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To: Children’s, Young People and Education Cabinet – 16 January 2024

Subject: **COMPLAINTS AND REPRESENTATIONS 2022-23**

Classification: Unrestricted

Previous Pathway of Paper: None

Future Pathway of Paper: None

Electoral Division: All

Summary: This report provides information about the operation of the Children Act 1989 Complaints and Representations Procedure in 2022/23 as required by the Statutory regulations. It also provides information about the ‘non-statutory’ social care complaints and complaints received about Education Services.

Recommendation: The Children’s, Young People and Education Cabinet Committee is asked to **CONSIDER** and **COMMENT** on the contents of this report.

1. Introduction

- 1.1 This report provides detailed information about complaints and other representations received across the whole of the Children Young People and Education Directorate (CYPE).
- 1.2 There is a statutory requirement on the directorate to operate a robust complaints procedure for children, and those who are eligible to make a complaint on their behalf, about the social care services they receive. The statutory complaints procedure is designed to ensure the rights and needs of the child are at the heart of the process and that young people’s voices are heard. Children in Care in Kent are advised how to make a complaint and are informed of their right to access the advocacy service.
- 1.3 The statutory requirement to produce an annual complaints report in respect of children’s social care services is included in the Children Act 1989 Representations Procedure (England) Regulations 2006. The Regulations are specific about the type of information which must be included in this annual report.

- 1.4 Complaints about children's social care services that meet published criteria are considered under the Children Act statutory complaints procedure. However, complaints which meet the eligibility criteria but cannot be progressed formally because of concurrent legal proceedings (in family and/or criminal court), active child and family assessment, or an active child protection enquiry, are progressed as an informal 'representation'. A 'representation' ensures that the concerns of the eligible child, parent or carer can be taken into consideration by the social care team without a risk of being prejudicial to the relevant concurrent proceedings. All informal representations are recorded on the complaints database, and where appropriate, on the child's social care record.
- 1.5 Functions excluded from the complaint procedure include multi-agency child protection decisions and decisions made in a court of law. Complainants are advised of the alternative routes available for challenging such decisions. Complaints which fall outside of the scope of the statutory complaints' procedure are considered under the KCC corporate complaints procedure, these include complaints about SEN and other non-social care services. All complainants, and those making representations, are routinely advised of their right to challenge the decision of the Council via the Local Government and Social Care Ombudsman.
- 1.6 Complaints which do not fall within the scope of either the corporate complaints procedure or the statutory Children Act procedure are handled as 'Enquiries' and customers are advised of alternative routes to progress their concerns, for example appeals processes, safeguarding referrals and school complaints.
- 1.7 Issues raised by Members of Parliament (MP) and Elected Members on behalf of constituents are registered and responded to as 'Member Enquiries'. However, if there is an active complaint, or the most appropriate way to address the concerns would be to progress them as a formal complaint, then the elected representative is advised of this course of action and subsequently provided with a copy of the complaint response when it is provided to the constituent/complainant.

2. Representations received

Table 1 - Representations received for CYPE Directorate

Type of Record	2019/20	2020/21	2021-22	2022-23	Direction of travel from 2021/22
Children Act complaint	48	48	57	30	↓ 47%
Corporate complaint	974	792	981	1210	↑ 23%
Representation ⁽¹⁾	3	3	10	0	
Member Enquiry	483	386	524	739	↑ 41%
Enquiry	233	252	227	288	↑ 27%
Comment	45	43	42	36	↓ 14%
Compliment	113	78	90	39	↓ 57%
Total complaints	1022	840	1038	1240	↑ 19%
Total all representations	1899	1602	1931	2342	↑ 21%

⁽¹⁾ 'Representation' – until 2018 this category was used for all complaints not eligible to progress through the formal complaint process. Complaints not eligible for progression are now rejected at the assessment stage, and this category is only used for cases that are eligible but legal or statutory processes prevent them being progressed as formal complaints under the Children Act.

- 2.1 The overall number of complaints and representations received increased by 21% in the year 2022-23. Except for 2020-21, when the Covid-19 pandemic was at a peak, we have consistently seen year on year increases in the volume of complaints and representations received for the CYPE directorate. This number does not include rejected or withdrawn complaints, of which there were an additional 378 cases in 2022-23. The Children's Complaints and Customer Care Team managed 93% of all cases received for the directorate.
- 2.2 The volume of Member Enquiries has again also increased significantly, up 41% from the previous year. This continues to correlate with the increase in cases where customers have chosen to pursue several different routes to seek resolution to their issues and concerns.
- 2.3 Whilst it is important to record the volume of complaints received, performance cannot be measured against this figure as anybody who receives a service from KCC has a right to submit a complaint if they are dissatisfied with that service. However, performance can be measured by the percentage of those complaints subsequently upheld, either in full or part. Section 4 of this report provides an analysis of complaints received, with Tables 8 and 10 focusing on the key themes raised and the proportion of those that were upheld either in full or part.

Table 2 - Representations received by type and service/division

Type of record	Integrated Children's Services	Education Planning and Access	SEN	Disabled Children's Service	Other*	Total
Children Act complaint	26	0	0	4	0	30
Corporate complaint	378	235	537	37	23	1210
Representation	0	0	0	0	0	0
Member Enquiry	116	188	404	24	7	739
Enquiry	93	57	125	8	5	288
Comment	14	21	1	0	0	36
Compliment	24	8	4	3	0	39
Total complaints	404	235	537	41	23	1240
Total representations	651	510	1075	72	34	2342
% complaints received	32%	19%	44%	3%	2%	

*Corporate Director's Office, and Commissioning

- 2.3 In 2022-23 there were an additional 378 complaints/enquiries received but not progressed. Of these, 351 were rejected at assessment stage, for the reasons identified below, and 27 were subsequently withdrawn by the customer.

Table 3 – Rejected complaints

Reason for complaint rejection	Number	% of total
Duplicate complaint	71	20%
Complaint subject to legal proceedings	102	29%
Representative not authorised to act on behalf of client	63	18%
Customer refused to provide name and address	18	5%
Ongoing social care assessment	22	6%
Service request not a complaint	9	3%
Complaint about an issue more than 12 months old	5	1%
Complaint for another organisation	43	12%
Appeal not a complaint	4	1%
Enquiry not a complaint	10	3
Same complaint already dealt with at all stages	3	<1%
Complaint about council's legal or professional opinion	1	<1%
No. of complaints rejected	351	

Table 4 - Method of receipt – all representations

Method of receipt	Number	% of total
Email	1233	53%
Self service	485	21%
Contact via MP	301	13%
Telephone	116	5%
Contact via Member	106	5%
Contact Centre	59	3%
Online	16	<1%
Post	15	<1%
Face to face	8	<1%
Contact via Corporate Director	2	<1%
Social Media	1	<1%
Total	2342	

3. Consideration of complaints

3.1 Dependent on what is being complained about, there is a legal requirement to handle complaints from Looked After Children and Children in Need, or those eligible to make a complaint on their behalf, through the three-stage procedure specified in the Children Act 1989 Representations Procedure (England) Regulations 2006.

3.2 The three stages for the statutory Children Act complaints procedure are:

- Stage 1 - Local Resolution (up to 20 working days)
- Stage 2 - Independent Investigation (up to 65 working days)
- Stage 3 - Independent Review Panel (30 working days)

3.3 The KCC complaints procedure consists of two stages:

- Step 1 – Local Resolution (up to 20 working days)
- Step 2 – Director Review (up to 20 working days)

The final stage for both procedures is escalation to the Local Government and Social Care Ombudsman.

3.4 The following table shows the number of Children Act complaints dealt with at each stage.

Table 5 – Children Act complaints requested and accepted at each stage

Stage	2019/20	2020/21	2021/22	2022/23	Direction of travel from previous year
Stage 1 – Local Resolution	48	48	57	30	↓47%
Stage 2 – Independent Investigation	7	9	9	4	↓56%
Stage 3 – Independent Review Panel	3	1	10	1	↓90%

- 3.5 The number of complaints accepted and handled through the statutory Children Act complaints procedure decreased by 47% from the previous year. There is no clear identifiable reason for less complaints being received and progressed under the statutory Children Act complaints procedure. The Children’s Complaints and Customer Care Team continue to assess each complaint and progress those which do not relate to an alleged injustice to an eligible child or young person through the corporate complaints’ procedure. Consideration is given to the type of issues being raised, with complainants being encouraged to allow the local social care team an opportunity to resolve their concerns before requesting progression as a formal complaint. This is particularly the case where services have not been afforded an opportunity to address matters locally before being raised as a formal complaint. Such cases are recorded as ‘enquiries’, and most are resolved successfully without the need to then progress as a formal complaint.
- 3.6 The two main reasons requests were received for progression to Stage 2 of the statutory procedure, were because the customer disagreed with the outcome of Stage 1, or there had been delays with the handling of the complaint at Stage 1 of the procedure. Only one Stage 3 Review Panel was requested in the reporting period for 2022-23.
- 3.8 Customers who approach the Local Government and Social Care Ombudsman without first completing all stages of the complaints process are usually referred back to the Council by the Ombudsman. As a matter of course, customers are advised of their right to progress to Stage 3 when Stage 2 of the statutory complaints’ procedure has concluded, and again they are advised of their right to progress to the Ombudsman on conclusion of Stage 3.

4. Analysis of complaints

4.1 Integrated Children's Services and Disabled Children's Service

Table 6 - Complaints received by service

Service	No. received	% of total complaints	Snapshot of relative service caseload as of 31/3/23	% of complaints as a proportion of service caseload
Childrens Social Work Services	236	53%	6619	4%
Children in Care	55	12%	1721	3%
Children with Disabilities	41	9%	1417	3%
Other (including countywide issues)	28	7%	n/a	n/a
Front Door Service	26	6%	53234	<1%
Early Help & Preventative Services	18	4%	2847	<1%
18+ and Care Leaver's Service	16	4%	1896	<1%
Safeguarding & QA Service	11	2%	3251	<1%
Fostering Service	9	2%	662	1%
Adoption Service	5	1%	91	<1%
Total number complaints received	445			

*no. of contacts made to Front Door Service (includes Out of Hours Service)

Table 7 - Complaints received by customer type

Customer	Total	% of total complaints
Parent	349	78%
Other customer (incl. providers/professionals)	19	4%
Family member	24	5%
Care leaver/leaving care	16	4%
Adoptive parent/prospective adoptive parent	6	1%
Foster carer	12	3%
Carer (grandparent/special guardian)	9	2%
Child or young person (not in care)	1	<1%
Child in care	9	2%
Total number of complaints received	445	

Table 8 - Key themes and outcomes from complaints received

	No. received	No. Upheld/ part upheld	% upheld/part upheld
Communication issues <i>(e.g. delays or failure to communicate, quality of communications, incorrect information/advice given)</i>	70	31	44%
Equalities and regulatory issues <i>(e.g. discrimination, data protection issues, health and safety)</i>	52	20	38%
Issues with service <i>(e.g. delays or failure to do something, quality of service, cancellation or withdrawal of a service)</i>	263	90	34%
Policy and procedure issues <i>(e.g. procedures not followed, disagree with policy or procedure, disagree with decision)</i>	48	12	25%
Staff conduct	31	13	42%
Total number of issues raised	464	166	36%

- 4.2 There is no direct correlation between the number of complaints received and the number of services or issues being complained about. This is due to the multi-faceted and often complex nature of some complaints which can span multiple services.
- 4.3 Overall, 36% of complaints received against Integrated Children's Services and Disabled Children's Services were either upheld in full or part. This is a decrease from 38% in the previous year.
- 4.4 The majority of complaints received and progressed through the statutory Children Act complaints procedure were in relation to the children's social work teams responsible for either the delivery of our care leavers services or disabled children's services.
- 4.5 There were 22 complaints received from either children and young people in care, those transitioning from care, or those who already left the care of KCC. We also received three complaints from one young person who receives services under s17 of the Children Act, as a child in need.
- 4.6 The following are key themes raised in complaints from children and young people who are currently in or leaving the care of KCC:

Communication – 4 received (1 upheld)
Delay in doing something – 3 received (2 partly upheld)
Failure to do something – 2 received (1 upheld)
Service issues – 12 received (1 upheld, 1 partly upheld)
Staff conduct – 1 received (none upheld)

4.7 Education Planning & Access, and SEN

Table 9 - Complaints received by service

Service	No. received	% of total complaints	Snapshot of relative service caseload as of 31/3/23	% of complaints as a proportion of service caseload
Special Educational Needs (SEN)	537	69%	19,211	3%
Home to School Transport	105	14%	14,076	<1%
Community Learning & Skills	82	11%	19,104	<1%
Fair Access	46	6%	74,518	<1%
Area Education Officers	2	<1%	600	<1%
Planning and Access	0	0%		n/a
Total no. complaints received	772			

Table 10 - Key themes and outcomes from complaints received – Education

	No. received	No. Upheld/ part upheld	% upheld/part upheld
Communication issues <i>(e.g. delays or failure to communicate, quality of communications, incorrect information/advice given)</i>	75	27	36%
Equalities and regulatory issues <i>(e.g. discrimination, data protection issues, health and safety)</i>	8	4	50%
Issues with service <i>(e.g. delays or failure to do something, quality of service, cancellation or withdrawal of a service)</i>	129	69	53%
Policy and procedure issues <i>(e.g. procedures not followed, disagree with policy or procedure, disagree with decision)</i>	27	3	11%
Staff conduct	2	2	100%
Total number of issues raised	241	105	44%

Table 11 - Key themes and outcomes from complaints received – SEN

	No. received	No. Upheld/ part upheld	% upheld/part upheld
Communication issues <i>(e.g. delays or failure to communicate, quality of communications, incorrect information/advice given)</i>	153	95	62%
Equalities and regulatory issues <i>(e.g. discrimination, data protection issues, health and safety)</i>	7	3	43%
Issues with service <i>(e.g. delays or failure to do something, quality of service, cancellation or withdrawal of a service)</i>	367	252	69%
Policy and procedure issues <i>(e.g. procedures not followed, disagree with policy or procedure, disagree with decision)</i>	37	31	70%
Staff conduct	3	3	100%
Total number of issues raised	567	384	68%

The top five issues raised against the SEN service were:

1. **Failure to do something** – 138 complaints were received, of which 56% were upheld either partially or in full.
 2. **Delayed service** – 101 complaints were received, of which 60% were upheld either partially or in full.
 3. **Failure to communicate** – 77 complaints were received, of which 52% were upheld either partially or in full.
 4. **Quality of service delivered** – 56 complaints were received, of which 46% were upheld either partially or in full.
 5. **Disagreement with decision** – 33 complaints were received, of which 42% were upheld either partially or in full.
- 4.8 Complaints about schools are managed within each school’s own complaints procedure and some disagreements, for example, disputes relating to Education Health and Care Plans, are considered through the appropriate appeals route, including statutory tribunal.
- 4.9 In 2022-23, there were 235 Education complaints received and progressed, a 35% increase from 174 in 2021-22. Of these, 44% were upheld either partially or in full.
- 4.10 In comparison, there were 534 complaints received and logged for Special Education Needs (SEN), a 38% increase from 387 in 2021/22, and a total increase of 97% from the 271 complaints received in 2020/21. Of the complaints received in 2022/23, 68% were upheld either partially or in full, an improvement on the previous year where 84% of complaints had been upheld.

5. Complaints considered by the Local Government and Social Care Ombudsman

- 5.1 The number of complaints heard at Ombudsman level increased for the directorate in 2022-23 by 26%.
- 5.2 A total of 121 complaints were received by the Local Government and Social Care Ombudsman in 2022-23 relating to services provided by the Children, Young People and Education directorate. Of these, 41 resulted in further detailed investigation by the Ombudsman, 95% of those being investigated were upheld against Kent County Council, a decline on the directorate's performance of 75% from 2021-22.
- 5.3 The Ombudsman has noted that the way in which they choose which complaints they will investigate has changed, leading to a higher number of complaints being upheld vs not upheld. The below is the Ombudsman's explanation of the change.
- 5.4 *“Over the past two years, we have reviewed our processes to ensure we do the most we can with the resources we have. One outcome is that we are more selective about the complaints we look at in detail, prioritising where it is in the public interest to investigate. While providing a more sustainable way for us to work, it has meant that changes in uphold rates this year are not solely down to the nature of the cases coming to us. We are less likely to carry out investigations on ‘borderline’ issues, so we are naturally finding a higher proportion of fault overall. Our average uphold rate for all investigations has increased this year and you may find that your organisation’s uphold rate is higher than in previous years. This means that comparing uphold rates with previous years carries a note of caution. Therefore, we recommend comparing your authority’s uphold rate with that of similar organisations, rather than previous years, to better understand performance.”*

Table 12 – Local Government and Social Care Ombudsman involvement

	Detailed investigation		Closed*	Premature	Total
	Upheld	Not upheld			
Children’s Social Work Services	4	0	25	8	37
Kent Test/ School Admission appeals	1	0	2	0	3
Home to School Transport/Free School Meals	4	0	3	1	10
SEN	29	2	12	29	70
The Education People	1	0	0	0	1
Community Learning and Skills	0	0	0	0	0
Total	39	2	42	38	121

**out of jurisdiction/no further action or withdrawn*

5.5 The Local Government and Social Care Ombudsman found fault with 39 complaints relating to the Children Young People and Education directorate in 2022-23. Examples of Ombudsman findings from each relevant division are attached at Appendix A.

6. Advocacy services provided under these arrangements

6.1 The Council has a statutory obligation to offer independent advocacy services to any eligible child or young person wishing to make a complaint under the Children Act complaints procedure.

6.2 A change was made to Kent's advocacy arrangements on 1 April 2015 so there is one point of contact for independent advocacy for all children and young people in Kent wishing to make a complaint, irrespective of their status as Children in Need, Children in Care, subject to a Child Protection Plan, or as Care Leavers. The advocacy service in Kent is provided by the Young Lives Foundation, and has been since 1 April 2015.

6.3 In 2022-23 a total of 25 complaints were received from young people. It is a positive point to note that 16 young people made a complaint without the support of an independent advocate, this would indicate that they felt empowered and confident about raising their concerns. Whilst it is right that children and young people have access to the support of advocates, in recent years there has been an emphasis on advocates supporting young people in trying to resolve their concerns rather than going direct to the complaints procedure.

7. Compliance with timescales

Table 13 – Response performance – Integrated Children's Services

Procedure/stage	No. of responses made	No. of responses in timescale	% of responses provided within timescale	Performance Direction of travel from 2020/21
Statutory complaint (Stage 1) (standard timescale)	26	15	58%	↑
Statutory complaint (Stage 1) (extended timescale)	26	22	85% ¹	↑
Statutory complaint (Stage 2)	2	1	50%	↓
Statutory complaint (Stage 3)	1	1	100%	↑
Corporate complaint (Stage 1)	377	255	68%	↓
Corporate complaint (Stage 2)	64	39	61%	↓
Member Enquiry	114	68	60%	↑

⁽¹⁾ includes those complaints responded to within 10 working days

Table 14 – Response performance – Disabled Children’s Service

Procedure/stage	No. of responses made	No. of responses in timescale	% of responses provided within timescale	Performance Direction of travel from 2020/21
Statutory complaint (Stage 1) (standard timescale)	4	0	0%	↓
Statutory complaint (Stage 1) (maximum timescale)	4	1	25% ¹	↓
Statutory complaint (Stage 2)	2	1	50%	↔
Statutory complaint (Stage 3)	0	0	n/a	n/a
Corporate complaint (Stage 1)	32	11	34%	↓
Corporate complaint (Stage 2)	8	4	50%	↔
Member Enquiry	24	6	25%	↓

⁽¹⁾ also includes those complaints responded to within 10 working days

- 7.1 The maximum timescale of 20 working days for Stage 1 Children Act complaints was achieved in 85% of complaint responses from Integrated Children’s Services, and 25% for Disabled Children’s Services. An improvement from 79% from the previous year for Integrated Children’s Services, and a decrease in performance from 50% the previous year for Disabled Children’s Services. The standard timescale for responding to Children Act Stage 1 responses is 10 working days, which can be extended up to 20 working days if required.
- 7.2 There continued to be an issue with completing Stage 2 independent investigations within the statutory timescale of 65 working days. Much of this has been due to the capacity of managers appointed to undertake the role of investigating officer. Investigations are in addition to their substantive role as social care team managers, with the requirements of both roles running alongside each other.

Table 15 – Response performance – Education

Procedure/stage	No. of responses made	No. of responses in timescale	% of responses provided within timescale	Direction of travel from 2020/21
Corporate complaint (Stage 1)	235	189	80%	↓
Corporate complaint (Stage 2)	10	5	50%	↓
Member Enquiries	187	111	59%	↓

Table 16 – Response performance - SEN

Procedure/stage	No. of responses made	No. of responses in timescale	% of responses provided within timescale	Direction of travel from 2020/21
Corporate complaint (Stage 1)	539	58	11%	↓
Corporate complaint (Stage 2)	127	17	13%	↓
Member Enquiries	408	33	8%	↓

7.4 Complaint performance within SEN continues to be an area requiring improvement. The Ofsted inspection in September 2022 highlighted parental feedback as an area of concern requiring improvement. Work is ongoing within the SEND service to ensure the handling of complaints is effective and parents feel more confident that their concerns are being heard.

8. Learning the lessons from complaints

8.1 Several complaints received in 2022/23 informed wider service development:

Area for development	Identified Actions
Effective management of communication between services	There are escalation procedures in place for professionals to use when they are concerned about the involvement, or lack of involvement, of other professionals. This should be followed by all partner agencies involved with a child and their family. Revisit of escalation process to ensure that partner agencies are aware that it should be implemented when professionals do not attend important meetings to discuss children.
Case notes	Staff responsible for making case notes reminded that these should be finalised as soon as reasonably possible after an event to avoid confusion or errors.
Information for those providing care for children under private family arrangements	Guidance to be produced on key points about private family arrangements.
EHC Plans	Staff reminded of: Importance of issuing final EHC plans as soon as possible and within the statutory timeframes.

Area for development	Identified Actions
	<p>Importance of holding annual reviews within timeframes set out in Code of Practice.</p> <p>Council's duties under S19 of the Education Act 1996, to provide alternative provision for children who cannot attend school due to illness, exclusion, or other reasons.</p> <p>Importance of notifying parents in a timely manner, and within statutory timescales, of decisions to reassess, and decisions following reviews to maintain, amend, or cease.</p>

9. Review of the effectiveness of the complaints procedure

- 9.1 Management of Children's Complaints and Customer Care remained with the Transformation and Innovation Team during the year 2022-23. The service later transferred over to form part of a wider centralised KCC customer care and complaints function in April 2023. There is a requirement for the handling of social care complaints to be detached from the delivery of those services being complained about. Having a centrally managed service helps to facilitate delivery of an impartial complaints process and enables us to draw on additional resources from the wider team when needed.
- 9.2 The effectiveness of the complaints procedure depends on the wider organisational culture and the propensity to learn the lessons where the service has not been to the required standard. The Children's Complaints and Customer Care Team continue to receive support from Senior Management for the prioritisation of complaints, and in ensuring the availability of Independent Investigators where a Stage 2 investigation is required.
- 9.3 On receipt of new representations, the Children's Complaints and Customer Care Team assess each case paying attention to complaints with regards who is making the complaint, what is being complained about, when the alleged injustice occurred, and whether there are any concurrent investigations or legal proceedings taking place. This assessment informs the decision-making process for determining which process is most appropriate for addressing each element of customer feedback. Many of the complaints can be complex and require sensitive handling.
- 9.4 The Children's Complaints and Customer Care Team has continued to experience some significant challenges during 2022-23. With the continued increase in the volume of complaints received, and the ability of staff in the SEN service to progress of complaints and Member Enquiries alongside other priorities. In addition, the complexity of complaints and managing customer expectations remains challenging. Capacity within the team has fluctuated,

leaving the team vulnerable during periods of staff sickness or annual leave. This has impacted on the team's ability to effectively chase responses from services responding to complaints, as well as the amount of time that can be allocated to quality assuring responses.

- 9.6 **Training** – capacity within the complaints service continues to impact the delivery of complaints training for staff. Sessions are provided on demand for those services requiring awareness raising for staff, or for individuals tasked with undertaking independent investigations.
- 9.7 **Young Lives Foundation** - The Young Lives Foundation is an independent organisation which provides an Advocacy Service and the Independent Persons for the Stage 2 complaints. The reports produced by the Independent Persons have generally been to a good standard and delivered within the required timescales. The Advocacy Service has also been proactive in supporting and representing children and young people to make their views known. Regular contract monitoring meetings take place between the Young Lives Foundation, KCC's Commissioning Service, with the Children's Complaints and Customer Care Manager also participating.

10. Compliments

The Children's Complaints and Customer Care Team also record and share compliments received about staff and services. In 2022/23 the number of compliments formally received and logged decreased from the previous year by 57% to 39. Staff are encouraged to share any compliments they receive; it is important we use positive feedback to help drive improvements as well as use them to celebrate achievements and good practice.

- 10.1 Set out below are a few examples of the compliments received in 2022/23 across the directorate:

Feedback from foster carers

"[social worker] gives us the utmost support and guidance throughout the year. We have a good, respectful working relationship. She is always professional and supportive during our supervision meetings, offering advice and guidance through any challenges or difficult times as well as fully supporting our development and wellbeing. She always goes over and above to assist and support us by attending meetings she wouldn't usually have to attend if there are any challenges, such as education meetings and she will communicate effectively with other agencies on our behalf. She is warm and caring and always shows an interest in the children and fully understands their needs. The children like and respect her.

She will always acknowledge their achievements and birthdays, Christmas etc by posting through a card and gift to their delight. She plays a big part in our confidence and success in achieving the best outcomes for the children."

Feedback from foster carers

"[social worker] has been amazing. Even today sorting a stressful situation out, quickly and efficiently. Professional at all times but also allowing me to

feel comfortable to offload. This has been invaluable, we always trust his judgement and guidance, I never felt judged but always supported in a positive pro-active way."

Feedback from adoptive parents

"We just wanted to email you to say how wonderful and fantastic [social worker] has been over the past 2+ years supporting us with [child] and the pitfalls that adoption brings. Seriously this woman is an absolute star and [child] will always know just how important she has been in her life. We can honestly say, any child that has [social worker] as a SW will be very very lucky she is definitely one of, if not the BEST !"

Feedback from parent

"I want to thank [SEN worker] for her amazing help and knowledge with regards to my sons ehcp refusal to assess, she has been nothing short of amazing with fantastic communication and in depth information. I wish there were more people out there like her who support the parents and show that they truly care about our young peoples education and emotional/mental health"

Feedback from a parent

"[social worker] is an absolute credit to Kent. If there is ever an award for recognition for [social worker's] work please put her forward on our behalf, she's like a fairy godmother she helped fixed my daughter, I will forever be grateful.

Feedback from shared lives carer

"I am beyond impressed with [social worker] of the young person disabled team. She is very supportive towards the young people she supports as well as going above and beyond in all she does. From early morning pick ups to ensure that a young person does not miss out on their education. As well as support with arranging day centre placement to ensure the best possible opportunity for the young person to engage with others, thrive and live a fulfilled life. Very diligent and reliable I believe [social worker] is a great asset to her department and the young people she works with."

Feedback from parent

"[SEN worker] can't magic up a school place but she listened and that meant a lot. It will be resolved in time but feel like we are more on the same page now."

Feedback from a school SENCO

"[SEN Provision Evaluation Officer] always goes above and beyond in her role. Always friendly, reassuring and knowledgeable, as a SENCO I find her support invaluable. This was also echoed by 5 other SENCOs at our LIFT meeting yesterday.

[SEN PEO] is our rock through turbulent times with SEN. She possesses excellent communication skills, keeping us informed, therefore enabling us to pass information on to parents, which they are not currently receiving through the usual channels.

We all agreed that we, as SENCOs, could not do our job without her unwavering support. Thank you [SEN PEO], your dedication to your role has not gone unnoticed.”

Feedback from parent

“I want to thank [SEN worker] for going above and beyond, she is always there to answer any questions and is always quick to reply, she has given much valued support and advice. Nothing is ever too much trouble”

Feedback from parent

“I really would like to take the opportunity to thank [case worker], from the Electively Home Education team.

[Case worker] has been the most amazing knowledgeable and supportive case worker that my family and I could of had.

[Case worker] has given us direction when we felt slightly lost and sometimes overwhelmed yet at the same time encouragement when we were on track. Home education was a very hard decision on our part at times we felt overwhelmed yet other times we felt we had surpassed our expectations, in our case with the right support and direction that we received enabling us to feel empowered we know we did the right and the best thing for our child with the guidance from [case worker]. Thank you the support you gave us has been phenomenal.”

11. Objectives for 2023/24

Objectives for 2023/24 include:

- Continue to improve the quality of data entered on the customer feedback system to ensure accurate and informative performance and learning data is captured.
- Continue to ensure the operation of the complaints procedures in line with statutory requirements and monitor performance standards.
- Continue to provide training on demand for managers to ensure quality complaint responses are provided.
- Reduce vulnerabilities with the Children’s Complaints and Customer Care Team by ensuring adequate staffing is in place.
- Work with SEN in improving performance in relation to response times.

12. Conclusion

This year, the Children’s Complaints and Customer Care Team saw a 19% increase in the volume of complaints handled in comparison to the previous year. In addition, there was a 26% increase in the number of complaints heard at Ombudsman level, these cases are often more complex and carry a risk of reputational damage for KCC.

The increase in complaints, does not necessarily indicate a reduction in performance, as anybody who receives a service from KCC has the right to submit a complaint if they are dissatisfied with the service. However, performance can be measured by the percentage of those complaints being upheld, either full or in part. Of the complaints received and handled on behalf of Integrated Children's Services and Disabled Children's Services, 36% were upheld or partly upheld, a slight decrease and improvement from 38% in 2021-22. Education had an increase in the number of complaints upheld, rising from 33% in 2021-22 to 49% in 2022-23.

The SEN service improved with 68% of complaints addressed being upheld, compared to 84% in 2021-22. However, caution should be exercised as there is a significant backlog of complaints still to be addressed for SEN, which will inevitably impact performance statistics for response times and outcomes as they are closed.

This steep increase in the volume and complexity of complaints leaves the Children's Complaints and Customer Care Team vulnerable, as capacity within the team has not increased. This has impacted on the ability of the team to proactively chase responses from services responding to complaints, as well as the amount of time spent on quality assuring the responses.

13. Recommendations

Recommendation: The Children's, Young People and Education Cabinet Committee is asked to **CONSIDER** and **COMMENT** on the contents of this report.

14. Background Document

None

15. Report Author

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Children Social Care - Upheld example – 21 012 369

Complaint

Mr X complained that the Council:

- a. failed to address the impact of the faults found in the independent investigation of his complaint about children's social care and provide a suitable remedy;
- b. failed to carry out actions agreed at the end of the complaints process;
- c. took too long to complete the complaints process.

As a result he says he and his family have missed out on support they should have received.

Outcome

We find there were some flaws and delays in the assessment process that the Council has not fully recognised in its response to the complaint so far. The Council has agreed a further remedy.

Education - Not upheld example – 22 009 075

Complaint

Mrs M complains about the Council wrongly refusing her daughter travel assistance after the school she applied for closed and she chose a school which was not her nearest under its policy; as a result, this causes her stress and financial hardship as she now meets the cost of travel to school.

Outcome

We found no fault by the Council on Mrs M's complaint about it wrongly refusing her daughter travel assistance. The Council correctly assessed her application, and the appeal panel correctly considered all the evidence submitted before deciding to refuse it.

Education - Upheld example – 22 007 365

Complaint

Mrs X complained the Council failed to provide suitable alternative education when her son, B, was too unwell to attend school.

Outcome

We find the Council was at fault for failing to provide B with alternative education. This caused distress to Mrs X and B has been out of education. To address the injustice caused by fault, the Council has agreed to apologise, make symbolic payments and remind staff of the relevant guidance.