best from Complaints"; or
- **Corporate Complaints process** – focuses on remaining complaints about children's services functions under a two stage procedure where no alternative appeals procedure exists.

2.2 There are also complaints that are received from the Local Government and Social Care Ombudsman (LGSCO), where complainants are either escalating their complaint because they are still dissatisfied with the outcome having exhausted the Council's complaints processes; or have prematurely gone to the

LGSCO before having exhausted the Council's complaints processes and the LGSCO then requires the Council to put the complaint through our process.

- 2.3 Regardless of the process followed, it is important the department identifies learning from within the complaints process in order to recognise opportunities for improvement to service delivery.
- 2.4 A Council Complaints Policy is available. The policy is aimed at helping Council staff deal with complaints in ways which are demonstrably consistent and fair and comply with legislation and best practice.

Children's Social Care Complaints Process Overview

- 2.5 Most complaints about children's social care must follow a series of steps set out in law, known as the children's statutory complaints procedure:
- Stage One – local resolution;
 - Stage Two – an investigation, with an Independent Person (IP) overseeing it; and
 - Stage Three – a review panel, with an independent chair.
- 2.6 Hampshire County Council's Children's Services Complaints Team (CSCT), overseen by the Complaints Manager (a statutory role), manage the co-ordination of this process on behalf of the Isle of Wight Council's Children's Services Department.
- 2.7 The local authority aims to act expeditiously through the procedure; to ensure that the complaint is dealt with as swiftly as possible.

Stages of the Statutory Complaints Process

Stage One – Local Resolution

- 2.8 Complaints are submitted to the CSCT who co-ordinate the process. In receiving the complaint, the CSCT aim to try and obtain as much information as possible from the complainant to be clear on the specific issues/concerns being raised. This includes, where possible, names of the people involved, dates when incidents occurred etc. This Stage One preparation activity also seeks to be clear about the outcomes the Complainant is looking for by way of resolution to their complaint. The CSCT also look to manage expectations as the department cannot guarantee to meet the complainant's expectations but being made aware of what outcomes they are hoping for will enable the manager at Stage One to respond more appropriately to the complaint.
- 2.9 Once the complaint has been processed and Stage One preparation completed, it is passed to a senior manager who will investigate the issues raised and respond to the complainant in writing within 10 working days however the statutory guidance allows for an extension of an additional 10 working days if a complete response is unable to be provided.

Stage Two – Investigation

- 2.10 Once a complainant has received their Stage One response, if they are still dissatisfied, they can request for their complaint to be escalated to Stage Two. This is the case even if all their concerns were upheld at Stage One. The department will still try to resolve any aspects of the complaint that the

complainant is dissatisfied with, if possible, but this will be done alongside progressing the complaint to Stage Two, not in place of it.

- 2.11 It is recommended that the complainant submits their request for escalation to Stage Two within 20 working days of receiving the Stage One response so that momentum in resolving the complaint is not lost. However, this is not a deadline and any requests received after this period are still considered as there is no time limit for a complainant to ask for a complaint to move to Stage Two.
- 2.12 At Stage Two, an Investigating Officer is appointed to look at the issues raised, and a full response should be provided within 25 working days but no longer than 65 working days.
- 2.13 An Independent Person is also appointed to the investigation and must be involved in all aspects of consideration of the complaint including any discussions by Council officers about the action to be taken in relation to the child. The Independent Person is not an employee of the Council and will ensure that the process of investigation is open, transparent and fair; working alongside the Investigating Officer to provide an independent and objective view to the investigation of the complaint.

Stage Three – Review Panel

- 2.14 If the Complainant is still dissatisfied with the outcome at Stage Two, they can request to escalate their complaint to Stage Three.
- 2.15 The complainant will need to contact the CSCT to make this request within the statutory timescales of 20 working days of receiving the outcome of the Stage Two investigation.
- 2.16 At Stage Three, a Review Panel is formed, which consists of three independent people who review the complaint and then make recommendations to the Director of Children's Services.
- 2.17 The appropriate member of the senior management group will respond to those recommendations within 15 working days.
- 2.18 Once the complaint has been through the above stages, the complainant will have completed the children's social care complaint process within the Council.

The Local Government & Social Care Ombudsman

- 2.19 If the complainant is still dissatisfied with the way the Council has dealt with their complaint, they can contact the Local Government & Social Care Ombudsman (LGSCO).
- 2.20 The Ombudsman will usually expect complainants to have taken their complaint through the Council's complaints procedure first. However, the complainant has the right to contact the Ombudsman at any point during the complaints process.

Annual Complaints Report

- 2.21 The Annual Complaints Report (ACR) is a public document, providing a mechanism by which the Isle of Wight Council's Children's Services Department can be kept informed about the operational effectiveness of its Children's Social Care complaints procedure and support learning from complaints.

- 2.22 The production of the ACR is a statutory requirement.
- 2.23 Non-Children's Social Care Complaints are responded to by the Nominated Complaints Officer within the Isle of Wight Council. These types of complaints are currently not included in the ACR.
- 2.24 The ACR covers a reporting period running across the financial year (01 April to 31 March).
- 2.25 The 2019/20 and 2020/21 versions of the ACR have been included within the appendices of this report.

Corporate Complaints Process Overview

- 2.26 The corporate complaints process follows a two-stage procedure:
- Stage One – Service Response; and
 - Stage Two – Head of Service/Strategic Manager Response.
- 2.27 As with the Children's Social Care process, the Council aims to ensure that corporate complaints are investigated rigorously and fairly, taking into account all evidence available.

Stages of the Corporate Complaints Process

Stage One - Service Response

- 2.28 Each service department will have an officer and deputy with responsibility for complaints, referred to as the Nominated Complaints Officer (NCO).
- 2.29 The NCO is responsible for:
- making sure that the relevant service manager receives a copy of the complaint immediately on receipt for Stage One response;
 - referring any complaint which is complex, controversial or may have an impact on the Council's reputation to the Chief Executive, to ensure the appropriate response strategy;
 - ensuring that a written acknowledgement to the complainant has been sent within three working days;
 - recording and updating information about the complaint on the Customer Relationship Management (CRM) system; and
 - monitoring the progress of a complaint to ensure the complainant receives a reply within a maximum of 20 working days, starting from the first working day following the receipt of the complaint.
- 2.30 The Service Manager will be responsible for:
- responding to the complainant within a maximum of 20 working days, explaining what action has been taken in addressing the complaint, what the outcome of that action
 - is and outlining the remedies proposed;
 - specifically addressing any desired outcomes requested by the complainant;
 - confirming the right of appeal to Stage Two if the complainant remains dissatisfied;
 - identifying clear learning outcomes for recording on the CRM system; and

- sending a copy of the reply and learning outcomes to the NCO for recording purposes.
- 2.31 The NCO or Service Manager may find that another procedure should be invoked such as a request for information (Freedom of Information or Subject Access Request), safeguarding processes (relating either to a child or vulnerable adult) or a disciplinary process.
- 2.32 In such cases, the complainant will be kept informed of progress and given an indication as to the likely response time for the complaint.
- 2.33 The Head of Service/Strategic Manager will be responsible at Stage One for ensuring that there is an NCO and service manager who is trained and able to undertake the role outlined above, whilst monitoring performance and approach in line with this policy. The Head of Service/Strategic Manager is also responsible for ensuring that clear learning outcomes are identified and recorded on the Council's CRM and that there is an action plan for addressing that learning and embedding it into practice through the service planning process or individual Personal Development Review Records, where this is appropriate and proportionate.

Stage Two - Head of Service/Strategic Manager Response

- 2.34 The Stage Two review will be carried out by a Head of Service/Strategic Manager within 20 working days who will consider the complaint and response at Stage One.
- 2.35 The Head of Service/Strategic Manager will respond to the complainant confirming the service response and any actions that will be taken as a result of the complaint. They will also remind the complainant of the right to approach the LGSCO or take legal remedies as appropriate if still dissatisfied. This may include bodies such as the courts in the case of a Judicial Review.
- 2.36 If a Head of Service/Strategic Manager has already responded at Stage One, they will be unable to carry out the Stage Two review. This should be done by another Head of Service/Strategic Manager.

Learning from Previous Complaints

- 2.37 The Council's complaints procedures aim to ensure that individuals who make submissions have their concerns resolved swiftly and, wherever possible, by the people who provide the service locally. The complaints procedure is used as a tool by the department for indicating where services may need improving. They are a positive aid to inform and influence service improvements, not negative processes to apportion blame.
- 2.38 Through effective complaints processes, the department embeds a learning culture to feed into internal systems for driving improvement, which should in turn contribute to improved outcomes for children, young people and families.
- 2.39 The complaints processes give service users, including children and young people, the opportunities to tell the department about both good and bad experiences of the service.

Summary of Learning

2.40 The following section sets out where learning from complaints has been used by the department to make service improvements.

Children's Services Complaints Team

2.41 The Children's Services Complaints Team (CSCT) also looks to improve the service they deliver as part of the wider complaints process, ensuring that it takes any lessons being learnt into account.

2.42 The CSCT has revised its approach to complaints handling given the LGSCO feedback in relation to the Children's Social Care PIR complaint received during the reporting period 2020/21 and reported to Cabinet on 11 March 2021.

2.43 All officers within the CSCT received refreshed training around the revised approach to complaints handling, including covering the option for complainants to contact the LGSCO direct and reinforcing the requirement around the complainants right to escalate to Stage Two and then again to Stage Three, should they remain dissatisfied with the outcome of their complaint at the previous stage.

Children's Social Care

2.44 As a result of feedback from parents and carers (and prior to the final decision by the LGSCO with regards to a complaint about the personal budget process), Children's Services revised its administrative procedure in relation to personal budgets.

2.45 All personal budgets moved to a pre-paid card system which has enabled parents/carers and the Council to monitor spend online, which is more effective and timelier than the previous process.

2.46 At the same time, Children's Services introduced clearer guidance and support on what is considered appropriate spend. All parents/carers now sign an agreement at the start of the personal budget payment process, this details what is considered appropriate spend. Clear procedures are also in place should inappropriate spend be identified.

2.47 The 2019/20 Annual Complaints Report (see Appendix 1 and 3) highlighted the number of complainants that were seeking an explanation of actions undertaken. The service has taken this on board and aims to resolve concerns at the earliest stage by ensuring that thorough explanations are provided by social workers, or team managers, ideally as situations arise, rather than parents/carers/children/young people believing that the complaints process is the only way to achieve this.

2.48 The 2020/21 Annual Complaints Report (see Appendix 2 and 4) highlighted the number of complainants that were seeking better communication as an outcome to their complaint. The report also put forward examples of where learning was already being put in place demonstrated by the responding Senior Manager recognising the importance of having effective communication and ensuring their staff also understood this.

2.49 Through our strengths based 'Hampshire and IW approach', Children's Services endeavours to ensure communication is clearer, child focused and that we take an opportunity to reflect and learn from the concerns raised.

Education & Inclusion Services

2.50 As can be seen in Table 1.2 under the 'Key Issues and Metrics' section of this report, there were no Complaints (Statements or PIRs) received from the LGSCO during the 2020/21 reporting period for Education Services.

2.51 During Quarter One of the current reporting period (2021/22), however, the Council has received one PIR and one Statement and the timing of this report has enabled the department to update the committee on these complaints. Both complaints were in regard to the Council's Special Educational Needs Service.

2.52 The Statement was regarding a complaint where the Council failed to properly review and update the Complainant's child's Education, Health and Care Plan (EHCP) and as a result did not provide complete information when consulting a proposed school placement. To provide context the Council finalised 1,693 EHCPs in the financial year 2020/21. The Council is currently awaiting the final decision from the LGSCO.

2.53 The PIR was in response to a complaint (see Appendix 5) where the Council was delayed in sending the complainant a copy of the final EHCP for their son following the Tribunal's decision, and wrongly removed agreed provision from Section G of the final EHCP. The LGSCO upheld the complaint and found fault causing injustice. Recommendations were put in place requiring an apology, 'distress' and 'time and trouble' payments and reminders/training for staff. These recommendations have all been completed and the Ombudsman was satisfied with the Council's response. The PIR was published to the media by the LGSCO.

2.54 In learning from these complaints, the Council intends to address the broader issue of its ability to respond to Annual Reviews within the four week deadline by analysing the relevant roles and responsibilities of staff within the Assessment and Review Team to ensure sufficient staffing. The Council is also introducing an electronic hub system to support the EHCP process, which will enable the system to be streamlined and therefore improve efficiency.

Key Issues and Metrics

2.55 Alongside considering the Council's individual number of LGSCO complaints, it is also important to consider these in context against other Councils.

2.56 Having received and reviewed a complaint, the LGSCO will make one of the following decisions:

- Uphold the complaint and recommend how the organisation should put things right;
- Uphold only part of the complaint;
- Uphold the complaint but not make any recommendations because the Council may have put things right by the time the LGSCO decide the complaint;
- Uphold the complaint but not make any recommendations as the LGSCO considers the fault didn't have a significant effect on the complainant;

- Not uphold the complaint; or
- The LGSCO cannot or will not investigate the complaint.

2.57 The decisions are released to the Council as either a 'Statement' or a 'Public Interest Report' (PIR).

2.58 The Statement sets out the complaint, findings, recommendations and timescales for completion but is only made available in its full version to the Complainant and the Council. A PIR is a detailed report of the investigation and the LGSCO make it available for public reading. Depending on the individual circumstances, the LGSCO may also send the report to the media with a press release.

2.59 Table 1.1 below sets out the total number of complaints (statements and PIRs) received by the LGSCO in regard to the Isle of Wight Council's Children's Services Department, the Council's Statistical Neighbours Children's Services Departments and all Councils Children's Services Departments during the period 01st April 2020 to 31st March 2021.

2.60 Statistical neighbours are used by Central Government to provide a method for benchmarking progress. For each Local Authority (LA), these models designate a number of other LAs deemed to have similar characteristics. These designated LAs are known as statistical neighbours.

Table 1.1: LGSCO Complaints Comparison – Statistical Neighbours

Period:	01/04/2020 - 31/03/2021	Number of LGSCO Complaints
DfE No.	Local Authority	
925	Lincolnshire	11
908	Cornwall	4
845	East Sussex	13
830	Derbyshire	23
935	Suffolk	38
926	Norfolk	27
839	Bournemouth, Christchurch & Poole	5
882	Southend-on-Sea	5
879	Plymouth	5
880	Torbay	4
921	Isle of Wight	5
-	All Councils	1426

Source: Decision Search Tool, LGSCO Website

2.61 When compared to the Council's Statistical Neighbours, the Council received a significantly lower number of complaints (five in total) than almost half of the group, during the reporting period 01st April 2020 to 31st March 2021, with only two of the Council's Statistical Neighbours receiving less complaints overall (four complaints each).

2.62 Table 1.2 below sets out the number of complaints (statements and PIRs) received by the LGSCO in regard to services within the Isle of Wight Council's Children's Services Department whose complaints would be processed under

the Corporate Complaints process. The table also shows this same information for the Council's Statistical Neighbours and a summary total for all Councils during the reporting period 01st April 2020 to 31st March 2021.

Table 1.2: LGSCO Complaints Comparison – Statistical Neighbours: Corporate Complaints

Period:	01/04/2020 - 31/03/2021	Statements				PIRs		
DfE No.	Local Authority	No.	Upheld	Closed after Initial Enquiry	Not Upheld	No.	Upheld	Not Upheld
925	Lincolnshire	5	4	1	0	0	0	0
908	Cornwall	2	2	0	0	1	1	0
845	East Sussex	8	6	0	2	0	0	0
830	Derbyshire	17	9	8	0	1	1	0
935	Suffolk	23	7	11	5	0	0	0
926	Norfolk	11	9	0	2	0	0	0
839	Bournemouth, Christchurch & Poole	4	2	2	0	0	0	0
882	Southend-on-Sea	4	2	2	0	0	0	0
879	Plymouth	0	0	0	0	0	0	0
880	Torbay	0	0	0	0	0	0	0
921	Isle of Wight	0	0	0	0	0	0	0
-	All Councils	656	348	229	79	14	14	0

Source: Decision Search Tool, LGSCO Website

2.63 As mentioned earlier in the report, there were no Complaints (Statements or PIRs) received from the LGSCO during the 2020/21 reporting period for the Council for these services, which only two of the Council's Statistical Neighbours also achieved.

2.64 Table 1.3 below sets out the number of complaints (statements and PIRs) received by the LGSCO in regard to services within the Isle of Wight Council's Children's Services Department whose complaints would be processed under the Children's Social Care Complaints process. The table also shows this same information for the Council's Statistical Neighbours and a summary total for all Councils during the reporting period 01st April 2020 to 31st March 2021.

Table 1.3: LGSCO Complaints Comparison – Statistical Neighbours: Children's Social Care Complaints

Period:	01/04/2020 - 31/03/2021	Statements				PIRs		
DfE No.	Local Authority	No.	Upheld	Closed after Initial Enquiry	Not Upheld	No.	Upheld	Not Upheld
925	Lincolnshire	6	2	3	1	0	0	0
908	Cornwall	1	0	1	0	0	0	0
845	East Sussex	5	2	3	0	0	0	0
830	Derbyshire	5	1	2	2	0	0	0
935	Suffolk	15	4	9	2	0	0	0
926	Norfolk	16	9	9	4	0	0	0

839	Bournemouth, Christchurch & Poole	1	0	1	0	0	0	0
882	Southend-on-Sea	1	1	0	0	0	0	0
879	Plymouth	5	2	3	0	0	0	0
880	Torbay	4	2	0	2	0	0	0
921	Isle of Wight	4	2	2	0	1	1	0
-	All Councils	751	229	434	88	5	5	0

Source: Decision Search Tool (LGSCO Website) and CSCT Records (RESPOND Database)

2.65 As can be seen in Table 1.3 above, there were five Complaints (four Statements and one PIR) received from the LGSCO during the 2020/21 reporting period in regard to Children's Social Care, with only three of the Council's Statistical Neighbours receiving less during the reporting period.

2.66 50% of LGSCO complaints categorised as Statements resulted in the complaint being 'Closed after Initial Enquiry'. LGSCO complaints will fall under this outcome for various reasons including:

- there are no good reasons for the Ombudsman to investigate it at that point;
- the complaint is outside of timescales making it difficult to investigate at that point;
- it is unlikely the Ombudsman will find fault by the Council (e.g., no evidence);
- the complaint is outside the Ombudsman's jurisdiction;
- the complainant does not have permission to make the complaint (e.g., it is about another family);
- the alleged fault has not caused the complainant/their dependent any significant personal injustice; or
- the issue can only be challenged/rectified at court.

2.67 The remaining 50% of Statement complaints were upheld with recommendations being set by the LGSCO, which were accepted and undertaken by the Council.

2.68 The one PIR showing within Table 1.3 is for the LGSCO complaint previously reported to cabinet on 11 March 2021, where the individual complained to the Council that it delayed reassessing the complainant's child's needs and deciding about the child's personal budget, meaning the child's needs were not met and they were caused uncertainty and distress. The PIR also claimed the Council refused to consider the complaint at Stage Two of the Children's Social Care Complaint procedure.

2.69 Despite challenging these claims, the LGSCO found fault with the Council's management of the child's personal budget and decided that the Council refused to consider the complaint at Stage Two of the Children's Social Care Complaint procedure.

2.70 The LGSCO set recommendations within the PIR, which the Council delivered, and the Ombudsman was satisfied with the Council's response.

2.71 As can be seen across Tables 1.1 to 1.3, the Council compares favourably to our Statistical Neighbours in terms of the number of complaints made to the Ombudsman during the 2020/21 reporting period.

Actions and Next steps

2.72 The Council will continue to capture and look to learn from feedback from complainants and service users to aid service improvement.

2.73 Actions include:

- reviewing and revising the current model of complaints to ensure, where possible, concerns are addressed early and fully in order that complainants feel listened and to assist in reducing the number of complaints needing to be escalated through the stages of the complaints processes;
- finalising the new 'Children's Social Care Complaints' module being developed alongside workforce development before rolling out across the department to support all managers in responding to complaints to ensure staff are fully aware of their responsibilities through these processes and establishing consistent practice around responses;
- updating the Council's ACR to incorporate data and observations around the department's corporate complaints received during the reporting period, in order to provide the Departmental Management Team with a full picture of children's services complaints within the Council, allowing oversight and collation of learning in a single approach; and
- addressing the broader issue of the Council's ability to respond to Annual Reviews within the four week deadline by analysing the relevant roles and responsibilities of staff within the Assessment and Review Team to ensure sufficient staffing; and
- introducing an electronic hub system to support the EHCP process, which will enable the system to be streamlined and therefore improve efficiency.

2.74 The 2019/20 and 2020/21 versions of the ACR will also be published on the Council's website making them available to the public in line with statutory guidance.

3.0 APPENDICES ATTACHED

- Appendix 1 – Annual Complaints Report (2019/20)
- Appendix 2 – Annual Complaints Report (2020/21)
- Appendix 3 – Annual Complaints Report (2019/20): Data Appendix
- Appendix 4 – Annual Complaints Report (2020/21): Data Appendix
- Appendix 5 – LGSCO - IWC - PIR - 19012699

4.0 BACKGROUND PAPERS

- Council Complaints Policy
(<https://www.iow.gov.uk/documentlibrary/download/complaints-policy>)

- Children's Services Response to LGSCO Report, Restricted Report to Cabinet, 11/03/2021 ([Agenda for Cabinet on Thursday, 11th March, 2021, 5.00 pm - Modern Council \(modern.gov.co.uk\)](#))
- Getting the Best from Complaints (https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwiM4JTl16vyAhVCY8AKHcRgAnkQFn_oECAIQAQ&url=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fgovernment%2Fuploads%2Fsystem%2Fuploads%2Fattachment_data%2Ffile%2F273895%2Fgetting_the_best_from_complaints.pdf&usq=A_OvVaw12JHcv0hemyllCv4bwdmQX)

Contact Point: Colin Payne, Head of Information Governance and Business Support (CSD), ☎ 0370 779 0264
e-mail: Colin.payne@hants.gov.uk

STEVE CROCKER
Director Children's Services

CLLR Debbie Andre
Cabinet Member for Children's Services, Education
and Lifelong Skills

Children's Services Department

Annual Report on Complaints and Representations

2019/20



1.0 Executive Summary

- 1.1 The Annual Report is a public document, providing a mechanism by which the Isle of Wight Council's Children's Services Department (the Department) can be kept informed about the operation and effectiveness of its Children's Social Care complaints procedure and support learning from complaints. Non-Children's Social Care Complaints are responded to by the Nominated Complaints Officer within the Isle of Wight Council. These types of complaints are not included in this report. This document covers the reporting period 01 April 2019 to 31 March 2020.
- 1.2 During the reporting period, there was a requirement to upgrade to a newer version of the Complaints Case Management system being used. This was because of a Council wide issue with the authority's servers. A number of benefits came with the upgrade including the ability to enhance the level of detail around a number of the reporting areas, such as:
- the nature/reason for the complaint;
 - desired and actual outcomes;
 - whether a complaint has been upheld or not upheld;
 - the presence or absence of learning from individual complaints; and
 - opportunities for service development.
- 1.3 This also provided the opportunity to enable the Children's Services Complaints Team (CSCT) to adjust the way the service configured its recording requirements to enhance the level of detailed information being recorded, which came into effect from 01st October 2019.
- 1.4 The key findings within the report can be summarised as:
- 1.4.1 A total of 68 representations were received by the CSCT in the 2019/20 reporting period. This represents an increase of 39% from 2018/19. A glossary of key terms can be found in Appendix 2.
- 1.4.2 56% of representations were considered in accordance with the children's social care statutory guidance (79% were accepted and managed as statutory complaints) and 44% were 'other' complaints/representations. On average, the Department receives 5.5 representations per month.
- 1.4.3 During 2019/20, the average time taken to investigate and respond to new children's social care stage 1 complaints was 13.4 working days (a decrease of 0.7 days on 2018/19).
- 1.4.4 66% of social care complaints were responded to within 10 working days at stage one (47 percentage point increase on the previous

reporting period); 26% between 10-20 working days (45 percentage points down on the previous year) and 9% exceeded the maximum 20 working day limit (1 percentage point down on the previous year).

- 1.4.5 'Parents' continue to be the group most likely to make a complaint to Children's Services (70% of Stage 1 social care complaints). There has also been an increase in complaints made by 'Grandparents' from one in 18/19 to two in 19/20.
- 1.4.6 The three highest category for the reason (nature) why children's social care complaints are made are 'Conduct of Worker', 'Quality of Service' and 'Insufficient Support from Children's Services Department' and 'Funding' (equal third). This is a slight change from previous years, with the introduction into the top three nature categories of 'Funding'. However, 'Conduct of Worker' and 'Quality of Service' have remained constantly prominent across recent reporting periods. 'Conduct of Worker' has seen a percentage increase of 60%, whilst 'non fulfilment of duty' has seen a percentage decrease of 80% and matters relating to 'poor communication' have seen a decrease of 66.7%, in comparison to the previous reporting period.
- 1.4.7 For children's social care, the predominant outcome sought is 'apology and explanation' (13%).
- 1.4.8 The next three highest categories are 'agreed service implemented', 'explanation' and 'personal budget'.
- 1.4.9 In 2019/20, two young people made a complaint, a significant decrease from previous years (50%), making up 7% of Statutory Stage One complaints.
- 1.4.10 There were also four Local Government & Social Care Ombudsman (LGSCO) complaints received within the reporting period.
- 1.5 The report also identifies five recommendations for CSCT or the wider department to implement or monitor, as appropriate, during the 2020/21 reporting period:
- **Recommendation 1** – This is a continuation of the recommendation made in the 2018/19 annual complaints report. A review to be undertaken in the final quarter of the reporting period (2020/21), on the use of appropriate level managers from Children's Services Department branches (other than from within the children and families branch) to fulfil the Investigating Officer role for complaints concerning Children's Social Care. The review will identify the risk and benefit of the approach to inform the decision on the future suitability of the model.

- **Recommendation 2** – Incorporate the benefits of the new Complaints Case Management System through the capturing of evidence to support learning, by updating the format of the Annual Complaint Report (ACR) to include this additional detail.
- **Recommendation 3** – In relation to the specific observation made in the report:
 - *of the nine case concerns received (between 01/10/2019-31/03/2020) none progressed to statutory complaints.*

This should be reported on in detail in the next ACR as it suggest that social care matters managed as case concerns (informal complaint) lead to a high level of resolution.

- *during the reporting period no compliments were formally recorded.*

This should be reported on in detail in the next ACR to identify if compliments are being made but not recorded or are not being made and what significance, if any, the latter should be given if that is the situation.

- **Recommendation 4** – Continue to work with the appropriate Department service lead to confirm what is recorded within the Department’s Children’s Social Care Case Management System, when a complaint is made. Proposal to be completed by 31 March 2021.
- **Recommendation 5** – The following observations indicate potential trends beginning to form and should be further explored in the next ACR to identify any viable pattern/trend that could lead to learning/practice improvements:
 - *The enforced splitting of the data into six month periods has shown that for social care complaints compliance was higher in the first six month period.*
 - *Only 3% of complaints relating to Children in Care and a further 3% relating to Care Leavers services, were received directly from young people.*
 - *Two young people made a complaint. This is a significant decrease from previous years and specifically a percentage decrease of 50% from last year.*

2.0 Introduction

- 2.1 The report covers the Children's Services Department's formal feedback and representations for the period 1 April 2019 to 31 March 2020. The report details the compliments and complaints formally recorded by the Children's Services Complaints Team (CSCT). In addition to annual reporting, service reporting takes place on a quarterly basis, with more regular monitoring reports for services issued on request. This regular monitoring of formal feedback enables ongoing improvement.
- 2.2 The Children's Act 1989 require all local authorities with social services responsibilities to have a formal complaints procedure for social care complaints. 'Getting the Best from Complaint' (statutory guidance issued by the DfE 2006) provides guidance for local authorities on implementing the complaint process for social care complaints made in relation to Children's Services. This annual report is produced in line with national guidance and is designed to share information more widely with members of the public.
- 2.3 **Children's Social Care Complaints:** These statutory complaints follow the Council's Children's Social Care Statutory Complaints Procedure for Children's Services (Stage 1 - local resolution; Stage 2 – investigation; Stage 3 – complaint review panel). When a complainant has exhausted the three stage complaints process, they can ask the Local Government and Social Care Ombudsman (LGSCO) to consider their complaint. Complainants are also able to refer their complaint to the LGSCO at any point in the formal process, however if the complaint is still being considered by the local authority the LGSCO may deem the complaint premature and direct the complainant back to complete the local authority's complaint process the complaint.

3.0 Representations Received

- 3.1 A representation is the term used to describe the first instance of contact with the CSCT that requires an action. Only the first contact is counted in reporting tables, but all contact is recorded within the case management system. A glossary of terms can also be found under Appendix 2.
- 3.2 A total of 68 representations were received by CSCT in the 2019/20 reporting period. This represents an increase of 19 (39%) from 2018/19. Table 1.1 below shows the breakdown of how these numbers compare to previous years.

Table 1.1: Total Representations

Type of representation	Financial Year			
	2019/20	2018/19	2017/18	2016/17
Statutory				
Complaint	28	27	29	31
Pre-complaint to Statutory Stage 1 Complaint	2	0	2	0
Area initiated complaint	0	1	2	1
Refused	8	0	6	1
Total statutory representations	38	28	39	33
Other				
Pre-complaint	5	0	3	0
HSCP	0	0	0	1
LGSCO	4	5	0	2
Case Concern	9	6	12	6
Non Statutory Complaint	2	0	0	0
GDPR, FOI or SAR	4	0	0	0
Ad Hoc	10	10	21	17
Total other representations	30	21	36	26
Total representations	68	49	75	59

3.3 Within the reporting period, as can be seen in Table 1.1 above, there were also:

- 30 'other' types of enquiry (10 were recorded as Ad Hoc); and
- 38 statutory representations of which 30 were accepted into the statutory complaints process.

3.4 56% of representations were considered in accordance with the children's social care statutory guidance (79% of these were accepted and managed as statutory complaints) and 44% were 'other' complaints/representations. On average, the Department receives 5.5 representations per month.

3.5 Five pre-complaints were received in the reporting period. A pre-complaint occurs when a representation is made but there is insufficient information included to allow the Department to respond. The individual concerned is contacted by CSCT and asked to provide the necessary detail. Where this happens, the representation is then brought into the formal complaint process (pre-complaint to complaint).

Observation - of the five pre-complaints received only two became formal complaints.

Observation - during the reporting period no compliments were formally recorded. This does not necessary mean that no compliments were given but an indication that most customer feedback received by the department is in the form of complaints rather than compliments.

3.6 A total of eight complaints were refused, a percentage increase of 100% from last year and the highest number since the CSCT took on responsibility for managing Isle of Wight Council (IWC) children’s social care complaints. The increase is because of a higher number of Court refusals, suggesting that a higher number of complaints than usual relate to cases with ongoing court proceedings. A detailed breakdown of the reasons for these refusals can be found in Table 1, within the supporting Data Appendix.

Observation - of the nine case concerns received (between 01/10/2019-31/03/2020), none progressed to statutory complaints.

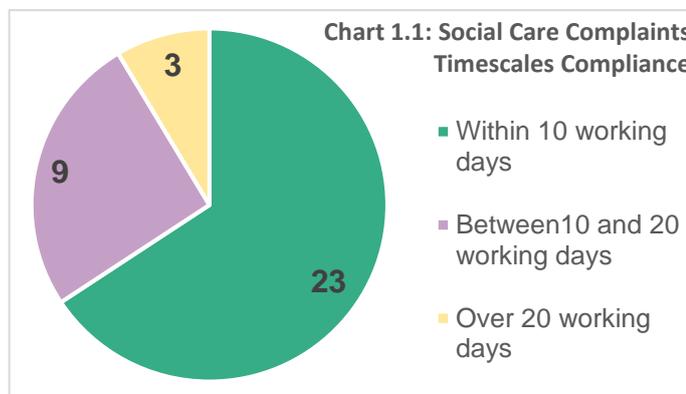
3.7 CSCT also coordinate complaints, relating to Child Protection Conferences, that fall within the Hampshire Safeguarding Children Partnership complaint process. During the reporting period no complaints were relating to this process.

3.8 Professional to Professional complaints are complaints received from other professionals and not made on behalf of service users. During the reporting period no complaints were relating to this process.

4.0 Timescale compliance

4.1 During 2019/20, the average time taken to investigate and respond to new children’s social care stage 1 complaints was 11.7 working days (a decrease of 0.7 days on 2018/19).

4.2 As can be seen in Chart 1.1, 66% of children’s social care complaints were responded to within 10 working days at stage 1 (a 47 percentage point increase on the previous reporting period); 26% between 10-20 working days and 9% exceeded the maximum 20 working day limit.



Observation – the reconfiguration of the services recording approach meant that for this report the data was provided in two six month period datasets for certain fields of information. This presented an interesting observation, where for social care complaints, compliance was higher in the first six month period. It is not possible to draw any firm conclusions from this data at this point. However, it will be examined for possible trends in the next reporting period.

- 4.3 A further breakdown of timescale compliance can be found in table 2 within the supporting Data Appendix.

5.0 Who make complaints and how are they submitted?

- 5.1 'Parents' continue to be the group most likely to make a complaint to Children's Services (70% of Stage 1 social care complaints). There has been an increase in complaints made by 'Grandparents' from one in 18/19 to two in 19/20. The three most popular methods for making complaint are by 'email', 'letter' and 'e-form'. Data pertaining specifically to Young Peoples' complaints (as a subset) is included later in the report (see section 10).
- 5.2 A further breakdown of who made complaints and how they were submitted can be found in tables 3 and 5 within the supporting Data Appendix.

6.0 Nature and Service

- 6.1 The three highest categories for the reason (nature) why social care complaints are made are 'Conduct of Worker', 'Quality of Service' and 'Insufficient Support from Children's Services Department' and 'Funding' (equal third). This is slightly different from previous years, with the introduction into the top three nature categories of 'Funding'. However, 'Conduct of Worker' and 'Quality of Service' have remained constantly prominent across recent reporting periods. 'Conduct of Worker' has seen a percentage increase of 60%, whilst 'non fulfilment of duty' has seen a percentage decrease of 80% and matters relating to 'poor communication' have seen a decrease of 66.7%, in comparison to the previous reporting period.
- 6.2 Data shows that complaints are spread across services, although some types of service are more likely to result in feedback leading to complaints than others. Overall, in 2019/20 in relation to children's social care, CASTs received the highest number of complaints (33% of Social Care complaints) followed by services to Children Looked After (23% of Social Care complaints) and the Disabled Childrens Team (also 23% of Social Care complaints). Given the

primary function of Children's Services Department's social care responsibilities this is not surprising.

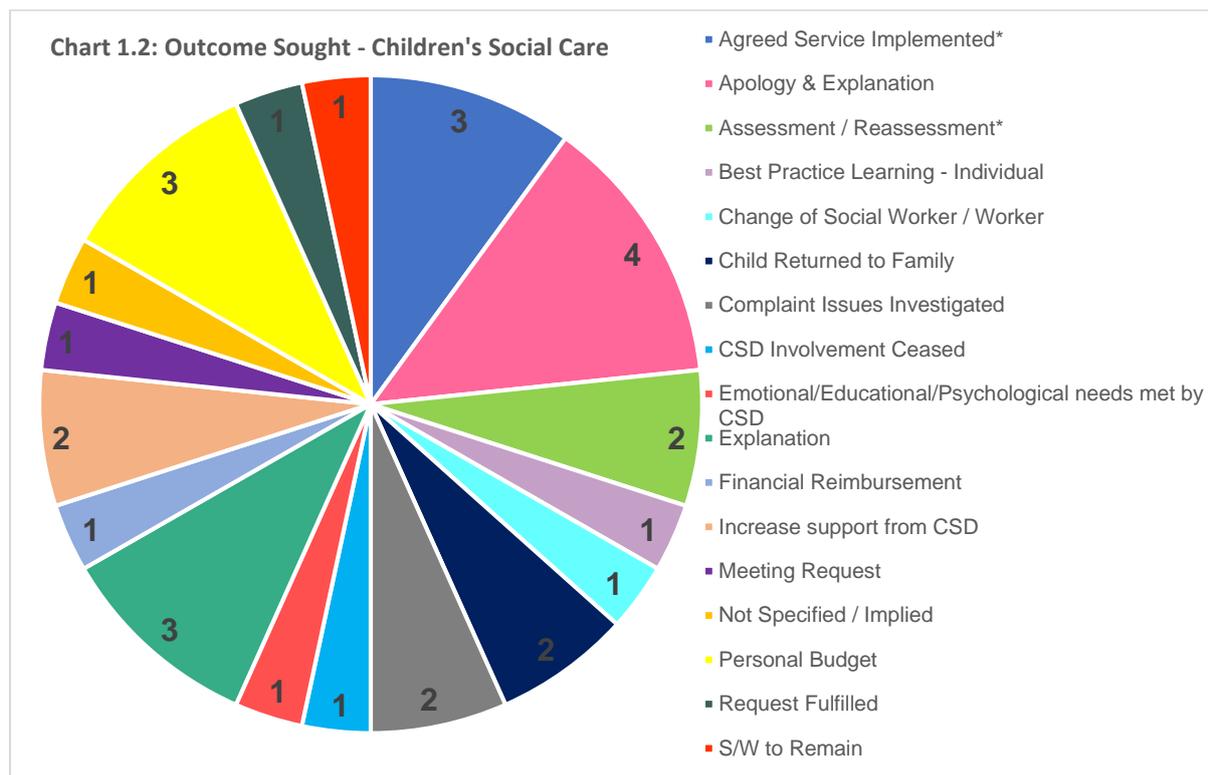
Observation - only 3% of complaints relating to Children in Care and a further 3% relating to Care Leavers services, were received directly from young people.

6.3 A further breakdown of the nature of complaints made can be found in Table 6 within the supporting Data Appendix.

7.0 Outcomes Sought

7.1 For children's social care, the predominant outcome sought is an 'apology and explanation' (13%), as can be seen in Chart 1.2.

7.2 The next three highest categories are 'agreed service implemented', 'explanation' and 'personal budget'.

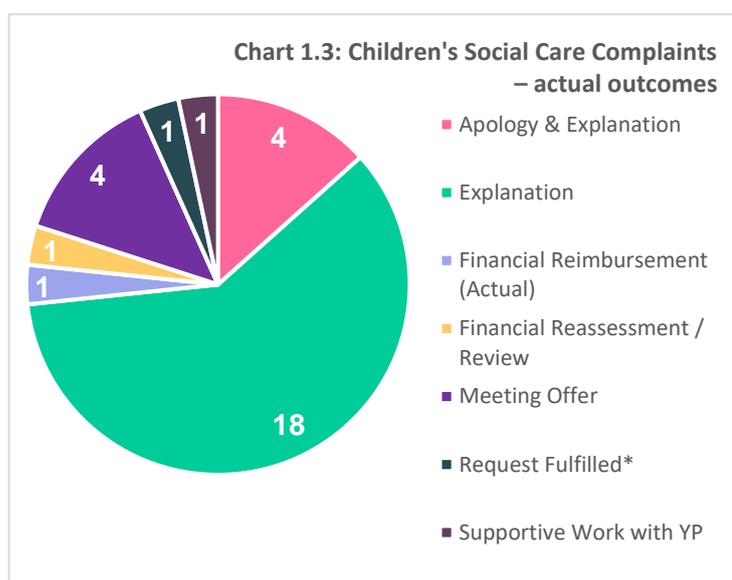


7.3 The prevalence of the complainants' desire for an 'apology and explanation', or an 'apology', suggests that a large number of our complainants are seeking answers and to understand the actions of children services. This would suggest that they, the complainant, believe there has been wrong doing requiring an apology as the remedy. However, an equally significant number of complainants are asking for a specific service where it appears they believe they have an entitlement to, and this has driven the making of the complaint.

8.0 Actual Outcomes

8.1 When making a complaint, complainants are asked to state what outcome they are seeking. This provides a useful indication to the responding manager about what potentially would resolve the complaint and also provides comparative data in relation to the actual outcome i.e., the outcome of the investigation. The actual outcome achieved is taken from the complaint response letter. The correlation between outcome sought and the actual outcomes identifies 'Apology and Explanation' as the highest outcome sought and 'Explanation' the highest actual outcome. 'Apology and Explanation', along with 'Meeting Offer' are the second highest actual outcomes for children's social care complaints.

8.2 Chart 1.3 provides a summary breakdown of 'actual outcomes' for Children's Social Care Complaints within the reporting period. Complaints falling under 'other', in respect of actual outcome, can take a variety of forms including specific agreed action to resolve the individual complaint, such as provision of funding/a one off payment, a specific communication plan or another.



Observation – where just an 'explanation' is the actual outcome, this suggests that no fault or remedial action was identified by the responding manager as being required. In parallel, when an 'apology' is the actual outcome, this suggests that fault was found.

Observation – 13% of outcomes sought for social care complaints is for an 'apology and explanation' and it is of note that 13% of complaints resulted in an 'apology and explanation'. Whilst this does not prove that the complaints where an 'apology and explanation' was requested actually resulted in one; it does suggest that 13% of requested outcomes (potentially identifying where remedial action may be required) equalled the percentage of responses providing an 'apology and explanation'.

Observation – 60% of complaints resulted in an 'explanation'. This suggests that the Council found no fault in the majority (60%) of complaints received.

- 8.3 During the reporting period, there was a requirement to upgrade to a newer version of the Complaints Case Management System being used. This was because the existing version was moving out of support and the supplier would no longer be in a position to support any issues that could arise.
- 8.4 A number of benefits came with the upgrade including the ability to enhance the level of detail around a number of the reporting areas. This also provided the opportunity to enable CSCT to adjust the way the service configured its recording requirements to enhance the level of detailed information being recorded. Table 1.2 below uses this updated configuration approach, in relation to the status of statutory complaints that completed stage one from 01/10/2019 to 31/03/20. In the next reporting period, the new database will have been fully configured and data will be available to enable identification of 'upheld', 'not upheld' or 'partially upheld' decisions for all complaints in the formal complaint processes.

Table 1.2: Children's Social Care Complaints received 01/10/2019 - 31/03/2020

Investigation Outcome	Number	Percentage
Not Upheld	8	53%
Partially Upheld	6	40%
Upheld	1	7%
Total	15	100%

- 8.5 Within the current reporting period, CSCT was also able to identify through the new recording configuration for the data set out within Table 1.2 above, the following observations relating to 'actual' outcomes for Children's Social Care complaints:
- 'Explanation' made up 60% of complaint outcomes, of this 78% were 'Not Upheld' and the remaining 22% were 'Partially Upheld'.
 - Where 'Explanation' was the outcome, seven of the nine complaints were 'Not Upheld', the remaining two were 'Partially Upheld'.
 - The one complaint that was 'Upheld', did not result in remedial action being taken.
- 8.6 Of the six complaints which were 'Partially Upheld', one resulted in remedial action being taken. These six could be considered alongside the one 'Upheld' complaint as it would be fair to assume that all six contained elements significant enough to require action as they were upheld at least in part. Consequently, 14% of complaints, received under the new recording configuration, resulted in remedial action.

9.0 Learning from complaints

9.1 Complaints can provide both opportunities for learning and indications that Children's Services practice is appropriate. In some instances, specific areas for service improvement are identified.

9.2 General learning points and service improvements identified from social care complaints received in 2019/20 were comparable to previous periods such as the importance of good communication and ensuring agreed actions are completed and timely replies to communications from service users and minutes etc sent in keeping with CSD's own policies and procedures .

9.3 The learning from individual complaints is, as a point of good practice, usually included in the response letter to the complainant by the senior manager, who also implements and monitors any required action.

9.4 Some examples identified (but adjusted to ensure anonymity) during the reporting period included:

- **Social care stage 1** – relates to where a Service Manager acknowledged in the Stage 1 response that a member of the team's performance fell short of the expected levels of professionalism during a phone call with the complainant. This resulted in training being given to the individual and an assurance to the complainant:

"Please be assured that the management team will ensure that the relevant staff member has the appropriate training and support to ensure such incidents do not happen again."

- **Social Care Stage 1 Young Person's complaint** – The following bespoke measures were put in place following a young person's complaint being upheld:

"I agreed to do the following for you:-

- Consider what we can do to apologise for the way you were treated.*
- To do my best to find out who was your social worker on your xth and xth birthdays and why the decision was made not to pass on the gifts from your Dad to you.*
- Ask your old social worker to be your social worker again when she returns from leave.*
- Consider who could support you to get all of the information about your Dad and your half-brother so that you know that you have all of the information that social care have.*
- Ask your social worker to continue to help you to plan for the future."*

- **Social Care Stage 3 Three complaint** – the following action were agreed and undertaken as part of the recommendations made at Stage 3:

The Head of Service A, in conjunction with the Head of Service B, should ensure that a process is in place to enable parents to have early notification of school transport arrangements, including the provision of suitable escorts and that this is in place no less than 6 weeks before the start of term.

The Head of Service A should ensure that a named officer is asked to undertake a review as to whether there is any policy on the social care needs of children with visual impairment in place. If there is no such policy then the review should consider whether or not one is required.

The Head of Service A should ensure a review is undertaken of the process for providing minutes and reports to families. This review should ensure there are clearly set timescales for reports and minutes being shared and ensure there is a robust process with appropriate management oversight for compliance, in place. There should be regular quarterly reporting to senior managers for the next twelve months to ensure this is embedded.

Having reviewed the Child and Family Assessment I am of the view that it is an entirely appropriate document to cover the needs of carers and does not need amending. It is how that document is completed when considering the needs of carers that is the issue. As such the Head of Service A should ensure there is a specific training session for the relevant team in this matter, that addresses how the carers needs should be completed in such cases.

These actions were subsequently confirmed as having been completed.

10.0 Young People's Complaints

10.1 In 2019/20, two young people made a complaint. This is a significant decrease from previous years and specifically a percentage decrease of 50% from the previous reporting period. CSCT have also observed the following noteworthy trends:

- 7% of Statutory Stage One complaints were made by young people (this equates to two complaints).
- 50% of complaints made by young people were made via another professional.

- 50% of complaints made by young people were upheld and remedial action taken.
- The upheld complaint resulted in supportive work being done with the young person. In addition, a time and trouble payment was offered, but to date it is unclear whether the young person decided to accept this.

10.2 A breakdown of young people's complaints can be found in Tables 10 to 13, within the supporting Data Appendix.

11.0 Social care complaints escalation

11.1 There remains a high level of resolution at Stage one, however, four complaints were escalated to Stage Two. Of these, two were completed within the reporting period with one processing to Stage Three, which was ongoing at the end of the reporting period.

12.0 Local Government and Social Care Ombudsman (LGSCO)

12.1 The number of complaints received via the LGSCO has decreased by one in total. All four LGSCO complaints were received within the reporting period with two currently ongoing and one was deemed 'premature' by the LGSCO (so was put through the Council's own complaint process). 'Fault with injustice' was found in relation to the remaining complaint resulting in an 'apology' and a 'Time and Trouble' payment being made to the complainant by IWC.

13.0 2018/19 recommendations – progress

Recommendation 1 – At the conclusion of the 'Complaints in the C & F Investigating Officer pilot', review the effectiveness of the process. The pilot was initiated to address the shortfall in external investigating officers and consisted of the identification and training of suitable level managers from Children and Families branch of Children's Services to meet the statutory requirements of the investigation officer's role. The review will enable the identification of strengths and risks of the revised process and inform a decision into future suitability of use.

Progress - The 'Children and Families Investigating Officer pilot' ended when the last Stage Two investigation allocated to the pilot was concluded at the beginning of this reporting period (2019/20). After reviewing the impact of the process, it was decided corporately that the use of managers within the branch of the department where the complaint originated, was not seen as providing a degree of separation that most complainants would expect. A departmental decision was therefore made to continue to use internal investigating officers but adjust the process to draw from a pool of appropriate level managers within

the department's other branches. Given that this initiative is currently in progress this recommendation will be carried over into the next reporting period.

Recommendation 2 – Continue to identify a more appropriate approach to effectively capture learning from complaints whilst minimising the impact on practitioners and their managers. A key factor in the delivery of this recommendation will be the configuration and implementation of the new complaints database.

Progress – Issues relating to the configuration of the new database has impacted on the fulfilment of this recommendation, however, the new database will be configured to capture learning. Therefore, it is anticipated this recommendation will be achieved within the next reporting period with a target delivery date of 30 September 2021.

Recommendation 3 – Implement the revised layout and content of the Annual Complaint Report to ensure that pertinent intelligence is captured whilst still complying with the statutory complaint guidance. A key factor in the delivery of this recommendation will be the configuration and implementation of the new complaints database.

Progress – This annual report is presented in a revised layout. The expectation is that this will be further enhanced once the new complaints database is fully functional.

Recommendation 4 – Develop a coherent department wide approach to what is recorded on the Children's Social Care Case Management System when a complaint is made. Liaise with colleagues in the department to assist with this process.

Progress – Work is progressing on this recommendation looking at what content is to be included within the current system and it is recommended to be carried forward into the next reporting period.

Recommendation 5 - The independent providers (non-HCC/IWC employees) who are engaged to undertake designated roles at Stages Two and Three of the statutory complaint processes also undertake the same role for other Local Authorities so there is a high demand for their services. A review of hourly rates is required to ensure we can compete for scarce independent provider resource.

Progress – The Complaints Manager has undertaken a scoping exercise to understand the rates of pay provided by other local authorities for this type of work. The Department has reviewed this information and agreed to increase the pay rates to ensure they are competitive in obtaining the services of independent providers.

Recommendation 6 – Undertake a review of standard templates to assess whether any amendments or additions could be made to encourage service users to state their desired outcomes when making a representation.

Progress – A review of the standard template was undertaken, and some minor amendments were made – impact of the changes will be evident in the next reporting period.

14.0 2019/20 Recommendations

Recommendation 1 – This is a continuation of the recommendation made in the 2018/19 annual complaints report. A review to be undertaken in the final quarter of the reporting period (2020/21), on the use of appropriate level managers from Children's Services Department branches (other than from within the children and families branch) to fulfil the Investigating Officer role for complaints concerning Children's Social Care. The review will identify the risk and benefit of the approach to inform the decision on the future suitability of the model.

Recommendation 2 – Incorporate the benefits of the new Complaints Case Management System through the capturing of evidence to support learning, by updating the format of the Annual Complaint Report (ACR) to include this additional detail.

Recommendation 3 – In relation to the specific observation made in the report:

- *of the nine case concerns received (between 01/10/2019-31/03/2020) none progressed to statutory complaints.*

This should be reported on in detail in the next ACR as it suggest that social care matters managed as case concerns (informal complaint) lead to a high level of resolution.

- *during the reporting period no compliments were formally recorded.*

This should be reported on in detail in the next ACR to identify if compliments are being made but not recorded or are not being made and what significance, if any, the latter should be given if that is the situation.

Recommendation 4 – Continue to work with the appropriate Department service lead to confirm what is recorded within the Department's Children's Social Care Case Management System, when a complaint is made. Proposal to be completed by 31 March 2021.

Recommendation 5 – The following observations indicate potential trends beginning to form and should be further explored in the next ACR to identify any viable pattern/trend that could lead to learning/practice improvements:

- *The new recording configuration has shown that for social care complaints compliance was higher in the first six month period.*
- *Only 3% of complaints relating to Children in Care and a further 3% relating to Care Leavers services, were received directly from young people.*

- *Two young people made a complaint. This is a significant decrease from previous years and specifically a percentage decrease of 50% from last year.*

Appendix 1 – Data Report

The supporting data tables can be accessed through the following link:

ADD WEBPAGE LINK BEFORE PUBLISHING ON WEBSITE Page Break

Appendix 2 - Glossary

Complaint

Getting the Best from Complaints, DfES 2006 defines a complaint as:

'an expression of dissatisfaction or disquiet, in relation to an individual child or young person, which requires a response'.

Case Concern

The definition of a case concern, as developed by CSCT, is:

'An operational / case issue which is current, has a 'here and now' impact and requires a 'same day' intervention.'

This is in contrast to complaints which will nearly always have a historical element and, whilst significant, do not require immediate intervention. Correctly identifying representations as concerns enables them to be passed swiftly to the appropriate team for action. The option to have their concern dealt with as a complaint is explained and remains an option at any point.

Pre-complaints

Representations received by the complaints team that could become a formal complaint in the future, or where further clarification is needed from the originator before the matter can be responded to, are recorded as pre-complaints.

Area Initiated

Complaints which are managed at a local level, that CSCT become aware of, and may have some input into.

Enquiries

The complaints team is also involved with enquiries received by the Director's Office, from MPs, Councillors, and the Department for Education (DfE).

HantsDirect Handoff

Calls made to the contact centre where the caller wants to speak to a manager, but they are either unavailable or not found. Request is passed to CSCT who identify manager and ask for contact to be made within three days whilst also advising that if concern is not resolved a formal complaint can be made.

Miscellaneous

Representations received by the team that do not fall within its remit are recorded on Respond under 'miscellaneous'. These include disciplinary issues, non-Children's Services complaints, complaints about other agencies and local authorities.

This page is intentionally left blank

Children's Services Department

Annual Report on Complaints and Representations

2020/21



1.0 Executive Summary

- 1.1 The Annual Complaints Report (ACR) is a public document, providing a mechanism by which the Isle of Wight Council's Children's Services Department (the Department) can be kept informed about the operation and effectiveness of its Children's Social Care complaints procedure and support learning from complaints. Non-Children's Social Care Complaints are responded to by the Nominated Complaints Officer within the Isle of Wight Council. These types of complaints are not included in this report. This document covers the reporting period 01 April 2020 to 31 March 2021.
- 1.2 The key findings within the report can be summarised as:
- 1.2.1 A total of 64 representations were received by the CSCT in the 2020/21 reporting period. This represents a reduction of 6% from 2019/20. A glossary of key terms can be found in Appendix 2.
 - 1.2.2 55% of representations were considered in accordance with the children's social care statutory guidance (83% were accepted and managed as statutory complaints) and 44% were 'other' complaints/representations. On average, the Department receives 5.3 representations per month, a 0.2 reduction on 2019/20.
 - 1.2.3 During 2020/21, the average time taken to investigate and respond to new children's social care stage 1 complaints was 11.9 working days (a decrease of 1.5 working days on 2019/20).
 - 1.2.4 31% of social care complaints were responded to within 10 working days at stage one (35 percentage point decrease on the previous reporting period); 66% between 10-20 working days (40 percentage points increase on the previous year) and 3% exceeded the maximum 20 working day limit (six percentage point reduction on the previous year).
 - 1.2.5 'Parents' continue to be the group most likely to make a complaint to Children's Services (75% of Stage 1 social care complaints). There has also been an increase in complaints made by 'Advocates' on behalf of Young People from none in 2019/20 to three in 2020/21.
 - 1.2.6 The three most popular methods for making a complaint continue to be by 'email' (47%), 'letter' (16%) and 'e-form' (38%).
 - 1.2.7 The three highest category for the reason (nature) why children's social care complaints are made are 'Insufficient Support from Children's Services Department' (28%), 'Conduct of Worker' (19%) and 'Poor Communication' (13%). Although 'Conduct of Worker' has been a

reason for complaints in recent reporting periods, 2020/21 has seen a drop of eight percentage points from the 2019/20 reporting period. 'Insufficient Support from Children's Services Department' has seen a second period of increase (from two in 2019/20 to nine in 2020/21). Complaints around 'poor communication' have also increased, having reduced in 2019/20 (four in 2020/21, compared to one in 2019/20 and three in 2018/19).

- 1.2.8 For children's social care, the predominant outcome sought is 'Better Communication' (16%); tied for second are 'Complaint Issues Investigated' and 'Increase Support from Children's Services Department' (13% each); with 'apology and explanation' now joint third (with a 25% reduction on 2019/20) with 'Change Made to Contact Arrangements' (9% each).
- 1.2.9 In 2020/21, five young people made a complaint, an increase from previous years (only two in 2019/20), making up 16% of Statutory Stage One complaints (compared to only 7% in 2019/20).
- 1.2.10 There were also five Local Government & Social Care Ombudsman (LGSCO) complaints received within the reporting period (compared to four in 2019/20).
- 1.3 The report also identifies six recommendations for CSCT or the wider department to implement or monitor, as appropriate, during the 2021/22 reporting period:
- **Recommendation 1** – Develop an Implementation Plan and ensure delivery of the service improvements identified within the Children's Services Transformation Practice's review of Children's Services Complaints.
 - **Recommendation 2** – Working alongside the Children's Services Performance Manager, continue to incorporate the benefits of the new Complaints Case Management System through the capturing of evidence to support learning, by updating the format of the Annual Complaint Report (ACR) to include this additional detail.
 - **Recommendation 3** – Establish the ongoing team structure arrangements for the Children's Services Complaints Team, confirming the ongoing approach to the statutory Complaints Manager position.
 - **Recommendation 4** – Increase capacity within the Independent Person (IP) pool to ensure successful increases within the Investigating Officer (IO) role are not impacted by a lack of availability of IPs to support investigations.

- **Recommendation 5** – The observations identified within the 2020/21 ACR recommendations, to be further explored to identify any viable pattern/trend that could lead to learning/practice improvements.
- **Recommendation 6** – Continue to work with the appropriate Departmental service lead to confirm what is recorded within the Department's Children's Social Care Case Management System, when a complaint is made.

2.0 Introduction

- 2.1 The report covers the Children's Services Department's formal feedback and representations for the period 1 April 2020 to 31 March 2021. The report details the compliments and complaints formally recorded by the Children's Services Complaints Team (CSCT). In addition to annual reporting, service reporting takes place on a quarterly basis, with more regular monitoring reports for services issued on request. This regular monitoring of formal feedback enables ongoing improvement.
- 2.2 The Children's Act 1989 requires all local authorities with social services responsibilities to have a formal complaints procedure for social care complaints. 'Getting the Best from Complaint' (statutory guidance issued by the DfE 2006) provides guidance for local authorities on implementing the complaint process for social care complaints made in relation to Children's Services. This annual report is produced in line with national guidance and is designed to share information more widely with members of the public.
- 2.3 Children's Social Care complaints follow the Council's Children's Social Care Statutory Complaints Procedure for Children's Services (Stage 1 - local resolution; Stage 2 – investigation; Stage 3 – complaint review panel). When a complainant has exhausted the three stage complaints process, they can ask the Local Government and Social Care Ombudsman (LGSCO) to consider their complaint. Complainants are also able to refer their complaint to the LGSCO at any point in the formal process, however if the complaint is still being considered by the local authority the LGSCO may deem the complaint premature and direct the complainant back to complete the local authority's complaint process.

3.0 Representations Received

- 3.1 A representation is the term used to describe the first instance of contact with the CSCT that requires an action. Only the first contact is counted in reporting tables, but all contact is recorded within the case management system. A glossary of terms can also be found under Appendix 2.
- 3.2 A total of 64 representations were received by CSCT in the 2020/21 reporting period. This represents a reduction of 4 representations (6%) from 2019/20. Table 1.1 below shows the breakdown of how these numbers compared to previous reporting periods.

Table 1.1: Total Representations

Type of representation	Financial Year				
	2020/21	2019/20	2018/19	2017/18	2016/17
Statutory					
Complaint	29	28	27	29	31
Pre-complaint to Statutory Stage 1 Complaint	3	2	0	2	0
Area initiated complaint	0	0	1	2	1
Refused	3	8	0	6	1
Total statutory representations	35	38	28	39	33
Other					
Pre-complaint	11	5	0	3	0
HSCP	0	0	0	0	1
LGSCO	5	4	5	0	2
Case Concern	3	9	6	12	6
Compliment	2	0	0	0	0
Non Statutory Complaint	2	2	0	0	0
Professional to Professional Complaint	1	0	0	0	0
GDPR, FOI or SAR	3	4	0	0	0
Ad Hoc	2	10	10	21	17
Total other representations	29	30	21	36	26
Total representations	64	68	49	75	59

3.3 Within the reporting period, as can be seen in Table 1.1 above, there were:

- 29 'other' types of enquiries (two were recorded as Ad Hoc) making up 45% of representations (a one percentage point increase on the previous reporting period);
- two 'compliments' were recorded; and
- 35 statutory representations of which 32 were accepted into the statutory complaints process.

3.4 55% of representations were considered in accordance with the children's social care statutory guidance (83% of these were accepted and managed as statutory complaints) and 45% were 'other' complaints/representations (a one percentage point increase on the previous reporting period). On average, the Department receives 5.3 representations per month.

3.5 11 pre-complaints were received in the reporting period. A pre-complaint occurs when a representation is made but there is insufficient information included to allow the Department to respond. The individual concerned is contacted by CSCT and asked to provide the necessary detail. Where this happens, the

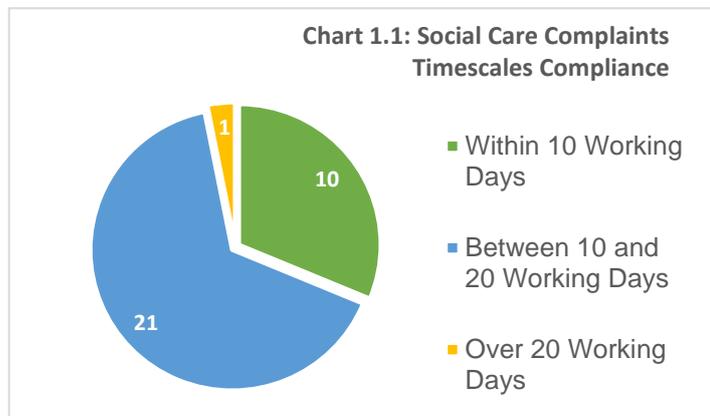
representation is then brought into the formal complaint process (pre-complaint to complaint).

- 3.6 A total of three complaints were refused, a reduction of 63% from the previous reporting period. These were all due to Court matters, which also made up 50% of refusals in 2019/20. A breakdown of the reasons for these refusals can be found in Table 1, within the supporting Data Appendix.
- 3.7 CSCT also coordinate complaints, relating to Child Protection Conferences, that fall within the Hampshire Safeguarding Children Partnership complaint process. During the reporting period no complaints were received relating to this process.
- 3.8 ‘Professional to Professional Complaints’ are complaints received from other professionals and not made on behalf of service users. During the reporting period, one complaint was relating to this process compared to none received during the 2019/20 reporting period.
- 3.9 Within the reporting period, the Council received two ‘compliments’, the first submissions recorded across the past five reporting periods. Both submissions were from partner agencies - one from Isle of Wight NHS Trust’s Mental Health Team and one from Hampshire Constabulary’s Public Protection Department. No compliments were received directly from service users, as has been the case in previous years.

4.0 Timescale Compliance

4.1 During 2020/21, the average time taken to investigate and respond to new children’s social care stage 1 complaints was 11.9 working days (a decrease of 1.5 days on 2019/20).

4.2 As can be seen in Chart 1.1, 31% of children’s social care complaints were responded to within 10 working days at stage One (a 35 percentage point reduction on the previous reporting period); 66% between 10-20 working days and 3% exceeded the maximum 20 working day limit.



4.3 A further breakdown of timescale compliance can be found in table 2 within the supporting Data Appendix.

5.0 Who makes Complaints and How are they Submitted?

5.1 'Parents' continue to be the group most likely to make a complaint to Children's Services (75% of Stage 1 social care complaints). There has also been an increase in complaints made by 'Advocates' on behalf of Young People from none received in 2019/20 to three in 2020/21.

5.2 The three most popular methods for making complaint continue to be by 'email' (47%), 'letter' (16%) and 'e-form' (38%). Data pertaining specifically to Young Peoples' complaints (as a subset) is included later in the report (see section 10).

5.3 A further breakdown of who made complaints and how they were submitted can be found in tables 3 and 5 within the supporting Data Appendix.

6.0 Nature and Service

6.1 The three highest category for the reason (nature) why children's social care complaints are made are:

- 'Insufficient Support from Children's Services Department' (28%);
- 'Conduct of Worker' (19%); and
- 'Poor Communication' (13%).

6.2 Although 'Conduct of Worker' has remained prominent across recent reporting periods, 2020/21 has seen a drop of eight percentage points from the 2019/20 reporting period. 'Insufficient Support from Children's Services Department' has seen a second period of increase (from two in 2019/20 to nine in 2020/21). Complaints around 'poor communication' have also increased again, having reduced in 2019/20, reaching the highest number for the past three reporting periods (four in 2020/21, compared to one in 2019/20 and three in 2018/19).

6.3 In previous reporting periods, the data has shown that complaints are generally spread across services, although some types of service are more likely to result in feedback leading to complaints than others. In 2020/21, in relation to children's social care, CAST continue to receive the highest number of complaints and make up over half of all Children's Social Care complaints (59%), an increase on the 2019/20 reporting period (19 in 2020/21 compared to 10 in 2019/20).

6.4 The remaining complaints do continue the general pattern of being shared across services, with:

- 'Disabled Childrens Teams' receiving 19% of Children's Social Care complaints (a reduction of one on 2019/20);
- services to 'Children Looked After' (which had a 71% decrease on 2019/20) and 'Care Leavers' (who increased from one complaint in 2019/20 to two in this reporting period), along with 'MASH/CRT' (no change on 2019/20 in terms of numbers but did reduce its share of complaints by 1% point in this reporting period), each receiving 6% of Children's Social Care complaints in 2020/21; and
- 'Fostering' receiving 3% (an increase of one complaint compared to none in 2019/20).

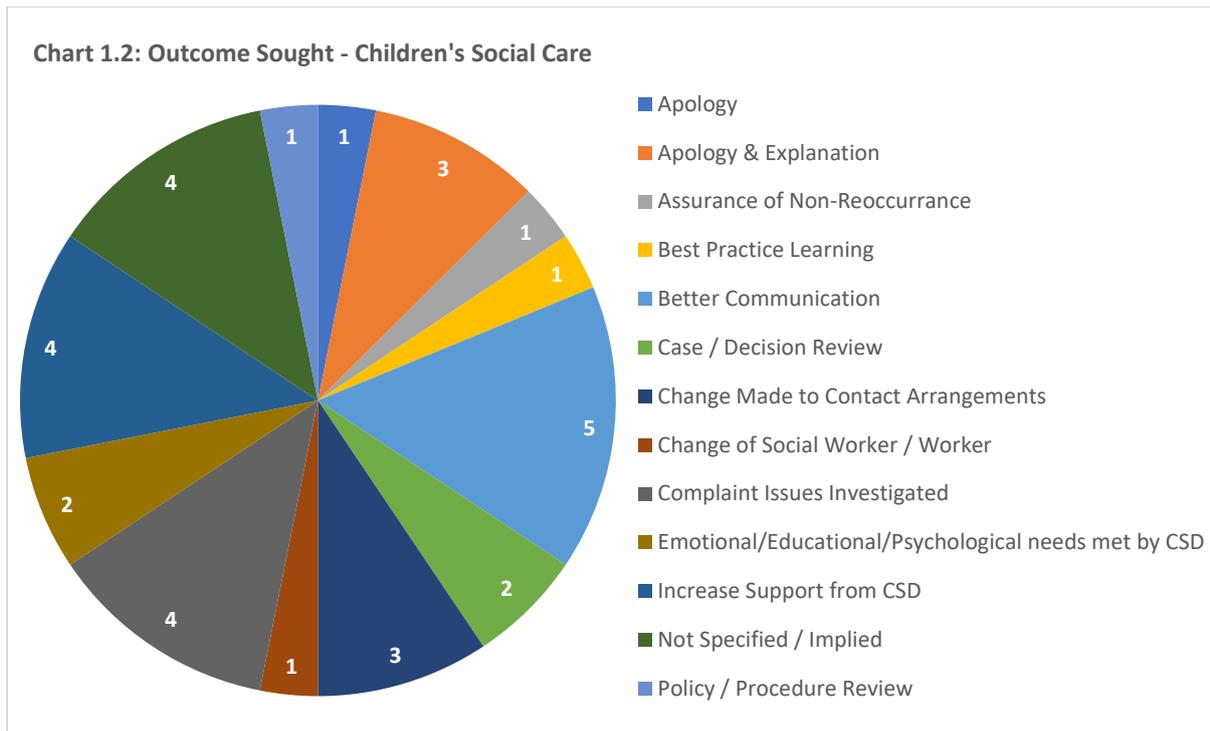
6.5 As noted in previous reporting periods, given the primary function of Children's Services Department's social care responsibilities, this is not surprising.

6.6 A further breakdown of the nature of complaints made can be found in Table 6 within the supporting Data Appendix.

7.0 Outcomes Sought

7.1 For Children's Social Care complaints, the predominant outcome sought is 'Better Communication' (16%), as can be seen in Chart 1.2 below.

7.2 Tied for second are 'Complaint Issues Investigated' and 'Increase Support from Children's Services Department' (13% each); with 'apology and explanation' now joint third with 'Change Made to Contact Arrangements' (9% each).



7.3 The desire for an 'apology and explanation' reduced by 25% in 2020/21 compared to the 2019/20 reporting period, alongside 'explanation' now making up none of the 'outcomes sought' having previously made up 10% of this reporting category.

7.4 Alongside the decrease in 'talkative/clarification' style responses identified under 7.3 above, the 2020/21 reporting period has also seen an increase in the number of complainants wanting outcomes that could be grouped under a more specific action/something to be done description, now making up half of all complaints (50%), compared to the 2019/20 reporting period (17%). This includes:

- Complaint Issues Investigated (13%);
- Increase Support from the Children's Services Department (13%)
- Change Made to Contact Arrangements (9%);
- Case/Decision Review (6%);
- Emotional/Educational/Psychological needs met by the Children's Services Department (6%); and
- Policy/Procedure Review (3%).

Observation –The change in numbers identified under 7.4 could suggest that complainants are becoming more assertive in their desired outcome, moving away from an accommodating attitude where they will be satisfied by an apology and/or explanation.

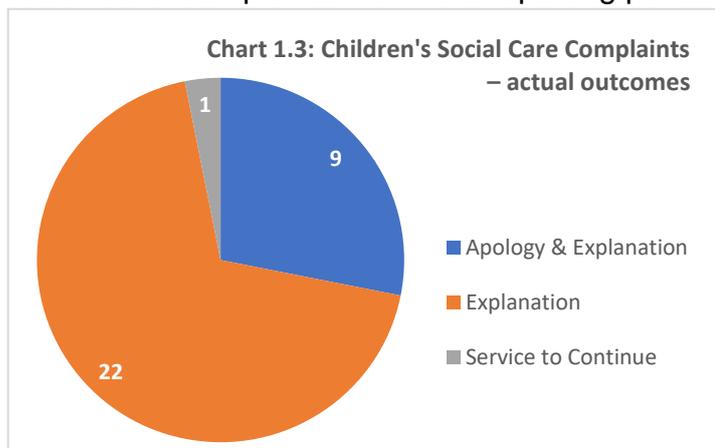
7.5 The 2020/21 reporting period has also seen the number of complainants seeking an outcome of ‘Complaint Issues Investigated’ double compared to the 2019/20 reporting period (2).

Observation –The change in numbers identified under 7.5 could suggest that some services/teams/individuals are either not looking into concerns being raised at the informal stage; not providing a response of suitable quality/quantity; or if linked to the ‘better communication’ outcome being sought that the complainant is feeling that they are possibly not being listened to. If this is the case, then remedying this approach could potentially contribute to situations being resolved earlier and without having to enter the formal complaints process.

8.0 Actual Outcomes

8.1 When making a complaint, complainants are asked to state what outcome they are seeking. This provides a useful indication to the responding manager about what potentially would resolve the complaint and also provides comparative data in relation to the actual outcome i.e., the outcome of the investigation. The actual outcome achieved is taken from the complaint response letter. The correlation between outcome sought and the actual outcomes identifies ‘Better Communication’ as the highest outcome sought and ‘Explanation’ the highest actual outcome (69%). ‘Apology and Explanation’ (28%) and ‘Meeting Offer’ (3%) were the other actual outcomes for children’s social care complaints within the reporting period.

8.2 Chart 1.3 provides a summary breakdown of ‘actual outcomes’ for Children’s Social Care Complaints within the reporting period.



8.3 Despite complainants seeking more specific outcomes from their complaints (as set out under section 7.0), 97% of actual outcomes provided by the Council were either an ‘explanation’ or ‘explanation and apology’.

Observation – The large difference between what is being sought by the complainant and the outcome being provided by the department, within the 2020/21 reporting period, could support the position that complainants are possibly not being listened to or that managers have decided on a response and are not willing to adjust from that position. On the other hand, it could also be suggested that what is being requested by the complainant is not realistic or deliverable and the service are trying to manage the expectations of the complainants and clarify what the situation is, providing an apology where they believe this is appropriate (28% of complaints).

Observation – The increase in the number of outcomes including an apology (nine in 2020/21 compared to four in 2019/20) could be an indication that services are more willing to recognise that there has been fault or an acceptance of the difficulties and/or impact of a situation on a complainant. This could be of potential benefit to both parties especially if there is likely to be ongoing interaction between the child(ren) and parent(s)/carer(s), in terms of trying to repair, maintain or establish a working relationship.

8.4 Table 1.2 below details the status of statutory complaints that completed stage one during the reporting period.

Table 1.2: Children’s Social Care Complaints received

Investigation Outcome	Number	Percentage
Not Upheld	21	66%
Partially Upheld	11	34%
Upheld	0	0%
Total	32	100%

8.5 Within the current reporting period, CSCT was also able to identify for the data set out within Table 1.2 above, the following observations relating to ‘actual’ outcomes for Children’s Social Care complaints:

- 'Explanation' made up 69% of complaint outcomes.
- Where 'Explanation' was the outcome, 20 of the 22 complaints (91%) were 'Not Upheld' (compared to seven of nine in 2019/20), with the remaining two being 'Partially Upheld' (the same number as in 2019/20).

9.0 Learning from Complaints

9.1 Complaints can provide both opportunities for learning and indications that Children's Services practice is appropriate. In some instances, specific areas for service improvement are identified.

9.2 General learning points and service improvements identified from social care complaints received in 2020/21 were comparable to previous periods, particularly around the importance of good communication. Ensuring agreed

actions are completed, such as minutes etc sent in keeping with CSD's own policies and procedures is still observed and therefore a continued requirement to keep reinforcing this message.

9.3 The learning from individual complaints is, as a point of good practice, usually included in the response letter to the complainant by the senior manager, who also implements and monitors any required action.

9.4 Some examples identified (but adjusted to ensure anonymity) during the reporting period included:

- **Social care stage 1** – A complaint was received at Stage One from a mother with Parental Responsibility (PR) about the Children's Social Worker (SW). The complaint loosely involved several different agencies although the main focus was about the Social Worker (SW).

The complaint stated that the SW's actions and inactions directly affected her and the children effectively causing the family breakdown as it is now:

"The Senior Manager responding to the Complaint recognised the importance of having effective communication within the initial contact. The Senior Manager set out in the response an action to ensure that their staff are aware of how important effective communication is."

- **Social Care Stage 1** – A complaint was received at Stage One from a mother with PR claiming that they had been left out all of all communication from the department:

"The Senior Manager responding to the Complainant addressed this with the social work team involved as the actions had fallen below the standards expected."

The Senior Manager put in place steps to ensure moving forward that the complainant was consulted and kept fully updated in respect of their child and was to be invited to all meetings."

- **Social Care Stage 1** – A complaint was received at Stage One from a mother about her experience with the department since a Child Protection Plan (CPP) had been in place.

The complaint largely related around the SW's alleged poor communication, alongside the belief that the family had not been effectively supported throughout the Child Protection process:

“The Senior Manager responding to the complaint took on the action to discuss the incident with the team manager about the need to ensure that when families are subject to a child protection plan it is vital not just for them to be given information but for checks to be undertaken, to ensure that this information is understood, helping to avoid misunderstandings. These actions aimed to ensure improved communication but also reemphasising the involvement of relevant parties in the process, as required.”

These actions were confirmed as having been completed.

10.0 Young People’s Complaints

10.1 In 2020/21, two complaints were made directly by young people, with a further three complaints submitted on a young person’s behalf by an advocate. This is an increase from the previous reporting period (only two complaints were made directly by young people), though none of the complaints made directly by young people or via an advocate were upheld, with 60% not upheld.

Observation – 16% of Statutory Stage One complaints were made directly by young people, an increase on the previous reporting period (7% in 2019/20).

Observation – 60% of complaints made by young people were made via an advocate possibly suggesting that the young person was not in a position to make the complaint themselves.

Observation – None of the outcomes sought by young people were achieved with .

10.2 A breakdown of young people’s complaints can be found in Tables 10 to 13, within the supporting Data Appendix.

11.0 Social Care Complaints Escalation

11.1 There remains a high level of resolution at Stage One, however, seven complaints were escalated to Stage Two (compared to four in 2019/20). All seven complaints were ongoing at the end of the reporting period.

11.2 No complaints were escalated to Stage Three within the reporting period, compared to one in 2019/20.

12.0 Local Government and Social Care Ombudsman (LGSCO)

12.1 The number of complaints received via the LGSCO during the reporting period has increased by one compared to the 2019/20 reporting period. All five LGSCO complaints were also closed within the reporting period with:

- Three complaints upheld, with one complaint resulting in a Public Interest Report; and
- Two complaints closed after initial enquiries.

13.0 2019/20 Recommendations – Progress

Recommendation 1 – Review the effectiveness of the Internal Investigating Officer process. This is a continuation of the recommendation made in the 2018/19 annual complaints report. A review to be undertaken in the final quarter of the reporting period (2020/21), on the use of appropriate level managers from Children's Services Department branches (other than from within the children and families branch) to fulfil the Investigating Officer role for complaints concerning Children's Social Care. The review will identify the risk and benefit of the approach to inform the decision on the future suitability of the model.

Progress – COMPLETED. A report was submitted to the Children's Services Departmental Management Team (CSDMT) on 09th April 2021, which provided an update on the current complaints position, including proposals on the approach to fulfilling the Investigating Officer role for complaints concerning Children's Social Care. A number of the proposals put forward were approved, including the trialling of two dedicated Investigating Officers for six months who will be based within the Children's Services Complaints Team, alongside additional actions around increasing capacity to support the Stage Two investigation process through the continued use of appropriate level managers from Children's Services Department branches.

Recommendation 2 – Incorporate the benefits of the new Complaints Case Management System through the capturing of evidence to support learning, by updating the format of the Annual Complaint Report (ACR) to include this additional detail.

Progress – ONGOING. This action continues to progress as the new Complaints Case Management System is fully embedded and its full capabilities taken advantage of. The new interim Complaints Manager has been tasked with continuing to progress this action forward through the 2021/22 reporting period.

Recommendation 3 – In relation to the specific observation made in the report:

- *of the seven case concerns received (between 01/10/2019-31/03/2020) none progressed to statutory complaints.*

a) This should be reported on in detail in the next ACR as it suggests that social care matters managed as case concerns (informal complaint) lead to a high level of resolution.

- *during the reporting period no compliments were formally recorded.*

b) This should be reported on in detail in the 2020/21 ACR to identify if compliments are being made but not recorded or are not being made and what significance, if any, the latter should be given if that is the situation.

Progress – PART A: ONGOING. This will be reviewed as part of the 2021/22 reporting period, providing three years' worth of data to establish any patterns or trends.

PART B: COMPLETED. The identification of a consistent lack of compliments being submitted was fed back through the children and families management team with service leads raising greater awareness within children's social care services of the importance of ensuring that compliments are fed through to the Children's Services Complaints Team for inclusion within the Annual Complaints Report. This communication appears to have had the desired affect with compliments being reported through and appearing within this report (see section 3.9).

Recommendation 4 – Continue to work with the appropriate Departmental service lead to confirm what is recorded within the Department's Children's Social Care Case Management System, when a complaint is made. Proposal to be completed by 31 March 2021.

Progress – ONGOING. As identified under recommendation three above, the change in Complaints Manager has impacted on the ability to fulfil certain actions. Therefore, this recommendation will be rolled forward.

Recommendation 5 - The following observations indicate potential trends beginning to form and should be further explored in the next ACR to identify any viable pattern/trend that could lead to learning/practice improvements:

- *The new recording configuration has shown that for social care complaints compliance was higher in the first six month period.*
- *Only 3% of complaints relating to Children in Care and a further 3% relating to Care Leavers services, were received directly from young people.*

- *Two young people made a complaint. This is a significant decrease from previous years and specifically a percentage decrease of 50% from last year.*

Progress – ONGOING. This will be reviewed as part of the 2021/22 reporting period, providing three years' worth of data to establish any patterns or trends.

14.0 2020/21 Recommendations

Recommendation 1 – Develop an Implementation Plan and ensure delivery of the service improvements identified within the Children's Services Transformation Practice's review of Children's Services Complaints. All actions identified with a potential delivery date falling within the 2021/22 reporting period to be included. Proposal to be completed by 31 March 2022.

Recommendation 2 – Working alongside the Children's Services Performance Manager, continue to incorporate the benefits of the new Complaints Case Management System through the capturing of evidence to support learning, by updating the format of the Annual Complaint Report (ACR) to include this additional detail. Proposal to be completed by 31 March 2022.

Recommendation 3 – Establish the ongoing team structure arrangements for the Children's Services Complaints Team, confirming the ongoing approach to the statutory Complaints Manager position. Proposal to be completed by 31 March 2022.

Recommendation 4 – Increase capacity within the Independent Person (IP) pool to ensure successful increases within the Investigating Officer (IO) role are not impacted by a lack of availability of IPs to support investigations. Proposal to be completed by 31 October 2021 but monitored ongoing through the 2021/22 reporting period.

Recommendation 5 – The observations identified within the 2020/21 ACR recommendations, to be further explored to identify any viable pattern/trend that could lead to learning/practice improvements. Proposal to be completed by 31 March 2022.

Recommendation 6 – Continue to work with the appropriate Departmental service lead to confirm what is recorded within the Department's Children's Social Care Case Management System, when a complaint is made. Proposal to be completed by 31 March 2022.

Appendix 1 – Data Report

The supporting data tables can be accessed through the following link:

ADD WEBPAGE LINK BEFORE PUBLISHING ON WEBSITE Page Break

Appendix 2 - Glossary

Complaint

Getting the Best from Complaints, DfES 2006 defines a complaint as:

'an expression of dissatisfaction or disquiet, in relation to an individual child or young person, which requires a response'.

Case Concern

The definition of a case concern, as developed by CSCT, is:

'An operational / case issue which is current, has a 'here and now' impact and requires a 'same day' intervention.'

This is in contrast to complaints which will nearly always have a historical element and, whilst significant, do not require immediate intervention. Correctly identifying representations as concerns enables them to be passed swiftly to the appropriate team for action. The option to have their concern dealt with as a complaint is explained and remains an option at any point.

Pre-complaints

Representations received by the complaints team that could become a formal complaint in the future, or where further clarification is needed from the originator before the matter can be responded to, are recorded as pre-complaints.

Area Initiated

Complaints which are managed at a local level, that CSCT become aware of, and may have some input into.

Enquiries

The complaints team is also involved with enquiries received by the Director's Office, from MPs, Councillors, and the Department for Education (DfE).

Miscellaneous

Representations received by the team that do not fall within its remit are recorded on Respond under 'miscellaneous'. These include disciplinary issues, non-Children's Services complaints, complaints about other agencies and local authorities.

This page is intentionally left blank

Children's Services Department

**Annual Report on
Complaints and Representations**

2019/20

Data Appendix – Data Tables

Representations Received

Table 1 - Complaint Refusals Breakdown

Refusal Reason	Financial Year			
	2019-2020	2018-2019	2017-2018	2016-2017
Court Matters	4	0	1	0
No PR	3	0	3	0
Outside of Remit	1	0	2	1
Total	8	0	6	1

Timescale compliance

Table 2 – Timescale Compliance

Stage	Financial Year					
	2019-2020		2018-2019		2017-2018	
Stage 1						
Total number of complaints	35		21		32	
- in 10 working days	23	66%	4	19%	12	38%
- in between 10 and 20 working days	9	26%	15	71%	17	53%
- in over 20 working days	3	9%	2	10%	3	9%
- average time to complete (days)	13.4		14.1		13.4	
Stage 2						
Total number of complaints received	4		2		2	
Total number of complaints complete)	2					
- in 25 working days	0		0	0%	-	-
- in between 25 and 65 working days	0		0	0%	-	-
- in over 65 working days	2		2	100%	-	-
- average time to complete (days)	136		182		Ongoing	
Stage 3						
Total number of complaints	1		2		1	
- in under 50 working days			0	0%	1	100%
- in 50 working days			0	0%	0	0%
- in over 50 working days			1	50%	0	0%
- average time to complete (days)	ongoing		115		41	

Percentage calculated to zero decimal places

Who make complaints and how are they submitted?

Table 3 - Social Care Stage One Complaints - How Received

Method	Financial Year					
	2019-2020		2018-2019		2017-2018	
Complaint Form	1	3%	1	4%	3	8%
E-Form	4	13%	1	4%	6	15%
Email	16	53%	19	68%	13	33%
Email via DCS	1	3%	0	0%	0	0%
Letter	7	23%	5	18%	15	38%
LGSCO (via)	1	3%	0	0%	0	0%
Telephone	0	0%	2	7%	2	5%
Total	30	100%	28	100%	39	100%

Percentage calculated to zero decimal places

Table 4 - Method Used to Make Complaints Young People's complaints (Social Care Stage One)

Method	Financial Year					
	2019-2020		2018-2019		2017-2018	
Complaint Form	0	0%	0	0%	1	25%
E-Form	0	0%	1	25%	1	25%
Email	2	100%	2	50%	2	50%
Letter	0	0%	1	25%	0	0%
Total	2	100%	4	100%	4	100%

Percentage calculated to zero decimal places

Table 5 - Who makes complaints - received from (Social Care Stage One)

Received from	Financial Year					
	2019-2020		2018-2019		2017-2018	
Parent/Adopter						
Parent	21	70%	21	75%	29	74%
Non Resident Parent	2	7%	0	0%	0	0%
Adopter	0	0%	0	0%	0	0%
Ex-Partner	0	0%	0	0%	0	0%
Partner	0	0%	0	0%	1	3%
Step-Parent	0	0%	0	0%	0	0%
Total Parent/Adopter	23	77%	21	75%	30	77%
Non-Parent Relative						
Grandparent	2	7%	1	4%	3	8%
Sibling	1	3%	0	0%	0	0%
Other Relative	0	0%	0	0%	1	3%
Total Non-Parent Relative	3	10%	1	4%	4	10%
Foster Carer/Prospective Foster Carer						
Foster Carer	2	7%	0	0%	0	0%
Private Foster Carer	0	0%	0	0%	0	0%
Prospective Adopter/Foster Carer	0	0%	0	0%	0	0%
Prospective Foster Carer	0	0%	0	0%	0	0%
Total Foster Carer/ Prospective Foster Carer	2	7%	0	0%	0	0%
Service user						
Service user (adult)	0	0%	0	0%	0	0%
Service user (young person)	2	7%	4	14%	4	10%
Total Service User	2	7%	4	14%	4	10%
Advocate	0	0%	2	7%	0	0%
Miscellaneous				0%		
Birth Parent of Adopted Child	0	0%	0	0%	0	0%
Friend/Neighbour	0	0%	0	0%	0	0%
Other	0	0%	0	0%	0	0%
Total Miscellaneous	0	0%	0	0%	0	0%
Unknown	0	0%	0	0%	1	3%
Total	30	100%	28	100%	39	100%

Percentage calculated to zero decimal places

Nature and Service

Table 6 - Social Care Complaints - complaint nature

Nature	Financial Year							
	2019-2020		2018-2019		2017-2018		2016-2017	
Assessment Outcome	1	3%	2	7%	4	10%	0	0%
Assessment Process	1	3%	0	0%	1	3%	2	6%
Change of Placement Decision	0	0%	0	0%	2	5%	2	6%
Child Protection Conference Process	1	3%	0	0%	0	0%	0	0%
Conduct of Worker	8	27%	5	18%	4	10%	3	9%
Contact Dispute	1	3%	0	0%	0	0%	0	0%
CSD Provision / Service Withdrawn	1	3%	0	0%	0	0%	0	0%
Decision to Change S/W	1	3%	0	0%	0	0%	0	0%
Delay in Provision of Service	1	3%	2	7%	1	3%	1	3%
Eligibility for Funding	1	3%	0	0%	0	0%	0	0%
Finance	1	3%	1	4%	0	0%	0	0%
Funding	2	7%	0	0%	1	3%	1	3%
Insufficient Support from CSD	2	7%	0	0%	0	0%	0	0%
Non Fulfilment of Duty	1	3%	5	18%	12	31%	9	27%
Other	0	0%	1	4%	1	3%	2	6%
Personal Budget Dispute	1	3%	0	0%	0	0%	0	0%
Poor Communication	1	3%	3	11%	3	8%	2	6%
Quality of Service	5	17%	8	29%	5	13%	9	27%
Refusal of Service	1	3%	1	4%	4	10%	2	6%
Safeguarding	0	0%	0	0%	1	3%	0	0%
Total	30	100%	28	100%	39	100%	33	100%

Percentage calculated to zero decimal places

Table 7 - Social Care Complaints - service involved

Service	Financial Year							
	2019-2020		2018-2019		2017-2018		2016-2017	
Care Leavers	1	3%	1	4%	3	8%	2	6%
CAST	10	33%	6	21%	4	10%	0	0%
Child in Need	1	3%	2	7%	10	26%	14	42%
Children Looked After	7	23%	5	18%	5	13%	7	21%
Disabled Children's Team	7	23%	12	43%	11	28%	6	18%
Early Help Hub	0	0%	0	0%	1	3%	1	3%
Family Placement	0	0%	0	0%	0	0%	1	3%
Family Support	1	3%	1	4%	0	0%	0	0%
Independent Reviewing Service	1	3%	0	0%	0	0%	0	0%
MASH/CRT	2	7%	1	4%	2	5%	0	0%
Not receiving a service	0	0%	0	0%	0	0%	1	3%
Unknown / Other	0	0%	0	0%	3	8%	1	3%
Total	30	100%	28	100%	39	100%	33	100%

Percentage calculated to zero decimal places

Table 8 - Social Care Complaints - outcome sought

Outcome Sought	Financial Year		
	2019-2020	2018-2019	2017-2018
Agreed Service Implemented	3	1	0
Apology & Explanation	4	0	0
Assessment / Reassessment	2	1	0
Assurance of Non-Reoccurrence	0	0	1
Best Practice Learning - Individual	1	0	0
Change of Social Worker / Worker	1	0	8
Child Returned to Family	2	0	0
Complaint Issues Investigated	2	0	0
CSD Involvement Ceased	1	0	0
Emotional/Educational/Psychological needs met by CSD	1	0	0
Explanation	3	0	0
Financial Reimbursement	1	0	0
Increase support from CSD	2	0	0
Meeting Request	1	0	0
Not Specified / Implied	1	0	0
Other	0	0	1
Personal Budget	3	0	0
Request Fulfilled	1	14	20
S/W to Remain	1	0	0
Not Known	0	12	9
Total	30	28	39

Table 9 - Social Care Complaints – actual outcome

Actual Outcome	Financial Year		
	2019-2020	2018-2019	2017-2018
Apology & Explanation	4	8	3
Assessment / Reassessment	0	1	0
Change of Social Worker / Worker	0	0	2
Explanation	18	10	21
Financial Reimbursement (Actual)	1	1	1
Financial Reassessment / Review	1	0	0
Meeting Offer	4	5	1
Request Fulfilled	1	1	4
Supportive Work with YP	1	0	0
Total	30	26	32

Young People's Complaints

Table 10 - Social Care Complaint – nature

Nature	Financial Year							
	2019-2020		2018-2019		2017-2018		2016-2017	
Change of Placement Decision	0	0%	0	0%	1	25%	2	22%
Delay in Provision of Service	1	50%	0	0%	0	0%	0	0%
Insufficient Support from CSD	1	50%	0	0%	0	0%	0	0%
Non Fulfilment of Duty	0	0%	2	50%	1	25%	4	44%
Professional Conduct	0	0%	0	0%	1	25%	2	22%
Quality of Service	0	0%	2	50%	1	25%	1	11%
Total	2	100%	4	100%	4	100%	9	100%

Percentage calculated to zero decimal places

Table 11 - Social Care Complaint - service involved

Service	Financial Year							
	2019-2020		2018-2019		2017-2018		2016-2017	
Care Leaver	1	50%	1	25%	1	25%	1	11%
CAST	0	0%	1	25%	0	0%	0	0%
Children in Care	1	50%	1	25%	3	75%	6	67%
Child in Need	0	0%	0	0%	0	0%	1	11%
Early Help Hub	0	0%	0	0%	0	0%	1	11%
MASH/CRT	0	0%	1	25%	0	0%	0	0%
Total	2	100%	4	100%	4	100%	9	100%

Percentage calculated to zero decimal places

Table 12 - Social Care Complaint - outcome sought

Outcome Sought	Financial Year					
	2019-2020		2018-2019		2017-2018	
Agreed Service Implemented	1	50%	0	0%	0	0%
Change of Social Worker / Worker	0	0%	0	0%	1	25%
Explanation	1	50%	0	0%	0	0%
Not Known	0	0%	1	25%	1	25%
Request Fulfilled	0	0%	3	75%	2	50%
Total	2	100%	4	100%	4	100%

Percentage calculated to zero decimal places

Table 13 - Social Care Complaints - actual outcome

Outcome Sought	Financial Year					
	2019-2020		2018-2019		2017-2018	
Apology & Explanation	0	0%	1	25%	0	0%
Change of Social Worker / Worker	0	0%	0	0%	1	17%
Explanation	0	0%	2	50%	4	67%
Meeting / Offer of a meeting	1	50%	1	25%	0	0%
Supportive Work with YP	1	50%	0	0%	0	0%
Request Fulfilled	0	0%	0	0%	1	17%
Total	2	100%	4	100%	6	100%

Percentage calculated to zero decimal places

Profile of complainants

Table 15 – all complaints - disability

Disability	Number of representations	
	2019-2020	2018-2019
Not Stated	12	27
No	3	1
Yes	0	0
Total	15	28

Table 16 – all complaints - gender

Gender	Number of representations	
	2019-2020	2018-2019
Not Stated	24	21
Male	1	2
Female	5	5
Male & Female	0	0
Total	30	28

Table 17 – all complaints - age

Age	Number of representations	
	2019-2020	2018-2019
0 - 16	0	2
16 - 19	0	2
20 - 24	1	1
25 - 59	4	0
60 - 64	0	0
65 and over	0	0
Not known	25	23
Total	30	28

Table 18 – all complaints - ethnicity

Ethnicity	Number of representations	
	2019-2020	2018-2019
Not Stated	26	28
Not Asked	0	0
White British	3	0
Other White	0	0
Asian/Asian British	0	0
Black/Black British	0	0
Mixed	0	0
Other Ethnic Group	1	0
Total	30	28

This page is intentionally left blank

Children's Services Department

**Annual Report on
Complaints and Representations**

2020/21

Data Appendix – Data Tables

Representations Received

Table 1 - Complaint Refusals Breakdown

Refusal Reason	Financial Year		
	2020-2021	2019-2020	2018-2019
Court Matters	3	4	0
No PR	0	3	0
Outside of Remit	0	1	0
Total	3	8	0

Timescale compliance

Table 2 – Timescale Compliance

Stage	Financial Year					
	2020-2021		2019-2020		2018-2019	
Stage 1						
Total number of complaints	32		35		21	
– in 10 working days	10	31%	23	66%	4	19%
– in between 10 and 20 working days	21	66%	9	26%	15	71%
– in over 20 working days	1	3%	3	9%	2	10%
– average time to complete (days)	11.9		13.4		14.1	
Stage 2						
Total number of complaints (received)	7		4		2	
Total number of complaints (completed)	0		2		2	
– in 25 working days	-	-	0	0%	0	0%
– in between 25 and 65 working days	-	-	0	0%	0	0%
– in over 65 working days	-	-	2	100%	2	100%
– average time to complete (days)	Ongoing		136		182	
Stage 3						
Total number of complaints	0		1		2	
– in under 50 working days	-	-	-	-	0	0%
– in 50 working days	-	-	-	-	0	0%
– in over 50 working days	-	-	-	-	1	50%
– average time to complete (days)	-		ongoing		115	

Percentage calculated to zero decimal places

Who make complaints and how are they submitted?

Table 3 - Social Care Stage One Complaints - How Received

Method	Financial Year					
	2020-2021		2019-2020		2018-2019	
Complaint Form	0	0%	1	3%	1	4%
E-Form	12	38%	4	13%	1	4%
Email	15	47%	16	53%	19	68%
Email via DCS	0	0%	1	3%	0	0%
Letter	5	16%	7	23%	5	18%
LGSCO (via)	0	0%	1	3%	0	0%
Telephone	0	0%	0	0%	2	7%
Total	32	100%	30	100%	28	100%

Percentage calculated to zero decimal places

Table 4 - Method Used to Make Complaints Young People's Complaints (Social Care Stage One)

Method	Financial Year					
	2020-2021		2019-2020		2018-2019	
Complaint Form	0	0%	0	0%	0	0%
E-Form	3	60%	0	0%	1	25%
Email	1	20%	2	100%	2	50%
Letter	1	20%	0	0%	1	25%
Total	5	100%	2	100%	4	100%

Percentage calculated to zero decimal places

Table 5 - Who Makes Complaints - Received from (Social Care Stage One)

Received from	Financial Year					
	2020-2021		2019-2020		2018-2019	
Parent/Adopter						
Parent	24	75%	21	70%	21	75%
Non Resident Parent	0	0%	2	7%	0	0%
Adopter	0	0%	0	0%	0	0%
Ex-Partner	0	0%	0	0%	0	0%
Partner	0	0%	0	0%	0	0%
Step-Parent	0	0%	0	0%	0	0%
Total Parent/Adopter	24	75%	23	77%	21	75%
Non-Parent Relative						
Grandparent	1	3%	2	7%	1	4%
Sibling	0	0%	1	3%	0	0%
Other Relative	1	3%	0	0%	0	0%
Total Non-Parent Relative	2	6%	3	10%	1	4%
Foster Carer/Prospective Foster Carer						
Foster Carer	1	3%	2	7%	0	0%
Private Foster Carer	0	0%	0	0%	0	0%
Prospective Adopter/Foster Carer	0	0%	0	0%	0	0%
Prospective Foster Carer	0	0%	0	0%	0	0%
Total Foster Carer/ Prospective Foster Carer	1	3%	2	7%	0	0%
Service user						
Service user (adult)	0	0%	0	0%	0	0%
Service user (young person)	2	6%	2	7%	4	14%
Total Service User	2	6%	2	7%	4	14%
Advocate	3	9%	0	0%	2	7%
Miscellaneous						0%
Birth Parent of Adopted Child	0	0%	0	0%	0	0%
Friend/Neighbour	0	0%	0	0%	0	0%
Other	0	0%	0	0%	0	0%
Total Miscellaneous	0	0%	0	0%	0	0%
Unknown	0	0%	0	0%	0	0%
Total	32	100%	30	100%	28	100%

Percentage calculated to zero decimal places

Nature and Service

Table 6 - Social Care Complaints - complaint nature

Nature	Financial Year					
	2020-2021		2019-2020		2018-2019	
Assessment Outcome	1	3%	1	3%	2	7%
Assessment Process	1	3%	1	3%	0	0%
Bruising Protocol	1	3%	0	0%	0	0%
Change of Placement Decision	0	0%	0	0%	0	0%
Child Protection Conference Process	0	0%	1	3%	0	0%
Conduct of Worker	6	19%	8	27%	5	18%
Contact Dispute	0	0%	1	3%	0	0%
CSD Acted Unlawfully	1	3%	0	0%	0	0%
CSD Provision / Service Withdrawn	0	0%	1	3%	0	0%
Decision to Change Placement	1	3%	0	0%	0	0%
Decision to Change S/W	0	0%	1	3%	0	0%
Delay in Provision of Service	0	0%	1	3%	2	7%
Eligibility for Funding	0	0%	1	3%	0	0%
Finance	0	0%	1	3%	1	4%
Funding	0	0%	2	7%	0	0%
Insufficient Support from CSD	9	28%	2	7%	0	0%
Non Fulfilment of Duty	0	0%	1	3%	5	18%
Other	2	6%	0	0%	1	4%
Personal Budget Dispute	0	0%	1	3%	0	0%
Policy Dispute	1	3%	0	0%	0	0%
Poor Communication	4	13%	1	3%	3	11%
Quality of Service	0	0%	5	17%	8	29%
Refusal of Service	0	0%	1	3%	1	4%
Respite Dispute	1	3%	0	0%	0	0%
Safeguarding	0	0%	0	0%	0	0%
Welfare Concerns Not Acted Upon	3	9%	0	0%	0	0%
Total	32	100%	30	100%	28	100%

Percentage calculated to zero decimal places

Table 7 - Social Care Complaints - service involved

Service	Financial Year					
	2020-2021		2019-2020		2018-2019	
Care Leavers	2	6%	1	3%	1	4%
CAST	19	59%	10	33%	6	21%
Child in Need	0	0%	1	3%	2	7%
Children Looked After	2	6%	7	23%	5	18%
Disabled Children's Team	6	19%	7	23%	12	43%
Early Help Hub	0	0%	0	0%	0	0%
Family Placement	0	0%	0	0%	0	0%
Family Support	0	0%	1	3%	1	4%
Fostering	1	3%	0	0%	0	0%
Independent Reviewing Service	0	0%	1	3%	0	0%
MASH/CRT	2	6%	2	7%	1	4%
Not receiving a service	0	0%	0	0%	0	0%
Unknown / Other	0	0%	0	0%	0	0%
Total	32	100%	30	100%	28	100%

Percentage calculated to zero decimal places

Table 8 - Social Care Complaints - outcome sought

Outcome Sought	Financial Year		
	2020-2021	2019-2020	2018-2019
Agreed Service Implemented	0	3	1
Apology	1	0	0
Apology & Explanation	3	4	0
Assessment / Reassessment	0	2	1
Assurance of Non-Reoccurrence	1	0	0
Best Practice Learning - Individual	1	1	0
Better Communication	5	0	0
Case/Decision Review	2	0	0
Change Made to Contact Arrangements	3	0	0
Change of Social Worker / Worker	1	1	0
Child Returned to Family	0	2	0
Complaint Issues Investigated	4	2	0
CSD Involvement Ceased	0	1	0
Emotional/Educational/Psychological needs met by CSD	2	1	0
Explanation	0	3	0
Financial Reimbursement	0	1	0
Increase support from CSD	4	2	0
Meeting Request	0	1	0
Not Specified / Implied	4	1	0
Other	0	0	0
Personal Budget	0	3	0
Policy/Procedure Review	1	0	0
Request Fulfilled	0	1	14
S/W to Remain	0	1	0
Not Known	0	0	12
Total	32	30	28

Table 9 - Social Care Complaints – actual outcome

Actual Outcome	Financial Year		
	2020-2021	2019-2020	2018-2019
Apology & Explanation	9	4	8
Assessment / Reassessment	0	0	1
Change of Social Worker / Worker	0	0	0
Explanation	22	18	10
Financial Reimbursement (Actual)	0	1	1
Financial Reassessment / Review	0	1	0
Meeting Offer	0	4	5
Request Fulfilled	0	1	1
Service to Continue	1	0	0
Supportive Work with YP	0	1	0
Total	32	30	26

Young People's Complaints

Table 10 - Social Care Complaint – nature

Nature	Financial Year					
	2020-2021		2019-2020		2018-2019	
Change of Placement Decision	0	0%	0	0%	0	0%
Delay in Provision of Service	0	0%	1	50%	0	0%
Insufficient Support from CSD	1	20%	1	50%	0	0%
Non Fulfilment of Duty	0	0%	0	0%	2	50%
Other	1	20%	0	0%	0	0%
Policy Dispute	1	20%	0	0%	0	0%
Poor Communication	1	20%	0	0%	0	0%
Professional Conduct	1	20%	0	0%	0	0%
Quality of Service	0	0%	0	0%	2	50%
Total	5	100%	2	100%	4	100%

Percentage calculated to zero decimal places

Table 11 - Social Care Complaint - service involved

Service	Financial Year					
	2020-2021		2019-2020		2018-2019	
Care Leaver	2	40%	1	50%	1	25%
CAST	2	40%	0	0%	1	25%
Children in Care	1	20%	1	50%	1	25%
Child in Need	0	0%	0	0%	0	0%
Early Help Hub	0	0%	0	0%	0	0%
MASH/CRT	0	0%	0	0%	1	25%
Total	5	100%	2	100%	4	100%

Percentage calculated to zero decimal places

Table 12 - Social Care Complaint - outcome sought

Outcome Sought	Financial Year					
	2020-2021		2019-2020		2018-2019	
Agreed Service Implemented	0	0%	1	50%	0	0%
Better Communication	2	40%	0	0%	0	0%
Change Made to Contact Arrangements	1	20%	0	0%	0	0%
Change of Social Worker / Worker	0	0%	0	0%	0	0%
Complaint Issues Investigated	1	20%	0	0%	0	0%
Explanation	0	0%	1	50%	0	0%
Not Known	0	0%	0	0%	1	25%
Policy/Procedure Review	1	20%	0	0%	0	0%
Request Fulfilled	0	0%	0	0%	3	75%
Total	5	100%	2	100%	4	100%

Percentage calculated to zero decimal places

Table 13 - Social Care Complaints - actual outcome

Outcome Sought	Financial Year					
	2020-2021		2019-2020		2018-2019	
Apology & Explanation	1	20%	0	0%	1	25%
Change of Social Worker / Worker	0	0%	0	0%	0	0%
Explanation	3	60%	0	0%	2	50%
Meeting / Offer of a meeting	0	0%	1	50%	1	25%
Service to Continue	1	20%	0	0%	0	0%
Supportive Work with YP	0	0%	1	50%	0	0%
Request Fulfilled	0	0%	0	0%	0	0%
Total	5	100%	2	100%	4	100%

Percentage calculated to zero decimal places

Profile of complainants

Table 15 – all complaints - disability

Disability	Number of representations		
	2020-2021	2019-2020	2018-2019
Not Stated	23	12	27
No	7	3	1
Yes	2	0	0
Total	32	15	28

Table 16 – all complaints - gender

Gender	Number of representations		
	2020-2021	2019-2020	2018-2019
Not Stated	22	24	21
Male	4	1	2
Female	6	5	5
Male & Female	0	0	0
Total	32	30	28

Table 17 – all complaints - age

Age	Number of representations		
	2020-2021	2019-2020	2018-2019
0 - 16	0	0	2
16 - 19	2	0	2
20 - 24	0	1	1
25 - 59	7	4	0
60 - 64	0	0	0
65 and over	1	0	0
Not known	22	25	23
Total	32	30	28

Table 18 – all complaints - ethnicity

Ethnicity	Number of representations		
	2020-2021	2019-2020	2018-2019
Not Stated	7	26	28
Not Asked	15	0	0
White British	9	3	0
Other White	1	0	0
Asian/Asian British	0	0	0
Black/Black British	0	0	0
Mixed	0	0	0
Other Ethnic Group	0	1	0
Total	32	30	28

**Report by the Local Government and Social Care
Ombudsman**

**Investigation into a complaint against
Isle of Wight Council
(reference number: 19 012 699)**

1 April 2021

The Ombudsman's role

For more than 40 years the Ombudsman has independently and impartially investigated complaints. We effectively resolve disputes about councils and other bodies in our jurisdiction by recommending redress which is proportionate, appropriate and reasonable based on all the facts of the complaint. Our service is free of charge.

Each case which comes to the Ombudsman is different and we take the individual needs and circumstances of the person complaining to us into account when we make recommendations to remedy injustice caused by fault.

We have no legal power to force councils to follow our recommendations, but they almost always do. Some of the things we might ask a council to do are:

- > apologise
- > pay a financial remedy
- > improve its procedures so similar problems don't happen again.

Section 30 of the 1974 Local Government Act says that a report should not normally name or identify any person. The people involved in this complaint are referred to by a letter or job role.

Key to names used

Mrs X	The complainant
Y	The complainant's son

Report summary

Special Educational Needs

Mrs X complained the Council delayed in sending her a copy of the final Education Health and Care Plan (EHC Plan) for her son following the Tribunal's decision, and wrongly removed agreed provision from Section G of the final EHC Plan.

Finding

Fault found causing injustice and recommendations made.

Recommendations

To remedy the injustice caused, we recommend that the Council:

- apologises to Mrs X and Y for the failure to clarify the Tribunal's instructions in May 2019;
- pays Y £150 to recognise the distress and anxiety caused by the unnecessary delay in agreeing provision;
- pays Mrs X £150 to recognise the distress, and the time and trouble she has been put to in pursuing this matter; and
- provides reminders/training to ensure that staff seek to clarify any discrepancies in Tribunal decisions at the time the Tribunal decision is issued.

We are proceeding by way of report as the Council refused to accept our findings when a draft decision was issued setting out our initial view.

The complaint

1. Mrs X complained the Council delayed in sending her a copy of the final Education Health and Care Plan (EHC Plan) for her son following the Tribunal's decision, and wrongly removed agreed provision from Section G of the final EHC Plan.
2. Mrs X also complained the Council has failed to provide the provision the Tribunal specified in Section G of the EHC Plan.

Legal and administrative background

3. We investigate complaints about 'maladministration' and 'service failure'. In this report, we have used the word 'fault' to refer to these. We must also consider whether any fault has had an adverse impact on the person making the complaint. We refer to this as 'injustice'. If there has been fault which has caused an injustice, we may suggest a remedy. (*Local Government Act 1974, sections 26(1) and 26A(1), as amended*)
4. SEND is a tribunal that considers special educational needs. (The Special Educational Needs and Disability Tribunal ('SEND'))
5. Under the information sharing agreement between the Local Government and Social Care Ombudsman and the Office for Standards in Education, Children's Services and Skills (Ofsted), we will share this report with Ofsted.

Education Health and Care Plans

6. A child with special educational needs may have an EHC Plan. This sets out the child's needs and what arrangements should be made to meet them. The EHC Plan is set out in sections. We cannot direct changes to the sections about education or name a different school. Only the SEND Tribunal can do this.
7. We can consider the other sections of an EHC Plan. We do this by checking the Council followed the correct process, and took account of all relevant information, in deciding what to include. If we find fault affected the outcome, we may ask the Council to reconsider. We will not usually substitute our judgement for the judgement of professionals if their decision were made without fault.
8. The Council is responsible for making sure that arrangements for special educational provision and social care provision specified in the EHC Plan are put in place. The Clinical Commissioning Group is responsible for securing health care provision. We can look at complaints about this, such as where support set out in the EHC Plan has not been provided, or where there have been delays in the process.

How we considered this complaint

9. We produced this report after examining relevant files and documents.
10. We are proceeding by way of report as the Council refused to accept our findings when a draft decision was issued setting out our initial view.
11. We gave the complainant and the Council a confidential draft of this report and invited their comments. The comments received were taken into account before the report was finalised.

What we found

12. Mrs X appealed against the contents of her son Y's EHC Plan. She also asked the Tribunal to make recommendations concerning Section D (social care needs), Section H1/H2 (social care provision), Section C (health needs) and Section G (health provision). Mrs X states the Tribunal agreed to the following provision in Section G.
 - Air conditioning unit at home and mobile unit for overnight respite.
 - Visual aids and adaptations to home/school when/if necessary, including wet room to help with personal hygiene.
 - Support with hospital visits and accompanied by a carer to support Y's behavioural plan.
13. The Council had submitted a working document to the Tribunal which highlighted, in yellow, the aspects of the Plan which were in dispute. This included the above provision in Section G.
14. The Tribunal issued an amendment notice in May 2019. This stated:
 - all text in red type was to be deleted;
 - all text in green type was to be added;
 - all text in black type was as agreed between the parties; and
 - text highlighted in yellow was not agreed but was outside the Tribunal's remit.The provision set out in paragraph 12 above was included in Section G in black type. It was no longer highlighted in yellow.
15. The Council must issue the final EHC Plan within five weeks of the Tribunal decision. Mrs X states that despite repeatedly chasing the Council, she did not receive the final EHC Plan until September 2019. However, the Council has provided a copy letter to Mrs X of May 2019 which enclosed the final EHC Plan. It is unclear why Mrs X did not receive this letter.
16. In June 2019 Mrs X contacted the Council about provision. The Council confirmed it had contacted Guide Dogs for the Blind about a symbol cane, which it would fund. The Council also stated Children's Services was satisfied the current package of care and support was appropriate for Y's needs.
17. Mrs X states she was not aware until she received the final EHC Plan in September 2019 that the Council had removed the provision from Section G. She immediately complained and asked for the provision agreed by the Tribunal to be reinstated in Section G of Y's Plan. In considering Mrs X's complaint the Council contacted the Tribunal asking for clarity on what should be done about these provisions. It asked the Tribunal to review and make a decision on these items of provision as it had not previously made a determination. The Tribunal advised that the Judge could not comment further on the decision and the Tribunal would not take any further action. The Council then suggested the outstanding matters should be discussed at Y's annual review in December 2019.
18. The Council has not provided records of the annual review, but this did not lead to any changes in Y's EHC Plan.
19. The Council did not uphold Mrs X's complaint as it considered its response to the outcome from the Tribunal was correct. It considered discussing these matters at the annual review was an appropriate response to the situation which it alleged had been created by the Tribunal's failure to conclude the hearing properly. The

-
- Council also noted that the issues relating to air conditioning units, and visual aids and adaptations had now been jointly resolved at the review meeting. In addition, the Council had sought additional information to resolve the issue regarding hospital visits. The Council considered colleagues from education, health and social care services were working together in Y's best interests.
20. Mrs X was not happy with the Council's response and asserted the Council had not followed the timescales or directions set out by the Tribunal. She noted the Tribunal had sent out an amendment notice and directions on 3 May 2019, and that the final date for notification of dispute by either party was 7 June 2019. Mrs X states the Council did not suggest within this five-week timeframe that there was any disagreement on the provision in the EHC Plan. She states she chased provision based on the Tribunal's working document in June 2019 and did not receive a copy of the updated EHC Plan from the Council until September 2019.
 21. Mrs X also challenged the suggestion the issues had been jointly resolved at the review meeting. The health service representative had not attended the annual review, and while the provision in Section G was discussed there was no agreement, just confirmation the Council would look into this. Mrs X considered the Council's removal of provision from Section G was unlawful as they were not given an opportunity to contest this.
 22. In February 2020, the Council confirmed Y had a fan for use as necessary at school, and that the respite placement had ordered an air conditioning unit. The unit would be in place before the summer months and would be provided via Y's personal budget.
 23. The Council also confirmed it had purchased specialist software to support Y's access to electronic materials on his laptop. It confirmed the sighted guide training had taken place and a course of independent living skills was scheduled. And that it had provided Y with a symbol cane for use in busy places.
 24. In relation to support for hospital visits, the Council confirmed it would provide an annual contribution of £300 to support Y's attendance.
 25. As Mrs X remains dissatisfied, she has asked us to investigate her complaint. She states the Council has not provided the provision it says it has and would like the three elements of provision reinstated in Section G of Y's EHC Plan. Mrs X states Y attended his first overnight stay at the respite centre following lockdown, in September 2020, but despite the Council's assurances, the air conditioning unit was not in place.
 26. Mrs X questions why it has taken so long to install the unit. She states she made a parental referral to the NHS to install an air conditioning unit in Y's bedroom at home and that the whole process was completed in three months. Mrs X asserts that had the Council included the provision of an air conditioning unit in Section G of Y's EHC Plan, this could have been in place by the late summer of 2019. Mrs X states that not having this provision has led to Y suffering several seizures following his stays in respite.
 27. Mrs X also states that not including the provision for support with hospital visits, accompanied by a carer has led to Y's deteriorating tolerance of hospital visits and numerous failed visits. Y also now refuses to attend some appointments which puts his health at risk. In addition, Mrs X is concerned that without the provision of appropriate adaptations and modifications for his visual impairment, Y's chances of becoming an independent adult are reduced.

-
28. The Council carried out a further annual review in May 2020. The records of this review note that Mrs X was still concerned about the lack of assistance they receive when taking Y to hospital appointments. There were no changes to Section G of Y's EHC Plan following this review.
 29. Mrs X is not aware of any attempts by the Council to gain information about Y's hospital visits. She states Y receives two to one support at school and at home and should receive the same level of support to travel to medical appointments.
 30. In response to our enquiries the Council disputes there was a delay in sending Mrs X the final EHC Plan, which it states was issued on 17 May 2019. The Council states it also sent a copy to Y's school and the professionals involved with Y, at the same time. The Council has not issued any further EHC Plans since May 2019, as it believes this is the correct interpretation of the Tribunal Judge's instructions.
 31. The Council also disputes Mrs X's assertion that it wrongly removed provision from Section G of the EHC Plan. It states that as the Tribunal had not made a ruling on the matters, it was appropriate to ask the Tribunal for a ruling. When the Tribunal did not agree, it was appropriate to try and resolve the issues at the annual review.
 32. Y is a Looked After Child due to the high number of nights' respite he has. The Council states it carries out six monthly reviews and that none of these reviews show a lack of provision is having a detrimental effect on him. The Council states that during the COVID-19 period, while Y was not able to access the respite placement, it increased his care package to 25 hours a week. This care was provided by a private carer.
 33. Funding for an air conditioning unit at the respite placement was agreed in February 2020, but work was paused due to the COVID-19 pandemic. Services have now resumed, and the Council states the fitting is due to take place soon. The Council states its information shows Y has not had a seizure for more than 18 months. The Council will review its information if there is medical evidence to the contrary.
 34. In relation to Y's medical appointments, the Council acknowledges Y dislikes hospital visits. It states it has not been able to obtain any evidence from medical professionals that Y's tolerance to hospital visits has deteriorated. The Council has confirmed it will review any new evidence. The Council states it is not required to fund support for access to medical appointments, and that this is not included in Y's significant package of care. It states it offered to pay £300 as a gesture of goodwill, given Mrs X's concerns on this matter.
 35. The Council also disagrees with Mrs X's view that Y is not receiving independence training. It states that preparation for adulthood is a fundamental part of the support provided by Y's school, and that provision is being implemented to meet his needs.

Conclusions

36. The documentation shows that the Council wrote to Mrs X with a copy of the final EHC Plan on 17 May 2019. It is not clear why Mrs X did not receive this letter or the final Plan. But there is no evidence this was due to fault on the part of the Council.

-
37. It is also not clear why the Council did not contact the Tribunal in May 2019 to clarify its instructions on the provision in Section G. We are not persuaded it is clear from the Tribunal's working document that it intended for all disputed provision to be removed. The Tribunal had removed the yellow highlighting from Section G of the working document and indicated in red text the sections which should be deleted. It had left the provision regarding air conditioning units, visual aids and adaptations, and support with hospital visits in black, rather than red text.
38. Where it is not clear, we would expect the Council to contact the Tribunal to confirm its recommendations. The Council has acknowledged this was the appropriate course of action, but rather than contact the Tribunal, it removed the provision and issued a final EHC Plan. The Council did not contact the Tribunal to confirm its instructions until November 2019 when Mrs X raised concerns.
39. We consider the Council's decision to remove the provision in Section G without seeking clarity from the Tribunal amounts to fault.
40. This fault has caused Mrs X and Y an injustice in the form of uncertainty and distress. It is possible the Tribunal would still have declined to comment further in May 2019. But this would have led the Council to try and resolve the matter locally much sooner. As the Council did not include this provision in Section G of Y's EHC Plan there was no duty on the Clinical Commissioning Group to secure it.
41. The Council has since agreed to fit an air conditioning unit at the respite placement and has offered financial assistance to attend Y's medical appointments, outside of Y's EHC Plan. Had the uncertainty regarding the Tribunal's instructions been clarified sooner, this provision could have been agreed and in place sooner.
42. It is unfortunate that the installation of the air conditioning unit and the planned guide dog training were further delayed due to the COVID-19 pandemic. But these are circumstances beyond the Council's control.
43. Mrs X does not consider the level of assistance the Council has offered is sufficient to support Y in attending medical appointments. The Council has confirmed it will review any evidence from medical professionals to show Y's tolerance to hospital visits has deteriorated. This is an appropriate response.

Recommendations

44. To remedy the injustice caused, we recommend that the Council:
- apologises to Mrs X and Y for the failure to clarify the Tribunal's instructions in May 2019;
 - pays Y £150 to recognise the distress and anxiety caused by the unnecessary delay in agreeing provision;
 - pays Mrs X £150 to recognise the distress, and the time and trouble she has been put to in pursuing this matter; and
 - provides reminders/training to ensure that staff seek to clarify any discrepancies in Tribunal decisions at the time the Tribunal decision is issued.
45. The Council must consider the report and confirm within three months the action it has taken or proposes to take. The Council should consider the report at its full

Council, Cabinet or other appropriately delegated committee of elected members and we will require evidence of this. (*Local Government Act 1974, section 31(2), as amended*)

Decision

46. The Council's failure to clarify the Tribunal's instructions regarding Y's EHC Plan in May 2019 amounts to fault. This fault has caused Mrs X and Y an injustice.

This page is intentionally left blank

IOW School Admissions and School Places Update

2nd September 2021

Martin Goff

Head of Transport & Admissions

Admissions Processes - Policy

Priority is given to a child who has a sibling on roll followed by child for whom it is the nearest school to their home.

3 Admissions years occur at one time;

- 2021-22 In-Year admissions
- 2022-23 Main rounds (YrR, Yr3 and Yr7 Intakes to School)
- 2023-24 Consultation on admissions arrangements

Year	In-Year Admissions	Total Admissions*
2016-17	1,201	3,903
2017-18	1,286	3,976
2018-19	1,317	3,996
2019-20	1,402	4,058
2020-21	1,499	3,998

Page 94

In-year applicant unsuccessful at preferred school, offered next nearest school with a space. Transport eligibility may follow.

Appeals process; applications can be refused if admission of an additional child would prejudice the provision of efficient education or efficient use of resources.

Admissions Processes – Key Dates

Date	Process
1 Oct 2021	Earliest date to start consultation on proposed arrangements including any changes to PAN.. Consultation must last a minimum of 6 weeks.
1 Jan 2022	Deadline for the local authority to formulate a co-ordinated scheme for state funded schools in their area, including any new school or Academy which is expected to open.
31 Jan 2022	Deadline for the completion of the consultation on proposed admission arrangements.
28 Feb 2022	Deadline for admission arrangements to be determined even if they have not changed from the previous year and a consultation has not been required.
Autumn Term 2022	Application process opens for parents.
31 Oct 2022	National closing date for secondary school applications.
15 Jan 2023	National closing date for primary school applications.
1 Mar 2023	National offer day for secondary school places.
16 Apr 2023	National offer day for primary school places.

Page 9 of 9

Admissions impact on School Places

- Anticipating more consultations on reducing the PAN during the autumn.
- PAN Reductions:

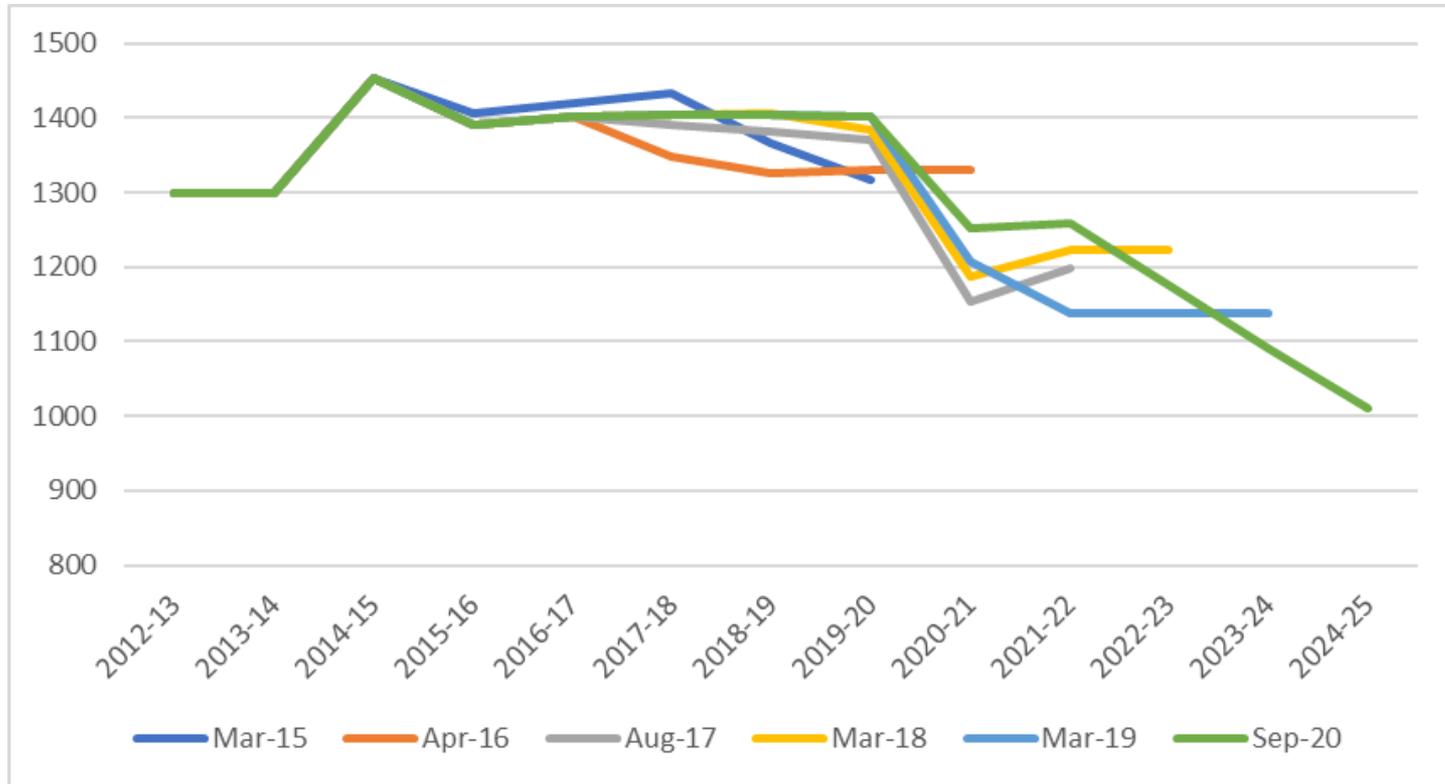
School	PAN change	Year Group	Reduction
St Francis Catholic and CE Primary Academy	45 to 30	YrR	-15
Cowes Primary School	60 to 30	YrR	-30
Broadlea Primary School	60 to 45	YrR	-15
Brighthstone Primary School	30 to 15	YrR	-15

School	PAN change	Year Group	Reduction
Cowes Enterprise College	270 to 210	Yr7	-60
Christ the King	270 to 240 to 180	Yr7	-90
Medina College	260 to 210 to 180	Yr7	-80

- All Saints CE Primary - closed

NHS Data: Informing future YrR Intakes

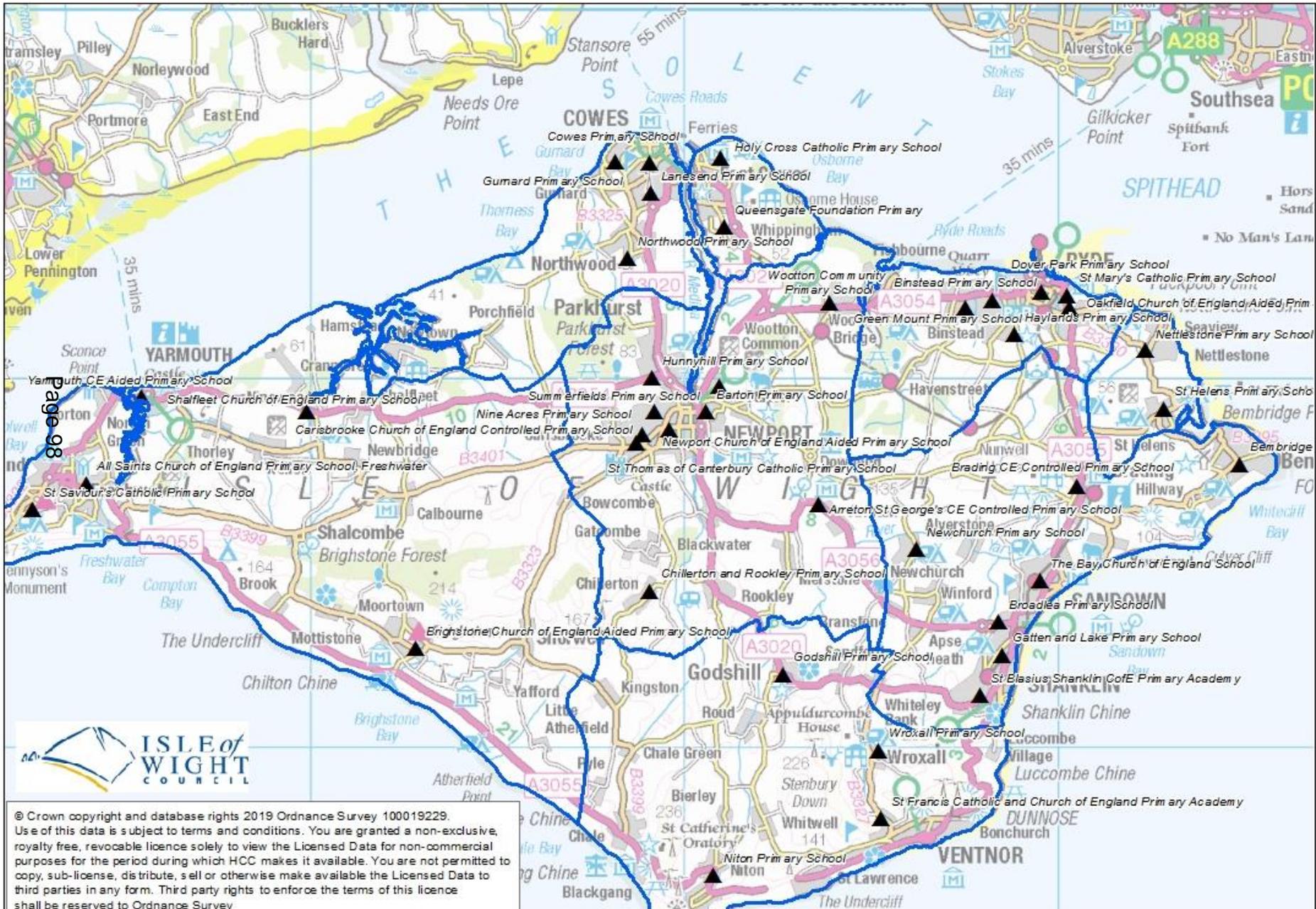
Page 97



2012-13 2013-14 2014-15 2015-16 2016-17 2017-18 2018-19 2019-20 2020-21 2021-22 2022-23 2023-24 2024-25

Mar-15	1298	1299	1454	1407	1420	1433	1367	1318					
Apr-16	1298	1299	1454	1390	1403	1348	1326	1330	1330				
Aug-17	1298	1299	1454	1390	1403	1390	1381	1371	1154	1198			
Mar-18	1298	1299	1454	1390	1403	1404	1406	1384	1187	1222	1222		
Mar-19	1298	1299	1454	1390	1403	1404	1404	1401	1207	1139	1139	1139	
Sep-20	1298	1299	1454	1390	1403	1404	1404	1401	1253	1258	1177	1092	1010

IOW: Primary Planning Areas



© Crown copyright and database rights 2019 Ordnance Survey 100019229.
Use of this data is subject to terms and conditions. You are granted a non-exclusive, royalty free, revocable licence solely to view the Licensed Data for non-commercial purposes for the period during which HCC makes it available. You are not permitted to copy, sub-license, distribute, sell or otherwise make available the Licensed Data to third parties in any form. Third party rights to enforce the terms of this licence shall be reserved to Ordnance Survey

Forecasting methodology

YrR Intake:

Future intakes are estimated by calculating an average participation rate (PR) based on rates observed over the previous three years, using a three year moving average (weighted 3:2:1).

This weighted participation rate is applied to future forecast numbers of 4 year olds to determine likely intake to Year R.

Forecast numbers for other year groups:

Primary

Year groups 1-6 is based upon a cohort survival model. The basic premise is that pupils will roll forward from one year group to the next at the end of each academic year.

For each year group, the number of pupils on roll in January is compared with the same cohort a year later. A weighted moving average of the observed changed over the last three years (3:2:1) is calculated and applied in the same way as the participation rate

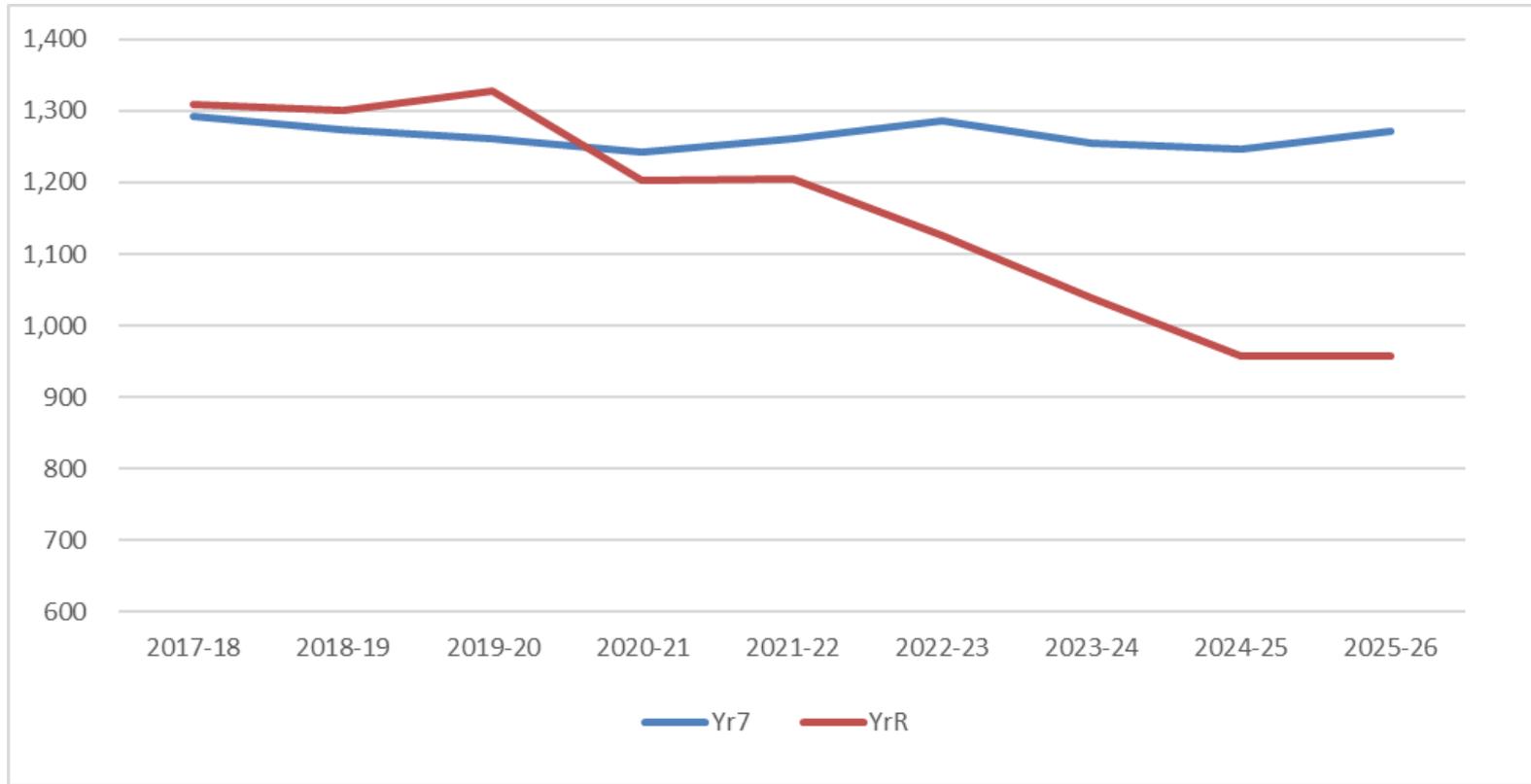
Secondary

At secondary transfer, the PR is applied to the numbers available in the primary schools, with similar adjustments made to take account of year-on-year trends.

Projections are reviewed annually on the basis of the January census.

IOW Forecasts at 2020-21: Intake

Page 100

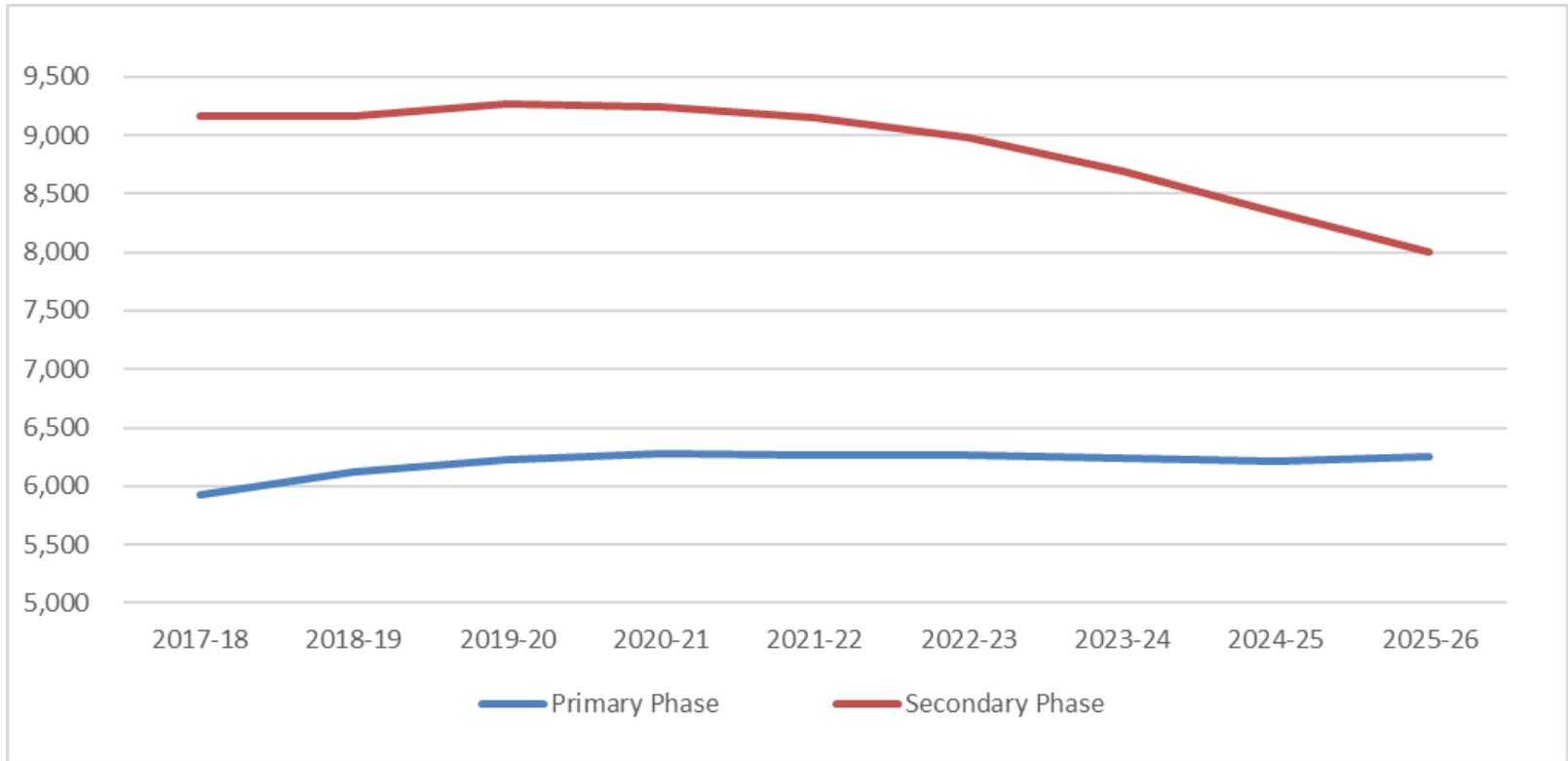


Each year typically 90 children in the 4 year old population figure do not join Year R

	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26
YrR	1,310	1,301	1,327	1,203	1,206	1,125	1,038	958	958
Yr7	1,292	1,274	1,262	1,242	1,260	1,286	1,255	1,246	1,272

IOW Forecasts at 2020-21: Phase

Page 101



	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26
Primary	9,160	9,165	9,268	9,243	9,146	8,979	8,690	8,346	8,007
Secondary	5,924	6,120	6,228	6,280	6,260	6,266	6,233	6,217	6,247

This page is intentionally left blank

Children's Services Performance Quarter One 2021/2022

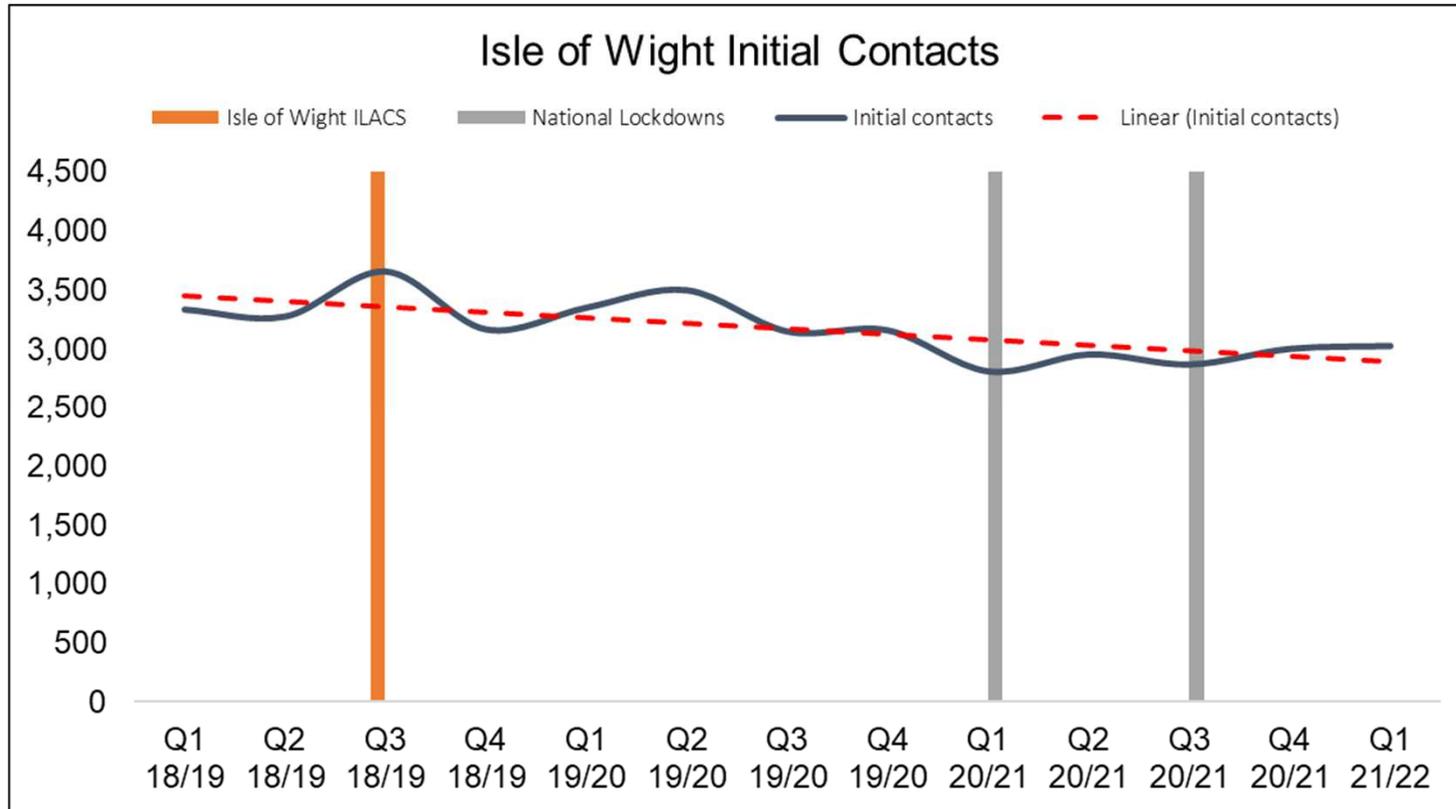
Steve Crocker, Director Children's Services

Kathy Marriott, Head of Strategy and Operations

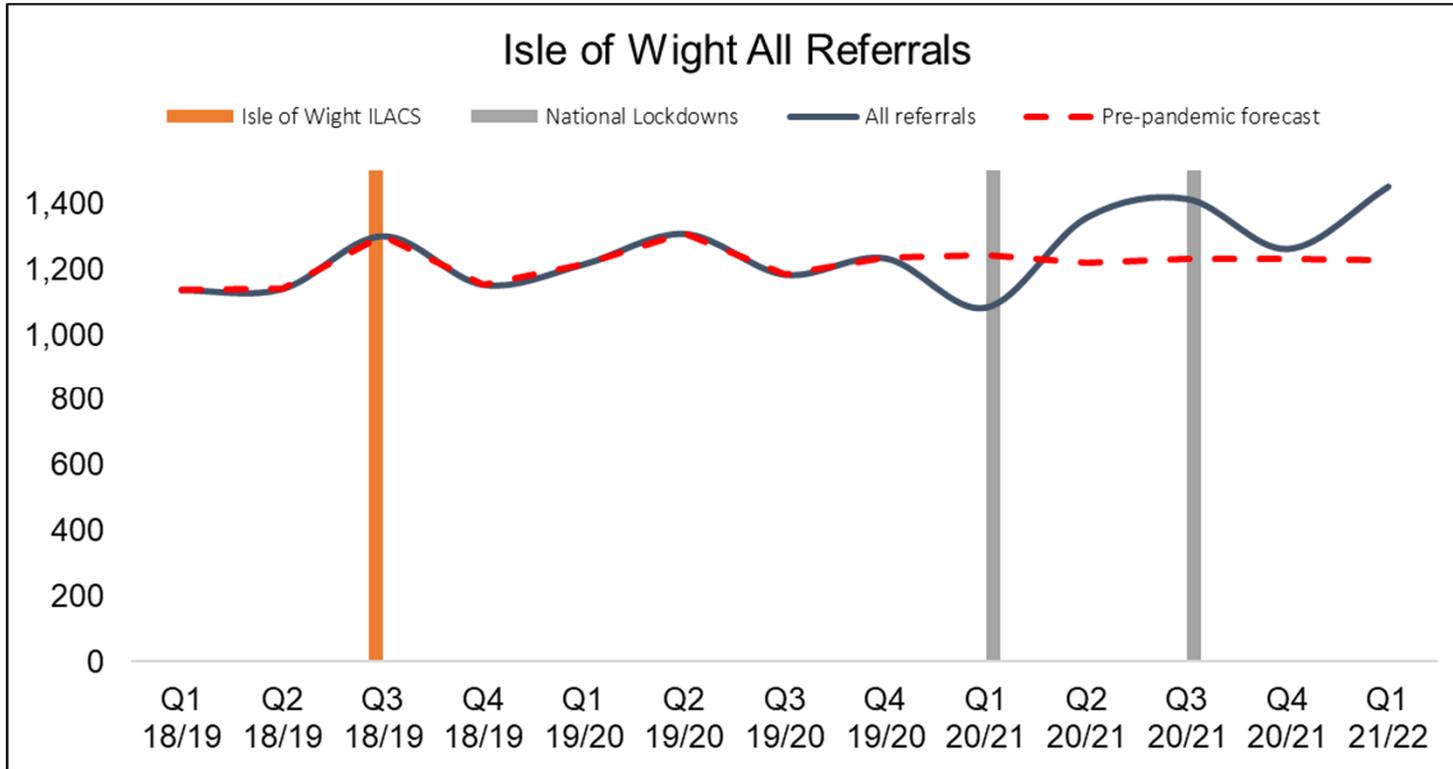
C&F Headlines

- Demand remains high, 20-30% above normal. Sustained for 6 months and forecast to be maintained in short to medium term
- We have additional funding for SWs however struggling to recruit, national issue, with additionality of 'island' factor
- Ofsted focused visit July 2021, two weeks intense inspection on Children in Need and Child Protection services
- Verbal feedback positive and awaiting written letter Sept. 21 (not a judgement)

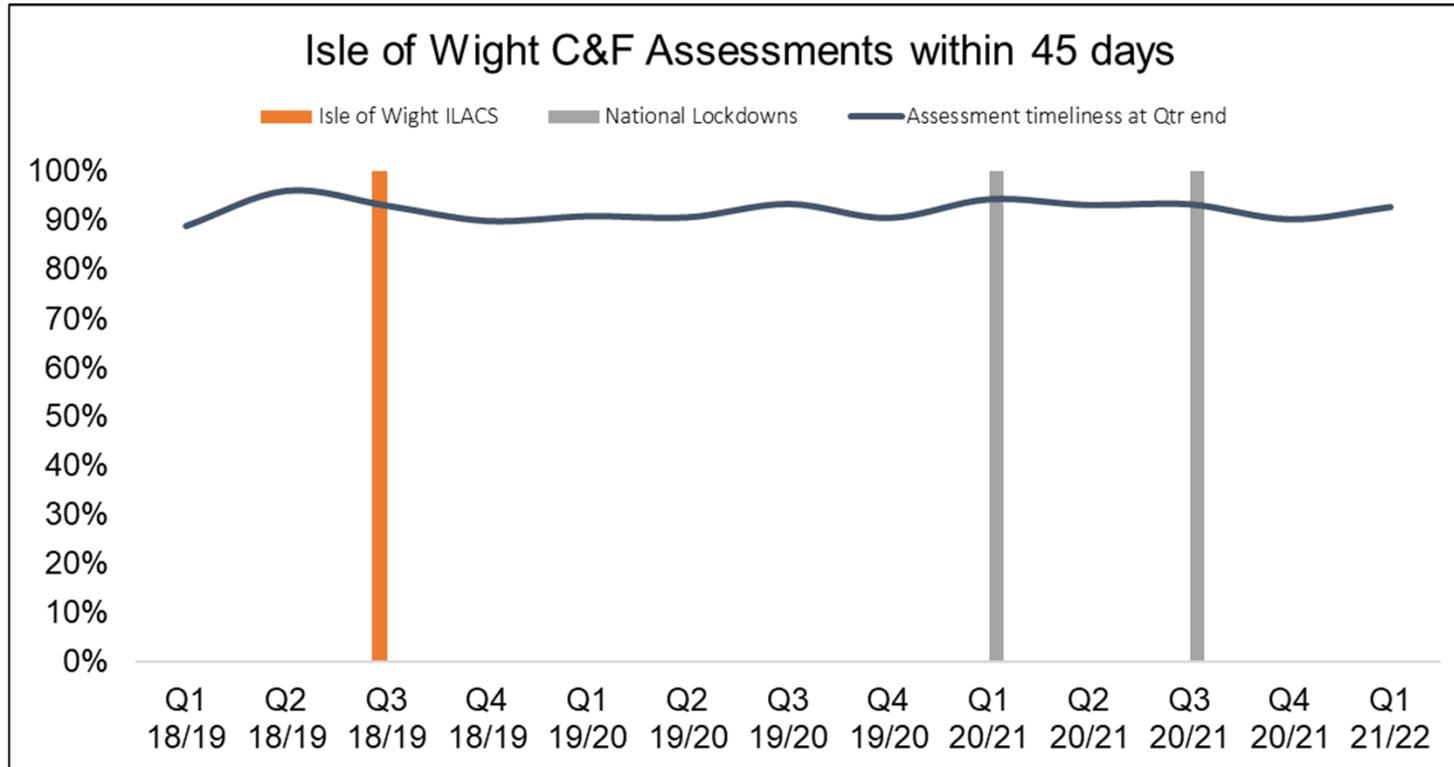
Performance – Contacts



Performance - Referrals

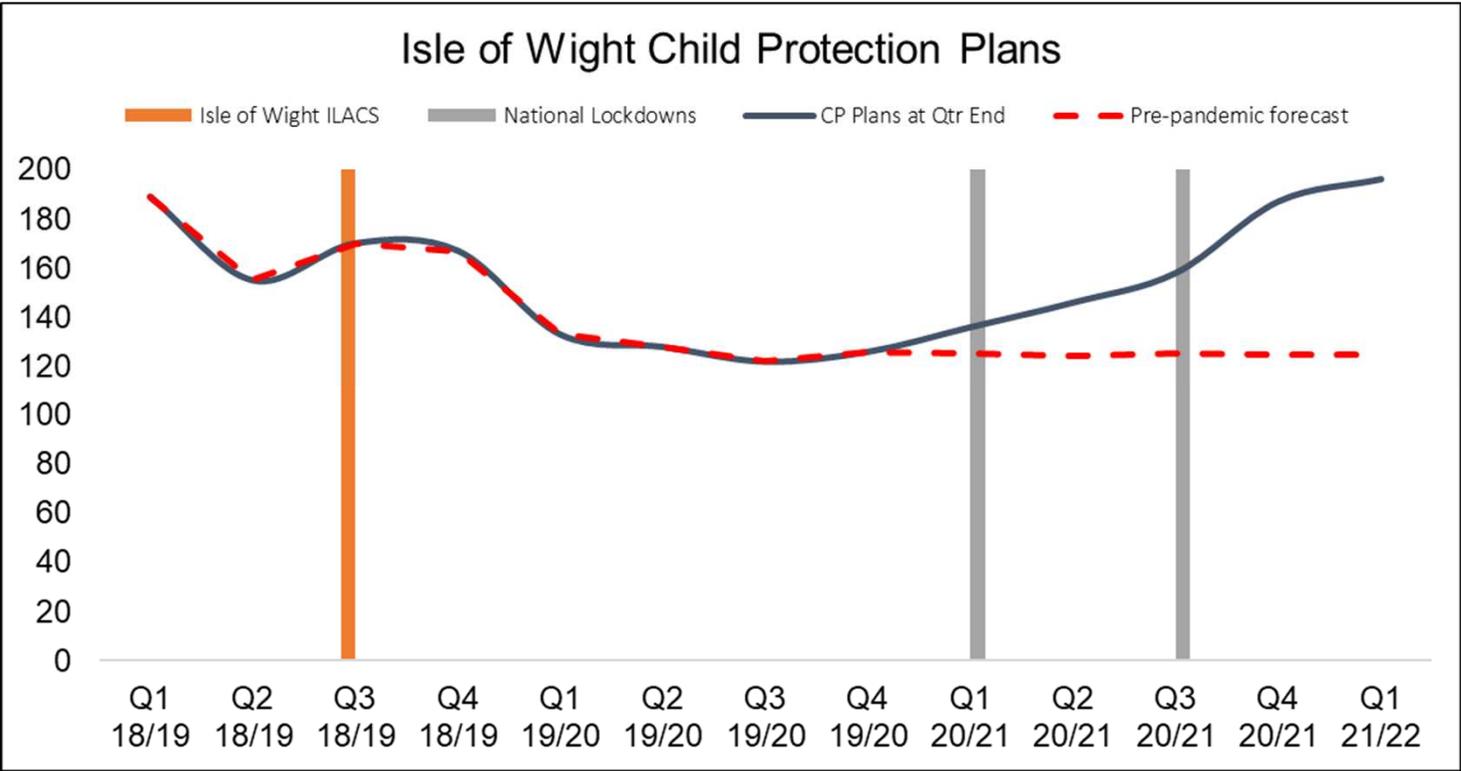


Performance- timely response

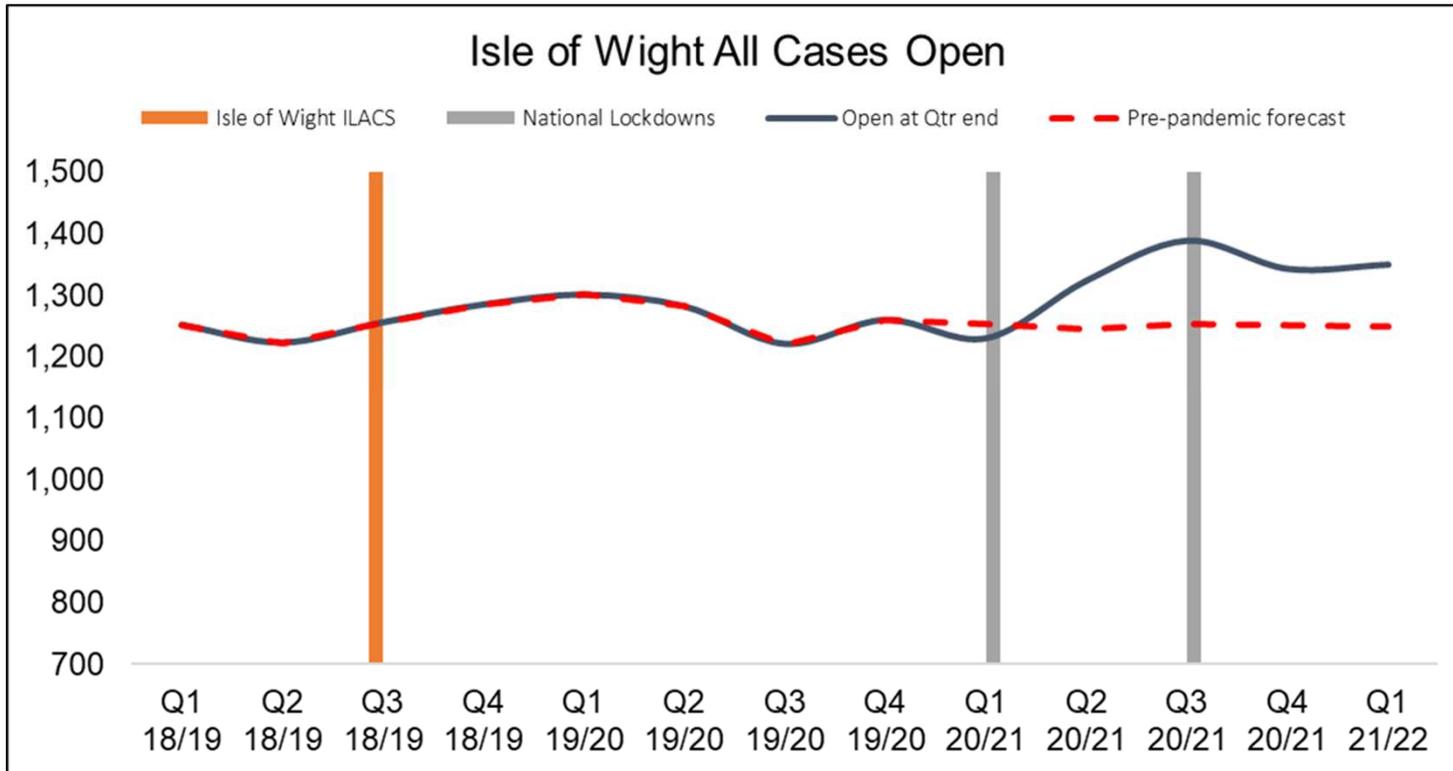


Children subject to child protection planning

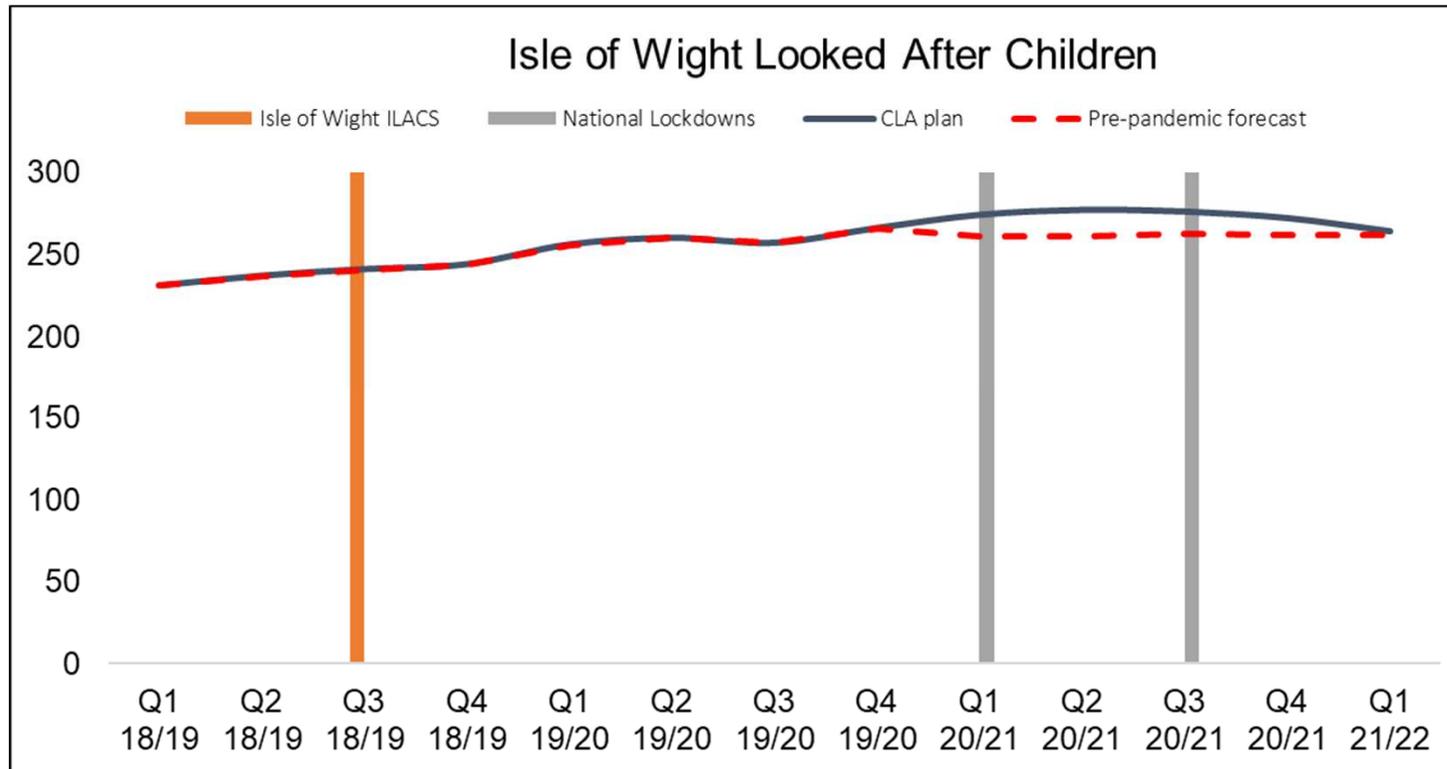
Page 108



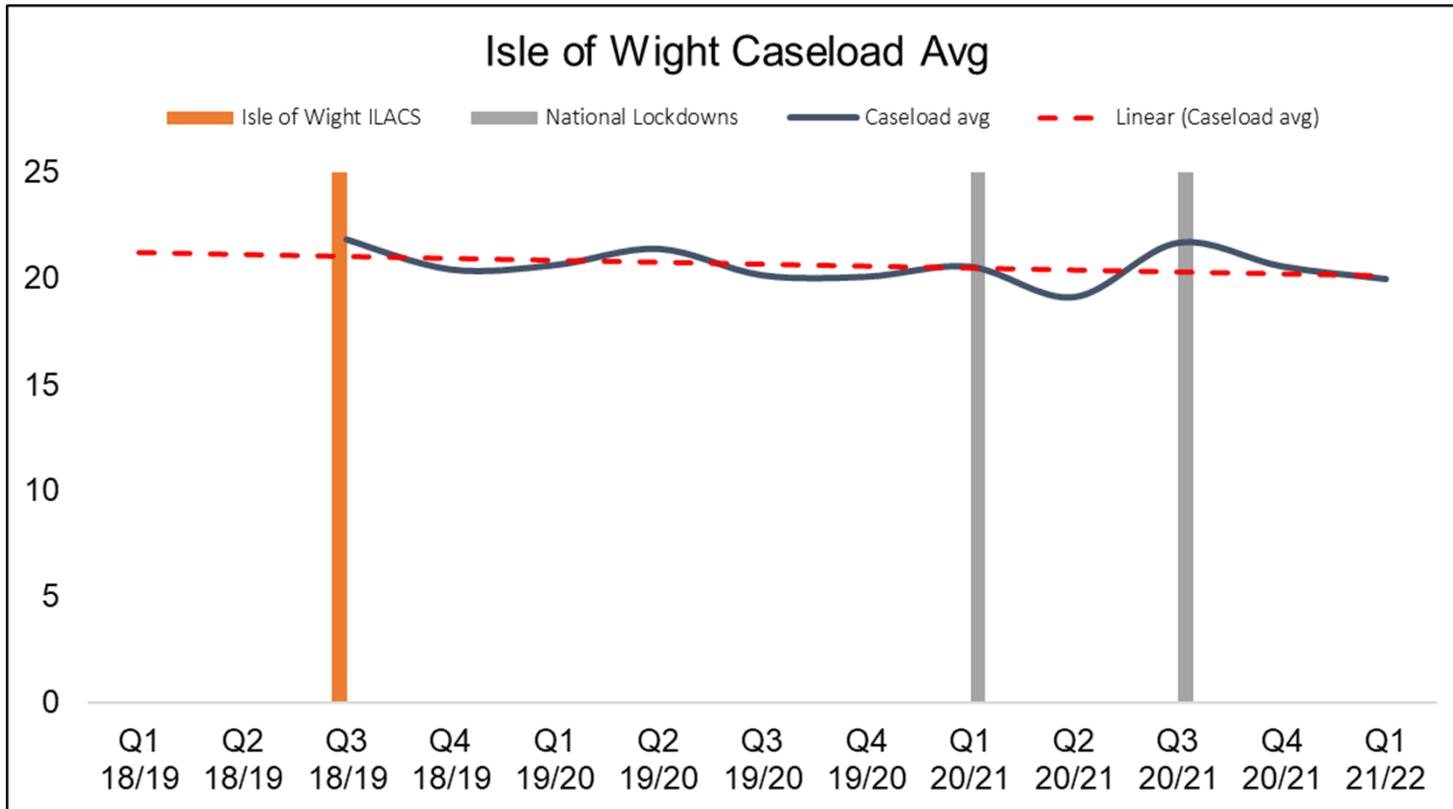
Children in need



Looked After Children (LAC)



Performance - Caseloads



Quality Assurance

- Case file auditing undertaken every month by ATMs, TMs, SMs and CFMT
- In quarter one **69** case audits undertaken
- Evidence of practitioner analysis which influences decision making in 99% of cases
- Evidence that the assessment has informed the intervention/plan in 90% and evidence of positive outcomes as a result of this for the child/young person in 95% of cases.
- Evidence of multi-agency engagement in planning in 97% of cases, with evidence that this has improved outcomes for the child in 97% of cases
- Case summaries reflect progress and positive changes for the child/young person in line with the assessment and plan in 97% of cases.
- There is evidence of management decisions in 98% of cases (93% in Q4) with decisions evidencing appropriate direction in the case to protect and improve outcomes for the child/young person
- Evidence of supervision as per policy in 85% of cases

Education and Inclusion Headlines

- September guarantee for academic year 2020/21 was 98.2% compared to national average of 94.3%. This is the proportion of 16 and 17 year olds given an offer of education, employment and training.
- 93.2% of Education, Health and Care Plans (EHCP) were produced on time for the first quarter compared to the national average of 55%.

Education and Inclusion Headlines

- Proportion of schools graded good or better by Ofsted is 75%. Full Ofsted inspections have been suspended for most of the last academic year but Ofsted monitoring visits to schools currently judged below good conclude 'effective action' is being taken.
- Number of children being electively home educated is 464 compared to 375 last year. Covid-19 appears to be a contributory factor in this.
- Proportion of families that electively home educate that engaged with the EHE Team in 2020/21 was 90%.

Education and Inclusion Headlines

- Number of permanent exclusions in 2020/21 was 17.
- Number of fixed period exclusions in 2020/21 was 1092.
- For future reports we will give cumulative total for 2021/22 year to date so they can be compared with the above baseline.
- Examinations were cancelled in 2020/21 and a process was put in place to award grades to individual children. These grades are not expected to be published by the DfE as Island-wide attainment data or used to measure school performance by Ofsted.

Education and Inclusion Headlines

- Attendance throughout the 2020/21 academic year was higher than that seen nationally for both vulnerable children and all children.



This page is intentionally left blank