

1 April 2022 - 31 March 2023

## Children & Families

165 Stage One Complaints Closed  
16 Representations Resolved  
28 Stage Two Investigations  
4 Stage Three Panels Undertaken  
5 LGSCO (Ombudsman) Final Decisions

## Education

83 Stage One Complaints Closed  
10 Representations Resolved  
14 Stage Two Investigations  
3 LGSCO (Ombudsman) Final Decisions

## Adult Social Care

101 Stage One Complaints Closed  
48 Representations Resolved  
19 Internal Reviews  
5 Further Reviews  
1 LGSCO (Ombudsman) Final Decisions

## Commissioning

30 Stage One Complaints Closed  
6 Representations Resolved  
4 Internal Reviews  
2 Further Reviews  
1 LGSCO (Ombudsman) Final Decisions

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## Commissioning

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## Introduction

This report is split in to the four Directorates our team serves and is colour-coded accordingly:

**Children and Families**

**Education**

**Adult Social Care**

**Commissioning**

In each section we look at total numbers of complaints and cases closed and at each stage of the policy which applies to those complaints. We look at trends across the most recent five years and aim to highlight significant results and relevant factors affecting the results.

At the end of this report (from *p.22*) we ask a series of key questions and look at the evidence presented in the report to try to answer them.

This report is published online along with the reports from the five previous years and the report is made available to external parties with an interest in our work. This includes people who have made 'Freedom of Information' requests but also third sector organisations, partner organisations and other local authorities.

We promote a philosophy of investigating concerns objectively, with a view to identifying and 'making-right' any injustice caused to an individual, and identifying where improvements can be made.

The Complaints Team reports and presents to individual Services and management groups frequently, throughout the year, to set out and reinforce these principles and to share best practice in investigating and responding to complaints.

Our activities are overseen by the Local Government and Social Care Ombudsman and in most cases their interpretation of relevant processes and principles becomes the final arbiter in resolving complaints. We believe we best serve our residents' needs by applying their level of scrutiny at the first opportunity, so that a formal complaint is satisfied without the need for the additional time and investigative actions of an external agency.

The Council aspires to treat residents in accordance with its published values :

- Treating residents as if they were a valued member of your own family
- Being open, honest and accountable
- Spending money as if it was our own
- Working for everyone to realise their own potential
- Making Southwark a place to be proud of
- Always work to make Southwark more equal and just
- Stand against all forms of discrimination and racism

We believe and sincerely hope that our activities continue to assist the Council in achieving these goals.

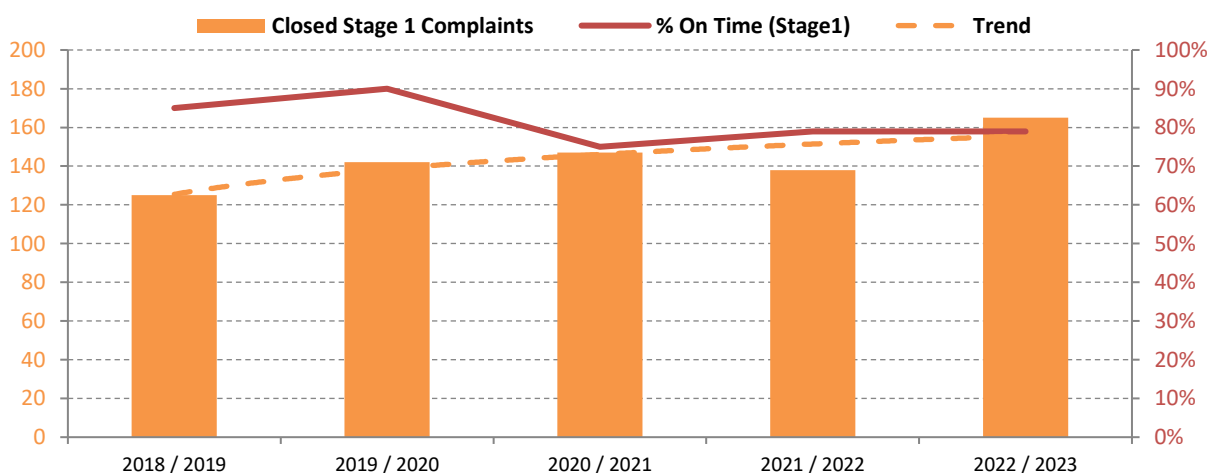
### Stage One Complaints Completed (with assistance of an advocate in brackets)

Children and Families	2022/23	2021/22	2020/21	2019/20	2018/19
Care	32 (1)	23 (2)	19 (4)	12.5 (2)	15.5 (4)
Care Leavers	30 (13)	23 (7)	18 (6)	28 (8)	21 (7)
Permanence	16 (0)	8 (0)	8 (0)	11 (1)	6 (0)
Family Early Help	6 (0)	3 (0)	3 (0)	2 (0)	2 (0)
Youth Offending	-	1 (0)	1 (0)	-	1 (0)
Quality Assurance	7 (1)	6 (0)	8 (1)	3 (0)	5.5 (0)
Assessment & Intervention	30 (3)	26 (1)	36 (0)	33 (2)	22 (1)
Safeguarding and Family Support	26 (0)	32 (2)	43 (5)	36 (1)	28 (3)
Children under All Ages Disabilities	16 (0)	16 (3)	11 (3)	15.5 (4)	23 (5)
Clinical Service	-	-	-	-	-
Finance, Business Support, Complaints, Other	2 (0)	1 (0)	-	1 (0)	3 (0)
<b>Total</b>	<b>165 (18)</b>	<b>138 (15)</b>	<b>147 (19)</b>	<b>142 (18)</b>	<b>125 (20)</b>

The number of complaints has increased although we are careful not to link the numbers of complaints with performance, as increased numbers of complaints can just as easily be viewed as an increased number of people who are willing to trust in the complaints service.

We can observe though that very emotive work around exploring safeguarding concerns, and the work which follows, has not seen an increase and is trending at a relatively consistent rate.

Work undertaken in this area often does not follow a family's request, but may rather be uninvited, and so keeping those complaint numbers down may indicate that those teams are managing to keep young people safe in a professional but also diplomatic manner.



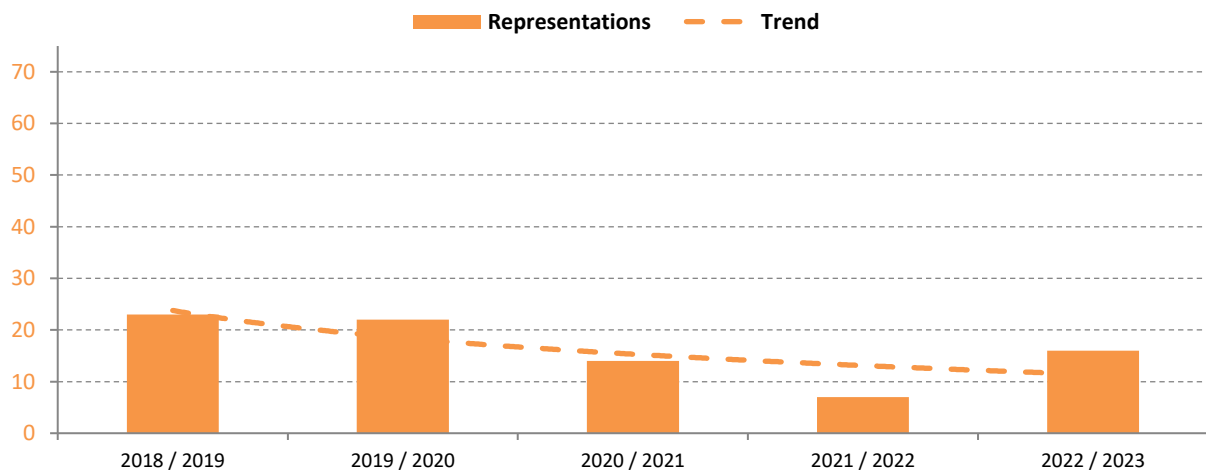
### Other Representations (with assistance of an advocate in brackets)

Children and Families	2022/23	2021/22	2020/21	2019/20	2018/19
Care	5 (0)	1 (0)	4 (0)	7 (0)	3 (0)
Care Leavers	4 (0)	2 (0)	-	1 (1)	4 (0)
Permanence	-	1 (0)	3 (0)	3 (1)	2 (1)
Family Early Help	1 (0)	-	-	-	1 (0)
Youth Offending	-	-	-	-	-
Quality Assurance	1 (0)	-	2 (0)	-	3 (0)
Assessment & Intervention	1 (0)	1 (0)	1 (0)	7 (0)	7.5 (0)
Safeguarding and Family Support	3 (0)	-	4 (0)	3 (0)	0.5 (0)
Children under All Ages Disabilities	1 (0)	1 (0)	-	1 (0)	1 (0)
Clinical Service	-	-	-	-	-
Finance, Business Support, Complaints, Other	-	1 (0)	-	-	1 (0)
<b>Total</b>	<b>16 (0)</b>	<b>7 (0)</b>	<b>14 (0)</b>	<b>22 (2)</b>	<b>23 (1)</b>

There are times when we can agree to resolve issues without the need for full, formal investigations. This requires the agreement of the complainant, and ordinarily a 3 day turnaround time. We record these cases as 'representations'.

We can see from the above table, and by referring to the previous section, that we have not been able to engage professionals who Advocate for young people in discussions intended to bring about the earliest resolutions to issues and so there is an opportunity to improve on that in the coming year.

Our ambition is to increase the number of 'representations' but this is reliant on the agreement of the complainant and is reliant on there being sufficient opportunity to find the quicker resolution.



### Stage Two Complaints Investigations Completed

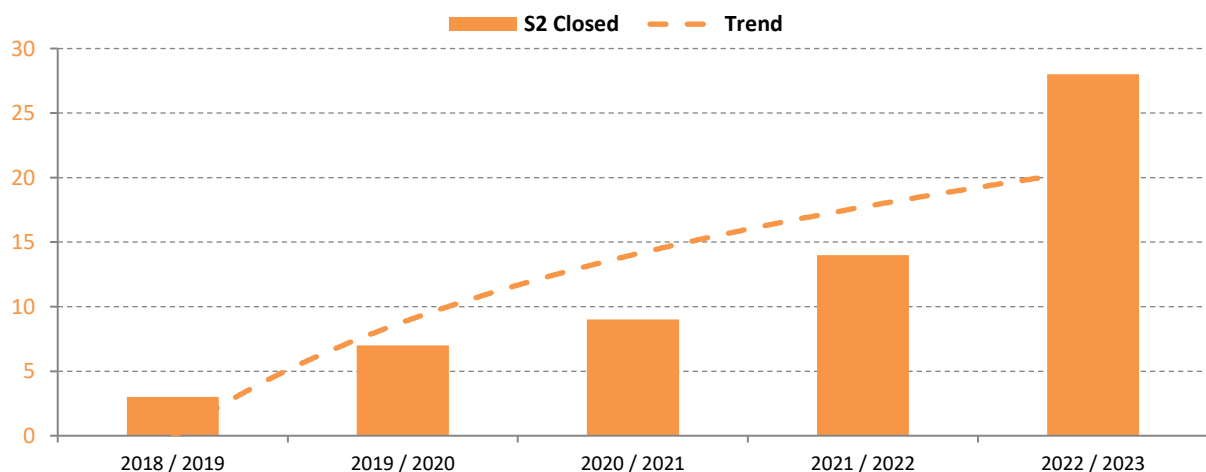
Children and Families	2022/23	2021/22	2020/21	2019/20	2018/19
Care	2	-	-	-	-
Care Leavers	4	-	-	-	-
Permanence	4	5	1	2	-
Family Early Help	2	-	1	-	-
Youth Offending	-	-	-	-	-
Quality Assurance	1	1	1	1	-
Assessment & Intervention	7	2	-	2	1
Safeguarding and Family Support	2	6	4	-	1
All-Ages Disability Service (relating to Children)	6	-	2	2	1
Clinical Service	-	-	-	-	-
Finance, Business Support, Complaints, Other	-	-	-	-	-
<b>Total</b>	<b>28</b>	<b>14</b>	<b>9</b>	<b>7</b>	<b>3</b>

There were 14 investigations commenced under the statutory procedure and 14 cases under the corporate procedure. We were able to find early agreements for 6 of statutory cases.

The trend clearly shows a significant and persistent increase in requests for complaints to be afforded further scrutiny.

The statutory process requires independent external contractors and represents a significant cost for contractor payments as well as a significant outlay of extra time.

Resolving 6 cases early represents a sympathetic re-doubling of efforts both in respect of finding appropriate corrective actions and for relieving complainants and Council of the burden of long independent investigations.



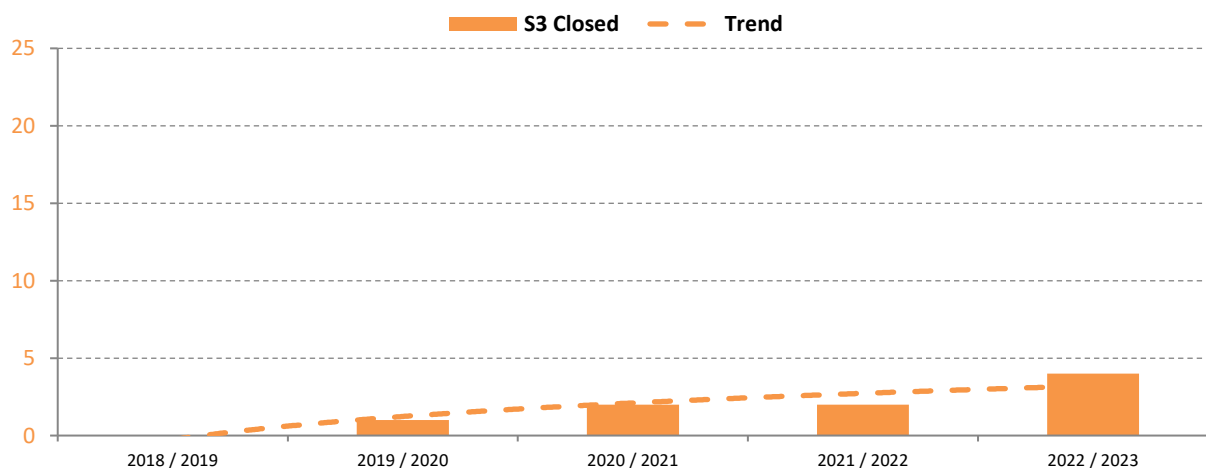
### Stage Three Panel Reviews (Cases Closed)

Children and Families	2022/23	2021/22	2020/21	2019/20	2018/19
Care	-	-	-	-	-
Care Leavers	1	-	-	-	-
Permanence	2	-	-	-	-
Family Early Help	-	-	-	-	-
Youth Offending	-	-	-	-	-
Quality Assurance	-	-	1	-	-
Assessment & Intervention	1	-	-	-	-
Safeguarding and Family Support	-	2	-	-	-
All-Ages Disability Service (relating to Children)	-	-	1	1	-
Clinical Service	-	-			
Finance, Business Support, Complaints, Other	-	-	-	-	-
<b>Total</b>	<b>4</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>0</b>

Stage three panels are required when a complainant does not agree with the independent findings at stage two of the statutory procedure, or does not agree with how the Council intended to address the independent findings.

The regulations make no provision for a stage three panel to be declined if a complainant wishes it.

We should interpret a low number of stage three panels as evidence that the work undertaken at stage two is objective and professional and that the Council's response is, on the whole, sufficiently far-reaching.



### Local Government and Social Care Ombudsman Investigations (Final Decisions)

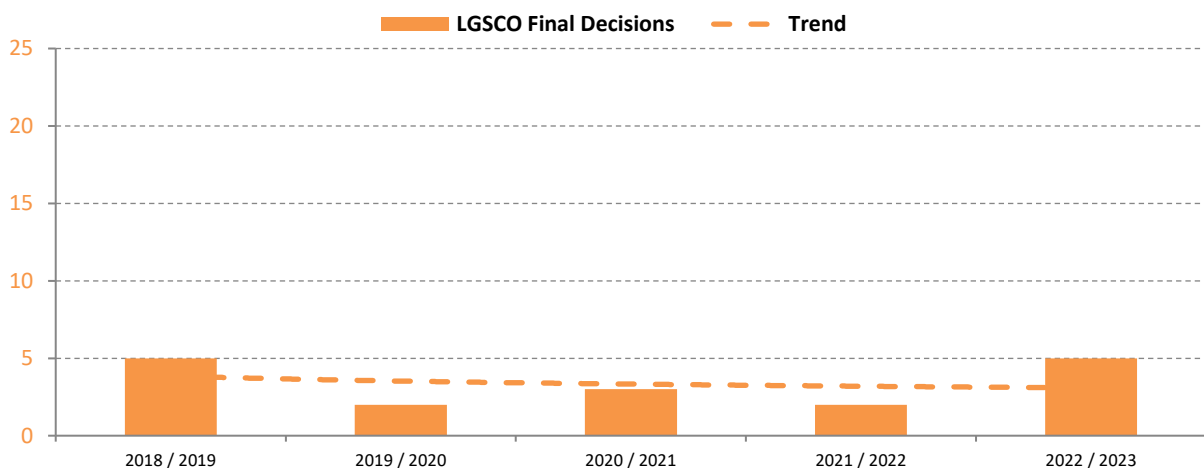
Children and Families	2022/23	2021/22	2020/21	2019/20	2018/19
Care	1	-	-	-	-
Care Leavers	-	-	-	-	1
Permanence	2	-	-	-	-
Family Early Help	-	-	-	-	-
Youth Offending	-	-	-	-	-
Quality Assurance	-	-	-	1	-
Assessment & Intervention	2	1	3	-	1
Safeguarding and Family Support	-	-	-	-	3
All-Ages Disability Service (relating to Children)	-	1	-	-	-
Clinical Service	-	-	-	-	-
Finance, Business Support, Complaints, Other	-	-	-	1	-
<b>Total</b>	<b>5</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>5</b>

Often the Ombudsman will decide not to investigate complaints after examining them and after making initial enquiries with our complaints team. We only report here the complaints where the Ombudsman did decide to investigate, and so reached a 'final decision'.

Of the five cases above, no fault was found in two of them.

The performance of Southwark and other boroughs can be found here : <https://www.lgo.org.uk/your-councils-performance/>

The Ombudsman's annual letter to the Local Authority is also published here, in addition to data on the number of upheld complaints and details relating to requested service improvements and compliance with Ombudsman recommendations.





### Outcomes, all Stage One and Representations

Children's Services	2022/23	2021/22	2020/21	2019/20	2018/19
Partly Upheld	42%	44%	29%	31%	21%
Upheld	15%	15%	13%	10%	13%
Not Upheld	25%	28%	28%	29%	31%
No Findings / Resolved	9%	8%	14%	13%	17%
Unresolved and Escalated (representations only)	1%	0%	1%	1%	2%
Withdrawn / Rejected	8%	5%	15%	16%	16%

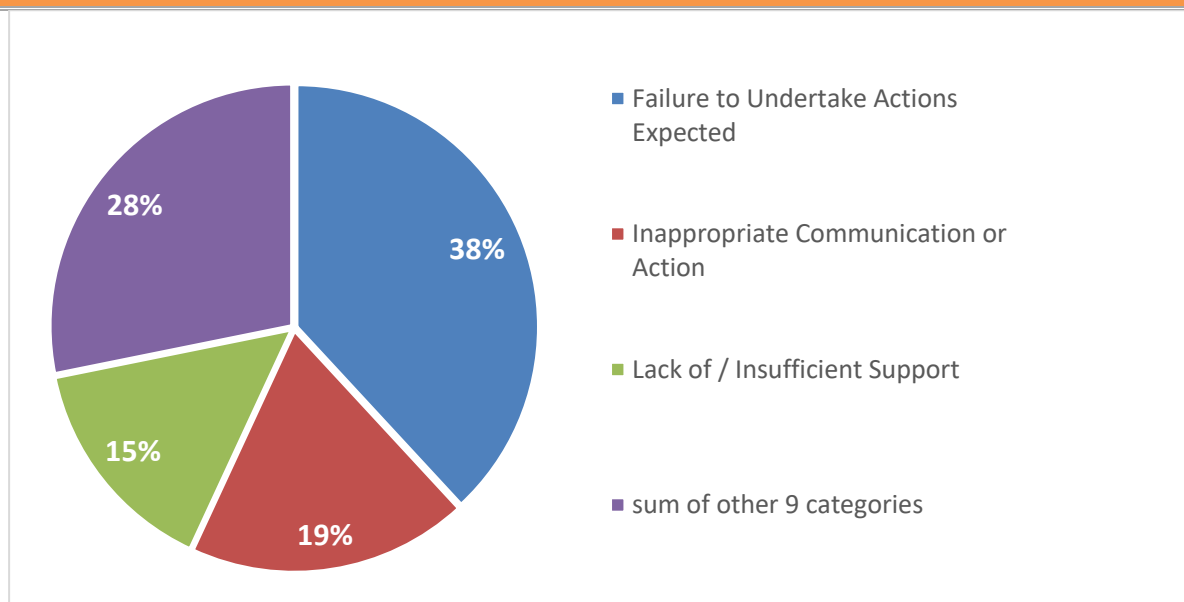
Maintaining very similar figures, year-on-year helps to reassure us that we continue to apply investigative standards and principles consistently.

We regard upholding (in part, or in whole) as a relatively positive outcome because it provides reassurance that we are looking at issues reported with objectivity and pragmatism.

We are careful not to describe a reduction in upheld complaints as any measure of success, or progress.

The chart below summarises the issues reported under Childrens Services and is based on all cases brought, irrespective for whether the complaint was eventually upheld or not.

### Root Causes, all Stage One Complaints and Representations



The full range of 12 categories are listed in **appendix a** on page 26.

### Stage One Complaints Completed (with assistance of an advocate in brackets)

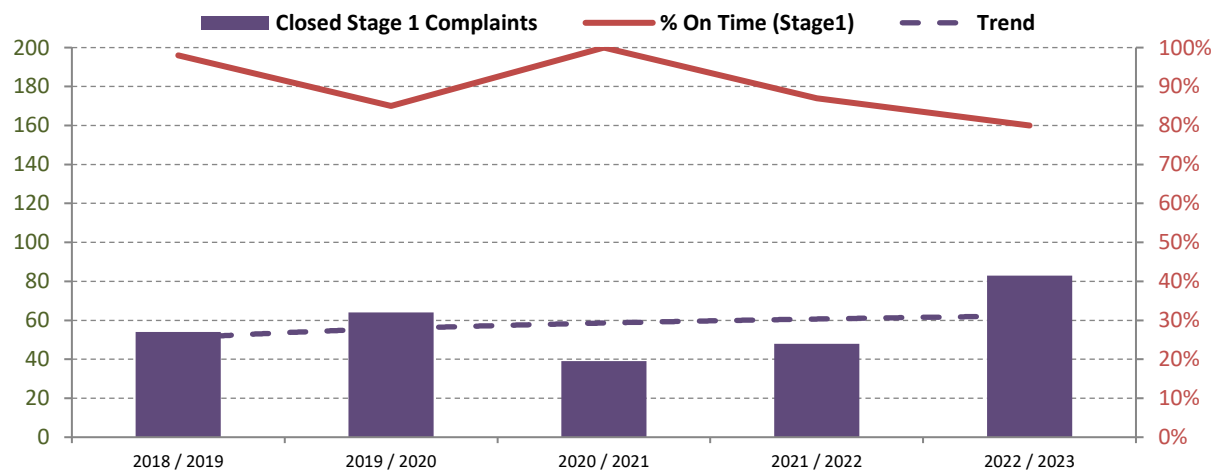
Education	2022/23	2021/22	2020/21	2019/20	2018/19
Admissions & Benefits	15 (0)	11 (0)	6 (0)	7 (0)	10 (0)
Alternative Provision	1 (0)	-	-	-	-
Travel Assistance / Transport	9 (0)	12 (0)	16 (0)	13.5 (0)	5 (0)
Southwark Information & Advice (SIAS)	1 (0)	0 (0)	2 (0)	1 (0)	-
Early Years	2 (0)	0 (0)	-	1 (1)	2 (0)
Special Educational Needs & Disability (SEND)	50 (0)	25 (0)	12 (0)	36.5 (1)	33 (2)
Learning and Achievement	5 (0)	0 (0)	3 (0)	5 (1)	4 (0)
<b>Total</b>	<b>83 (0)</b>	<b>48 (0)</b>	<b>39 (0)</b>	<b>64 (2)</b>	<b>54 (2)</b>

‘Alternative Provision’ was not previously captured separately.

We are very aware of challenges up and down the country relating to SEND and EHC Plans. Southwark is not immune from the increasing demand for more assessments and more complex placements, and is tackling the challenge on a local level to mitigate the impact of shortages in the sector.

We are watching closely the press releases and decision notices relating to other Local Authorities, from the Local Government and Social Care Ombudsman, as they continue to shine a light on this issue. We have reviewed and improved our investigations in to the complaints we receive, to ensure all associated issues are explored and explained fully.

The Local Authority, through Southwark Information Advice and Support (SIAS), assists parents with concerns and whilst many of the issues being reported are emotive, there is at least an extra tier of help for parents in need of support with education issues. We do not record SIAS assistance as ‘advocacy’ and so the low prevalence for formal advocacy in Education complaints should be viewed with this in mind.



### Other Representations (with assistance of an advocate in brackets)

Education	2022/23	2021/22	2020/21	2019/20	2018/19
Admissions & Benefits	-	7 (0)	3 (0)	2 (0)	3 (0)
Alternative Provision	-	-	-	-	-
Travel Assistance	-	2 (0)	1 (0)	-	1 (1)
Southwark Information & Advice (SIAS)	-	-	-	-	-
Early Years	-	-	-	2 (0)	2 (1)
Special Educational Needs & Disability (SEND)	10 (1)	10 (0)	1 (0)	-	1 (0)
Learning and Achievement	-	-	1 (0)	1 (0)	-
<b>Total</b>	<b>10 (1)</b>	<b>19 (0)</b>	<b>6 (0)</b>	<b>5 (0)</b>	<b>7 (2)</b>

### Stage Two Investigations (Corporate Reviews)

Education	2022/23	2021/22	2020/21	2019/20	2018/19
Admissions & Benefits	-	-	1	-	-
Alternative Provision	-	-	-	-	-
Travel Assistance	2	1	-	-	1
Southwark Information & Advice (SIAS)	-	-	-	-	-
Early Years	-	-	-	-	-
Special Educational Needs & Disability (SEND)	12	6	2	3	3
Learning and Achievement	-	-	1	-	-
<b>Total</b>	<b>14</b>	<b>7</b>	<b>4</b>	<b>3</b>	<b>4</b>

### Local Government and Social Care Ombudsman Investigations (Final Decisions)

Education	2022/23	2021/22	2020/21	2019/20	2018/19
Admissions & Benefits	-	-	-	-	-
Alternative Provision	-	-	-	-	-
Travel Assistance	-	-	-	1	-
Southwark Information & Advice (SIAS)	-	-	-	-	-
Early Years	-	-	-	-	-
Special Educational Needs & Disability (SEND)	3	1	1	-	-
Learning and Achievement	-	-	-	-	-
<b>Total</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>

The performance of Southwark and other boroughs can be found here : <https://www.lgo.org.uk/your-councils-performance/>

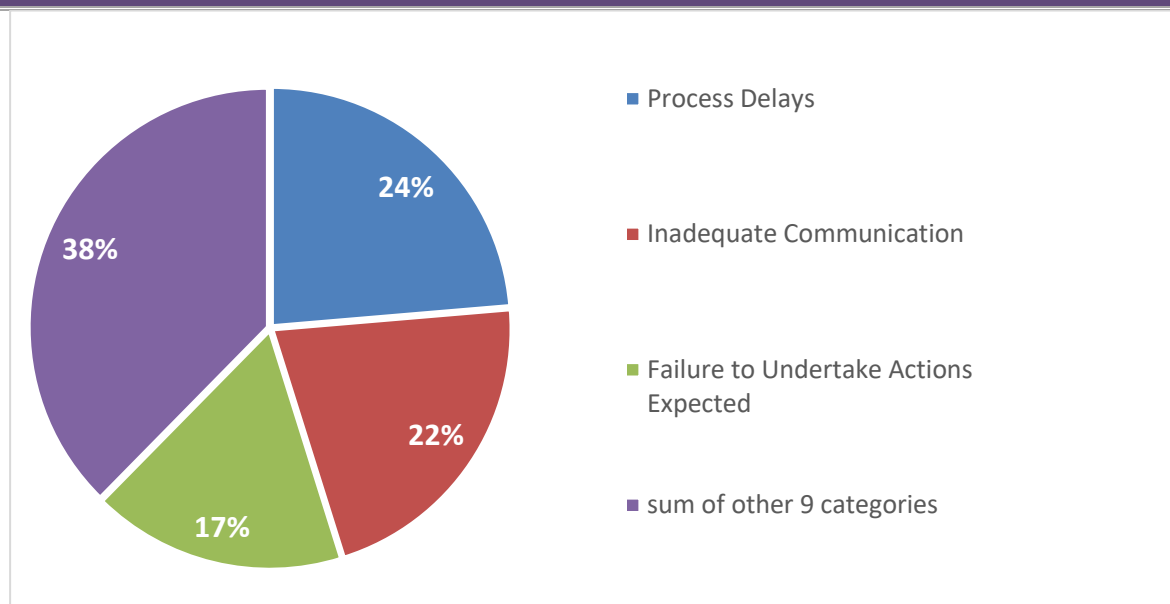
The Ombudsman’s annual letter to the Local Authority is also published here, in addition to data on the number of upheld complaints and details relating to requested service improvements and compliance with Ombudsman recommendations.

### Outcomes, all Stage One and Representations

Education	2022/23	2021/22	2020/21	2019/20	2018/19
Partly Upheld	16%	16%	27%	18%	20%
Upheld	31%	21%	24%	20%	22%
Not Upheld	18%	24%	25%	39%	28%
No Findings / Resolved	22%	28%	13%	14%	19%
Unresolved, Escalated (representations only)	0%	2%	0%	0%	0%
Withdrawn / Rejected	13%	9%	11%	9%	11%

There are a large number of complaints which are received but which are for schools to investigate using their own procedures. In these cases we write to the complainant to signpost the school’s own policy and to advise how complaints about schools are dealt with. Those cases are not included in table above. If they were the proportion of rejected complaints would be significant, and potentially confusing.

### Root Causes, all Stage One Complaints and Representations



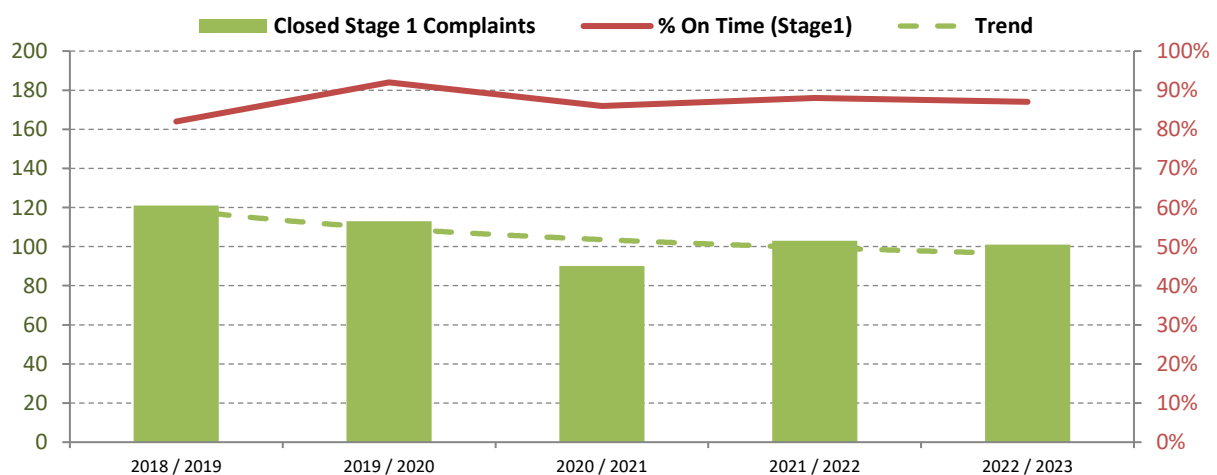
The full range of 12 categories are listed in **appendix a** on page 26.

### Stage One Complaints Completed (with assistance of an advocate in brackets)

Adult Social Care	2022/23	2021/22	2020/21	2019/20	2018/19
Mental Health Long Term / Substance Misuse	6 (0)	3 (0)	4 (0)	4 (0)	13.5 (0)
Mental Health Short Term Services	6 (0)	4 (0)	4 (0)	4 (0)	4 (0)
All-Ages Disabilities [18-25]	2 (0)	3 (0)	9 (0)	14 (1)	18.5 (1)
Learning Disabilities [25+]	12 (0)	15 (0)	4 (0)	22 (2)	
Family Link / Orient Street	-	-	-	-	-
OPPD Assessment & Intake	8 (1)	9 (0)	15 (3)	7 (0)	15 (2)
OPPD Case Management	14 (2)	13 (2)	8 (1)	16 (0)	20.5 (0)
OPPD Occupational Therapy	3 (1)	9 (0)	2 (1)	4 (0)	6 (0)
OPPD Contact Team	15 (0)	9 (0)	9 (0)	11 (0)	6 (0)
OPPD Review Team	1 (0)	6 (0)	4 (0)	6 (0)	14 (1)
OPPD Intermediate Care Team	7 (0)	10 (0)	8 (0)	6 (0)	10.5 (3)
OPPD Transfer of Care Team	1 (0)				
OPPD Southwark Resource Centre	-	-	-	1 (0)	1 (0)
Service Development	3 (0)	2 (0)	-	-	-
Finance	23 (1)	20 (3)	23 (2)	16 (0)	17 (0)
Business Support, Customer Resolutions, Other	-	-	-	2 (0)	1 (0)
<b>Total</b>	<b>101 (5)</b>	<b>103 (5)</b>	<b>90 (7)</b>	<b>113 (3)</b>	<b>121 (7)</b>

Intermediate Care and Transfer of Care were previously reported together.

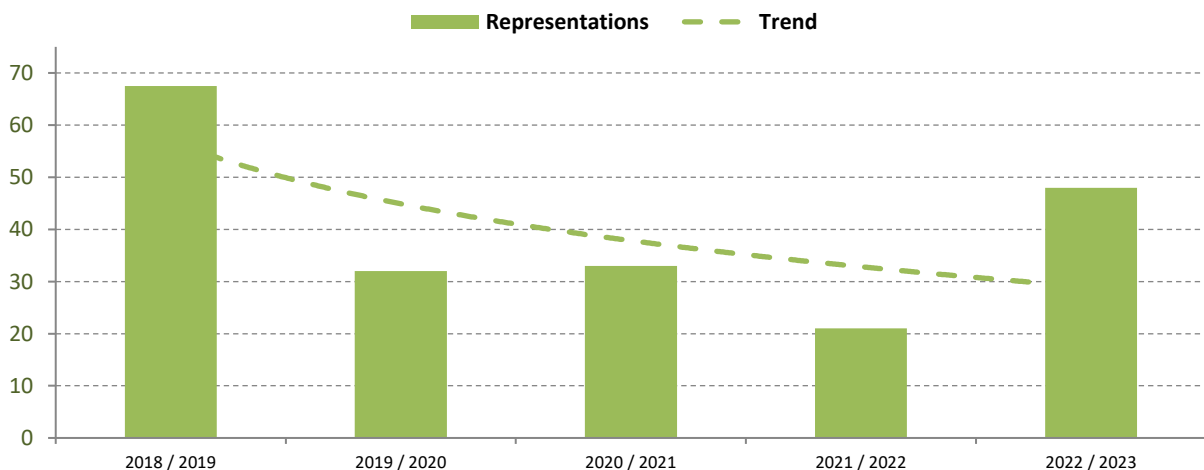
Numbers of complaints across all areas are consistent with the previous year.



### Other Representations (with assistance of an advocate in brackets)

Adult Social Care	2022/23	2021/22	2020/21	2019/20	2018/19
Mental Health Long Term / Substance Misuse	-	-	-	-	3 (0)
Mental Health Short Term Services	2 (0)	-	-	-	1 (0)
All-Ages Disabilities [18-25]	1 (0)	1 (0)	2 (0)	1 (0)	4 (1)
Learning Disabilities [25+]	2 (0)	1 (0)	1 (0)	2 (0)	
Family Link / Orient Street	-	-	-	4 (0)	-
OPPD Assessment & Intake	6 (0)	3 (0)	7 (2)	4 (0)	11 (0)
OPPD Case Management	1 (0)	2 (0)	-	5 (0)	9 (0)
OPPD Occupational Therapy	4 (0)	1 (0)	-	1 (0)	5 (0)
OPPD Contact Team	18 (1)	6 (0)	8 (0)	9 (0)	7 (0)
OPPD Review Team	2 (0)	-	4 (0)	4 (0)	6 (0)
OPPD Intermediate Care Team	2 (0)	3 (0)	1 (0)	2 (0)	7.5 (0)
OPPD Transfer of Care Team	-				
OPPD Southwark Resource Centre	-	-	-	-	-
Service Development	1 (0)	-	-	-	-
Finance	9 (0)	4 (0)	10 (0)	-	15 (1)
Business Support, Customer Resolutions, Other	-	-	-	-	-
<b>Total</b>	<b>48 (1)</b>	<b>21 (0)</b>	<b>33 (2)</b>	<b>32 (0)</b>	<b>67.5 (3)</b>

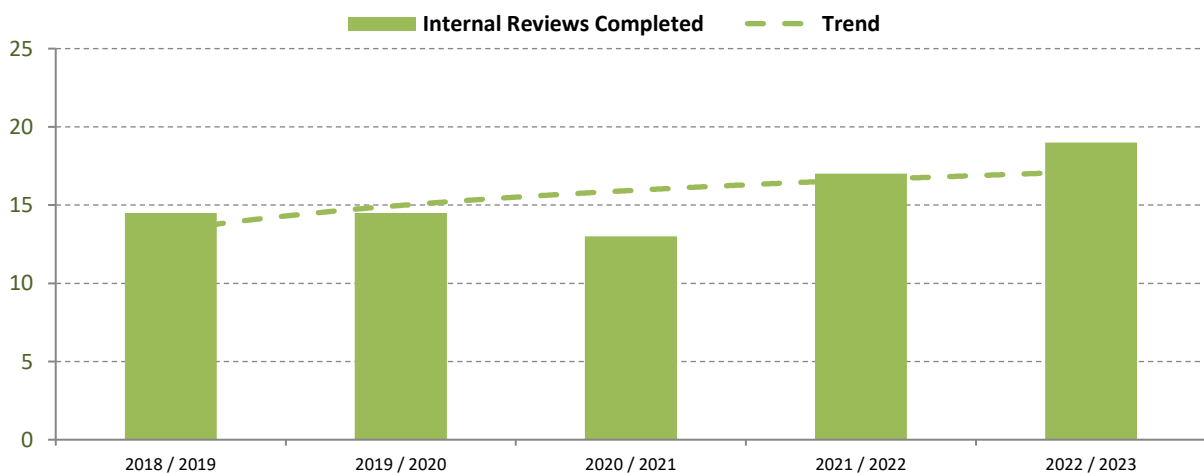
Although 48 cases represents a significant increase on the year prior, we are delighted to have resolved such a high proportion of issues with the earliest possible solution. This approach provides a significant benefit for both our residents and our colleagues.



### Internal Complaint Reviews

Adult Social Care	2022/23	2021/22	2020/21	2019/20	2018/19
Mental Health Long Term / Substance Misuse	1	-	-	3	1
Mental Health Short Term Services	-	-	-	-	1
All-Ages Disabilities [18-25]	1	-	-	6	1
Learning Disabilities [25+]	4	3	5	-	
Family Link / Orient Street	-	-	-	-	-
OPPD Assessment & Intake	-	1	1	-	3
OPPD Case Management	3	3	-	0.5	1
OPPD Occupational Therapy	-	1	-	1	2
OPPD Contact Team	4	1	1	-	-
OPPD Review Team	-	1	1	1	2
OPPD Intermediate Care Team	2	2	4	0.5	1
OPPD Transfer of Care Team	-				
OPPD Southwark Resource Centre	-	-	-	-	-
Service Development	1	-	-	-	-
Finance	3	5	1	2.5	2.5
Business Support, Customer Resolutions, Other	-	-	-	-	-
<b>Total</b>	<b>19</b>	<b>17</b>	<b>13</b>	<b>14.5</b>	<b>14.5</b>

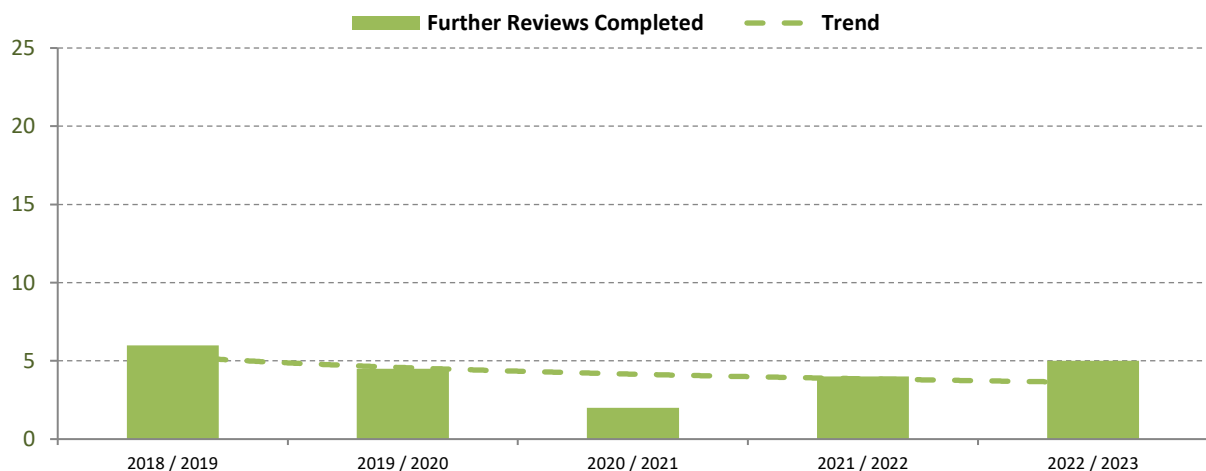
Where a service user, representative, or stakeholder is dissatisfied with the stage one complaint response, they may request an internal review. This is irrespective of the outcome of the stage one complaint and is irrespective of the merits of the case.



### Further Complaint Reviews

Adult Social Care	2022/23	2021/22	2020/21	2019/20	2018/19
Mental Health Long Term / Substance Misuse	-	-	-	-	-
Mental Health Short Term Services	-	-	-	-	1
All-Ages Disabilities [18-25]	1	-	2	1	1
Learning Disabilities [25+]	-	-	-	-	
Family Link / Orient Street	-	-	-	-	-
OPPD Assessment & Intake	-	-	-	2	1
OPPD Case Management	-	1	-	-	-
OPPD Occupational Therapy	-	-	-	-	1
OPPD Contact Team	2	-	-	-	-
OPPD Review Team	-	-	-	-	-
OPPD Intermediate Care Team	-	-	-	-	-
OPPD Transfer of Care Team	-	-	-	-	-
OPPD Southwark Resource Centre	-	-	-	0.5	-
Service Development	-	-	-	-	-
Finance	2	3	-	1	2
Business Support, Customer Resolutions, Other	-	-	-	-	-
<b>Total</b>	<b>5</b>	<b>4</b>	<b>2</b>	<b>4.5</b>	<b>6</b>

There were 149 cases received and only 3% reached the final stage of the Council's Adult Social Care Complaints Procedure, which is the same creditable figure as the previous year.

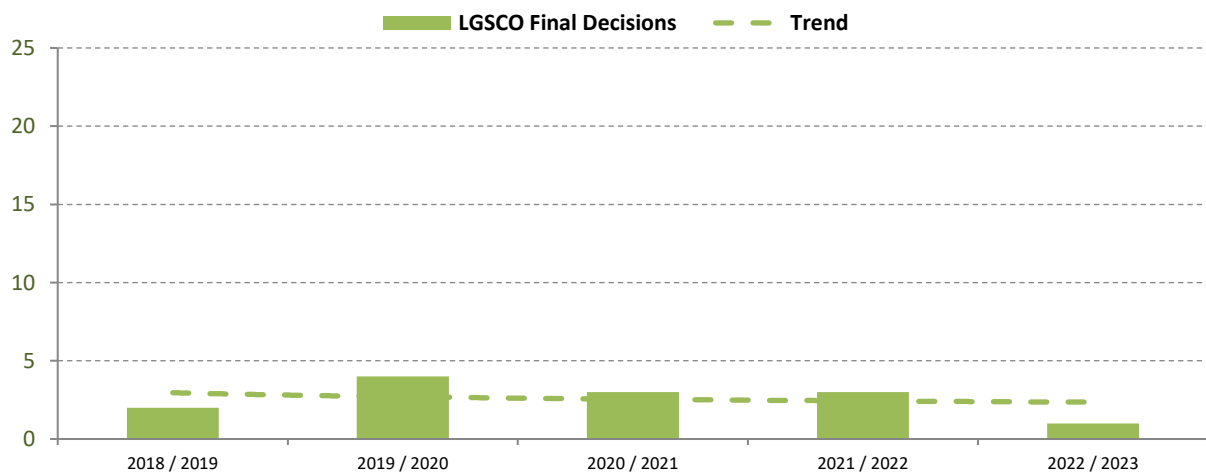




### Local Government and Social Care Ombudsman Investigations (Final Decisions)

Adult Social Care	2022/23	2021/22	2020/21	2019/20	2018/19
Mental Health Long Term / Substance Misuse	-	-	-	-	1
Mental Health Short Term Services	-	-	2	1	-
All-Ages Disabilities [18-25]	-	-	-	-	-
Learning Disabilities [25+]	-	-	-	-	-
Family Link / Orient Street	-	-	-	-	-
OPPD Assessment & Intake	-	-	-	-	-
OPPD Case Management	1	-	-	1	1
OPPD Occupational Therapy	-	1	-	2	-
OPPD Contact Team	-	-	-	-	-
OPPD Review Team	-	-	-	-	-
OPPD Intermediate Care Team	-	2	-	-	-
OPPD Transfer of Care Team	-	-	-	-	-
OPPD Southwark Resource Centre	-	-	-	-	-
Service Development	-	-	-	-	-
Finance	-	-	1	-	-
Business Support, Customer Resolutions, Other	-	-	-	-	-
<b>Total</b>	<b>1</b>	<b>3</b>	<b>3</b>	<b>4</b>	<b>2</b>

The performance of Southwark and other boroughs can be found here : <https://www.lgo.org.uk/your-councils-performance/> The Ombudsman's annual letter to the Local Authority is also published here, in addition to data on the number of upheld complaints and details relating to requested service improvements and compliance with Ombudsman recommendations.



### Outcomes, all Stage One and Representations

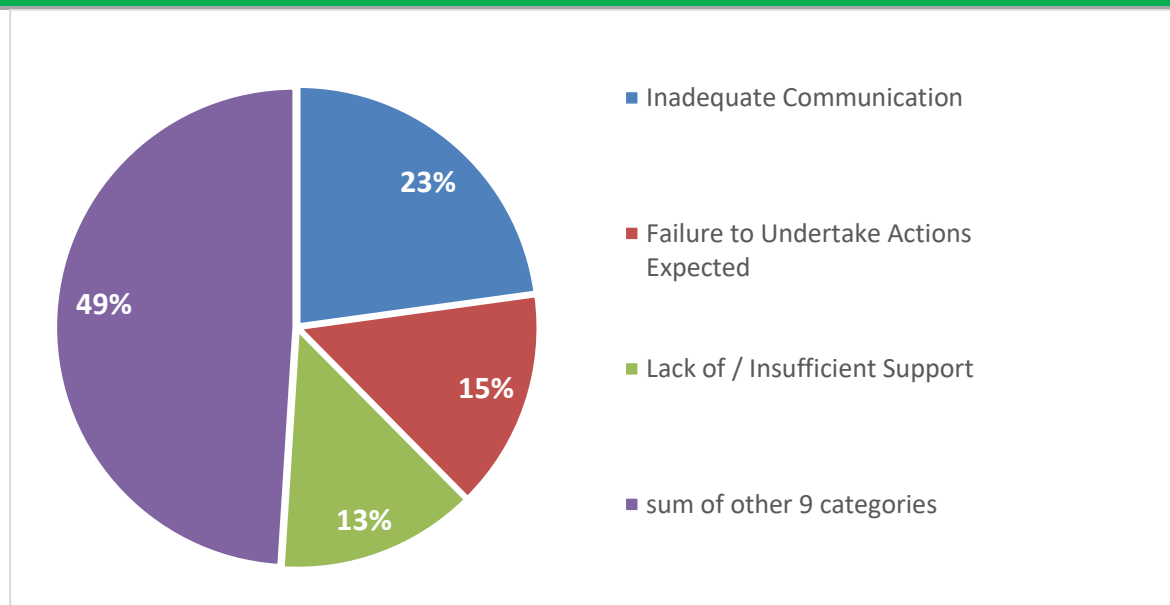
Adults Social Care	2022/23	2021/22	2020/21	2019/20	2018/19
Partly Upheld	17%	28%	21%	19%	8%
Upheld	15%	17%	20%	16%	30%
Not Upheld	23%	24%	26%	34%	19%
No Findings / Resolved	27%	18%	24%	25%	32%
Unresolved, Escalated (representations only)	3%	0%	3%	0%	2%
Withdrawn / Rejected	15%	13%	6%	6%	9%

There has been an increased prevalence this year of ‘resolved’ cases, which is directly as a result of finding immediate resolutions to concerns raised.

If we were to remove ‘resolved’ cases, then the overall ‘uphold’ rate would be relatively consistent with recent years. However it is still quite low and this should prompt us to consider – if we are not finding fault in our investigations – was this because complainants are not sufficiently aware for what to expect from Adult Social Care ?

And so did a lack of understanding explain why they felt the need to make a complaint ?

### Root Causes, all Stage One Complaints and Representations



Although communication issues are more prevalent in Adult Social Care Complaints than in some other areas, there are notably few concerns about the ‘conduct’ or ‘attitude’ of professionals.

The full range of 12 categories are listed in **appendix a** on page 26.

### Stage One Complaints Completed (with assistance of an advocate in brackets)

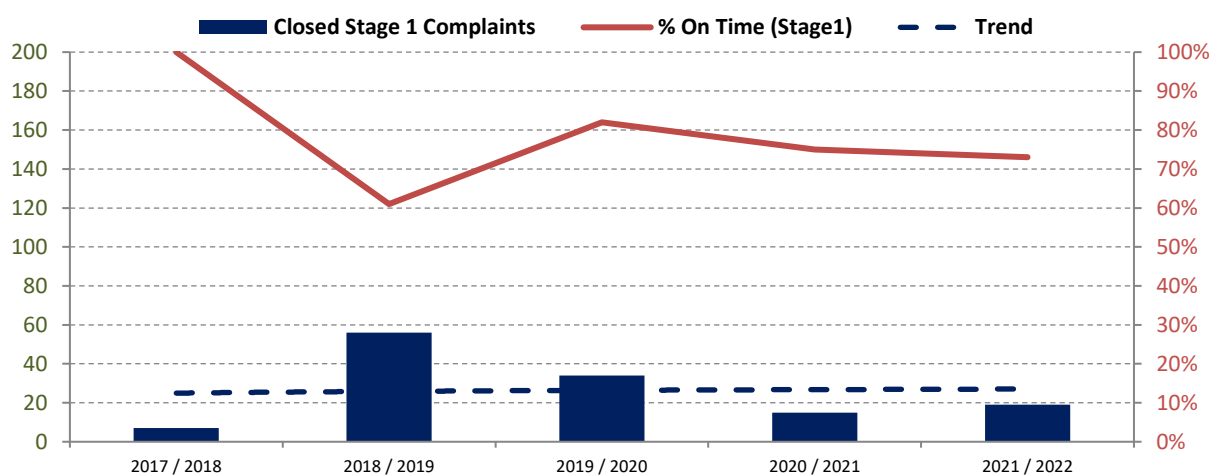
Commissioning	2022/23	2021/22	2020/21	2019/20	2018/19
Care at Home Providers	18 (0)	18 (0)	15 (0)	34 (0)	56 (0)
Care Homes	7 (0)	1 (0)	2 (0)	-	-
Other	5 (0)	0 (0)	2 (0)	-	-
<b>Total</b>	<b>30 (0)</b>	<b>19 (0)</b>	<b>19 (0)</b>	<b>34 (0)</b>	<b>56 (0)</b>

Although 30 complaints versus 19 in the previous year is an increase, it is important to note that service users may choose to contact their provider, or Care Home, directly and request a complaint response in accordance with the contractor's own policy.

The Council is responsible for the performance of those contracted organisations and the Council works in partnership with contractor management when a complaint is raised directly with us. Monitoring arrangements exist to understand those issues which are instead raised by a service user, or their family, with the provider directly.

Southwark reports on complaints in this areas on a quarterly basis and the report details the names of the individual Care Home, or Care-at-Home provider. The report summarises the details of the complaint which has been made and the report explicitly details the learning derived from each case. This information then, in turn, provides the Commissioning team with additional intelligence relating those partner organisations, and relating to the opportunities for improvement which exist for each.

Whilst there were no cases being brought with the support of Advocates although there are many which are raised by family members.



### Other Representations (with assistance of an advocate in brackets)

Commissioning	2022/23	2021/22	2020/21	2019/20	2018/19
Care at Home Providers	6 (0)	1 (0)	6 (0)	6 (0)	23 (0)
Care Homes	0 (0)	-	1 (0)	-	2 (0)
Other	0 (0)	-	1 (0)	-	-
<b>Total</b>	<b>6 (0)</b>	<b>1 (0)</b>	<b>8 (0)</b>	<b>6 (0)</b>	<b>25 (0)</b>

These are usually complaints addressed 'on the spot'. It may not be possible to address concerns about contracted providers without meaningful dialogue and so the proportion of 'representations' to 'formal complaints' will be lower than for some other areas.

### Internal Complaint Reviews

Commissioning	2022/23	2021/22	2020/21	2019/20	2018/19
Care at Home Providers	3 (0)	1	2	1.5	-
Care Homes	1 (0)	-	-	-	-
Other	0 (0)	1	-	1	-
<b>Total</b>	<b>4 (0)</b>	<b>2</b>	<b>2</b>	<b>2.5</b>	<b>0</b>

4 complaints not being addressed to the complainant's satisfaction at the first attempt is a low number and the 'escalation' rate compares favourably with many other areas.

### Further Complaint Reviews

Commissioning	2022/23	2021/22	2020/21	2019/20	2018/19
Care at Home Providers	2 (0)	1	1	0.5	-
Care Homes	0 (0)	-	-	-	-
Other	0 (0)	1	-	-	-
<b>Total</b>	<b>2 (0)</b>	<b>2</b>	<b>1</b>	<b>0.5</b>	<b>0</b>

Only 2 complaints did not, in the opinion of the complainant, satisfactorily address their concerns at Internal Review. It is encouraging, that, as in the table above, that this is so few.

### Local Government and Social Care Ombudsman Investigations (Final Decisions)

Commissioning	2022/23	2021/22	2020/21	2019/20	2018/19
Care at Home Providers	1 (0)	-	1	-	1
Care Homes	0 (0)	1	-	-	-
Other	0 (0)	-	-	-	-
<b>Total</b>	<b>1 (0)</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>

'Some fault' was found, only with the Provider, in the one case resulting in a 'final decision'.

The performance of Southwark and other boroughs can be found here : <https://www.lgo.org.uk/your-councils-performance/>

The Ombudsman’s annual letter to the Local Authority is also published here, in addition to data on the number of upheld complaints and details relating to requested service improvements and compliance with Ombudsman recommendations.

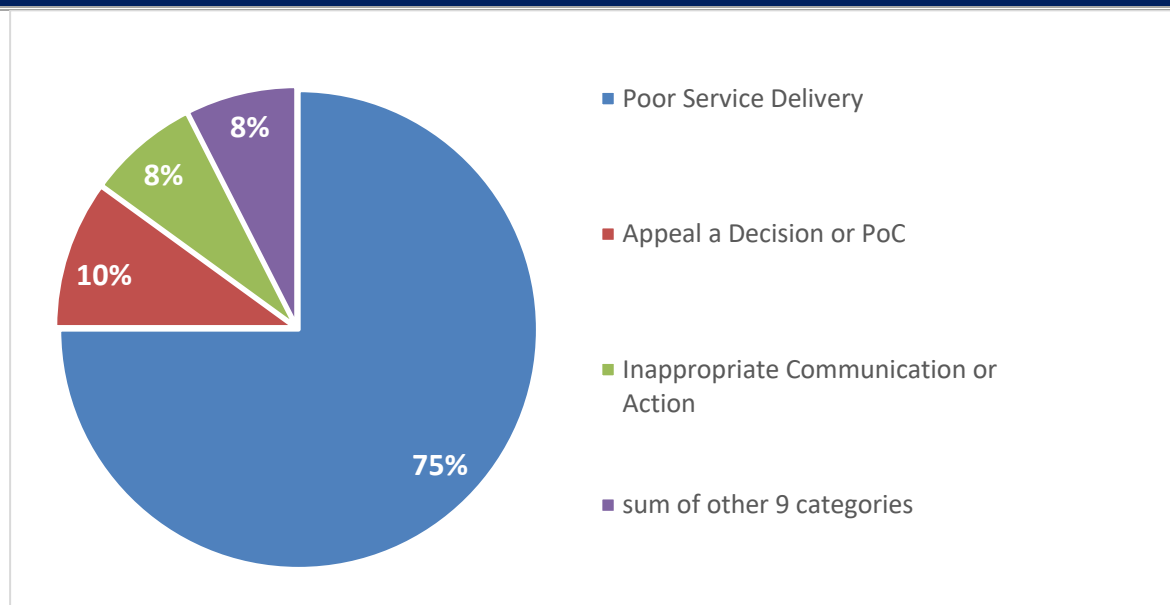
### Outcomes, all Stage One and Representations

Commissioning	2022/23	2021/22	2020/21	2019/20	2018/19
Partly Upheld	28%	32%	22%	10%	8%
Upheld	22%	42%	30%	53%	30%
Not Upheld	14%	5%	11%	7%	19%
No Findings / Resolved	17%	5%	30%	18%	32%
Unresolved, Escalated (representations only)	0%	0%	0%	0%	2%
Withdrawn / Rejected	19%	16%	7%	12%	9%

The numbers of complaints investigated in the year may be too low to reliably draw significant intelligence from the ‘uphold rates’ reported above. When case numbers are low, we should expect the figures reported above to deviate more markedly.

The category ‘poor service delivery’ is intended to highlight that it is the performance of the service provider which was questioned, rather than the activities of the Local Authority.

### Root Causes, all Stage One Complaints and Representations



The full range of 12 categories are listed in **appendix a** on page 26.

## Complaints System Review

### Are our investigations objective, sufficient and successful ?

- We look at the proportion of complaints which were not successfully resolved at the first opportunity and we look at whether subsequent investigations return the same findings.
- The escalation rates after stage one across each of the Directorates are 26%, 23%, 12%, 11%. There is a significant increase, only, for Children, Families and Education. It is not clear if the increase in cases overall should negatively impact this rate, but it is possible because more cases could mean that less time is available to work on each case. It is something we should continue to watch closely.
- We look at the outcomes from subsequent investigation stages to see where additional learning was derived at the first escalation stage. In Children, Families and Education, around three quarters of stage two cases resulted in additional learning being found.
- In Adult Social Care and Commissioning only a third of second stage investigations highlighted new, additional learning.
- The message is that we may need to be more objective with stage one complaints under Children, Families and Education and we may need re-double our efforts to ensure all issues are addressed as fully as possible at the earliest possible opportunity.

### Are Complaints activities understood and are our services being accessed equally and fairly ?

Information here is provided by the Office for National Statistics, via the 2021 Census. The reason we look at these statistics is to compare the local demographic with the background of those who make complaints. It is interesting for us to learn that in Southwark, over the last 10 years, there are 15.5% more people aged 65 years and over and there are 3.8% fewer children aged under 15 years.

- The 2021 Census showed the average age for a Southwark resident is **32.4 years**  
The mean age, where known, of our complainants in the period is in the **45 - 54 range**
- The ratio of male to female, in the 2021 census was Male **48% : 52%** Female  
The ratio of male to female complainants this year was : Male **28% : 72%** Female

Ethnicity (where known)	Complainants 2022 - 2023	Previous Year	Previous Year	Last Census (2021)
White	43%	31%	42%	52%
Black incl. Black British, African and Caribbean	38%	52%	47%	25%
Asian incl. Asian British	2%	1%	3%	10%
Mixed / Multiple	10%	8%	5%	7%
All Other	8%	8%	3%	6%

***From this we can understand that our complainants are more prevalently female; more prevalently 'Black / African..' then the general Southwark population and are older.***

A complainant's age can clearly impact their complaint-making need and complaint-making capacity but we must keep under consideration whether their gender or ethnicity should influence their making a complaint. It may be that traditional culture suggests a more 'caring' oriented role for females and so this could mean they are more likely to take the lead in reporting concerns for a friend or family member. But we have be alert to members of minority communities appearing to have a greater need to report concerns with services delivered to a greater degree than may be expected, statistically. Simultaneously the figures suggest that they are not discouraged to do so.

***It is however reassuring that this observable contrast narrowed significantly in the last year.***

However we still take in to account that the figures used are only recorded where the complainant chose to indicate their ethnic background.

In 2022-23, there were 4% of new complaints made with the assistance of a formal advocate, usually to assist young people in care, or 'care-leavers' which suggests that additional pathways are being utilised where additional support has been needed. What we want to see is that 'some' complaints are supported by advocates as this provides evidence that this particular support is known and is used where necessary.

Such a low incidence can provide some evidence that the complaints process is easily found and easily accessed, and can provide some evidence that the complaints team are able to make 'reasonable adjustments' for those who need extra support to voice and record their concerns.

### [Are we learning from complaints ?](#)

Each year we try to answer this question but it is always a difficult task with many complicating factors. We can look at the number of new cases, as seen on pages 4, 5, 10, 11, 13, 14, 19 and 20 of this report. There is an increase in total cases this year of 30%

An increase in the number of complaints received can indicate an increased faith on the part of complainants, that a formal complaint will help them to achieve the outcome they desire. We should therefore also look at whether we are upholding complaints more often, to get some measure for whether these complaints are meritorious. We can see that Children, Families and Education have become upheld more frequently. Whilst we can see that Adult Social Care and Commissioning complaints were upheld less frequently this year.

Looking at adverse Ombudsman 'final decisions', and any trend for those, is a useful exercise. There were only 7 cases in which 'fault' or 'some fault' was found this year, and this compares very well with other departments and other local authorities.

There is another indicator, in the form of financial remedies paid, as this provides a quantitative measure of the more significant injustices identified through the course of our investigations. Again though we need to remember that an increased value of remedies is not a reliable marker on its own, and one particularly impactful case across the year can skew the totals dramatically.

But looking at the table below, we can see an increase in financial remedies.

	2022 - 2023	2021 - 2022	2020 - 2021	2019 – 2020	2018 – 2019
Children & Families	£ 18433.70	£ 9250.00	£ 7900.00	£ 6240.00	£ 15451.00
Education	£ 2950.00	£ 300.00	£ 0.00	£ 0.00	£ 0.00
Adult Social Care	£ 500.00	£ 1900.00	£ 2596.40	£ 7200.00	£ 0.00
Commissioning	£ 0.00	£ 1300.00	£ 0.00	£ 0.00	£ 0.00

The figures above only reflect payments which the complainant accepted. Proposed payments are often not accepted and they may be reviewed at subsequent stages, at a point later in time.

### Survey Results

The Complaints team has benefited in previous years from dedicated officers who undertake sample surveying to test principles such as whether an individual felt the complaints process was accessible and supported. We then made use of new software functionality to improve the administration of this work and to help us generate summary and reporting information.

At the time of writing though, a number of aspects of compliant handling are being reviewed at the corporate level, and an updated direction for surveying is expected to be confirmed and rolled-out.

### Habitual Contact / Single Point of Contact

There are 2 individuals for whom their contact is subject to restrictions under the Habitual Contact Policy. And only one in the case of one of those individuals is the restriction owing to their unreasonably persistent behaviour.

Given there are 307700 Southwark inhabitants (Census, 2021), it appears that the restriction is being applied as it is intended – strictly only as a last course of action. These restrictions are approved by the Chief Executive and are reviewed formally each year, and with specific regard to each individual and their own circumstances.

### Compliments

We cannot say that an increased number of compliments evidences improved performance. Rather what we must do is ensure a system exists to record praise received from external parties and that it is used alongside learning from our mistakes, to inform good practice.

We compile compliments, anonymise them, and share with all Directorates on a quarterly basis.



## Complaints Team Update

We are small team but we benefit from having worked together for a number of years now and this helps us to be efficient and consistent in our work.

We have benefited from not having had to make significant changes this year to the software and resources we use and we have not been limited by the pandemic or other extraordinary uncontrollable events. There have been no major matters of policy to re-consider.

The way we engage with colleagues and complainants has become settled, with an ever-increasing reliance and an ever increasing familiarity with video conferencing. We feel that this phenomenon has helped strengthen our relationships and has offered a number of advantages of efficiencies. One example being that colleagues are less likely to need to travel to meetings in different parts of our borough.

This report highlights a significant increase in workload but we have the support of our management and there is dialogue about how best we can manage the change. We are hoping to add an additional team member in the relatively near future and we have ideas about how best to integrate the additional resources, so that the return on investment is maximised.

There have been some organisational changes within Southwark and our work now includes the administration of complaints under 'Public Health', although the impact of this may be limited owing to the rules around those complaints differing slightly to most of those complaints we are responsible for. From 1 April, our reporting will include the small number of complaints expected for Public Health.

Nationally there are challenges with Education and Health Care planning and we have spent time this year extending and adding structure to how we investigate those complaints, so that parents and carers are provided with more clear explanations for how delays in the development process have arisen, and for how small issues can de-rail the entire 20 week development cycle.

Our team shares a feeling of responsibility towards those who make complaints and, because of the emotive and complex nature of our work it can be very challenging. But we remain conscious of the need to be objective and inquisitive and we remain conscious of the need to always put ourselves in our complainants' shoes.

We cannot necessarily prevent complaints but we are proud of the service we deliver and we are confident that our process and our principles are appropriately professional, compliant and sympathetic.

All this being, said, we look forward to a reduction in the number of complaints in 2023 – 2024 and we look forward to a reduction in the rate of escalated complaints. We are exploring ideas and options for formal mediation and we hope to describe the impact of mediation in the next annual report.

## Appendix a All 'root cause' categories

The full list of complaint root causes, which are referred to primarily on pages 9, 12, 18 and 21, are :

Failure to Undertake Actions Expected	Poor Service Delivery
Lack of / Insufficient Support	Payment Failure
Inadequate Communication	Inappropriate Communication or Action
Process Delays	Assessment or Reports
Invoicing or Account Issue	Case Handover / Ownership
Appeal a Decision or Package of Care	Multiple or Other Concerns

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