



**HARTLEPOOL**  
**BOROUGH COUNCIL**

**Children's and Joint  
Commissioning Services  
Annual Complaint Report  
2020-2021**



## Contents

---

1. Introduction	4
2. Background	4
3. Children's social care complaint framework	5
4. Public health complaint framework	7
5. Principles and outcomes	8
6. Public information	8
7. Summary of representations	9
8. Actions taken following complaints	12
9. Conclusions and way forward	12

## Appendices

**A:** Examples of compliments received in children's social care services

**B:** Examples of actions taken in complaints about children's social care services

## 1. Introduction

---

Welcome to Hartlepool Borough Council's Children's and Joint Commissioning Services Complaints, Compliments and Representations Annual Report. The report covers statutory complaints and compliments received for children's social care services and public health functions for the period 1 April 2020 to 31 March 2021.

The report outlines:

- Details of the complaints and compliments received over the reporting period;
- Performance in relation to handling of complaints;
- Actions implemented, any lessons learned and resulting improvements following enquiry into complaints.

## 2. Background

---

Complaints and compliments are valued as an important source of feedback on the quality of services. Each complaint is investigated and, where appropriate, redress made. Equally important is the work to learn lessons to prevent a repeat of failure in service quality and continually improve services.

### 2.1. What is a complaint?

A complaint is any expression of dissatisfaction about a service that is being delivered, or the failure to deliver a service. The Local Government and Social Care Ombudsman define a complaint as *"an expression of dissatisfaction about a council service (whether that service is provided directly by the council or on its behalf by a contractor or partner) that requires a response."*

A complaint can be made in person, in writing, by telephone or email or through the council's website. It can be made at any office. Every effort is made to assist people in making their complaint and any member of staff can take a complaint.

## 2.2. Who can complain?

A complaint can be made by:

- A child or young person
- A parent or carer
- Special Guardians
- Anyone who is or is likely to be affected by the actions, decisions or omissions of the service that is the subject of a complaint.

## 3. Children's Social Care Complaint Framework

---

### 3.1. Complaint management arrangements

The statutory complaint function for children's social care sits within Quality and Review under the management of the Head of Service (Quality and Review).

The remit of the Complaints Manager's function is:

- Managing, developing and administering the complaint procedure.
- Providing assistance and advice to those who wish to complain.
- Overseeing the investigation of complaints that cannot be managed at source.
- Supporting and training staff.
- Monitoring and reporting on complaints activity.

### 3.2. The complaint regulations and procedure

The Children Act 1989 Representations Procedure (England) Regulations 2006 came into force from 1 September 2006. This procedure is for all representations received from children and young people, their parents, foster carers or other qualifying adults about social care services provided or commissioned by children's social care. The full detail of the complaints procedure is available on the Council's website at:

[https://www.hartlepool.gov.uk/info/20004/council\\_and\\_democracy/429/complaints\\_comments\\_and\\_compliments](https://www.hartlepool.gov.uk/info/20004/council_and_democracy/429/complaints_comments_and_compliments)

The Regulations and Statutory Guidance '*Getting the Best from Complaints*' are now fully embedded into the children's social care complaints system and

information derived from complaints is included in the annual monitoring of children's social care and made available to the public.

A child or young person who make a representation is allocated the services of an Advocate to enable their views to be effectively promoted.

There are three stages to the procedure.

» **Stage 1**

**Local Resolution:** The aim of stage 1 is to sort out the matter as quickly as possible. The complaint will be allocated to a manager who will contact the complainant to discuss the complaint. Stage 1 of the complaints procedure should be completed within 10 working days but if there are a number of issues to look into, this can be extended up to 20 working days. The complainant will receive a response to the complaint in writing.

» **Stage 2**

**Investigation:** This part of the procedure is used when the complainant remains unhappy after their complaint has been responded to at Stage 1 or the complaint is sufficiently serious enough to warrant a more formal investigation. Investigations are conducted by an Investigating Officer who must be independent of the service area and/or decision making being complained about. Sometimes, an Investigating Officer external to the Council is appointed when the issues complained about are complex, have a number of elements to them or there is sufficient justification to appoint an external Investigating Officer. An Independent Person is also appointed at Stage 2. This is a statutory role and the Independent Person (who is external to the Council) works alongside the Investigating Officer with a remit to ensure that the process is open, transparent and fair.

Reports completed by the Investigating Officer and Independent Person are submitted to an Adjudicating Officer (usually the Assistant Director) for response.

The investigation and adjudication process should be concluded within 65 working days.

### » Stage 3

**Independent Complaint Review Panel:** If the complainant is dissatisfied with the outcome at Stage 2, they may request that the issues are taken to a Complaint Review Panel (Stage 3). The Panel consists of an Independent Chair and two independent panel members. The Panel considers the complaint and can make recommendations to the Director of Children's and Joint Commissioning Services within 5 working days of the Panel meeting.

The Director is required to make a formal response to any findings and recommendations of the Review Panel within 15 working days of receiving the Panel's report.

### 3.3. Referral to the Local Government and Social Care Ombudsman

If, at the end of the complaints procedure, the complainant remains dissatisfied with the outcome or the way in which their complaint has been handled, they may ask the Local Government and Social Care Ombudsman (LGSCO) to investigate their complaint. Complainants may also approach the LGSCO directly without accessing the complaints process. In these cases it is usual for the LGSCO to refer them back to the Council for their complaint to be examined through the relevant complaints process before they intervene.

## 4. Public Health Complaint Framework

---

### 4.1. The complaint regulations

The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012 cover the statutory complaint handling arrangements relating to public health functions of a Local Authority. These regulations also cover the provision of services by a service provider where the complaint relates to public health functions for which the Local Authority Director of Public Health has responsibility for.

## 4.2. Complaint management arrangements

The statutory complaint function for public health also sits within the Quality and Review Service under the management of the Head of Service (Quality and Review).

## 5. Principles and outcomes

---

Good handling of complaints and representations involves:

- Keeping the complainant at the centre of the complaints process;
- Being open and accountable;
- Responding to complainants in a way that is fair;
- Being committed to try to get things right when they go wrong;
- Seeking to continually improve services.

Statutory complaints are underpinned by the following:

- A procedure that aims to be fair, clear, robust and accessible;
- Support being available to those wishing to make a complaint;
- Timely resolution following enquiry into complaints/representations;
- Lessons learnt following complaints and services improved;
- Monitoring being used as a means of improving performance.

## 6. Public information

---

Information about the complaints and representations framework is accessible via the Council's public access points and also the Council's website at: [https://www.hartlepool.gov.uk/info/20004/council\\_and\\_democracy/429/complaints\\_comments\\_and\\_compliments](https://www.hartlepool.gov.uk/info/20004/council_and_democracy/429/complaints_comments_and_compliments)

Children, young people and their carers are provided with factsheets explaining the procedure.

Information in other formats such as large print or Braille or translation in languages other than English are made available upon request.

## 7. Summary of representations

---

### 7.1. Compliments

Compliments are generally recognised to be an indicator of good outcomes for children, young people and their families. They also serve to provide wider lessons regarding the quality of services.

During 2020/21, 46 compliments have been received relating to children's social care. These range from an expression of thanks and appreciation in the form of a thank-you card to written communication. This has increased by 38 compliments reported to the Quality and Review Team in 2019/20. The increase in compliments may partly relate to the awareness raising undertaken in the past year about the importance of forwarding expressions of thanks and appreciation from children and their families on to the Quality and Review Team. Appendix A provides some examples of compliments received during the period.

### 7.2. Complaints received in 2020/21 – Children's social care

A total of 40 complaints were received in 2020/21. The number of complaints received has increased by 4 from the previous year. Actions implemented to improve services as a result of complaints are outlined in Appendix B. There were no complaints carried forward to 2020/21 from 2019/20.

Of the 40 complaints received in 2020/21, 20 were not considered further leaving 20 complaints for investigation. Overall, although there was an increase of 4 in the number of complaints received in 2020/21 compared to the previous year, there was a decrease of 5 in the number of complaints investigated in 2020/21 than the previous year.



Of the 20 complaints not considered further, this was because:

- 16 complaints related to ongoing or concluded court proceedings. Any dissatisfaction about legal proceedings cannot be considered within the complaints framework. These should be raised during the court proceedings before decisions are reached by a Judge or, in the case of disagreement with decisions made within proceedings, via the legal appeal process. In these 16 cases, the complainant was informed that their representation could not be considered under the complaints procedure and was signposted to the LGSCO if they remained unhappy with the decision not to investigate their complaint.
- 2 complaints were withdrawn by the Council when the complainants did not communicate further despite repeated efforts by the Council to engage with the complainants.
- 1 complaint received was based on anecdotal evidence. The Council outlined its reason for not investigating the complaint and signposted the complainant to the LGSCO if they remained unhappy with the decision reached not to investigate their complaint.
- 1 complaint received related to another organisation. The Council outlined why it could not investigate the complaint and signposted the complainant to the relevant organisation responsible for the subject matter being complained about.

Of the 40 complaints received:

- 37 complaints were received from a parent;
- 1 complaint was received from a grandparent;
- 1 complaint was received from a connected carer; and
- 1 complaint was received from a child.

Of the 20 complaints investigated:

- 17 complaints were responded to at Stage 1 in the first instance; and
- 3 complaints proceeded directly to Stage 2 without being first considered at Stage 1.

- Of the 17 complaints responded to at Stage 1:
  - 11 complaints were resolved; and
  - 6 complaints progressed to Stage 2.
- Of the 9 complaints investigated at Stage 2:
  - 1 complaint was withdrawn at Stage 2 by the Council when the complainant did not engage despite repeated efforts made by the Investigating Officer (overseen by an Independent Person) to engage the complainant;
  - 5 complaints concluded following the completion of Stage 2;
  - 2 complaints remain ongoing at Stage 2; and
  - 1 complaint remains 'on hold' at Stage 2 at the complainant's request.

### **7.3. Advocacy services**

Of the 40 complaints received, one complainant chose to have an advocate support them during the complaint process.

### **7.4. Complaints considered by the Local Government and Social Care Ombudsman (LGSCO) in 2020/21**

There were no complaints considered by the LGSCO about children's social care during 2020/21.

### **7.5. Complaints carried forward to 2020/21**

A total of 3 complaints from 2020/21 remain at Stage 2 and will be carried forward to 2021/22.

### **7.6. Complaints in 2020/21 – Public Health relating to children's services**

There was 1 complaint received in relation to public health functions during 2020/21. There were no complaints received in the previous year. The complaint received in 2020/21 was not upheld.

## 8. Actions taken following complaints

---

Actions implemented following the conclusion of a complaint are an important aspect of the complaints framework. Appendices B and C outline the context of some actions that have been put in place to improve services as a direct result of complaints and representations received in children's social care.

## 9. Conclusions and way forward

---

### 9.1. Going forward

We continue to ensure that a person-centred approach is adopted for the handling and investigation of each complaint. We will continue to focus on ensuring we monitor that: complainants receive appropriate and timely feedback on complaints; appropriate apologies are offered; and any service improvement recommendations are delivered.

### 9.2. Action plan

Actions for 2021/22 are as follows:

- Continue to raise awareness of and promote the relevant statutory complaints procedure for children's social care and public health services for children.
- Continue to remind and encourage the workforce to inform the Quality and Review Service when expressions of thanks have been received. These provide an indication of satisfaction with services and should be recorded and reported.
- Continue to raise awareness of lessons learnt from complaints by ensuring:
  - they are collated on a quarterly basis for discussion to inform learning at the continuous improvement group;
  - any workforce development needs are identified and training implemented; and
  - the electronic practice manual is updated to reflect any changes to policies and procedures.

## Appendix A: Examples of compliments received across Children's Social Care Services

---

*"I just wanted to send a short thank you whilst I had 5 minutes to thank you for going over and above with the support to our children, especially throughout this pandemic. Whilst I appreciate that it has been a testing time for everyone involved, working alongside like-minded colleagues for the best of our children means that our work has been made as easy as it possibly could be. Thank you for your hard work and dedication."*

From another professional about a Social Worker

*"We are going to miss you thank you so much from all of us. For helping to get the girls settled into our family and making sure they (and we) are happy! The best of our wishes for all you chose to do in the future."*

From a family with a Special Guardianship Order about a Social Worker

*"J was very lovely and easy to get on with. I loved working with her because she made me feel comfortable. One thing I want to say is for J not to change the way she deals with people because she would make anyone feel relaxed and at ease and she is approachable"*

From a parent about a Social Worker

*"We can't put into words how much we appreciate all your help and support over the past 3 years! We wish you all the best for the future"*

From a parent & child about a Social Worker

*"Please accept my compliments on the quality of your final evidence and parenting assessment. Your work is so detailed but also very easy to read and understand."*

From a Children's Guardian about a Social Worker

*"She made sure I was totally involved with everything, for the first time I understood why social care where involved and what we needed to do to close my case. She kept her phone on when she knew I would need to ring her and was there exactly when I needed her."*

From an young person about a Social Worker

*"Z chaired the Looked after Review for the children yesterday and Nana rang me today to let me know how well she felt the meeting had gone, she said that she could tell Z was extremely experienced and made the review centred around the children and their care which was important to her. Nana said that Z was honest and made it clear to Mam that people are there for her but she needs to put the work in now."*

From a nana caring for her grandchildren  
about an Independent Reviewing Officer

*"I just wanted to send a message to say thanks and that you are doing a great job. I don't think you realise how much you have helped my family over the last year and it is fair to say that this past year and a half have been truly awful. Not enough people say thanks and usually only complain about things but I really don't know what we would have done without you. I am sure you help lots of families and as I have said earlier we appreciate it and I am sure a lot of others do too."*

From a parent about a Social Worker

## Appendix B: Examples of actions taken in complaints about Children's Social Care Services

Details of complaint/Outcome	Actions following findings
<p>The complainant was unhappy with the Social Worker's way of working and raised concerns about her sister's children residing with their father.</p> <p><b>Concluded at Stage 1</b></p>	<p>The Team Manager resolved the complaint in a telephone call with the complainant. The Team Manager and complainant were able to have a discussion of how to move forward which all parties agreed with.</p>
<p>The complainant was unhappy that his partner's children's Social Worker knew about his children being removed from his care. The complainant believed the Social Worker had breached data protection regulations by speaking to past social workers without his consent.</p> <p><b>Concluded at Stage 1</b></p>	<p>A Team Manager contacted the complainant to explain the procedures Social Workers must follow in legal proceedings about gathering information on new partners and their children. The complainant accepted the explanation provided about the procedures and was happy no data protection regulations had been breached.</p>
<p>The complainant (a young person supported by his Advocate) was unhappy that his contact with his mother was not as regular as he would have liked.</p> <p><b>Concluded at Stage 1</b></p>	<p>An explanation was provided to the complainant and his advocate about the arrangements for supervised contact sessions. The arrangements were confirmed to the complainant in writing.</p>

Details of complaint/Outcome	Actions following findings
<p>The complainant expressed his unhappiness that he had not been given enough time to read a report and voice his concerns before the meeting.</p> <p><b>Concluded at Stage 1</b></p>	<p>The Team Manager looked into what had happened and although it was found the complainant had been provided with an opportunity to voice his opinions and concerns before the meeting, the report had been provided late to the complainant and an apology was provided for this.</p>
<p>The complainants expressed concerns about the care given to their child as well the conduct of the foster carers during their child's period in care.</p> <p><b>Concluded at Stage 2</b></p>	<p>Although the Investigating Officer (IO) partly upheld one element and the remainder of the complaint was not upheld, an apology was provided for some missed communication that had occurred. The IO also made a recommendation that all parents have necessary information about a child's daily routines prior to any rehabilitation visits taking place. This service improvement was accepted and implemented.</p>
<p>The complainant expressed his dissatisfaction about an incident which occurred involving his child and raised concerns in relation to a lack of supervision by Support Workers.</p> <p><b>Concluded at Stage 2</b></p>	<p>Although the point of complaint investigated by the Investigating Officer (IO) was not upheld, it is always useful for any learning to be identified for service improvement. In this case, the IO made a recommendation for a risk assessment to be updated which reflected the current circumstances relating to the children. This service improvement was accepted and implemented.</p>