

Children and Young People Overview and Scrutiny Committee

2 October 2025

Complaints and Compliments Annual Report 1 April 2024 - 31 March 2025

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Summary

This annual report sets out the position on complaints, comments, and compliments for Children's Social Care for the year, and where possible provides comparisons against previous years. It also highlights some examples of the positive things people have said about the provision of adult social care in Medway over the same period.

1. Recommendation

- 1.1 The Children and Young People Overview and Scrutiny Committee is asked to note the Complaints and Compliments Annual Report 1 April 2024 – 31 March 2025.

2. Budget and policy framework

- 2.1 [The Children Act 1989 Representations Procedure \(England\) Regulations 2006](#) requires local authorities to have procedures for dealing with complaints relating to complaints from children, young people, and others eligible to make a complaint.
- 2.2 [Getting the Best from Complaints](#) describes the policy and framework for managing Children's Social Care complaints.
- 2.3 There is a statutory requirement to produce and publish an annual report and analysis of complaints. This report includes:
- The number of complaints at each stage of the complaint procedure
 - Themes of complaints and their outcomes
 - Response timeliness performance
 - Complaints considered by the Local Government and Social Care Ombudsman
 - Information on customer groups and ethnicity

- Learning and service improvements
- Compliments received by the organisation

2.4 In accordance with the council's constitution, paragraph 21.2 (b) of the Overview and Scrutiny rules (chapter 4), this committee is responsible for the review and scrutiny of children's services.

3. Background

3.1 The Customer Relations Team, part of Customer and Business Support, provides a function which oversees how Medway Council handles compliments, comments and complaints about its services, ensuring that feedback is directed to the appropriate departments, that investigations are coordinated to provide a single thorough response to the customer and that fair remedies are applied where mistakes have been made.

3.2 The team gathers compliment and complaint data and provides regular management and performance information so that services can learn from feedback and make improvements where needed.

3.3 [Read about how Medway Council handles complaints about Children's Social Care.](#)

4. Summary of Children's Social Care complaint performance

4.1 A combined total of 120 new complaints were accepted into the statutory and non-statutory complaints procedures. Children's Social Care responded to a total of 91 complaints within 20 working days, meeting the council's performance target for both statutory and non-statutory complaints.

Complaint type	Volume
Statutory complaints received	16
Statutory complaints closed within 10 working days	8
Statutory complaints closed within 20 working days	16
Statutory complaints performance (within 20 working days)	100%
Non-statutory complaints received	104
Non-statutory complaints closed	84
Non-statutory complaints closed within 20 working days	75
Non-statutory complaint performance (within 20 working days)	89%
Stage 2 investigations concluded	2
Stage 3 panels concluded	0

5. Children's social care **statutory** complaint performance

5.1 Comparison of volumes of statutory complaints received

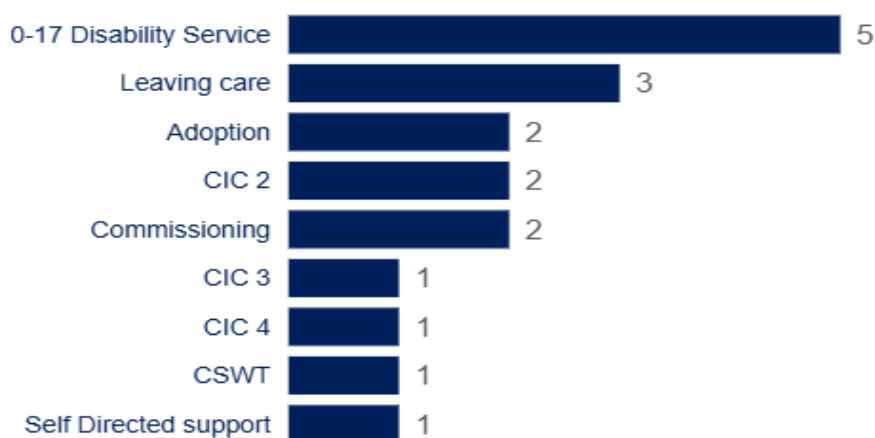
Number of statutory complaints received		
2024-2025	2023-2024	2022-2023
16	18	46

5.2 All statutory complaints were responded to within 20 working days, achieving a timeliness of 100%. Half of these complaints were completed within 10 working days.

Annual overview of statutory Children's Social Care complaints																	
	April	May	June	Q.1	July	Aug	Sep	Q.2	Oct	Nov	Dec	Q.3	Jan	Feb	Mar	Q4	Total
Complaints received	2	1	1	4	0	1	0	1	1	3	2	6	1	2	2	5	16
Complaints b/fwd	1	0	1	1	1	0	0	1	0	1	3	0	1	1	1	1	1
Complaints withdrawn	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Complaints c/fwd	0	1	1	1	0	0	0	0	1	3	1	1	1	1	1	1	1
Responses issued	3	0	1	4	1	1	0	2	0	1	4	5	1	2	2	5	16
Responses within 10 days.	2	0	0	2	0	1	0	1	0	0	2	2	1	1	1	3	8
% responses within 10 days*	67%	n/a	0%	50%	0%	100%	n/a	50%	n/a	0%	50%	40%	100%	50%	50%	60%	50%
Responses within 20 days	3	0	1	4	1	1	0	2	0	1	4	5	1	2	2	5	16
% responses within 20 days	100%	n/a	100%	100%	100%	100%	n/a	100%	n/a	100%	100%	100%	100%	100%	100%	100%	100%

5.3

Complaints received by service area



*This figure may be greater than the total complaints received as complaints may involve more than one team

5.4 Method of contact

5.5 Complainants can choose to raise their concerns electronically by email, in writing, by phone, or face to face. All 16 complainants preferred to contact the council electronically.

5.6 Stage 1 statutory Children's Social Care complaints performance

5.7 Medway Council aims to respond to Children's Social Care complaints within 10 working days where possible, although regulations state that timescales can be extended to the 20 working days if needed. The Customer Relations Team apologises to complainants and keeps them informed if delays occur.

5.8 A total of 16 complaints were investigated and closed, all were issued within 20 working days, and 8 were issued within 10 working days.

Reply sent	0-10 days	11-20 days	21- 25 days	Total
Stage 1	8	8	0	16
Percentage	50%	50%	n/a	100%

5.9 Performance in responding to Children's Social Care complaints has consistently improved.

	2022-23	2023-24	2024-25
Response timeliness performance	91%	94%	100%

5.10 Stage 1 response performance by team

Team	Total responses	Working days (wd)			% within 20 working days
		0-10	11-20	20+	
Disability 0-17 years	5	3	2	0	100%
Leaving Care Team	3	1	2	0	100%
Adoption Team	2	2	0	0	100%
Child in Care (CIC) Team 2	2	2	0	0	100%
Commissioning	2	1	1	0	100%
Child in Care (CIC) Team 3	1	0	1	0	100%
Child in Care (CIC) Team 4	1	0	1	0	100%
Children's Social Work Teams	1	1	0	0	100%
Self-Directed Support	1	0	1	0	100%
Total*	18	10	8	0	100%

*This figure may be greater than the total complaints received as complaints may involve more than one team

5.11 Summary of complaint issues and their outcomes.

Complaint theme	Total	Not upheld	Upheld
Lack of, or poor, communication	5	0	5
Delay in providing support	4	0	4
Delay in reviewing short term breaks	3	0	3
Quality of service provided	3	1	2
Inaccurate information in assessment	1	0	1
Lack of support to foster carer	1	1	0
Relationship with personal advisor	1	1	0
Residential placement	1	1	0
Total*	19		

*** This figure may be greater than the total complaints responded to as complaints may involve more than one team**

6. Stage 2

6.1 There were two stage 2 investigations concluded, both were for the 0-17 Disability Team.

6.2 Complaint 1

The investigation found that an assessment failed to consider the impact of a child's disability on the family and the level of support that would be needed. There was insufficient respite care and there were delays in considering requests for funding. The complaint was fully upheld.

The learning of establishing whether a child's needs are necessary was shared widely with the service, the family were offered an apology along with a further assessment to ensure that all needs were met.

Complaint 2

The investigation found that there was an unacceptable delay in arranging overnight respite care because a Child and Family assessment was not undertaken. There was poor communication; the social worker did not explain that their child was on a Child in Need plan and that this meant the case would be reviewed every twelve weeks. They were not given information about the different processes and were not informed of what to expect. When the family complained, the social worker failed to signpost the complaint to the Customer Relations Team to be managed through the correct procedure.

Medway Council apologised and paid £500 in recognition of the stress caused by its mistakes. The learning from the complaint was shared widely with the service, including that social workers should explain how they will undertake a Child and Family assessment, the timescales involved, and how often they will need to visit.

The Complaints Manager for Social Care arranged to deliver complaints training to the team.

7. Stage 3

7.1 There were no stage 3 panels requested or convened.

8. Non-statutory complaints

8.1 The Children Act 1989 complaints procedure does not apply when the person wishing to complain does not meet the requirements of “who can complain” and is not acting on behalf of such an individual.

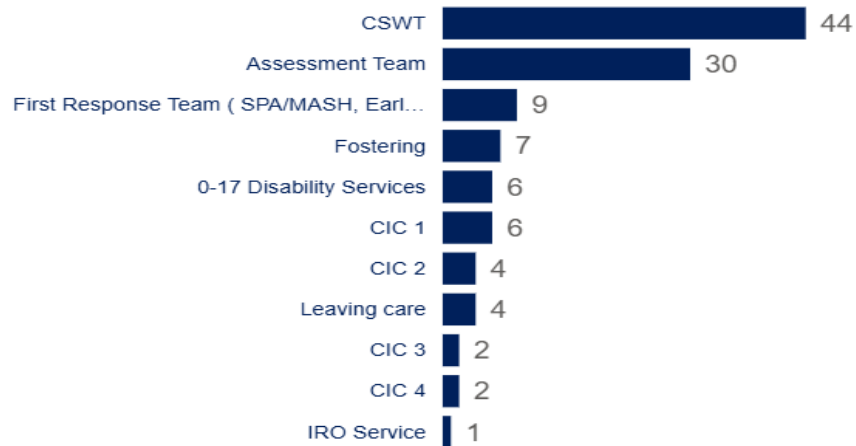
8.2 Complaints that do not meet the criteria for a Children Act 1989 complaint are handled as non-statutory social care complaints and receive a response. If customers are dissatisfied with the outcome of their complaint, they can ask for a further response or refer their complaint to the Ombudsman.

8.3 There were 104 non-statutory complaints received for Children’s Social Care.

Annual overview of non-statutory Children’s Social Care complaints

	April	May	June	Q.1	July	Aug	Sep	Q.2	Oct	Nov	Dec	Q.3	Jan	Feb	Mar	Q4	Total
Complaints received	10	7	3	20	12	5	15	32	7	10	7	24	2	11	15	28	104
Complaints b/fwd	3	7	6	3	3	10	5	3	13	11	11	13	8	4	10	8	3
Complaints withdrawn	0	1	0	1	1	0	0	1	0	0	0	0	0	1	2	3	5
Complaints c/fwd	8	6	3	3	10	5	13	13	11	11	8	8	4	11	18	18	18
Responses issued	5	8	6	19	4	10	7	21	9	10	10	29	6	3	6	15	75
Responses within 20 days	5	8	6	19	3	9	6	18	8	7	10	25	6	1	6	13	75
% responses within 20 days	100%	100%	100%	100%	75%	90%	86%	86%	89%	70%	100%	86%	100%	33%	100%	87%	89%

8.4 Non-Statutory complaints received by team.

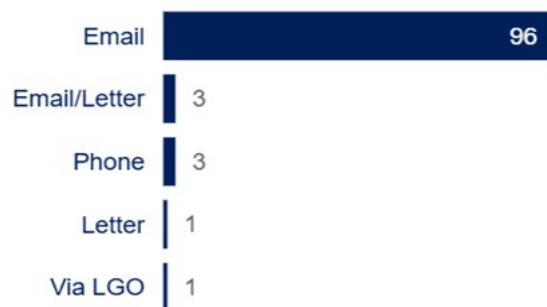


This figure may be greater than the total complaints received as complaints may involve more than one team

8.5 Method of contact

8.6 Most complainants prefer to contact the council electronically, i.e. by email.

Complaints received by origin



8.7 Response performance for non-statutory Children's Social Care complaints

8.8 Children's Services responded to 84 non-statutory social care complaints, 75 of those were closed within 20 working days achieving a timeliness performance of 89% against the council's target of 75%.

Team	Total responses	Responded within 20 working days	% within 20 working days
0-17 Disability Services	4	4	100%
Child in Care 4	1	1	100%
IRO Team	1	1	100%
CSWT Team	36	33	92%
Assessment Team	23	21	91%
First Response Team	7	6	86%
Child in Care 1	6	5	83%
Fostering Team	5	4	80%
Child in Care 2	3	2	67%
Child in Care 3	2	1	50%
Leaving Care Team	2	1	50%
Total	90*	79*	

* This figure may be greater than the total complaints responded to as complaints may involve more than one team

8.9 Summary of issues complained about and their outcomes.

Complaint theme	Total	Not upheld	Upheld
Lack of, or poor, communication	26	5	21
Attitude or behaviour of staff	18	11	7
Inaccurate information in assessment	8	3	5
Quality of service provided	13	10	3
Family time	6	3	3
Behaviour of foster carer	2	0	2
Child Protection visit not undertaken within timeframe	2	0	2
Meeting cancellation	2	0	2
Change of social worker	1	0	1
Child visited without consent	1	0	1
Father not included in assessment	1	0	1
Lack of support	4	3	1
Delay in issuing report	1	0	1
Lack of empathy	1	0	1
Quality of information provided	1	0	1

Bias against father	1	1	0
Contact arrangements	2	2	0
Disagree with assessment	4	4	0
Disagree with decision	6	6	0
Total*	100*		

****This figure may be greater than the total complaints responded to as complaints may relate to more than one issue**

8.10 The local authority has discretion in deciding whether to consider complaints where to do so would prejudice any of the following investigations:

- Court proceedings
- Tribunals
- Disciplinary proceedings
- Criminal proceedings
- Standard of Care investigations
- Safeguarding children

8.11 A total of 56 Children's Social Care complaints were rejected because they could not be considered under either the statutory or non-statutory complaints procedures.

Reason for rejection	Volume
Court proceedings in progress	23
Alternative procedure (Escalation policy)	7
Assessment	6
Complainant did not have parental responsibility	5
Not in Medway Council's jurisdiction	3
Child Protection conference	3
Outside of complaint process	3
Complaint was out of time	2
GDPR issue	1
Looked after child over age 16	1
Safeguarding	1
Duplicate complaint	1
Total	56

9. Local Government and Social Care Ombudsman (LGSCO)

9.1 There were twelve occasions where the Ombudsman advised that it had received complaints about Medway Council's Children's Social Care.

9.2 The Ombudsman made twelve decisions in the same period.

Reason for closure	Volume
Closed after initial enquiries, no further action	6
Closed after initial enquiries, out of jurisdiction	5
Premature complaint, referred to council to investigate	1
Total	12

9.3 The Ombudsman did not carry out any detailed investigations into Medway Council's Children's Social Care.

10. Listening to children

10.1 Looked after children have told us what they want:

- To tell their story once
- For us to listen and take seriously what they say
- Understanding that it is not easy to complain.
- To be kept in touch with what is happening.
- For their issues to be dealt with quickly but thoroughly.

10.2 Medway Council commissions an advocacy service from Young Lives Foundation (YLF), which provides an advocacy service to assist children and young people in making complaints, or to resolve concerns that they might have.

10.3 Three young people made a complaint in 2024-25 compared with five in 2023-24 and five in 2022-23.

11. Learning from complaints

11.1 The Complaints Manager for Social Care discusses complaint performance and lessons learnt from complaints on a quarterly basis and during the investigation and adjudication of escalated complaints with the Director of People, the Assistant Director, and the Heads of Service.

11.2 Information given to families should be forthcoming to **keep them informed**, help them to be prepared, and to **manage their expectations**, for example:

- The pathway to access support or additional services should be explained, along with timescales for assessments, and the reasons for them.

- Roles should be explained, for example, the role of the Access to Resources panel of the Independent Reviewing Officer and these individuals or teams will make.
- Parents must be afforded time to prepare themselves for a child protection conference and time to read the social worker's report. They should be told who will attend and what information will be shared.
- Where there are child protection procedures, explain the frequency of visits, that unannounced visits will take place, and that children can be seen alone. This could be presented as an information leaflet. The family should also understand what they need to do to address safeguarding concerns.
- Where there is a safeguarding concern, parents must be made aware that their personal data can be shared without their consent, how it is stored and how long it is kept for.
- If family time is stopped, the reason should be explained to parents and what needs to happen for it to resume.
- Child in need procedures should be properly explained to parents.
- Parents should be told that a child and family assessment will assess all the siblings needs.
- Parents should be informed if their child in care has any health concerns.
- Social workers should seek parental consent to see a child at school unless there is an urgent safeguarding enquiry. The child's views should also be sought.

11.3 There were some areas where **delays** could be improved:

- Timescales for completing annual reviews for short-term breaks payments must improve to avoid hardship.
- Essential furniture must be arranged and delivered as soon as possible when a care leaver signs a tenancy agreement.

11.4 **Communication** failed in some areas:

- Social workers must introduce themselves to parents and children and make sure they know how to contact them.
- Social workers must be mindful of the impact their language might have. Care must be taken when speaking with families, to demonstrate empathy, and to build good positive relationships with parents and children, and so as not to cause upset. Staff should also be thoughtful about what they say in text messages.
- Phone calls should be returned in a timely way, unless there is an unreasonable number of phone calls.
- Where parents are separated, information should be equally shared, including the reason for case closure and minutes of meetings.
- Actions agreed at meetings should be undertaken within an agreed timescale, and minutes of meetings should be sent out to both parents.

11.5 Some fault was found in the **assessment** process:

- Care must be taken to ensure that information captured in assessments is accurate, for example, spelling of children's names, information about hobbies and interests.
- A copy of the Child and Family assessment should be shared with parents and children before a final version is sent out to parents.
- Care must be taken when completing Child and Family assessments to ensure that the correct box is ticked.
- Where parents are separated, both should be involved in the child and family assessment, and they should each receive a copy.

12 Compliments and comments

12.1 Compliments provide feedback about what is working well, and which services are effective and valued. The Social Care Complaints Manager received 22 compliments in 2024-25 compared with 31 in 2023-24, and 7 in 2022-23.

- A service user emailed; *"X is by the far the best social worker I've come across she's understanding, honest and fair. I've felt at ease with her, and she's helped me with my stresses/worries. A huge thankyou to her for being caring and understanding but also honest and fair. My whole experience with her has just been nice and that isn't something I'd usually say about social services"*.
- A foster carer emailed to compliment a fostering social worker *"Y is a fantastic social worker, and we have grown in building a trustful and strong relationship. Y gives us both wonderful guidance and we both feel very blessed to work alongside her. Y has certainly played her part in helping us believe in ourselves. She is very kind and caring and is amazing at her job."*
- An Early Help worker received positive feedback from **three** young people who said that she
 - *encouraged them to do better,*
 - *put a smile on their faces*
 - *relieved their Mum's stress, and*
 - *helped them with their mental wellbeing*
- All of them said they were very grateful for her help.
- A Social Worker received positive feedback from a service user who thanked her for being very thoughtful and helpful to her son.
- A Social Worker received an overall judgement of Outstanding by the auditor for an audit of one of her cases. The auditor commented that *"The social worker presents as sensitive to the needs of the family. This is a brilliant example of good social work practice. There is clear evidence of what a difference intervention has made and for this reason I would judge the case as overall Outstanding. Wonderful work by the social worker."*
- A solicitor passed on the Judge's compliment praising a social worker for the exceptional work she had done and wanted to extend a special thank you to her.

- A foster carer emailed to compliment a fostering social worker *"Y is a fantastic social worker, and we have grown in building a trustful and strong relationship. Y gives us both wonderful guidance and we both feel very blessed to work alongside her. Y has certainly played her part in helping us believe in ourselves. She is very kind and caring and is amazing at her job."*
- Parents expressed their gratitude for the exceptional service Medway Council and Short Break team provide to families with children with special needs. They stated *"Your financial assistance has made a meaningful impact on our ability to engage in wonderful activities and create lasting memories with our son. We deeply appreciate the opportunities you help create for us"*.
- A teacher complimented a social worker for his relentless work ethic towards securing better outcomes for a family at their school, saying, *"It was a pleasure to work with such a professional, caring and knowledgeable social worker. He is truly an asset to your team."*
- A mother stated: *"It is my personal belief that the social worker is an outstanding member of the children's social services team and a real credit to the department she works for. From myself and my family the biggest of thank you."*
- A father thanked a social worker and said that she was the best thing in Medway Council.
- *"[PG] has been a great support. Listened carefully, made me see things differently sometimes and offered options/advice on how to tackle any experiences we were experiencing. [PG] was an excellent support and definitely helped our family to stick together. [PG] was attentive, supportive and understand without judgement the issues we were experiencing as a family. Advice given was always on an option basis. [PG] was always friendly in her approach, and nothing ever seemed like too much. We really appreciate all her support and guidance."*
- The Foster Parent has shared with us how well supported she has felt by the CYPD service during this time, saying *"They have advocated for [redacted] and supported him remaining with them during this transition."* The Foster Parent shared how much she values the support the team had offered to her family, saying that they had had a *"positive impact"* on her family during this unstable time. The Foster Parent explained that she had felt 'held' by the CYPD service during a very stressful period and that this had helped her to *"maintain her trust with that part of children's social care."*
- *"Just to let you know me and R will be collecting the keys for our new house tomorrow. I just wanted to thank you again you've been amazing I won't ever forget it thank you so much"*
- *"Thank you so much for all you help since being referred to us you have truly helped my family going above and beyond to ensure We have received the support in the recent events also providing emotional support to myself and children and reminding me of how important self-care is and confidence which I am happy to say has returned so truly grateful for your push with that. Hope*

you all the very best in the future and hope to bump into when I pursue my carer in social work xx”

- *“I wanted to send this email with my sincere gratitude to you guys as a team and more so CL who has been present for a few months with myself and my children. I wanted to start by saying given my past of DV social services/ early help is not new to me. As you are aware I was relocated to Medway from Kent, and I can safely hand on heart say that [redacted] treated us with respect and dignity. His approach wasn’t a tick box process and gone. He was encouraging, mindful and very professional.*

As a family that is placed in these situations it’s daunting given the stigma! CL came in to my kids life and worked so well with them and they got excited to see him on the next visit he engaged with them as the little super sweet humans they are and not as a quick visit to “get the job done. There’s very few people in life that I have come across given my own background as a registered nurse that people still actually care and put their heart and soul in to their work.

CL has an absolute natural talent “a people’s person” and managed to get us all engaged from the start. I’m grateful for being signed off today but I just wanted to give you an outlook on what you have out working in the field and that as managers your compassion and work ethic has filtered down. CL is an absolute credit, and I have no doubt any family he works with will come out shining like he got myself and my two babies. Again, thank you so much for supporting us to get our lives back together.”

- *“Hi [LG], I hope you’re well. I have finally filled out the feedback form. I’m sorry it took so long 🙄 I was in denial that we won’t be seeing you. On behalf of [redacted] and I, thank you so much for all your support we don’t take it for granted. I may not be able to repay you, but I do pray for you. My visa was approved, I also got my ecctis letter, so things are looking up 😊”*
- *“I would like to share the positive and insightful approach and support myself and two of my service users (redacted) received this week from one of your social worker’s [CO] from your Targeted Review Team. From our first contact, she heard our needs and arranged two meetings to ensure our service user reviews were client-centred rather than funding focussed.*

KASBAH were in a new situation where Kent had requested that I approach Medway Council to fairly share shared hours newly benchmarked in our Rochester property by the KCC Quality and Standards Team. [CO] was fair, unbiased, heard both view points and made us feel heard, valued and fully supported. After the second meeting and a provisional plan was agreed, management queried the decision made but [CO] went that extra mile to keep me informed, liaised with the Commissioning Team and was able to inform this decision based on her own observations of our service.

We have for many years being asking Medway Council to fund Hattie Webb House in a fair way and it was Celia and her willingness to listen and share our concerns that has enabled a complex situation to be fully resolved and for a fair rate to finally be implemented into this provision. I cannot thank [CO] enough,

her conduct was exemplary, and I do hope she gets to hear how highly we respect and appreciate her involvement in our needs.”

- *“I just wanted to thank you [JB] so much for your help. I'm so grateful for the help you have given me. As soon as you sent the email the council called me to get me registered to bid for properties. Word can't explain my gratitude, thank you for also sending me these links to have a look at. Have a wonderful day.”*

13. Equality implications

- 13.1 The Council is committed to achieving equality of opportunity, access, and outcomes for all, through the delivery and commissioning of high-quality services that are accessible and fair, and mainstreaming equity and diversity across all service delivery activities. All new services commissioned are subject to a diversity impact assessment that compels service providers to think carefully about who the services are for and demonstrate how it intends to serve their needs. This gives the Council a better measure of the impact the services are having on the community.
- 13.2 Medway Council's service users come from many different ethnic backgrounds, and many have disabilities. The Customer Relations Team will refer all looked after children to the advocacy service. If a complainant is not able to make a written complaint, we will meet with the complainant at a venue that is convenient and accessible for them. The team will arrange a translator if required or arrange for a person to translate to British sign language and actively look at ways of improving equality and diversity monitoring to ensure it provides services fairly to service users who come from different ethnic groups and religious backgrounds, and to understand which groups need more help to be able to tell us their views and concerns.
- 13.3 The following table shows the ethnicity of the children, who either made a complaint, or a representative made a complaint on their behalf.

Ethnicity	Statutory complaint	Non statutory complaint	Total complaints	Children using services
White British	10	74	84	3742
Black African	0	5	5	495
White Other	0	1	1	392
Mixed White and Black Caribbean	1	3	4	156
Mixed Other	1	3	4	154
Mixed White and Black African	1	2	3	121
Another ethnic group	0	1	1	119
Black Other	0	3	3	101
Mixed White and Asian	1	0	1	84
Asian Other	0	3	3	79

Asian Indian	0	0	0	76
Black Caribbean	0	2	2	44
Asian Bangladeshi	0	0	0	43
Asian Pakistani	0	0	0	27
Information not held	2	7	9	103

14 Risk Management

- 14.1 Risk management is an integral part of good governance. The council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community.

Risk	Description	Action to avoid or mitigate risk	Risk rating
Children could be at risk if complaints are not handled effectively and if the organisation fails to learn from its mistakes. Risk of reputational damage, and criticism from the Ombudsman.	Poor complaint handling, failure to properly investigate, failure to make improvements identified through complaints, failure to follow statutory legislation.	Continue to apply good complaint handling principles as set out within legislation and by the Ombudsman, provide appropriate training, ensure effective complaint management by the Customer Relations Team, monitor performance, analyse complaint data, provide regular management information reports, discuss complaint performance at Complaint Handlers Group and at relevant Management Team Meetings, and continued overview from Corporate Management Team	D IV

For risk rating, please refer to the following table:

<i>Likelihood</i>	<i>Impact:</i>
A Very likely	I Catastrophic
B Likely	II Major
C Unlikely	III Moderate
D Rare	IV Minor

15 Financial implications

- 15.1 The cost of the Customer Relations Team who are responsible for processing corporate and social are complaints, is met within the existing Business Support Directorate budget.
- 15.2 Where any financial redress is made in respect of complaints, these costs are met from existing service budgets.

16 Legal implications

- 16.1 The statutory framework for the handling of representations (including complaints) under the Children Act 1989, the Children Act 1989 Representations Procedure (England) Regulations 2006 and Statutory Guidance is summarised in Appendix A. Local Authorities must publish an annual report of its consideration of representations under that framework.

Lead Officer Contact

Michele Pink, Customer Relations Manager
Customer Relations Team, Customer and Business Support (CABS)

Appendices

Appendix A	Getting the Best from Complaints (Department for Education and Skills guidance)
Appendix B	Managing Complaints
Appendix C	The Role of the Local Government and Social Care Ombudsman (LGSCO)

Background papers

None

Appendix A

Getting the Best from Complaints (Department for Education and Skills guidance)

The Children Act 1989 defines the representations procedure as being for representations, including complaints, made by children and young people. It also applies to parents, foster carers and other adults making a complaint about services provided to a child or young person.

The Children Act 1989 Representations Procedure (England) Regulations 2006 and the statutory guidance, [“Getting the Best from Complaints,”](#) describes a procedure for a child or young person who is likely to want to make representations. This includes complaints about the actions, decisions, or apparent failings of local authority’s children’s services provision; and to allow any other appropriate person to act on behalf of the child or young person concerned or make their own complaint.

The guidance is also about making sure that vulnerable children and young people get the help they need, when they need it.

The local authority should ensure that it responds to the issues raised and outlines the actions taken because of any mistakes made.

Local authorities should make children and young people aware of how they can make representations to the local authority and that they have the right to ask for an advocate to assist them in making a complaint.

Where a complaint is received from a representative acting on behalf of a child or young person, the local authority should normally confirm, where possible, that the child or young person is happy for this to happen and that the response to the complaint reflects his or her view.

Good complaint handling matters because it is an important way of ensuring that service users and customers receive the service they are entitled to expect. Complaints are a valuable source of feedback for Medway Council; they provide an audit trail and can be an early warning of failures in service delivery.

Managing Complaints

Medway Council's complaint arrangements focus on achieving the best possible outcomes for those making a complaint. The aim is to give the service user answers or an explanation to help them to understand what happened and, where appropriate, an apology and a commitment to learn from any mistakes.

The statutory complaints procedure has three stages.

- **Stage 1** – Any new complaint is first considered by staff at the point of service delivery with the aim of putting right any problem or mistake that may have occurred. If the person complaining is unhappy with the outcome of their stage 1 complaint, they may request that their complaint is considered at stage 2 of the complaint procedure. Medway Council aims to address, as far as possible, all concerns at this initial stage.
- **Stage 2** – At this stage an Investigating Officer, who has not previously been involved in the case, and an Independent Person, who does not work for the council, undertake an investigation into the complaint. Both the Independent Person and the Investigating Officer write separate reports. These reports are sent to the Adjudicating Officer, who responds to the complainant in writing, setting out the findings of the stage 2 investigation.
- **Stage 3** – If the complainant remains unhappy with the outcome of the stage 2 investigation, they can request that their complaint is reviewed by a review panel. The panel consists of three independent people, who do not work for the council and who have not previously been involved in the complaint. The panel looks at the robustness of the stage 2 investigation and the conclusions reached. The panel presents its findings to the Director of People, who then writes to the complainant setting out the panel's findings.

If the complainant is still unhappy after stage 3, they can contact the Local Government and Social Care Ombudsman (LGSCO). The LGSCO will look at how Medway Council dealt with the complaint and consider how reasonable and appropriate our decisions were.

Appendix C

The role of the Local Government and Social Care Ombudsman (LGSCO)

The LGSCO's role is to independently and impartially investigate complaints from members of the public alleging they have suffered injustice as a result of maladministration and / or service failure, and where fault is found, provide recommendations to remedy injustice. It is a free service to the complainant.

The LGSCO can investigate individual complaints about councils, all adult social care providers including care homes and home care agencies) and some other public service organisations. If it decides to investigate, it looks at whether organisations have made decisions in the right way.

The Local Government Ombudsman's recommendations aim to put complainants back into the position the complainant was in before the maladministration or injustice occurred.

The LGSCO additionally offers a range of guidance and focus reports to support complaint handling and to raise awareness and learning of national issues, including; [Principles of Good Administrative Practice](#), [Managing unreasonable actions by complainants](#), [Guidance on Remedies](#), [Focus Reports and Good Practice Guides](#), and [guidance for Councillors and MPs](#).