



MANCHESTER  
CITY COUNCIL

# Annual Complaints Report

**2023/24**

Children and Families (Children's)

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# 1. Introduction

The Children Act 1989 and NHS and the Community Care Act 1990 require all Local Authorities with social services responsibilities in England and Wales to have a complaints procedure for people dealing with Social Care Services. *Getting the Best from Complaints* provides guidance for local authorities on implementing the Children Act 1989. The regulations require three internal stages to the complaints procedure: Stage 1 - Local Resolution, Stage 2 - Investigation and Stage 3 - Review Panel.

Part of the statutory requirement is the production of an annual report on complaints, which is available to members of the public, our staff, and our elected Councillors. This report contains information on social care complaints received about Children's Services in the financial year 2023/24.

Complaints which contain an element of social care fall under the statutory Children's Social Care guidelines, however, we also have responsibility for dealing with other complaints and political enquiries which relate to customers who may be dissatisfied with services which are not related to social care. These non-social care complaints will follow the Council's two stage complaints process. We have included in this report some information relating to the non-social care complaints and political enquiries that we have dealt with.

## 2. What is a complaint?

A complaint is defined as a written or verbal expression of dissatisfaction about the service provided by the Council.

We aim to acknowledge complaints within three working days and to send a full written response within 10 working days or 20 working days if the complaint is complex and relates to social care. In this case we will advise the complainant of the delay.

If the complainant requires clarity of any of the points in their complaint response, following investigation, they can return to the Council for further information.

We realise that young people may want to also complain, being important users of our services. All young people recording complaints against Children's Services are advised of the Advocacy Service, who work with the Feedback and Complaints Service to progress complaints.

The complaints process has no power to appeal or overturn a decision made by the courts.

### 3. The complaints we received and how we responded.

#### 3.1 Response times

	Target response time	Complaints responded to	Responded within deadline
Stage 1 Social Care complaints	10 working days	37 (Total)	54%
Stage 1 Social Care complaints	20 working days		76%
Stage 2 Social Care complaints	25 working days	4 (Total)	25%
Stage 2 Social Care complaints	65 working days		50%
Stage 3 Social Care complaints	50 working days	2	50%

Stage 1 Corporate complaints	10 working days	509	56%
Stage 2 Corporate complaints	15 working days	37	27%

Ombudsman Social Care	28 calendar days	2	50%
Ombudsman non-Social Care	28 calendar days	6	67%

#### 3.2 Stage 1

A total of 37 Social Care complaints were responded to in 2023/24. This is a 8.8% increase on the previous year (34 in 2022/23), and is a change in the trend we saw in 2021/22 and 2022/23. Our 20-day response times have increased slightly from 74% to 76%, and our 10-day response times have decreased (56% to 54%). The average response time now stands at 13.8 days, which is an improvement of previous year's performance which stood at 14.3 days last year and 19.8 days the year before.

Of the 37 social care complaints we handled at Stage 1, 4 (10.8%) of these were upheld or partially upheld, a decrease from 38% in 2022/23.

For the first time in two years, Children's Services saw a slight decrease in the number of non-social care complaints. The majority of these complaints do follow the trend of the previous year and are attributed to issues within School Access & Sufficiency, namely School Admissions, Home to School Transport and the Education Help Care Plan (EHCP) Team. A total of 509 non-social care complaints were responded to in 2023/24. This is a 5.2% decrease on the previous year (537 in 2022/23), however our 10-day response times did increase from 54% in 2022/23 to 56% this year. Similarly, the average response time now stands at 17 days, up from 14.7 days last year.

Of the 509 non-social care complaints we handled at Stage 1, 180 (35.3%) of these were upheld or partially upheld, which is higher than the percentage upheld in 2022/23 of 32%.

Where we uphold a complaint, we acknowledge that the complaint is justified and provide an apology, and also make recommendations for service improvement. Customer feedback is important to us and we are committed to learning from complaints that have been upheld.

### 3.3 Stages 2 and 3

There were 6 Social Care complaints responded to at Stage 2, 3 of which were upheld or partially upheld (50%). There was one investigation that was completed outside the permitted 65 working days, this was due to the complexity of the. Additionally, this contributed to average response times increasing to 69 days from 53 days last year.

There were two social care complaints that progressed to Stage 3. One of these was upheld, and was not completed within the statutory deadline, this was due to the but the difficulty in arranging a date for the Panel. The second Stage 3 complaint was subsequently withdrawn by the complainant.

There were 37 non-Social Care complaints responded to at Stage 2 (22.9% decrease compared to 2022/23), 37.8% of which were upheld or partially upheld (52% in 2022/23). 27% of the responses were completed within our initial target of 15 working days (35% in 2022/23). However, the average response time has increased to 27.6 days from 19.8 days last year.

### 3.4 Local Government and Social Care Ombudsman

The Council are given a timescale of 28 calendar days to provide a response to the Local Government and Social Care Ombudsman (LGSCO).

Children's Services responded to a total of 7 LGSCO complaints during 2023/24, a decrease from the previous year's total of 14. Following investigation by the LGSCO, 3 were upheld (6 in 2022/23). Regarding the upheld complaints, the Ombudsman made the following recommendations to remedy the complainant:

Decision	Complaint and Remedy
Case A: Upheld: maladministration and injustice	The Council was at fault for not meeting the requirements of a EHC Plan by failing to organise specialist educational provision when they should have started school. The Council provided an alternative provision in the form of a mainstream placement with support and home tuition. It was found that the Council did not use its powers to encourage one of the suitable schools to take an extra pupil for two terms. Nor did the Council demonstrate that it had tried to meet suitable alternative provision in terms of SALT or what home tuition would entail. The Council apologised and paid compensation to acknowledge the impact the missed provision has had on the young person and his family
Case B: Upheld: maladministration and injustice	This was regarding the way the Council dealt with the suspension of a child's school transport, which was cancelled without warning and they missed school as a result. The Council agreed with the Ombudsman's view, apologised and made payments to the complainants and to the children in compensation for the costs they occurred.

Case C: Upheld: maladministration and injustice	This related to the Council's failure to provide an alternative education provision since she was unable to attend school from October 2022 to February 2023. The Council should have looked to see whether the current school place was available and accessible to the child. The Council agreed with the Ombudsman's view, apologised and made a symbolic payment to the family for the impact of the missed education
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### 3.5 *Complaints received from children and young people*

28 Complaints (6 Social Care, 22 non-Social Care) were made by young people in their own right in 2023/24 (2.2% of total complaints received).

#### 3.5.1 **Advocacy Service**

During the course of making a complaint the child or young person is entitled to advocacy support that is independent and confidential. If a young person makes a complaint without advocacy support they are still offered the option of receiving advocacy support at the start of the process. The advocacy support is commissioned externally and is currently delivered by Coram Voice Advocacy Service.

## 4. **Political enquiries received and how we responded**

### Summary

	Target response time	Enquiries responded to	Responded within deadline
MP/Cllr Social Care Enquiries	10 working days	84	55%
MP/Cllr non-Social Care Enq's	10 working days	329	72%

During the reporting period, the directorate responded to a total of 414 political enquiries. This was a decrease of 7.3% on 477 in the previous year.

236 (57%) of these enquiries were responded to within the 10-day deadline for responding to enquiries, which is 12% lower than the previous year. The target for dealing with enquiries within 10 days is 96%.

The majority of enquiries were seeking advice or support. The main themes for these enquiries were:

- Issues regarding school places
- Free Travel to School
- EHCP Issues

## 5. How we have improved our service as a result of complaints

### 5.1 Learning actions from complaint investigations

We recognise that when things do go wrong, we need to learn from the mistakes to reduce the likelihood of the same thing happening again. From the information given in complaints and their responses, we identified actions and potential service improvements and allocated them to service managers to be implemented within a set deadline. During 2023/24 we recognised 205 opportunities for service improvement for the directorate as a result of complaints made about our services.

We also categorise the learning actions depending on their severity and the implications for the service user. The actions that are identified as having major implications, such as those that require procedural changes or where something needs to be implemented across the whole of the city, are closely monitored and evidence of their implementation is collated and fed back to senior managers, with a clear line of responsibility for the actions required.

### 5.2 What you told us and what we did...

Other learning actions have been carried out throughout the year that are case-specific, and the following are examples of outcomes from complaint investigations.

You said	We did
Poor communication from the Home to School Transport team in regards to last minute suspension of transport.	The HTST team have confirmed that plans are in place to improve their communications with parents.
My fostering payment was late causing hardship.	We apologised for the delay and the payment was made. The reason for the delay was identified and discussed with the service to ensure it does not happen again.
No response to emails and calls by the EHCP team.	The EHCP team were reminded to ensure updates are given to parents/carers, and that responses are given.
My child's Home to School Transport bus was stood down numerous times, usually due to illness. I felt no reasonable effort was made to cover any sickness or absence.	Home to School Transport has implemented significant changes to improve its service. The service is looking to recruit more Passenger Assistant that will support effective route optimisation.

Your daughter was returned home from a Police Protection Order without a risk assessment, strategy meeting or safety plan. You further state the social worker tried to bring her home on the bus despite her being at risk of going missing.	Review of the ward rounds put in place on a weekly basis with social work team and parents.
You refused to provide free home to school transport to my child and you failed to follow your own policy correctly.	We agreed to review the application and make a fresh decision.
You failed to follow the correct appeal process for my child's school place	We agreed to review the application and make a fresh decision.

## 6. Compliments and customer feedback

During the year 1 April 2023 to 31 March 2024, Children's Services received a total of 28 written compliments, compared to 68 the previous year.

Some examples of compliments received are detailed below:

Praise for a social worker from a Primary school for never giving up on the Children, and to be a pleasure to work with.

Praise for two members of the Admissions team from a parent. For working hard to find a solution to the school place issue, and for taking the additional time to provide excellent advice.

Praise for a Schools Safeguarding Quality Assurance officer from a Headteacher. The headteacher described them as a positive person for the school, stated they go above and beyond in their efforts to support has provided invaluable advice, guidance, signposting and a listening ear both at critical times and when things are going well. Describe them as knowledgeable, professional, compassionate and helpful. The school love working with the officer.

Praise for a Safeguarding and Reviewing officer from foster carers. They described him as professional, calm and really lovely and said he was a credit to the team

Praise for the team who supported Chapel Street. This was praise for 6 different people across different teams. They stated, "It makes such a difference to us to have great people we can call on when we have questions or are in difficult situations".



Praise for an Independent Reviewing Officer from a long standing foster carer. They said "It felt like you really cared about her wishes and feelings, you genuinely listened and didn't rush her.

It was obvious that you had prepared really well and knew already what the complex issues were."

Praise for the Short breaks team in that they went above expectations and were particularly good and empathetic.

Praise for a social worker from a guardian for all his hard work and commitment to the family he was supporting.

Praise for a EHCP assistant from a mother for all the support and understanding she offered.

Praise for an early help worker from a family. They praised her for her unending support, and for going the extra mile In every aspect of her role.

## **7. Final comments**

Overall, we note that, for 2023/24, caseload has slightly reduced which has bucked the previous year's trend. The timeliness of responses across Social Care Complaints and, as well as non-Social Care Stage 2 Complaints Ombudsman, has increased slightly in comparison to last year's performance. However, the timeliness of responses for the MP/Councillor Enquiries has decreased from last year. This could partly be due to an increased complexity in the cases which we received. We will work with the services to see if there is any way we can support them to improve the response rates going forward.

Children's Services and the Feedback and Complaints Service will continue to work to improve our performance for responding to complaints. To help us improve, we recognise the need to continually review our processes and improve the quality and timeliness of our responses. The following examples highlight the steps we are taking to improve this year:

### **7.1 Process improvements**

- Manchester Feedback & Complaints are working with Senior Managers to closely monitor the high-risk complaints, and the learning required, through action plans and we are ensuring the actions are shared to ensure wider learning across the Council. We are also ensuring that training is being provided to the new members of the team.

### **7.2 Guidance and Training**

- The content of our training briefings is updated regularly, this is to include the latest guidance that was released from the Ombudsmen and to include changes made in internal practices directed by senior managers and to highlight areas of weakness and any recurrent themes in complaints. We normally provide briefings for new

managers or those who would benefit from a refresher and highlight the importance of effective complaints handling and good practice.

### **7.3 Performance**

- Our target for resolution of social care complaints within 20 working days is 80%. This year we achieved 76% from 74% the previous year. Although still short of the target the performance continues to improve in this area. The percentage of non-social care complaints responded to within 10 working days decreased this year to 54% from 56% last year. This could partly be due to the transition within the Complaints team with new members of staff replacing experienced ones.

### **7.4 Communication with customers**

- The complaint forms for children and young people are made available to all children in contact with the service.
- The complaints-related information on Manchester City Council's internet pages is under constant review to improve clarity and access, particularly for children.