

## ANNUAL COMPLAINTS REPORT 2023-2024

### Report of the Executive Director, Corporate & Support Services Directorate

#### INTRODUCTION & PURPOSE

- 1.1 The purpose of this report is to provide an overview of complaints received by the Council and the lessons learnt from complaints in 2023-24. This report includes complaints received by the local authority which are managed by the 'Complaints Service.'
- 1.2 The scope of complaints included in this report covers:
- Corporate complaints – Place, Corporate Support Services and Childrens Non-Statutory
  - Adult's social care complaints
  - Children's social care complaints
  - School complaints
- 1.3 Complaints across the organisation follow a number of different complaint processes and stages. Each have associated policy and statutes. There is also potential for complainants to contact the Local Government and Social Care Ombudsman (LGSCO) should they wish to escalate their concerns further.

<b>Complaints Process</b>	<b>Accompanying Legislation</b>	<b>Services</b>	<b>Statutory / Non-statutory</b>	<b>Number of stages</b>
Corporate Complaints	Corporate Complaints Policy & Procedure	Corporate Support Services; Services to Place, Services to People	Non-statutory	Two
Adults Complaints	The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009	Adult's services	Statutory	One
Children's Social Care Complaints	The Children Act 1989 Representations Procedure (England) Regulations 2006	Children's services	Statutory	Three
	Corporate Complaints Policy & Procedure		Non- Statutory	Two
School Complaints	DfE statutory guidance	Maintained, Voluntary Controlled, Voluntary Aided and Academy schools	Statutory for schools	Three

## **2 ONE TEAM APPROACH TO COMPLAINTS**

- 2.1 During 2023-24, the council continued to build on the one complaints team approach to oversee statutory Adult Social Care and Children's Social Care complaints: Corporate complaints and Schools complaints.
- 2.2 The Complaints service saw a change of directorate during 2023-24 and the improvements from last year continue to improve the complaints handling process across the council. This includes working with services with an increased focus on learning to ensure lessons learnt are embedded in their culture and values as part of this process.
- 2.3 Our values remain at the heart of the complaints process; from the way we respond to a complaint, to how we learn from what we have heard and challenge ourselves on how we can make things better.
  - Thinking Stockport – we keep people at the heart of what we do.
  - Achieving as a Team - we give and receive feedback in a constructive way.
  - Working with ambition – we have the courage to challenge how we do things.
  - Showing everyone respect – we treat everyone with respect.
- 2.4 The focus remains on early resolution and getting to the root cause of the issues raised by residents.

## **3 HEADLINES FOR 2023-2024**

- 3.1 In Stockport, we have a strong culture of learning from complaints. Regular reports are taken to the Corporate Leaderships Team and Directorate management teams, with themes analysed so that actions to improve can be undertaken. This is aligned to broader performance reporting.
- 3.2 Work has been undertaken to improve our approach to managing complaints, some of this includes:
  - Improvements made to the capabilities of the complaint's dashboard.
  - Increased frequency reporting of complaints data.
  - Improved training and development through e: learning and briefings.
  - A new automated process is being developed to automate and mandate the recording of lessons learnt.
  - A new process for residents to 'Raise an Issue' rather than a formal complaint is being developed and will be rolled out in November 2024.
  - Regular meeting with senior managers about caseload and lessons learnt are ongoing.
- 3.3 The culmination of these improvements was highlighted in the latest Local Government and Social Care Ombudsman (LGSCO) report which found no fault with Council actions in 31% of complaint investigations compared with just 14% last year.
- 3.4 This report will show there has been a significant increase in SEND complaints in 2023-24 and this is continuing to have an impact on complaint performance into 2024-25. This is due to overwhelming pressure on the SEND service dealing with an unprecedented number of EHCP referrals. This is part of a wider national picture and the LGSCO confirmed earlier this year that 26% of their investigation casework relates to SEND.
- 3.5 The EHCP Service has continued to receive unprecedented requests for EHC needs assessments. This demand alongside a 'backlog' in EHC needs assessments for the previous calendar year has led to a significant delay in the EHC needs assessment

process and communication, resulting in complaints. The EHCP Service has engaged with a full review of its governance and accountability processors alongside a productivity review to support capacity to support demand. This recovery plan has been shared with Scrutiny and SEND Boards members.

- 3.6 The Complaints service has been providing substantial support to the SEND team to help navigate through this period. The situation is improving although it is expected that complaints in this service area will remain high for some time due to changes in strategic direction to improve in the longer term. The complaints service will continue to closely monitor.

#### 4 HEADLINE FIGURES FOR COUNCIL COMPLAINTS

- 4.1 This section details annual volumes of complaint by level and service. For each complaint process (except School Complaints, which the Council supports through SLAs) a selection of lessons learnt are also included in each section.

- 4.2 The overall complaints received by the council are as follows:

	2020-21	2021-22	2022-23	2023-24
All formal complaints received <sup>1</sup>	377	588	433	594
All stage 1 complaints received	302	441	328	491
All stage 2 complaints received	74	142	102	101
All stage 3 complaints received	1	5	3	2

- 4.3 There was significant increase in complaints received in 2023-24 when compared to the previous year; this is due to an increase in Corporate complaints, predominately in non-statutory Children's services complaints. Overall, however there has been a relative 10% decrease in the number of complaints escalating to Stage 2, this indicates that stage 1 complaints were handled in a satisfactory manner and avoided escalation. This can, in part, be attributed to a focus on improvements in complaint handling and improvements to service processes as a result of learning from complaints.

#### 4.4 Corporate Complaints – Place and Corporate Support Services

	2020-21	2021-22	2022-23	2023-24
Stage 1 complaints investigated	132	143	161	179
Escalated from stage 1 to stage 2	65	112	52	50

#### 4.5 Adult's Social Care Complaints

	2020-21	2021-22	2022-23	2023-24
Stage 1 complaints investigated	84	146	89	87

#### 4.6 Children's Social Care Complaints – statutory

	2020-21	2021-22	2022-23	2023-24
Stage 1 complaints investigated	36	52	28	20
Escalated from stage 1 to stage 2	1	1	1	1

<sup>1</sup> In some cases, the same complaint could have been counted more than once depending on whether it escalated.

Escalated from stage 2 to stage 3	0	1	0	1
Escalated from stage 3 to LGSCO	0	0	1	0

#### 4.7 Children's Services Complaints – (Corporate) non statutory

	2020-21	2021-22	2022-23	2023-24
Stage 1 complaints investigated	25	49	80	150
Escalated from stage 1 to stage 2	6	15	21	35

#### 4.8 Statutory School Complaints

	2020-21	2021-22	2022-23	2023-24
Statutory Schools Complaints	25	51	59	55
Escalated to stage 2	2	14	28	15
Escalated to stage 3	1	4	3	1
Escalated from stage 3 to DfE	0	0	0	0

4.9 Some complaints escalated to the Local Government and Social Care Ombudsman (LGSCO) and this is highlighted further on in the report (Section 11).

4.10 When considered in the context of the number of services and support the Council provides to over 291,000 residents of Stockport, overall formal complaint numbers represent a very small proportion of resident interactions.

4.11 The following sections provide an overview of each complaints process including trends about the issues raised, their outcomes from investigation and lessons learnt.

## 5 PLACE & CORPORATE SUPPORT SERVICES (CSS) CORPORATE COMPLAINTS

5.1 The scope of corporate complaints includes services across the council with fall under Place and Corporate Support Service Directorates. This section will look at each stage in more detail.

### 5.2 Stage 1

5.3 Complaints are investigated by the services and although the Complaints team has oversight of this process, the service determines whether the case is upheld or not upheld. There is a requirement for stage 1 complaints to be completed within a 20-working day timeframe.

5.4 When comparing the number of cases received in 2023-24 (179) with the previous year (161), there is an 11% increase in stage 1 complaints received.

5.5 The overall increase in stage 1 complaints could be in part attributed to an increase in council tax complaints, 27, compared with 20 in the previous year and green space complaints, 10, compared with 4 in the previous year. However, it should be noted that very few of these complaints escalated to stage 2.

5.6 Five complaints were received in March 2022 so the deadline for response rolled into 23/24 data. Therefore, 184 complaints were responded to, of those 48 (26%) were upheld or partially upheld, which is a decrease compared with the previous year 36%.

5.7 During 2023-24 and in common with the previous year, parking, planning and council tax saw the most complaints received. It is noted these are high profile service areas where residents may not agree with decisions relating to policy. There were many lessons learnt that helped the council improve its services and this is described in more detail in 7.12 of this report.

## 5.8 Stage 2

This is where Stage 1 complaints have escalated and are investigated by the Council's complaints service. The process is driven by the Corporate Complaints Policy and Procedure which can be found on the council's website at [www.stockport.gov.uk/make-a-formal-complaint](http://www.stockport.gov.uk/make-a-formal-complaint).

7.9 When comparing the number of stage 2 cases received in 2023-24 (50) with the previous year (52), there has been a slight reduction in escalated stage 2 complaints. Taking into consideration the increase in Stage 1 complaints, complaints escalating to Stage 2 have reduced from 32% in 2022-23 to 29% in 2023-24. This can be attributed in part to improved complaints handling at stage 1 and targeted activity from the complaints team to seek opportunities for early resolution at each stage of the complaint process.

5.10 Two Stage 2 complaints rolled forward into 24/25. Of the 48 complaints responded to in 2023-24, 19% (9) were upheld or partially upheld. 96% (46) were handled with 20 days which shows further increase on the previous 2 years data (92% and 72% respectively).

5.11 Whilst there was no evidence of systematic failure or trends identified in terms of the complaints upheld, the majority fell within the broad categories of delays, council error and quality of service.

## 5.12 Examples of learning from complaints

5.13 Effective communication is a common theme across complaints and some areas have implemented a series of improvements that involve reviews of service processes and enhanced monitoring to ensure residents are kept updated if there are likely to be delays in service delivery. Work continues to ensure the tone and content of written correspondence is in line with the Council values.

5.14 Several service improvements have been implemented to improve complaint handling procedures across the council, including enhanced monitoring systems and senior leadership oversight. This ensures any complaints nearing the response date are flagged for attention and this has been particularly effective within the Place directorate.

5.15 A new complaints e-learning package was launched in October 2023. The training includes guidance to staff on how to manage more complex complaints which may impact more than one service area to ensure one senior manager has overall accountability for the complaint response. Since its launch, 250 managers council wide have completed the training and this is mandatory for all new managers.

5.16 A new process for blue badge appeals was implemented in August 2023 to ensure there is a consistent and fair approach to all applications and appeals. This was a collaborative piece of work with the Blue Badge Business Support Teams, Adult's social care and Occupational Therapy which included attending training events and meeting with other LA's regarded as excellent by the Department for Transport for their desk-based assessment approach, to benchmark and observe how other authorities manage their blue badge applications.

## 6 ADULT SOCIAL CARE (ASC) COMPLAINTS

6.1 This section takes a closer look at ASC complaints which are investigated by the service area in partnership with the Complaints Team who acknowledge, signpost, monitor and record the end-to-end complaints process.

- 6.2 When comparing the number of cases received in 2023-24 (87) with the previous year (89), there was little change in complaints received and the range of complaints related to different teams with the service.
- 6.3 The majority of complaints related to charging and billing and social work practice. This is comparable with previous years, with the majority of other adult services complaints spread across different service areas.
- 6.4 Of the 86 complaints responded to, 48% (41) were upheld or partially upheld compared with 36% in the previous year. 57% (49) of complaints were completed within the given timeframe of 20 days, an improvement on the previous year which was 49% (please note the process allows up to 65 days).
- 6.5 There continues to be a strong focus on early resolution, in some cases resulting in residents withdrawing complaints where solutions were provided. There were 59 potential cases which were resolved without progressing to a formal complaint which can be attributed to the positive joint working practices between the complaints team and service managers.
- 6.6 **Examples of learning from complaints**
- 6.7 This year complaints have provided a number of opportunities to improve communication through staff training. Keeping care home residents and their families informed, and recognition of the importance of accuracy and timely amendment of case notes and records have been focused on. There have been new sections added to training courses and some timely conversations between managers and their teams, ensuring one consistent message reaches all relevant staff.
- 6.8 Assessments have been the focus of some complaints this year, where there has been a level of dissatisfaction with care quality provided. In one case resolution was reached with a specific person-centred support plan being put in place, whilst in another a full care review was carried out with the quality of care provided also placed under scrutiny.
- 6.9 As a result of complaint related to social care charging, working practices were updated so assessment officers are more pro-active in chasing evidence for financial reassessments. Team training was arranged to review and tighten up the working procedures for staff working on the duty inbox to ensure emails/evidence is saved as a priority and this included a review of the correspondence sent to residents.

## **7 CHILDREN'S SERVICES COMPLAINTS**

- 7.1 All Children's Services complaints from people who use services provided or commissioned by the council. Complaints are investigated by the service in partnership with the Complaints Team who acknowledge, signpost, monitor and record the end-to-end complaints process.
- 7.2 **Childrens Social Care - Statutory**
- 7.3 Complaints which fall under this remit are processed in line with the Children Act 1989 complaints procedures for children and young people 'Getting the best from complaints' statutory guidance.
- 7.4 Complaints include social work services, residential care, fostering, adoption and the provision of support to families and children with disabilities.
- 7.5 There has been a further reduction in statutory Children's social care complaints in 2023-24, a total of 20 have been received, compared to 28 in 22/23. In common with the previous year, this reduction may be attributed to the continuation of a robust, informal

early resolution approach and an improved complaints pathway ensuring correct process is followed.

- 7.6 Six complaints, received in the latter stage of quarter four, rolled forwarded into 24/25. Of the 14 complaints which were responded to in the same period, 71% were completed within the given timeframe of 20 days. Although slightly less than the previous year, it is noted there has been a significant increase in the complexity of the complaints.
- 7.7 Whilst we received 20 complaints, only 1 escalated to stage 2 which demonstrates again the effective process in place for early resolution that is supported by the one team approach for handling complaints. This is enabled by a strong working relationship between the complaints team and service managers to ensure a swift and satisfactory resolution for the complainant wherever possible.
- 7.8 Fewer escalations result in a better use of council resources and officer time. This is because a stage 2 investigation or a stage 3 independent panel is time consuming, and costs are incurred as the local authority is legally obliged to employ independent investigators and independent persons.
- 7.9 The 20 complaints received can be attributed to aspects of social work practice such as a lack of support, decision making, communication issues and where the quality of service failed to satisfy the resident.
- 7.10 Looking at the outcome of the 14 investigations, 9 (64%) were partially upheld., compared with 43% partially or upheld in the previous year.
- 7.11 Children's Services – (Corporate) Non-Statutory**
- 7.12 Children's services corporate complaints include complaints about Children's services and covers those which do not fall under the remit of the Children's social care statutory process.
- 7.13 Complaints can include social work services, SEND, early help, child protection, inclusion, fostering and adoption assessments.
- 9.14 150 non-statutory complaints were received in 2023-24 and of these 62% (93) were completed within the corporate given timeframe of 20 days. This is a decrease on last year's performance which was 74%.
- 7.15 When we compare the number of non-statutory stage 1 cases received with the previous year (80), there was a significant increase in complaints received. Complaints relating to locality social care teams increased from 34 in 2022-23 to 48 complaints this year however some of this can be balanced with the reduction of statutory children's complaints for this period (see 9.5.).
- 7.16 The greatest increase is special educational needs and disability (SEND) complaints, from 19 (22/23) to 72 this year. This is a result of the continued high demand for Educational Health Care Plan (EHCP) assessments which created a backlog of cases for review and completion. This trend has continued into 2024/5.
- 7.17 These complaints can be attributed to a range of themes that involve behaviours and some challenges with communication. In some circumstances, issues raised relate to policy decisions or a lack of support.
- 7.18 A high volume of complaints was received in quarter four and twenty-three complaints rolled over into 2024-25, one complaint was withdrawn. Looking at the outcome of the 126 investigations, 54% (68) were either upheld or partially upheld compared with 47% in the previous year. Many of the complaints upheld were due to delays in completing EHCP's within the 20-week statutory timescale.

## 7.19 Stage 2

7.20 Children's Services corporate complaints can escalate to Stage 2 under the Council's corporate complaint policy and they are investigated by the Council's complaints service.

7.21 When comparing the number of stage 2 cases received in 2023-24 (35) with the previous year (21), there has been 67% increase in escalated stage 2 complaints. However, in relative terms, the percentage of complaints escalating has dropped from 26% to 23% in 2023-24. This can be attributed to the actions taken by the complaints team to de-escalate complaints and seek opportunities with the service to help find solutions for residents at each stage.

7.22 One Stage 2 complaint rolled forward into 24/25 and one complaint was withdrawn. Of the 33 complaints responded to in 2023-24, 45% (15) were upheld or partially upheld compared with 33% in 22/23. 73% (24) were responded to within 20 working days, this has decreased slightly when compared with the previous year (79%). However, it can be noted there is an increase in complexity of complaints which often require input from legal and other services to ensure considered and robust responses are provided. There have also been some challenges with capacity in the SEND team resulting in delays receiving the necessary information required to respond. The service is aware of this and are addressing it, please see para 9.27.

## 7.23 Examples of learning from complaints

7.24 As a result of learning from complaints, there is a focus on timeliness in service provision and improving communication. Some significant learning was captured in the area of reviewing processes and procedures this year. Examples include:

7.25 Following a social care complaint, social workers were reminded to provide relevant paperwork in a timely manner and the importance of keeping families informed about the progress of agreed actions, reasons for any unexpected delay, and being clear about expected timescales to complete the actions. In addition, social workers were advised to make contingency plans for enquiries to be dealt by other colleagues should they be away from the office. This is part of ongoing learning to improve practice.

7.26 Following a complaint relating to child protection, there has been a change in the procedure for the sharing of reports for all child protection conferences so that a conference will now be stepped down if the report has not been authorised and shared with parents at least 2 working days in advance of the scheduled meeting. In addition, a mandatory social work curriculum and practice is being developed in relation to section 47 activity where a child is at risk of significant harm. All team leaders for social work teams have attended training on strategy meetings and the processes which should be followed in line with Working Together to Safeguard Children and our agreed policy.

7.27 Following the increase in SEND complaints, the service has recruited additional EHCP Coordinators to support communication with families, colleagues and stakeholders. This includes both substantive and agency staff to meet need in the long and short term. A significant improvement and transformation programme is underway, and this includes reviewing all processes from SEN Support to issuing and maintaining EHC plans. In addition to the increased staffing levels, the service is confident that significant and positive change will be seen in 2024/25.

## 8 STATUTORY SCHOOLS COMPLAINTS

8.1 Many maintained, voluntary controlled, voluntary aided and academy schools have a service level agreement with the complaints service to assist them with their own



complaints process and policy. This covers the functioning of the school and the conduct of head teachers.

- 8.2 Schools' complaints are recorded within an academic year and the figures that follow are for the date range 1st September 2023 through to 31<sup>st</sup> July 2024. The total number of complaints received in 2023-24 was 55. This is a slight decrease when compared to the previous year (59).
- 8.3 There has also been a considerable decrease in complaints escalating to stage 2. 2022/23 saw a doubling of this trend on the previous year. This year only 13 cases have escalated to stage 2 a 60% reduction. This could be attributed to improved communication with schools actively seeking advice from the complaints service at the earlier stages helping to resolve parents concerns sooner in the process.
- 8.4 The reasons for school complaints can be varied and include: bullying, dissatisfaction with school policy, lack of support and staff conduct. Safeguarding and SEND have continued to be strong themes this year, with the highest number of school complaints relating to staff conduct.
- 8.5 Furthermore, complaints relating to Headteachers directly continue to be high with 20 such complaints in comparison to 24 last year. Stage 1 school complaints must be investigated at Stage 1 by the Chair of Governors, and then by a Local Authority Officer within Education Services if escalated to Stage 2.

## **9 LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN (LGSCO)**

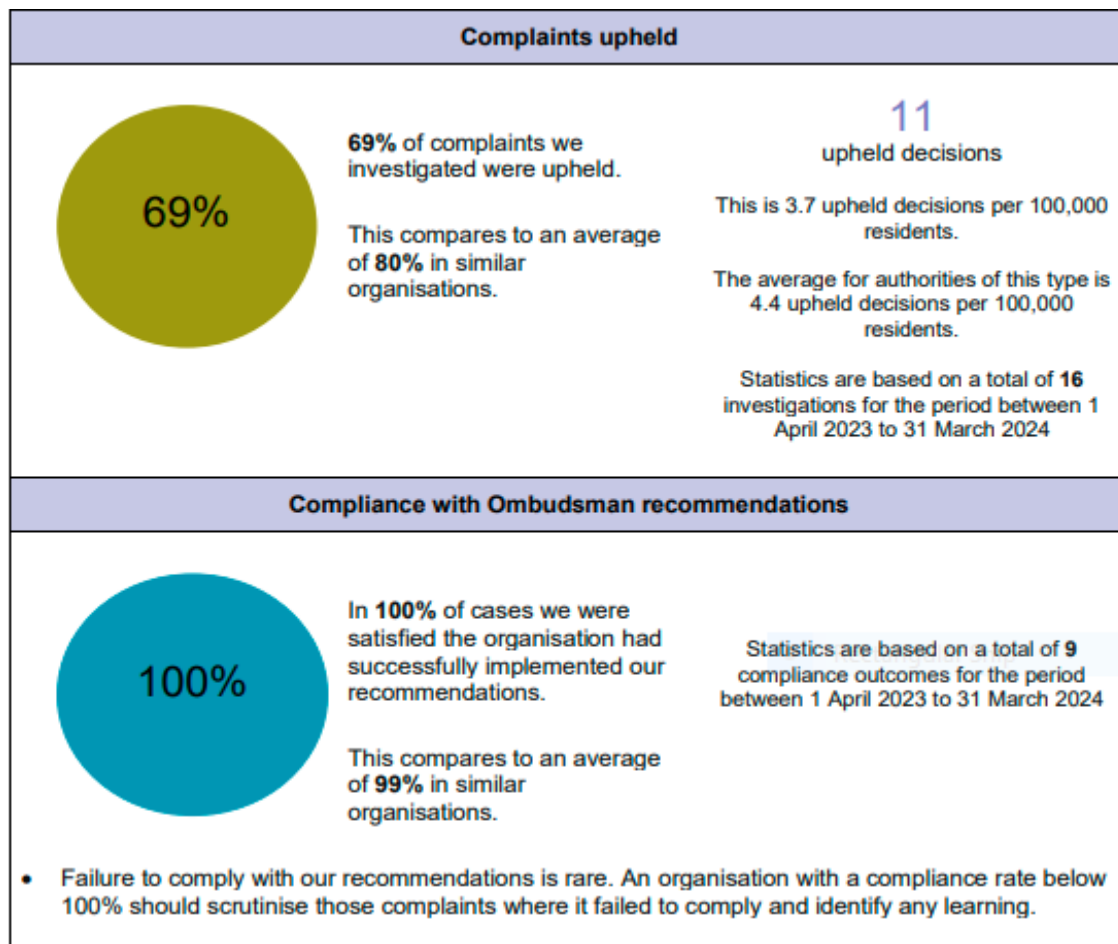
- 9.1 The LGSCO (the Ombudsman) provides the final stage for complaints about local authorities and some other organisations providing local public services. The Ombudsman will usually only consider complaints that have already been through the Council's complaints procedures.
- 9.2 During 2023-24 the LGSCO received complaints from 75 Stockport residents an increase of 15% (up from 65 in 2022-23) and made decisions on 67 complaints within the same period. The majority of these were closed after initial enquiries which indicates that the council is taking appropriate action when concerns are raised.

Of the 67 decisions, the Ombudsman carried out 16 investigations, of which 11 were upheld (69%). This is much improved on the previous year which saw 18 out of 21 investigations upheld (86%). This follows a robust approach to ensure complaints signposted to the LGSCO have been investigated thoroughly during the Council complaint processes.

- 9.3 Of the 11 cases which were upheld in 2023-24, 9 contained recommendations for the council to implement. All of these recommendations were addressed and completed and demonstrates a commitment to learning from complaints so that improvements can be made which will then benefit all our residents.
- 9.4 The upheld complaints related to:-
  - 2 x Adult social care assessments and funding
  - 1 x Adult social care support
  - 1 x Adult social care blue badge
  - 2 x Children's SEND
  - 1 x Children's social care section 47 enquiry (safeguarding)
  - 2 x Planning
  - 1 x Place neighbourhoods/trees
  - 1 x Place neighbourhoods/environmental

9.5 Each year the LGSCO produces a report on their activity and pulls together the national picture of trends and common issues that have arisen from complaints over the last year that they have investigated. The council has received its annual update from the Local Government and Social Care Ombudsman (LGSCO) and this can be found at this location on the internet. [Stockport Metropolitan Borough Council - Local Government and Social Care Ombudsman](#).

9.6 Summary of LGSCO findings for Stockport:



9.7 There have been no Public Reports issued against the Council since 2018-19.

9.8 The LGSCO may consider issuing a Public Report in the event of:- reoccurring faults; significant fault, injustice, or remedy (by scale or number of people affected); Non-compliance with an Ombudsman’s recommendation; a high volume of complaints about one subject; a significant topical issue (such as those in raised our Focus Reports); systemic problems and/or wider lessons.

## 10 RECOMMENDATIONS

10.1 The Cabinet is recommended to:

- (1) Note the information contained in the Annual Complaints Report
- (2) Note the positive progress being taken to improve complaints handling across the Council

## 11 BACKGROUND PAPERS

11.1 There are none.

11.2 Anyone requiring further information, please contact Claire Grindlay, Head of Business Support