

Children's Social Care Annual Complaints Report

April 2018 – March 2019

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1. Introduction

This report is about complaints our Children's Social Care Services received from 1 April 2018 to 31 March 2019. Most of the complaints we dealt with through our corporate complaints process and a smaller number through the social care statutory complaints procedure as set out in the Children Act 1989.

Complaints are a valuable tool as they help us to understand the experience of our residents and others regarding the services we provide. They also help us to identify areas for improvement and good practice. This report shows the issues our residents and service users complained to us about, how we handled these complaints, and tries to identify some of the lessons we have learnt to improve our service.

We capture a range of information whenever we receive a complaint. This includes the nature of the complaint, the action we took to resolve it, the outcome of the complaint and whether we responded to the complaint on time.

Our Children's Social Care Service has made a considerable effort this year to learn from complaints and be responsive ensuring they continually improve the service provided.

By publishing an annual complaints report, we hope to demonstrate a commitment to transparency and a positive approach to dealing with and learning from complaints to improve our services.

1.1 Key points

In 2018/19 we received 51 Stage 1 complaints, a 25% reduction from the previous year when we received 68 Stage 1 complaints. We also responded to 71% of complaints on time this year. This was an improvement on the previous year, when 58% were dealt with on time.

- Out of the 51 complaints received, 12 progressed to Stage 2 of our complaints process and four progressed to the Local Government Ombudsman.
- 71% of complaints were responded to within target. (15 working days for corporate complaints and 10 working days for statutory complaints).
- We received the highest number of complaints about our quality of service. This means the complainant felt the service they had received from us was not to, or of, the standard they were expecting.
- We found a fault in 53% of complaints we investigated.
- Only 24% of all complaints progressed to Stage 2. This shows that we were able to resolve most complaints at Stage One of our complaints process.

1.2 Background

Under the Children Act 1989, we are legally required to have a procedure in place to deal with complaints relating to our key social care responsibilities, which are defined in the Act.

The children's statutory complaints procedure has three stages (see below). If a complainant remains dissatisfied after they have exhausted these three stages, they can escalate their complaint to the Local Government Ombudsman (LGO).

Stage 1: The complaint is investigated by the relevant Head of Service or Service Manager who tries to resolve the complaint at a local level as early as possible. We have 10 working days to resolve a Stage 1 complaint, but this can be extended to 20 working days in exceptional cases.

Stage 2: If the complainant remains dissatisfied with the outcome at Stage 1, they can escalate their complaint to Stage 2. This stage allows for a fresh and independent look at the original complaint by an Investigating Officer (IO) and is overseen by an Independent Person (IP). The IP makes sure the process is both fair, transparent and lawful.

The IO can be a Bexley Council employee, or someone commissioned from outside specifically for this piece of work. The IP must be independent. The IO and IP meet with the complainant to agree what issues they will investigate, which the complainant feels were not resolved at Stage 1 of the complaint process.

The IO and IP look at each of the issues raised by the complainant and produce a report that determines whether we are at fault on some, all, or none of the issues raised by the complainant. They then produce a report that make recommendations about how we can provide a better or improved service to the complainant. This includes putting forward proposals on how we can rectify any fault they have identified.

The finished report is considered by the Deputy Director of Children's Services who has the option to agree, partially agree or reject the findings of the IO and IP. The Deputy Director then writes to the complainant setting out their findings within 25 working days. The time can be extended depending on complexity of the investigation.

Stage 3: If the complainant remains dissatisfied at the end of Stage 2, they can escalate their complaint to a Review Panel. The panel consists of three independent people who do not work for Bexley Council. The panel considers the issues at Stage 2 that the IO and IP did not uphold or partially upheld and makes recommendations for the consideration of the Director of Children's Services. The Director reviews the recommendations and then writes to the complainant with the outcome of their decision.

There are various timescales at Stage 3 of the complaints process:

- We have 30 working days to organise the panel upon receipt of the complainant's request;
- The Panel Chair has five working days after the hearing to produce a report detailing its recommendations;
- Following receipt of the Panel's recommendations, we have 15 working days to send our response to the complainant.

After Stage 3 is concluded, the complainant can ask the LGO to review their complaint if they remain dissatisfied. Although a complainant can approach the LGO at any time in the process if they are unhappy with the way we are handling their complaint.

2. Complaints received

The table below shows the total number of complaints received from 1 April 2018 to 31 March 2019.

Type	Stage 1	Stage 2	Stage 3	Ombudsman	Total
Corporate complaints	35	9	n/a	3	47
Statutory complaints	16	3	0	1	20
Total	51	12	0	4	67

Analysis

The total number of Stage 1 complaints decreased this year by 17 compared with 2017/18 when we received 68 complaints. The number of Stage 2 complaints has remained the same at 12. For the third year running, we received no Stage 3 complaints, but four Ombudsman complaints were received compared with three the previous year. In total, the number of complaints received this year decreased by 16 (24%) compared with 2017/18.

The LGO has advised that they received 20 Education and Children's services complaints in 2018/19. However, our report only covers Children's Social Care. The Ombudsman do not separate their data into Children's Social Care and Education and Services for Children and the way they report complaints is different to us.

Further information regarding these Children's Social Care LGO complaints are detailed in section 2.6

How we compare

We are pleased to find that we have the lowest number of complaints being referred to the LGO compared with our neighbouring local authorities. We believe this is partially due to our determination to resolve complaints properly through our complaints process, by apologising when things go wrong, and because we are prepared to offer fair and reasonable remedies to put things right.

Children's Social Care complaints received by the Local Government Ombudsman

Bexley	Bromley	Greenwich	Lewisham
20	32	23	28

2.1 Complaints by service area

Children's Social Care Services comprises of the following four service areas:

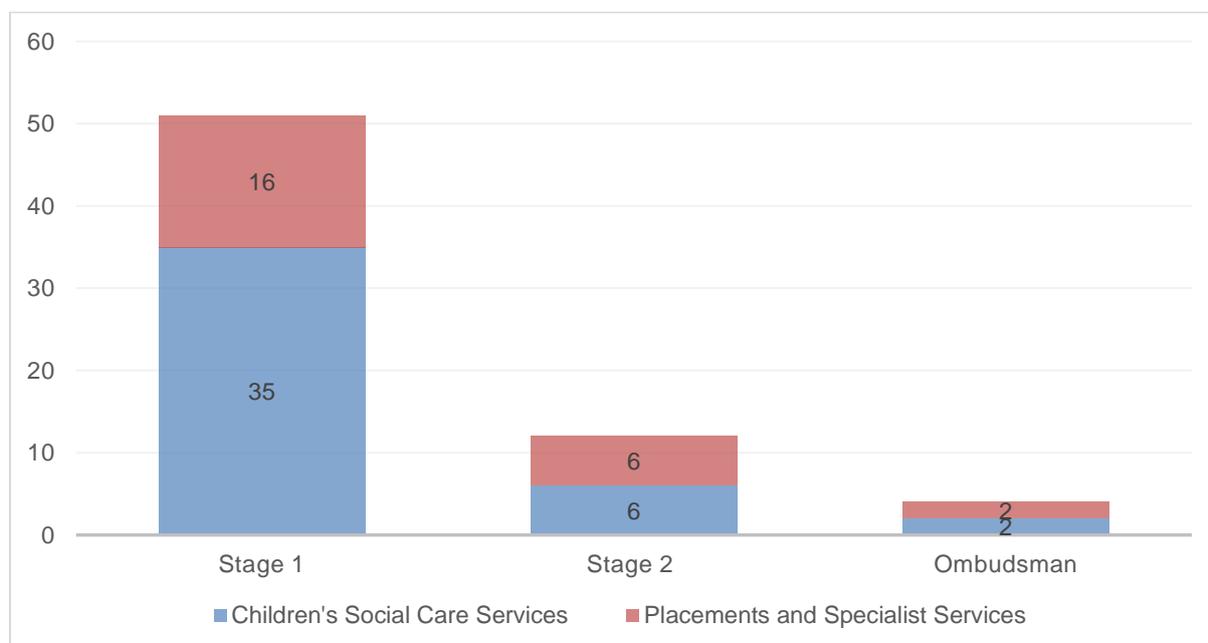
- Children's Social Care and Safeguarding
- Family Support & Child Protection
- Family Wellbeing & Think Family Services
- Mash & Assessment Teams

Placements and Specialist Services comprises of the following two service areas:

- Placements; Fostering & Adoption
- Children Looked After & Leaving Care

The table below shows the service areas that individuals complained about in 2018/19. Unfortunately, our case management system does not allow us to break down these complaints into the service areas mentioned above.

Complaints by service area

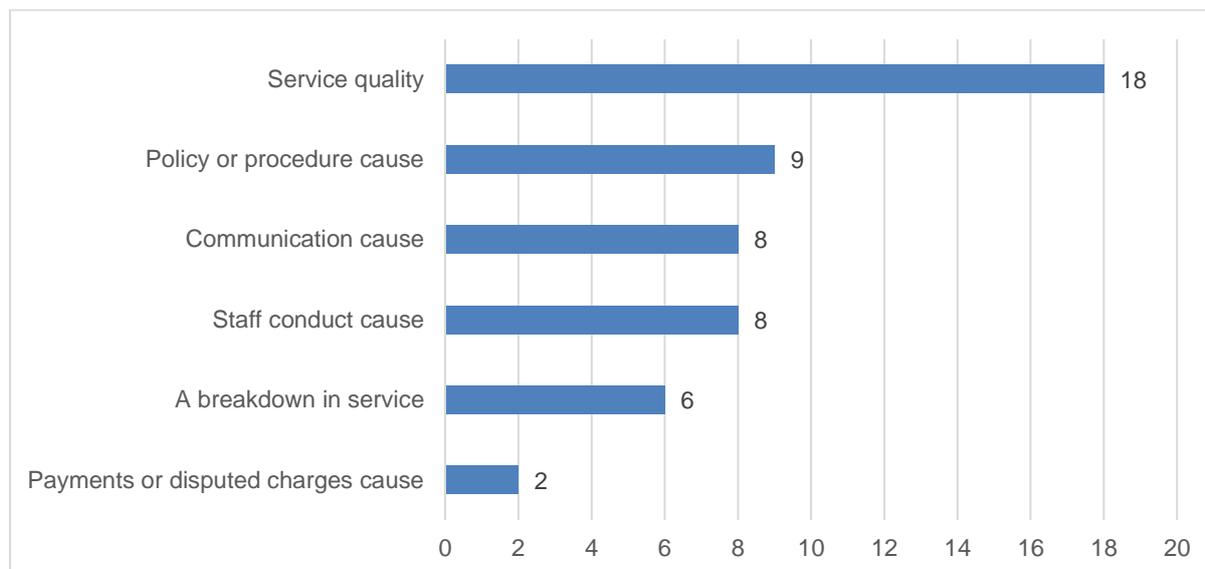


Children's social care received 35 Stage 1 complaints compared with Placements and Specialist Services who received 16. Both services received six Stage 2 complaints and two Ombudsman complaints.

2.2 Causes of complaints

The table below shows the reasons why individuals complained to us last year. Please note that the data below does not match the data in table 1. This is because it relates to complaints "closed" in 2018/19. These will not be the same as the complaints "received" during this period due to the time it takes us to log, investigate and respond to them.

What complains were about in 2018/19



Analysis

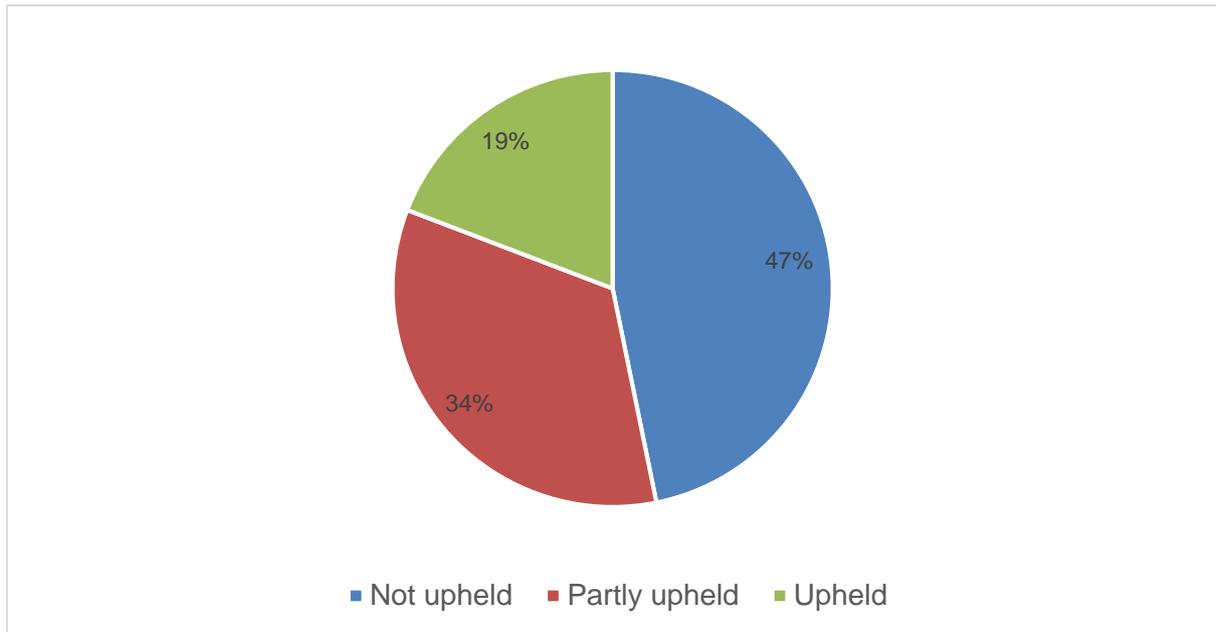
We received 18 complaints about the quality of service. This includes issues relating to, allegations of ‘insufficient service knowledge’, ‘poor record keeping’, ‘service not to the quality or standard expected’ and ‘incorrect information or advice given by an officer’.

- Nine complaints were about complainant’s failing to agree with our policy or because they felt that we had not followed our stated procedures.
- Eight complaints were due to poor communication and a further eight were due to staff conduct.
- Six complaints were about a breakdown in service and a further two complaints were due to a dispute with a payment or a charge we had levied on the complainant or another service user.

2.3 Complaint outcomes

The tables below show the percentage breakdown of our complaint decisions in 2018/19.

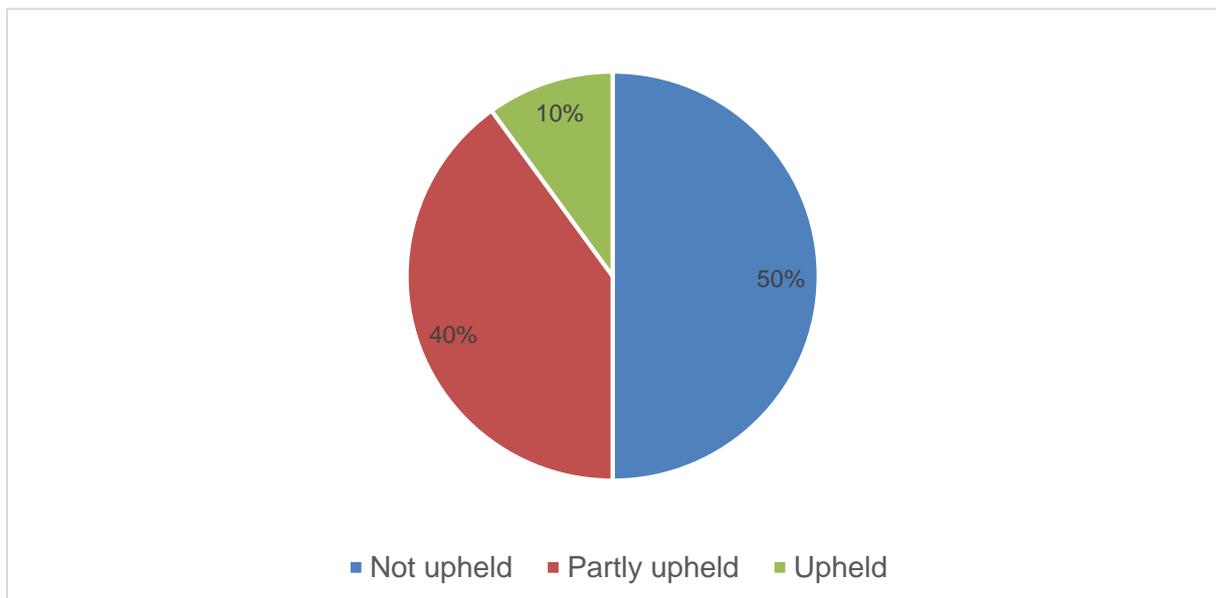
Stage 1 outcomes 2018/19



Stage 1 complaint outcomes in numbers

Not upheld	22
Partly upheld	16
Upheld	9
Total	47

Stage 2 outcomes 2018/19



Not upheld	5
Partly upheld	4
Upheld	1
Total	10

Analysis

- The tables above show that we found fault in 53% of complaints we investigated at Stage 1.
- Only 21% of complaints progressed to Stage 2, which demonstrates that we were able to resolve most complaints at the first stage of our complaints process

Please note, that the figures above show the outcomes of complaints “closed” in 2018/19. This means some of the complaints may have been received in the previous financial year.

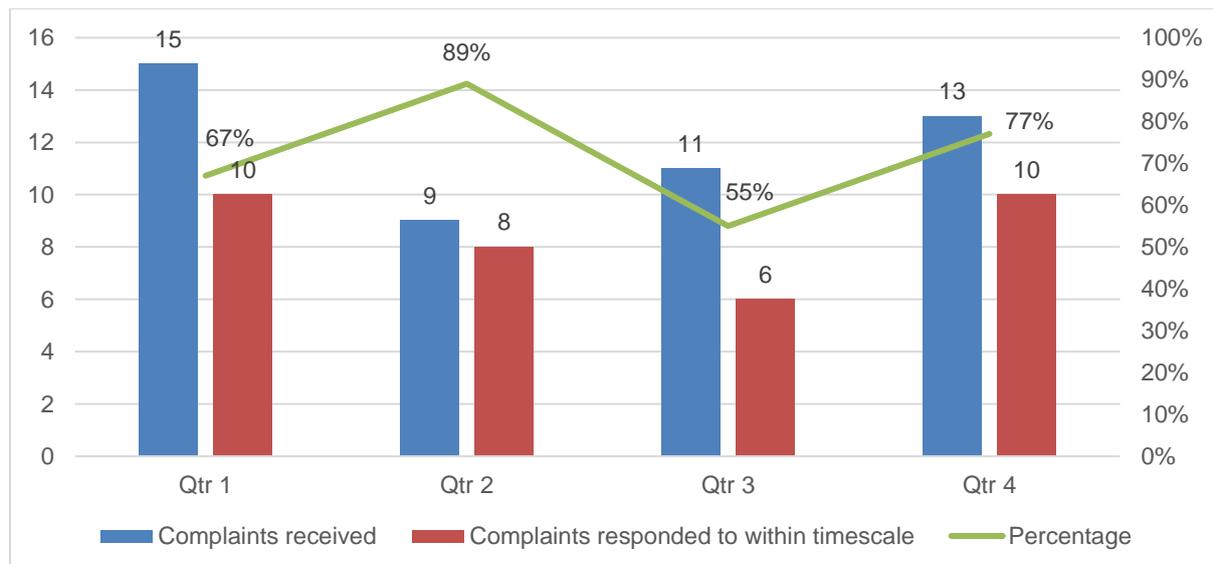
2.4. Complaint performance

The table below shows the total number of complaints we received in 2018/19 and the percentage of Stage 1 complaints we responded to on time.

We dealt with 71% of Stage 1 complaints on time, which was an increase of 13% from last year. Whilst performance improved significantly, it fluctuated throughout the year due in part to complaint volumes and staff availability.

The Complaints Team produce weekly open case reports to remind services what complaints are assigned to them and the deadline to reply. The reports provide an overview of all open complaints and show those that are due imminently and those that are late.

The report has proven to be an effective way of monitoring the status of all open complaints and is used to chase overdue complaints with service areas. The information is also used to produce more complex complaint reports for monthly leadership team meetings where service delivery and performance rates are reviewed.



Please note that the figures above show the outcomes of complaints “closed” in 2018/19 and will not directly relate to all complaints we “received” in the same period.

The table below shows the Stage 2 and Stage 3 complaint performance in 2018/19.

Type	Stage 2	Stage 3
Statutory complaints	0% (0/1)	None received
Corporate complaints	50% (5/10)	None received

*(0/1) equates to 1 complaint received and none responded to within target

The Complaints Team manage the statutory Stage 2 and Stage 3 complaint process. They are also responsible for coordinating and overseeing all investigations and ensuring that we adhere to the relevant procedures and legislation.

2.5 Improving and learning from complaints

Complaints provide a vital source of information about people’s experience of our social care services. They help to show us what we do well and how, and where, we can improve.

The complaints process enables us to identify service issues that affect our residents and service users and to make improvements. It also helps us improve staff learning and enhance professional development.

To improve service quality, we encourage managers to identify areas of improvement within their service. We also want them to inform the complainant of any actions they have taken to try to prevent a similar complaint reoccurring due to the same service failings.

Service managers are responsible for carrying out any corrective actions they have identified after they have concluded their complaint investigation. These actions are logged on our case management system and monitored by our Complaints Team to make sure they are completed on time. This ensures that we have an accurate record of any improvements we have identified during the complaints process, and the service area is aware of any outstanding tasks.

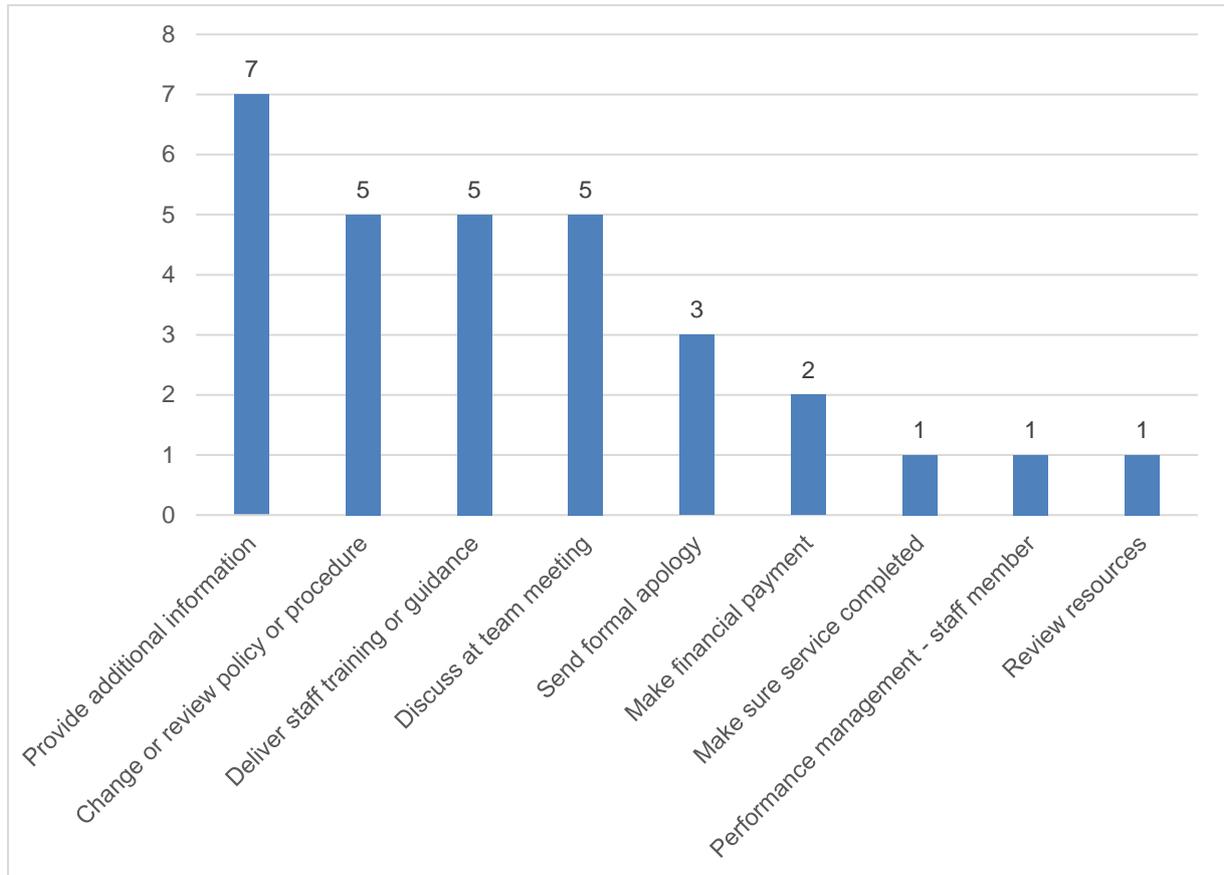
Below are some service improvements we carried out after some of our complaint investigations found fault with some of the service we had provided.

Key learning points identified

<p>Review of procedures</p>	<ul style="list-style-type: none"> • Procedures reviewed to ensure better support is provided for children during their transition to adult services. • Implemented an intensive improvement plan that includes an oversight every two weeks by the Director and Deputy Director of Children's Services. • Better earlier support offered to all young people leaving care up to the age of 25 and increased resources to oversee the work required. • Review data protection and confidentiality procedures with greater onus on the process of contacting service users to discuss personal information.
<p>Improve relationships</p>	<ul style="list-style-type: none"> • Meet with more complainants more often to discuss what services they require and how to learn from their complaints.
<p>Training</p>	<ul style="list-style-type: none"> • Officers provided with extra guidance about our case recording policy and the need to keep effective records. • Provided learning to staff regarding responsibilities to homeless young people aged 16-17. • Training provided in relation to identifying the difference between a Statutory and Corporate complaint. • Staff provided with additional guidance about their obligations regarding payment of adoption allowances. • Training provided to improve communication with our service users. • Staff and care leavers, given additional guidance on their service entitlements and what we can offer them during this transitional period.

The table below shows the various corrective actions we took after complaints were closed 2018/19.

Corrective actions arising from complaints



2.6 Ombudsman complaints

In 2018/19, four complaints for Children's Social Care progressed to the LGO.

The Ombudsman found fault (maladministration and injustice) in two cases. The other two cases are still under investigation and the outcome will be reported in next year's annual complaints report.

Details of the two Ombudsman complaints are summarised below:

1. The complainant says we failed to properly plan for her transition from Children to Adult services.

We accepted that we failed to meet our legal duty to assess and plan for the services the complainant may have needed. We apologised to the complainant and met with them to discuss what we have learnt from their complaint. We also explained how we will ensure our staff are aware of the correct process that needs to be followed when a young person moves from Children to Adult services.

2. The complainant was not happy because we did not support them secure a larger property when his four girls were removed from their mother's care and placed with him. As a result, the family are living in overcrowded conditions.

We accepted that we failed to provide support for the four girls in question and did not resolve the family's housing issues, despite promising to do so. We apologised and paid compensation to the complainant for this failure. We also reviewed the complaint internally and improved processes to ensure better joined up working between our housing and children's services in future.

3. The two other Ombudsman complaints are still under investigation and the outcome will be reported in next year's annual complaints report.

2.7 Advocacy service

The specific aim and objective of the advocacy service is to provide independent help and support to young people who are in the care of our Children's Services by:

- Ensuring that children and young people who are looked after have access to the service and are given a voice in decisions made about their lives
- Ensuring young people with complex needs and disabilities have access to the service and a voice in decisions made about their lives
- Providing access to an independent advocate for children when making or intending to make a complaint.

To support this process, we have commissioned National Youth Advocacy Service (NYAS) to provide an advocacy support service to all looked after children, former young people and care leavers. The provision of the advocacy service encourages young people to have their voices heard and their issues discussed at the point of service delivery.

If necessary, it can provide support and guidance when a child or young person wishes to submit a formal complaint. NYAS also provide an independent visitor service to 'looked after children'.

In total, NYAS has provided services to 21 children and young people in 2018/19. The age of the young person at point of referral ranged from eight to 20. The highest number of referrals was five from children who were 17 or above. 60% of referrals were female, 33% male and 7% recorded as other.

The main root cause for referral was due to:

- 'Wishes and feelings in relation to their Care Plan'
- 'Concerns regarding their proposed placement move or failure to offer new placement'
- 'Frequency of Social Worker visits'
- 'Contact with family'.

The outcome for the 21 young people who approached NYAS was that they were able to have their voice heard and their thoughts and feelings taken into consideration. NYAS worked with us to ensure each complaint was investigated and resolved to the young person's satisfaction.

2.8 Compliments received

Last year we received 25 compliments from the public, a small selection of these are below:

Placement and Specialist Services

- "I am writing to say how impressed I have been with the local authority's approach to this case, in particular your hard work on the case."
- "I just wanted to drop you a note to express our huge appreciation for the support that our social worker has provided to us over the last, nearly 3 years. She has been unfailing in her thoughtful advice, wisdom and kindness. We feel incredibly lucky to have had her assigned to help us through the adoption process. In the run up to approval we found her insights on us as parents and people helpful in many ways, she has a real talent at shining a light on issues or concerns in a wholly constructive way. She surfaces sensitive issues with great empathy making it easy to talk to her and address any concerns."
- "I would just like to give you some feedback regarding a foster carer. When the children were placed in foster care with court proceedings going ahead she was so polite, also she informed me how the children were settling in their home and was brilliant with the children and had everything ready for when I was visiting the children in the contact centre. If there was anything we needed to know i.e. hospital appointments, doctor's appointments or the children weren't well she would contact me straight away and would always update me with how the children were doing. She is a credit to have as a foster carer working in the Bexley borough as she has done brilliant with all the children and I couldn't thank her enough for what she has done for them and I am extremely grateful."

Children's Social Care Services

- My social worker was very helpful in building communication back with me and my family. Listened for a long time, felt as if no one listened to me. She was very kind and supported me through a hard time. She even called salons for me for jobs. She was amazing at her job. She is the best social worker I've ever had. One of the main reasons I am still at home is because of her and I can't thank her enough for her kindness and great work she has done with me and my family. She put thoughts and

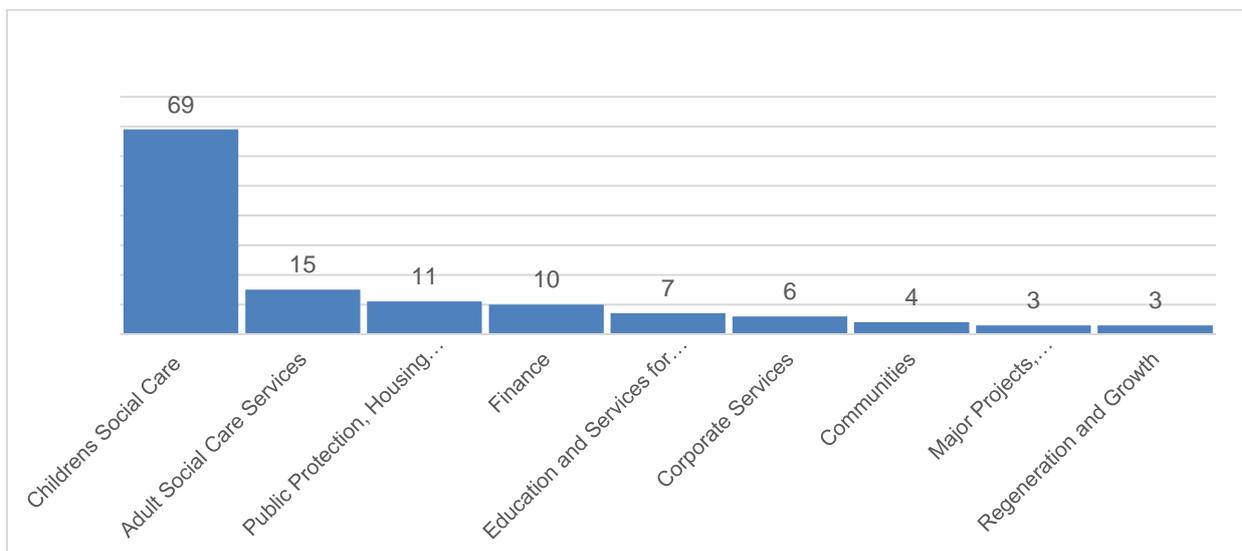
ideas for my son about what he could do better - he listens to her opinions. We were planning to separate before and go separate ways, now we're not. Saved our relationship. Doing brilliant Job.

- I would like to thank you for the opportunity to share my experience of working with my social worker. After having previous experience with social workers where I feel as a family my grandchildren were really let down and after meeting approx. 4 social workers over the last few years, when I met the new social worker, I was hoping and praying she was as good as my first impression of her was and I wasn't disappointed. She was always extremely honest with me as I believe she was with the children. I knew whatever the outcome of our case would be, it would be in the very best interest of the children because I felt that is how she made me feel from the very start. She kept me informed every step of the way. She had a very good relationship with the children and they trusted her as did I. She showed me she is a very caring person but always a very professional social worker. I cannot put into words the gratitude I have for all her hard work and effort. It must have been emotionally and physically exhausting for her. I am sure they already know how amazing she is, but I would like my appreciation noted.

2.9 Subject Access Requests

Section 7 of the Data Protection Act 2018 gives individuals the right to access the information we hold about them. When an individual asks to see what personal information we hold about them, this is known as a Subject Access Request (SAR). If an applicant is not satisfied with the information we provided to them in the first instance, they can request an internal review.

Subject Access Request by service area



Analysis

- Last year, we received 69 SARs, a slight increase from 64 in 2017/18.
- A total of four internal reviews were received this year.
- 54% of all the SARs received by this council last year related to our Children Social Services.

3 Work priorities for 2019/20

During the year 2019/20, the Complaints Team will focus on:

- Providing support and guidance to social care managers to ensure all complaints are dealt with correctly through either the statutory or corporate complaints process.
- Provide complaints and good customer care training
- Producing performance reports for senior managers that detail performance in line with our statutory and corporate targets.
- Producing weekly open case reports for senior managers to help them increase the number of complaints closed on time.
- Attend monthly senior manager meetings to highlight complex cases and those that are overdue so that they can be resolved quickly.
- To ensure our complaints webpage is kept up to date and accurate, and that young people and people with an impairment or disability can complain without any difficulty.
- Continue to work closely with NYAS whom, we meet with every six months to discuss open and/or complex cases.
- To produce a quarterly complaint learning report that identifies any action we need to take following the investigation of complaints during this period. To also ensure we can evidence any lessons we have learnt through investigating complaints and use this insight to try to stop complaints being received due to recurring service failure.
- Continue to work closely with the Ombudsman and ensure we respond to their enquiries in full and on time. To make sure we monitor all their recommendations, complete them properly and that evidence of this action is provided to them promptly.

If there is anything in this report which requires further clarification, please contact the complaints team at Complaints@bexley.gov.uk