

Children's Services Annual Complaints Report

April 2019 - March 2020

1. Introduction

This report examines complaints we received about our Children's Social Care Services from 1 April 2019 to 31 March 2020. Please note this report only covers our Children's Social Care Service and not Education and Services to Children. We dealt with most of these complaints 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 where we have good practice. This report shows the issues our residents and service users complained to us about, how we handled them, and how we tried to use them to improve our service delivery.

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 Children's Social Care Services.

1.1 Key points

- In 2019/20 we received 85 Stage 1 complaints, a 67% increase from the previous year when we received 51 Stage 1 complaints. We also responded to 68% of complaints on time this year, which was a slight decrease from 71% in the previous year.
- Out of the 85 complaints received, 23 (27%) progressed to Stage 2 of our complaints process, one progressed to Stage 3 and three (13%) progressed to the Local Government and Social Care Ombudsman (LGSCO).
- 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 40% of complaints we investigated, which is the lowest percentage in four years. Please see Section 2.3 for more information.
- Only 27% of all complaints progressed to Stage 2. This shows that we were able to resolve most complaints effectively at Stage One of our complaints process. Of the 23 complaints that progress, we changed or overturned our decision at Stage 1 on one occasion (35% of cases).

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 stages, they can escalate their complaint to the LGSCO.

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 council employee, or someone appointed 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 review the issues raised by the complainant and produce a report that determines if we are at fault on some, all, or none of the issues raised by the complainant. Their report makes recommendations about how we can provide a better and/or improve the service to the complainant. This includes putting forward proposals on how we can rectify any fault they have identified.

The finished report is then considered by our 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 must write to the complainant setting out their findings within 25 working days. The time can be extended however 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 the council. The panel considers the issues at Stage 2 and makes recommendations for the consideration of the Director of Children's Services. The Director reviews the recommendations and 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

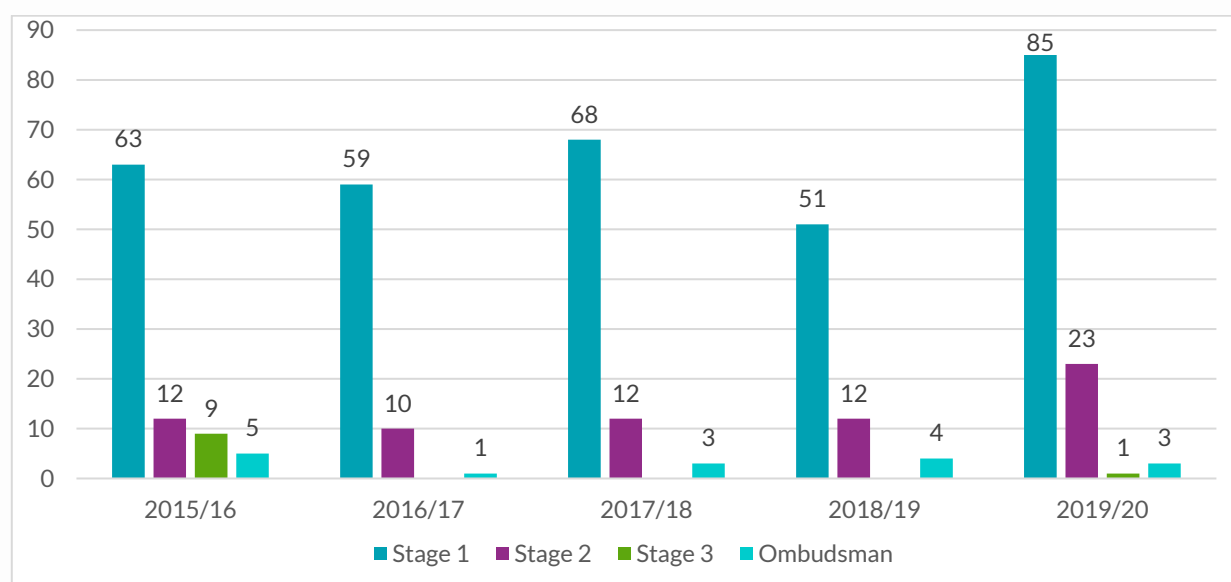
After Stage 3 is concluded, the complainant can ask the LGSCO to review their complaint if they remain dissatisfied. A complainant can also approach the LGSCO at any time in the process if they are unhappy with the way we are handling their complaint.

2. Complaints received

The table below provides a breakdown of the total number of complaints received from 1 April 2019 to 31 March 2020.

Type	Stage 1	Stage 2	Stage 3	Ombudsman
Corporate complaints	62	20	N/A	2
Statutory complaints	23	3	1	1
Total	85	23	1	2

The chart shows how this compares with the number of complaints we have received over the last five years.



Analysis

We received 85 Stage 1 complaints this year, which is a 31% increase on the average number of complaints received annually since 2015. The rise is attributed to services advising more families and children to air their grievances through our complaints process rather than attempt to deal with these problems at a local level.

The number of Stage 2 complaints also increased from 12 to 23 in 2019/20, which is almost doubled the annual average. The rise is partly due to the overall increase in Stage 1 complaints this year. For the second year running, we received four Ombudsman complaints, which is broadly consistent with the annual average.

2.1 Complaints by service area

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

- Children's Social Care and Safeguarding

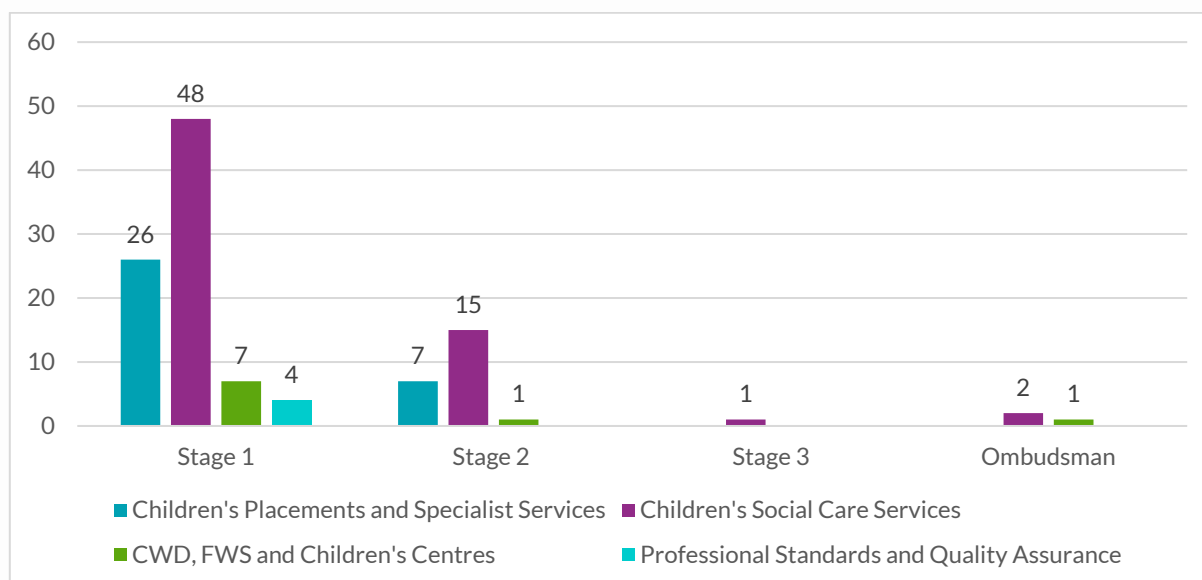
- Family Support & Child Protection
- Family Wellbeing & Think Family Services
- Mash & Assessment Teams

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 2019/20.

Complaints by service area

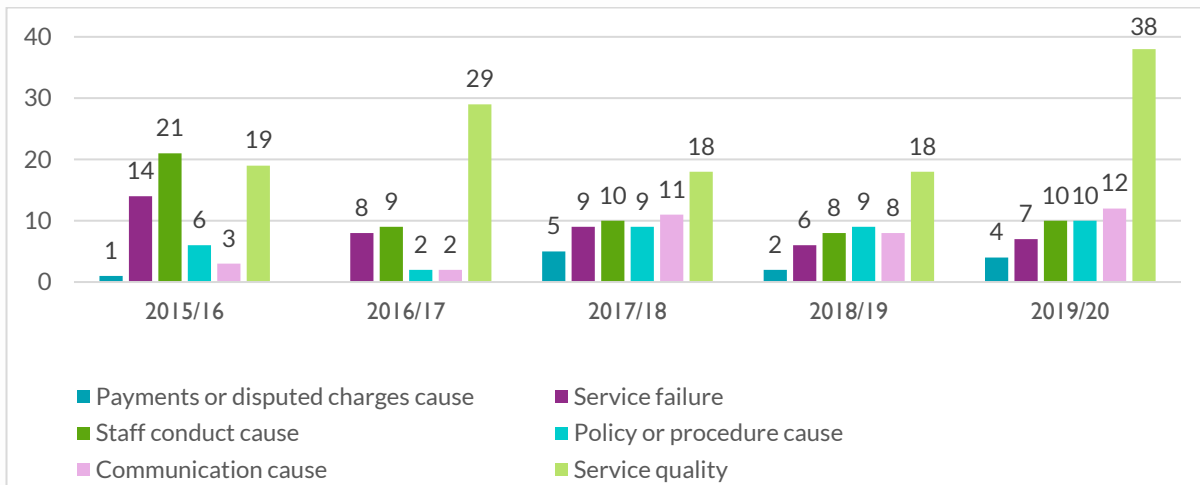


Children's Services received a total of 85 Stage 1 complaints last year. Our Children's Social Care Services received 48 of these, and 15 Stage 2 complaints. The reason for Children's Social Care Services receiving the highest number is due to this service carrying out initial assessments that have a significant impact on individuals who may be unhappy with the results.

Placements and Specialist Services received 26 Stage 1 complaints and seven Stage 2. The remaining complaints were received by CWD, FWS and Children's Centres and Professional Standards and Quality Assurance.

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 the table above. This is because it deals with complaints that were closed in 2019/20. The numbers differ due to the time it takes to log, investigate and respond to each complaint.



Analysis

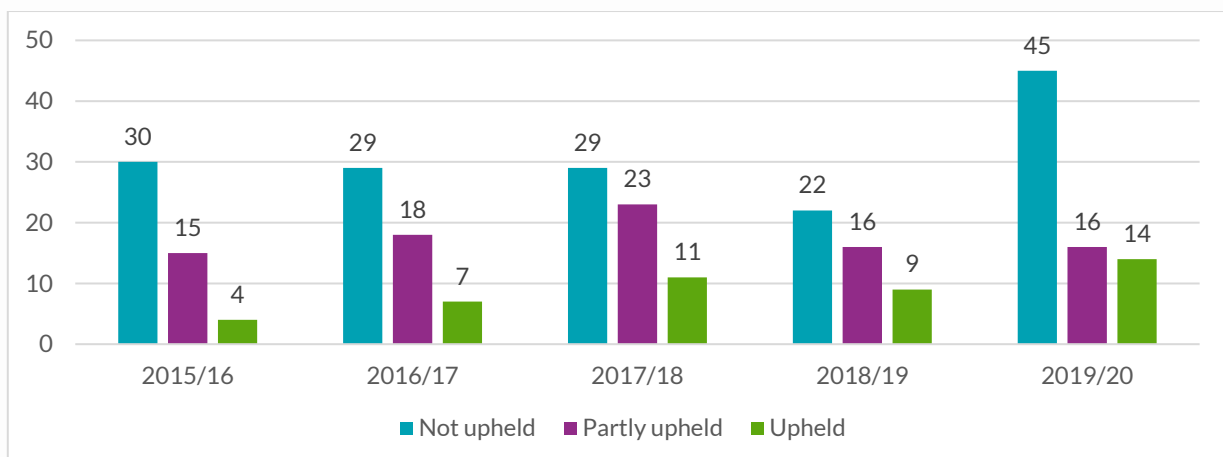
The table above shows that although the causes of complaints vary from year to year, the main cause of complaints relates to the quality of service. This is expected as this category covers a broad area of issues such as allegations of ‘insufficient service knowledge’, ‘poor record keeping’, ‘service not to the quality or standard expected’ and ‘incorrect information or advice given by an officer’.

Regarding the other complaints, 12 were due to poor communication and a further 10 were due to staff conduct. Another 10 complaints were about complainant’s failing to agree with our policy or because they felt that we had not followed our stated procedures. Seven complaints were about a breakdown in service and a further four were due to a dispute with a payment or a charge we had levied on the complainant or another service user.

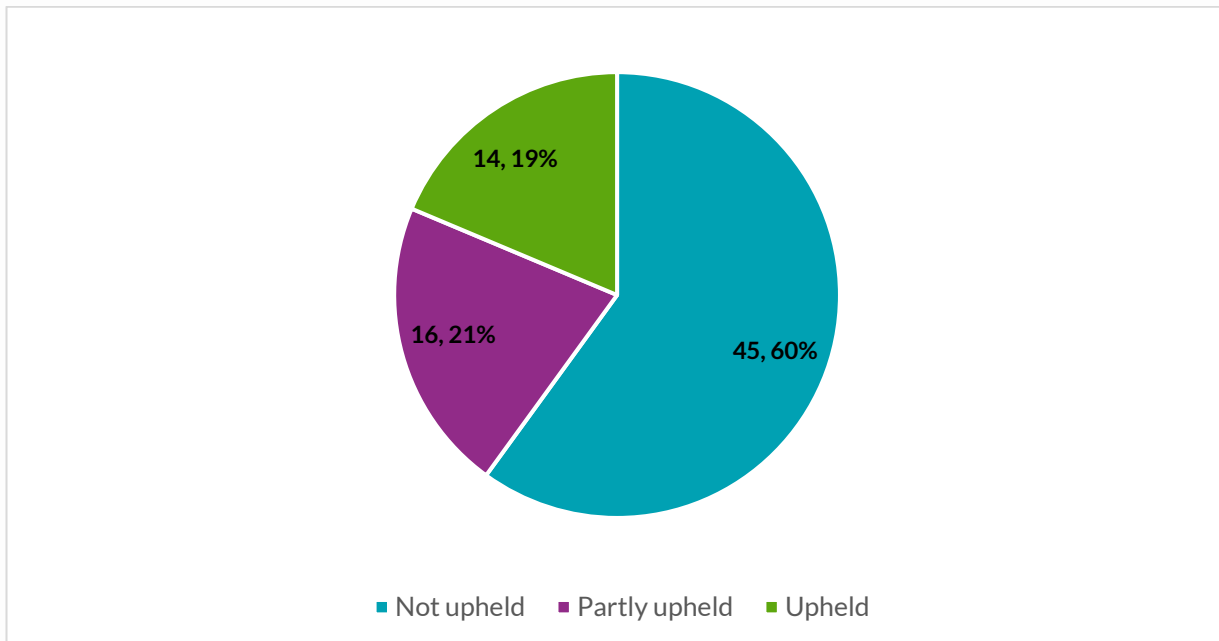
2.3 Complaint outcomes

The tables below show the breakdown of our complaint decisions over the last five years.

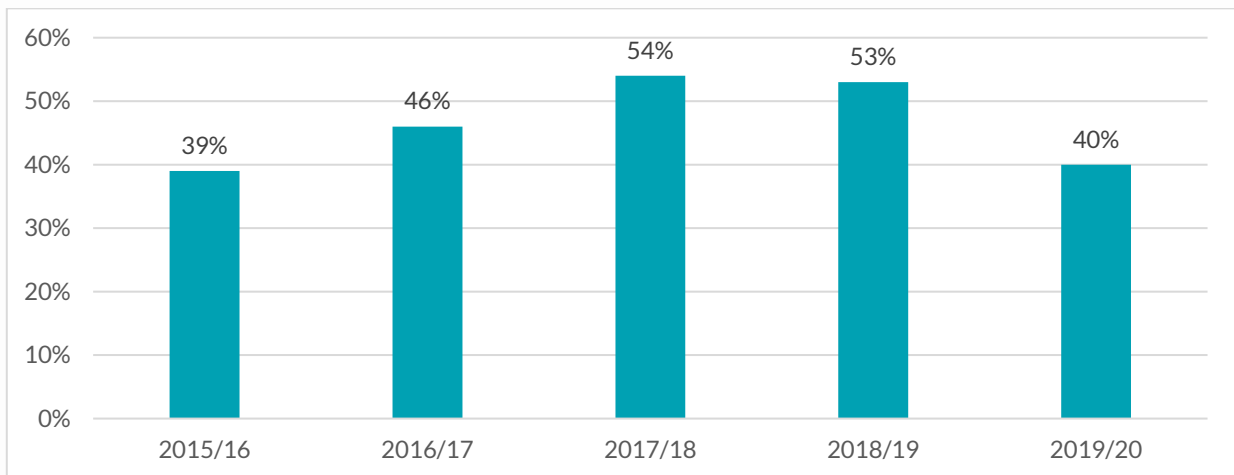
Stage 1 outcomes



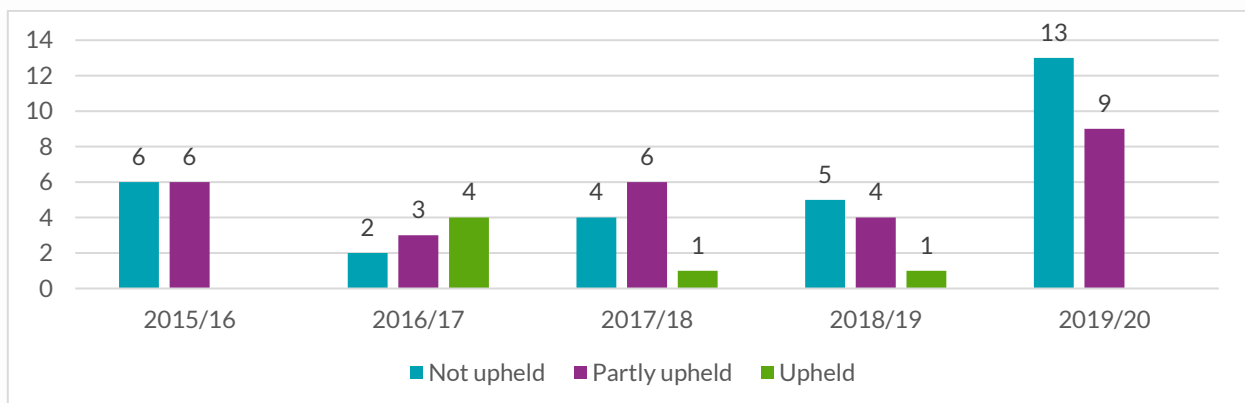
Stage 1 complaint decision outcomes 2019/20



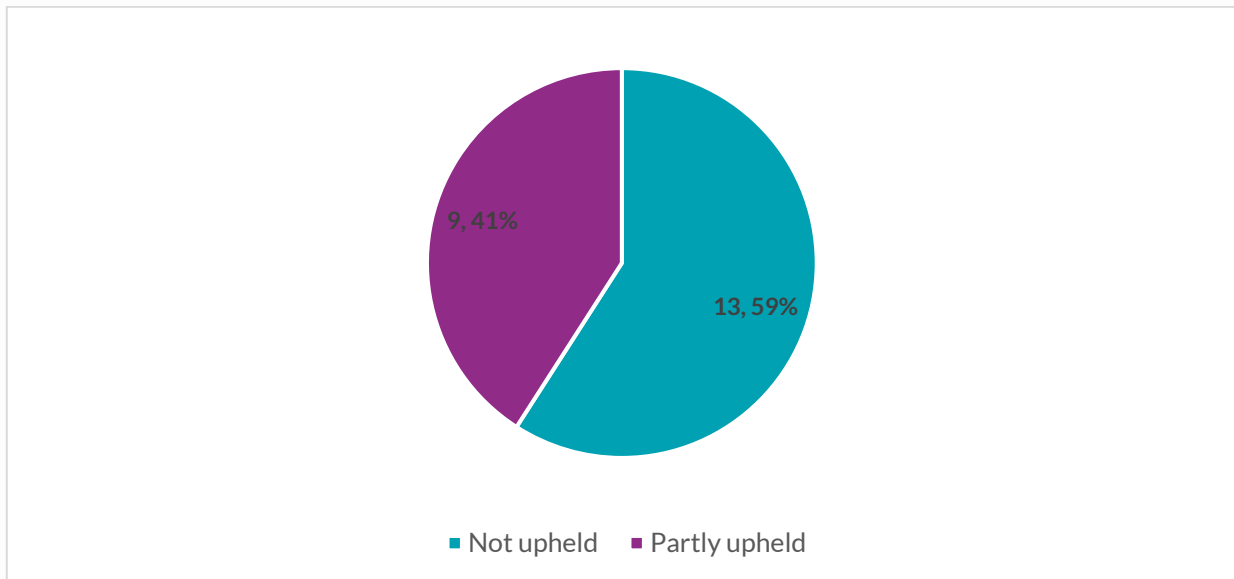
Percentage Stage 1 complaints where a fault with a service was found in the last five years



Stage 2 outcomes over the last five years



Stage 2 complaint decision outcomes 2019/20



Analysis

- The charts above show that we found fault in 40% of complaints we investigated at Stage 1 in 2019/20. Eight out of 23 (35%) decisions were subsequently changed or overturned at Stage 2.
- Only 27% of complaints progressed to Stage 2 of our complaint process. We think this demonstrates that we were able to resolve most complaints at the first stage of our complaints process by offering fair and reasonable resolutions.

Note, the figures above show the outcomes of complaints that were “closed” in 2019/20. This means some of the complaints may have been originally received in the previous financial year.

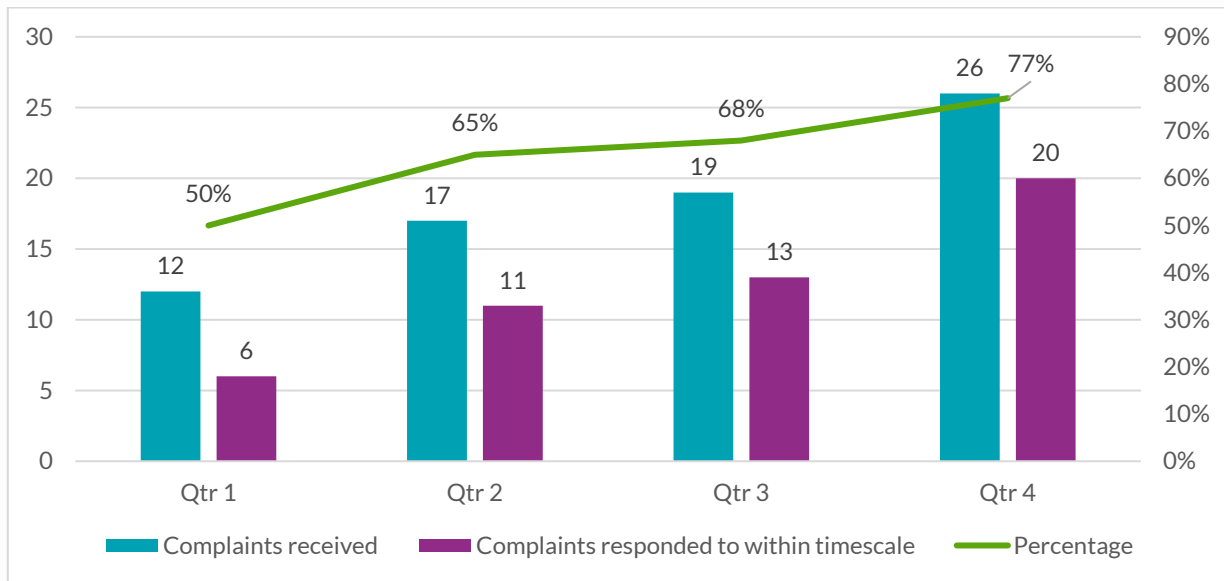
2.4 Complaint performance

The table below shows the total number of complaints received in 2019/20 and the percentage of Stage 1 complaints responded to on time.

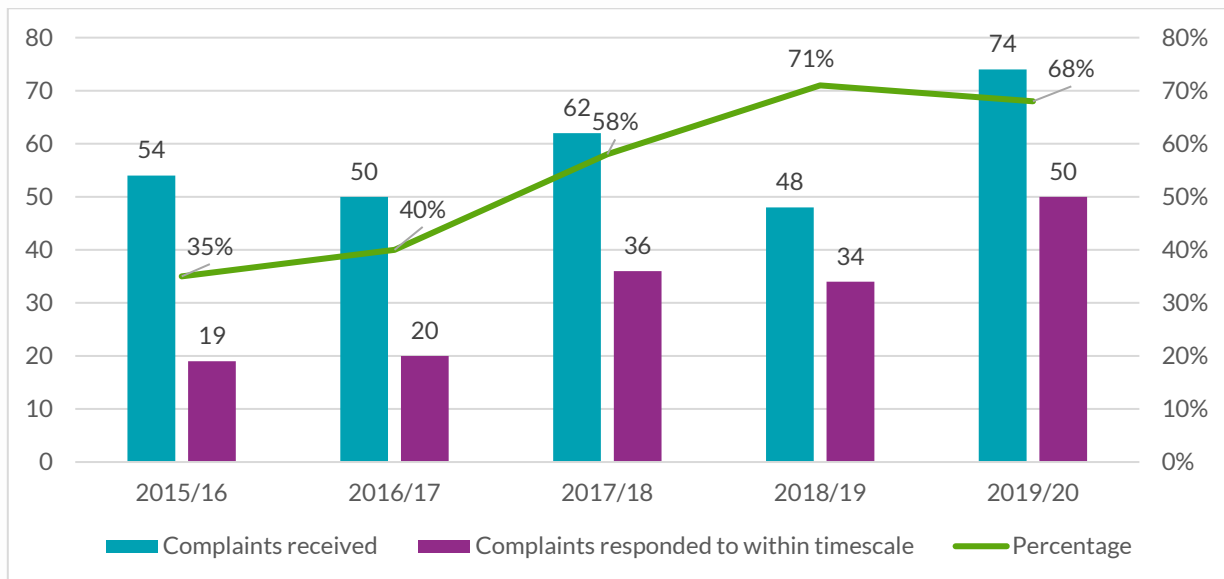
We dealt with 68% of Stage 1 complaints on time, which was a slight decrease of 3% from last year. Whilst performance decreased slightly, the table below shows it gradually improved as the year progressed.

The Complaints Team produce weekly open case reports to remind all services what complaints they have assigned to them and the deadline to reply. The reports provide an overview of all open complaints and flags 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 those that are overdue. The information is also used to produce more complex complaint reports for monthly leadership team meetings where service delivery and performance rates are reviewed.



Complaints dealt with on time over the last five years



Over the last five years performance has largely improved, despite a yearly increase in the number of complaints received. This is due to better reporting at all levels and more focus on completing complaints on time.

The table below shows the Stage 2 and Stage 3 complaint performance in 2019/20.

Type	Stage 1	Stage 2
Statutory complaints	80% (4/5)	100% (1/1)
Corporate complaints	83% (15/18)	N/A

*(4/5) means five complaints received and four responded to on time.

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 upheld and partly upheld complaints

We have a proactive and positive attitude to complaints. They offer a valuable insight into people's experience of our social care services as well as showing us what we do well and where we could improve.

We use complaints to improve the service we offer to our residents. We do this by regularly looking at individual complaints and by analysing complaint statistics, performance and themes. Remedial actions are recorded on our case management system for every complaint we uphold. We also encourage teams to have reflective discussions about complaint themes and present anonymised case studies in their staff meetings. This is because we believe that every mistake should be taken seriously, and that steps should be taken to avoid the same failure in future.

We continuously look to improve the way we handle complaints. Last year, we improved our complaint feedback form, which has enabled us to capture feedback about our complaints process more effectively. We also provided internal complaints training to all social care managers to ensure they are better able to respond to complaints. In addition, managers are now sent detailed complaints data every month. This allows them to quickly identify recurring themes or performance issues.

Key learning points identified in 2018/19

Four key issues identified in upheld complaints during 2018/19 were:

- record keeping and handling of personal information
- communication with families
- support provided to young people during their transition to adult services
- adoption and care leavers' entitlements

Key learning points identified in 2019/20

Four key issues identified in upheld complaints during 2019/20 were:

- record keeping and handling of personal information
- communication with families
- the service offered during the assessment and child protection process
- support offered to care leavers and foster carers

Analysis

In 2018/19, several actions were taken across Children's Social Care Services to prevent reoccurring complaints. By continuing to analyse closed complaints in 2019/20, we found that some themes from the previous year did not come up again. We believe this is likely to be because the service worked proactively to avoid repeat mistakes.

However, the action taken to prevent complaints about 'record keeping and handling of personal information' and 'communication with families' has not been as effective as we had hoped. As stated in

point 2.2 above, the number of complaints received this year has risen across all categories compared with the previous year. Most notably under 'service quality' (increase of 111%) and 'communication cause' (increase of 50%). It is also clear that 'record keeping' and 'communication' continue to be on-going issues across services.

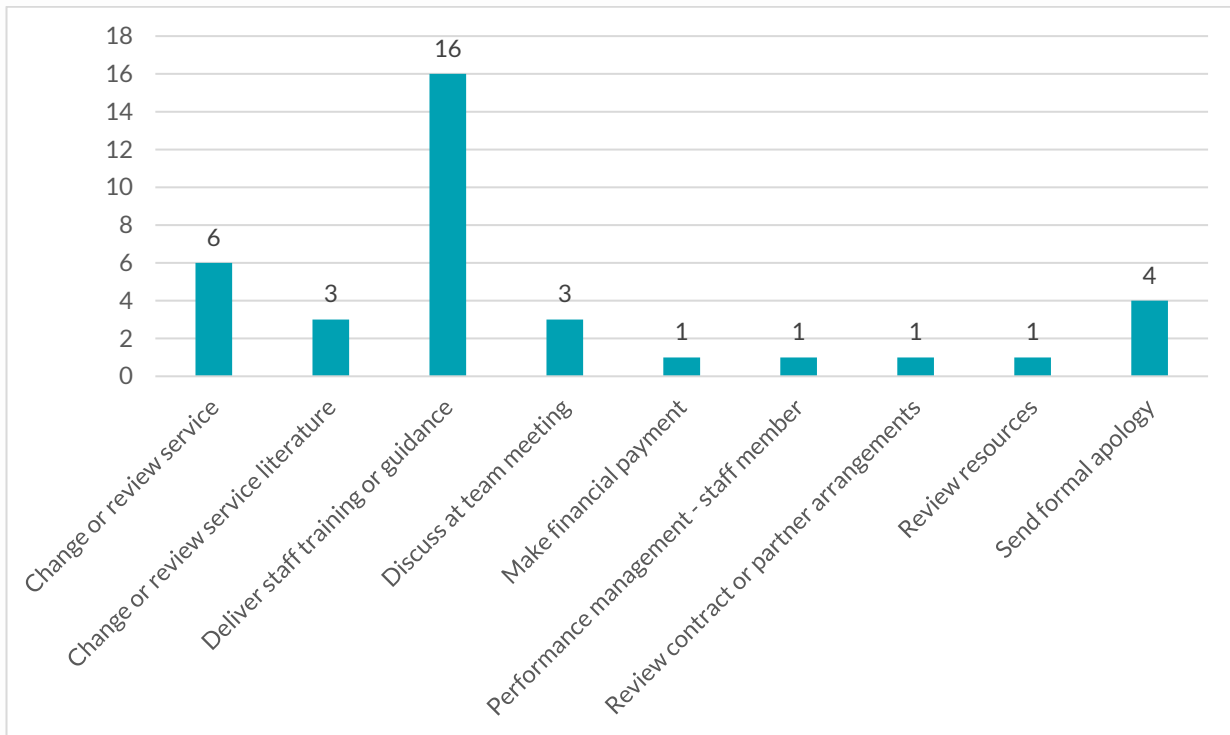
Throughout the year, the Complaints Team have continued to work with service managers and service areas to identify how we can improve service delivery to prevent complaints about the four key issues identified during 2019/20. Because of this, services identified various training opportunities and implemented several changes to improve their service delivery.

Key complaint learning

The table below outlines some of the learning identified from complaints upheld in 2019/20:

Service Area	Complaint learning
Record keeping and handling of personal information	<ul style="list-style-type: none"> • The template used when visiting families now sets out what conversations have taken place during a visit. • Report writing training made available to staff after some issues identified. • Data protection refreshers where required. • Training provided on recording case notes and staff required to update case notes within 24 hours to ensure current and accurate information is on file. • Social workers reminded to clarify whether statements are professional fact or their opinion in reports.
Communication with families	<ul style="list-style-type: none"> • Staff briefed on the importance of gaining parental consent and the need to obtain family collaboration • Staff reminded of the importance of customer service and responding promptly to enquiries. • We have put in place a MASH employee who focuses on relocating parents who have been evicted from their property. They also help to identify support in local communities. • We have put measures in place to ensure parents are kept informed about serious incidents, such as their child going missing from their temporary placement. • The CWD, FWS and Children's Centres service will explore communicating with families through the Summer Sizzler magazine.
The service offered during the assessment and child protection process	<ul style="list-style-type: none"> • We promised to share reports for Initial Child Protection Conferences at least three days prior to the conference. • We will ensure we speak to other services or professionals before relaying information to families, so they do not expect unrealistic outcomes. • We now have follow up meetings with schools following complaints about their activities.
Support offered to care leavers and foster carers	<ul style="list-style-type: none"> • Social workers will now complete the SNQ electronically, to ensure it is processed faster. • The Adoption Team have updated our contact arrangement form as it was misleading.

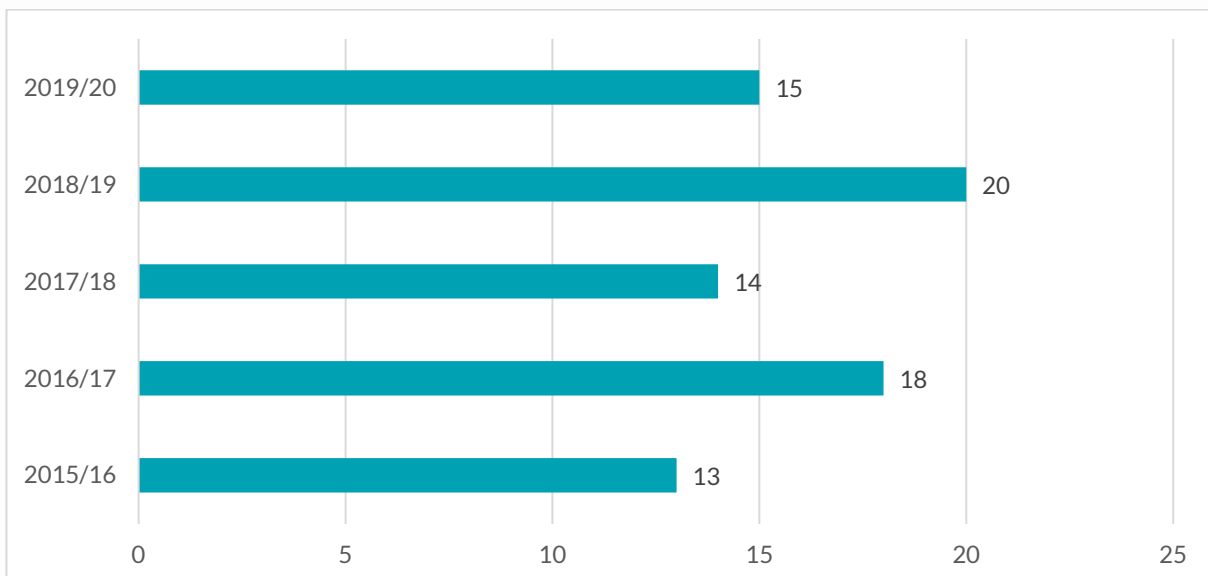
Corrective actions arising from complaints



The table above shows the various corrective actions we took after complaints were closed 2019/20.

2.6 Ombudsman complaints

The Ombudsman told us they received 15 Education and Children's services complaints in 2019/20. This report only covers our Children's Social Care service. This is because the Ombudsman does not separate their data into Children's Social Care and Education and Services for Children.



Ombudsman complaints received

In 2019/20, three complaints for Children's Social Care progressed to the LGSCO.

The Ombudsman found fault (maladministration and injustice) in two cases and no fault in the other.

Details of the three Ombudsman complaints are summarised below:

1. The complainant says we removed social care provision from his son's Education, Health and Social Care Plan (EHP) and then failed to formally amend the plan following the annual review as we should have done.

We accepted that we failed to meet a procedural requirement by failing to amend the EHC Plan on the back of the last annual review by not removing the social care short breaks provision from the EHC Plan. We apologised to the complainant and made a payment of £200 to acknowledge the frustration and avoidable time and trouble caused for having to complain to the Ombudsman resolve the matter.

2. The complainant (X) claimed that we (while investigating allegations that X's children may have been sexually abused) put restrictions on where X could live and on the level of contact the complainant could have with X's children. The complainant says we had no power to put such restrictions in place and did not make clear that the restrictions were voluntary.

We accepted that we were at fault for failing to explain to the complainant that the contact restrictions we put in place during our investigation were voluntary, because they were not supported by a court order. We apologised to the complainant and acted to improve our practice in the future. We did this by sharing the findings of the Ombudsman's decision statement with our social work staff and by reminding them to record parental agreements in writing. If they are not supported by a court order, we will explain to parents that these agreements are voluntary.

3. The complainant was unhappy about our refusal of X's request for overnight respite care for X's child at the school they currently attend. X said the respite options we were prepared to provide were not appropriate for the needs of X's children. Therefore, X had been caring for X's child without any support since May 2019.

The Ombudsman found no fault in the way the we reached its decisions about what respite to offer.

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 a 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.

3. Compliments received

Last year we received 39 compliments from the public, a small selection of these are below:

Placement and Specialist Services

"I just wanted to make you both aware of the great work Chloe has done on this case. We were in Court today for the final hearing and the judge was extremely complimentary of the social work that Chloe has done with this family and heaped praise on the local authority. In addition, the final evidence was of exceptional quality and Chloe really has helped this case run smoothly and result in the best outcome for the children. It's cases like this that really help build Bexley's reputation with the Court and other professionals"

"I know that you will be embarrassed somewhat with this e-mail as you are such a humble person and probably see most of the contents to be "part of your job", however I think that you go over and beyond your position and this is not always the case with other workers. So please keep reading. I want to start with saying thank you for all your support around ALM. With your communication, and regular contact we were able to work in partnership to best support the YP. I would like to make your manager aware of your availability even outside of your working time, you would make yourself available to guild or support me and my staff, which I am very grateful to you for..."

Children's Social Care Services

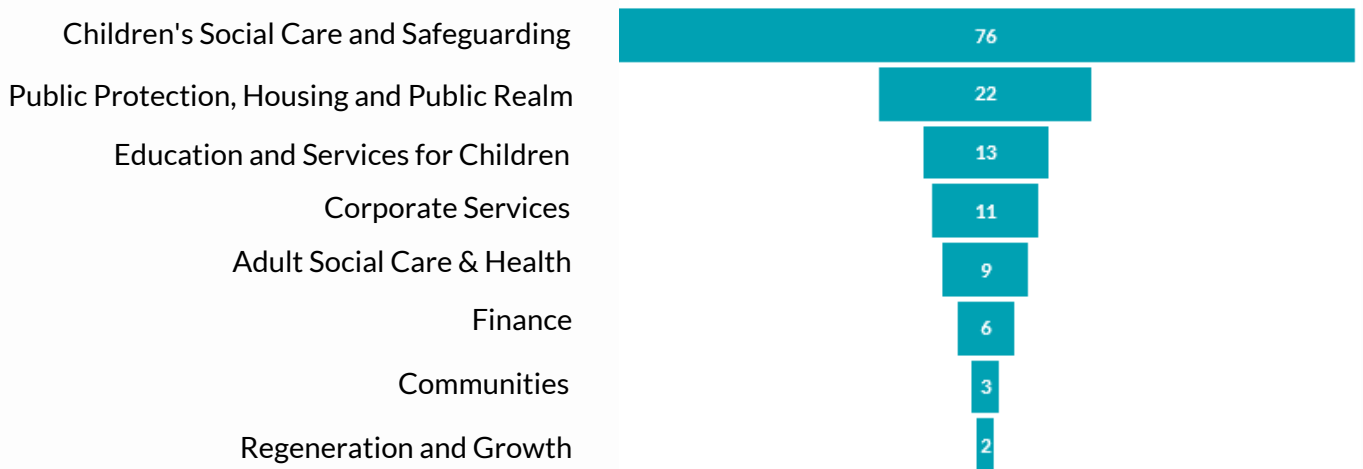
"It's hard to put in to words the gratitude I have and how much the past 2 years has meant to me. Being supported by Dawn has been invaluable to me and my family during this time and she is nothing short of amazing. Not only have I been supported by what I believe to be the best PA in Bexley, but I feel like I have made a good friend also. Although Dawn has a lot on her plate and I am sure too much at times she's has never failed to call me back or even answer the phone when I have needed a natter or some advice. Most importantly she has always been honest with me and to the point something that I personally appreciate".

"I would just like to commend your team on what a marvellous job they have done for my children. We were particularly impressed by Sherene who was professional, erudite and opened our eyes to what was really happening and helped us to put the pieces together. The fact that her shift ended at 6p.m. and she was still working on the case at 10p.m. is a testament to her commitment to the children in her care and frankly a joy for us given the experiences that we are going through and the negativity that one can so easily develop. The positivity that she exuded and insight into our needs as a family was stunning".

4. Subject Access Requests received

Section 7 of the Data Protection Act 2018 gives individuals the right to access information we hold about them. When an individual asks to see what personal information we hold, 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 for an internal review to take place.

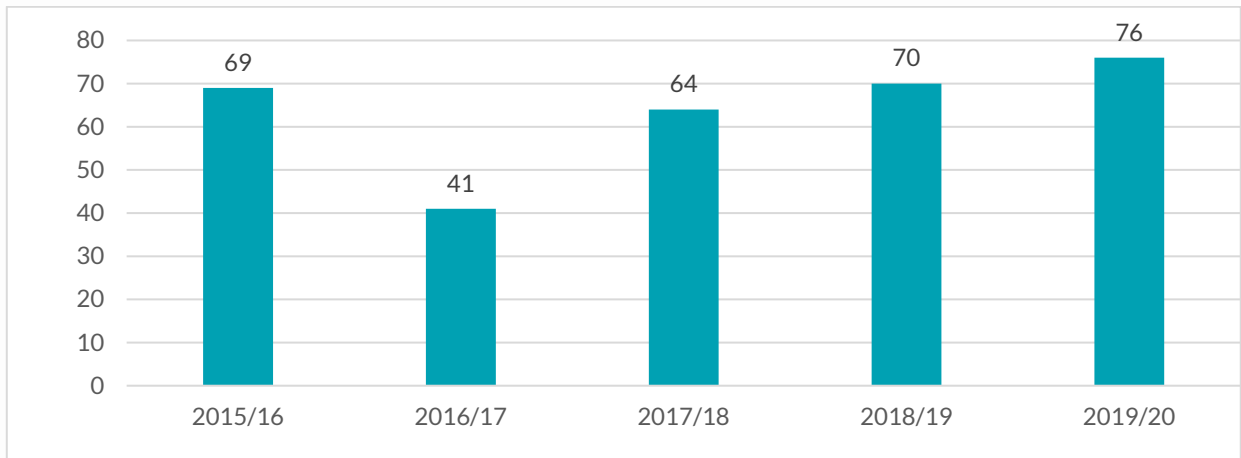
By service area



Analysis

- We received 76 SARs for Children Social Services, an increase from 69 in 2018/19. We believe this is due to heightened public's awareness of what they are entitled to see as a result of introduction of GDPR. This has resulted in an increase in the number of requests from individuals wanting to see what information the Council holds on them.
- Two internal reviews were received this year.
- 54% of all the SARs received by this council last year related to our Children Social Services.

The graph below shows SARs received for Children's Social Care for the last five years.



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