

TITLE:Children and Families Service - Annual Report on Services Complaints,
Compliments and Representations – 1 April 2017 to 31 March 2018

REPORT OF: Alison Routledge, Complaints Manager

SERVICE: Commissioning and Quality Assurance. Care, Wellbeing and Learning

SUMMARY

The Children Act 1989 Representations Procedure (England) Regulations 2006 sets out the procedure that Local Authorities have a responsibility to follow when a complaint is made about Children's Social Services. Regulation 13 (3) of this Act states that all local authorities must publish an Annual Report each financial year to identify the number, detail and outcomes to all complaints received. The information within this Annual Report fulfils Gateshead Council's obligations under this regulation and covers the period from 1 April 2017 – 31 March 2018.

1.0 The Statutory Complaints Procedure

- 1.1 This procedure is for all representations received from children and young people, their parents, foster carers or other qualifying adults about Gateshead Council's Children's Services.
- 1.2 There are three stages to the procedure:

Stage 1 - Local Resolution

Stage 1 complaints are investigated by operational managers. Complaints at this level are expected to be concluded within ten working days, with an extension of further ten working days, (with the agreement of the complainant), if necessary. The maximum time for a Stage 1 investigation is twenty working days.

Stage 2 – Investigation

Investigations at Stage 2 are conducted at arm's length to the operational service complained about, with full and formal reporting to the complainant by an Adjudicating Officer, (usually at Service Director level), within twenty-five working days, with extension up to sixty five working days if necessary.

Stage 3 – Review Panel

If there is any residual dissatisfaction with the outcome at Stage 2, the complainant can request that the issues are taken to a Review Panel, (Stage 3). A Stage 3 Review Panel must be requested within twenty working days of receipt of the Stage 2 investigation findings. A Stage 3 Review Panel is the final stage of the statutory complaints procedure.

2.0 Publicity and Information

- 2.1 Information about the complaints procedure can be made available in key languages and formats. Requests for information in these formats or from customers with sight or hearing impairment are provided via the Council's Communication Team.
- 2.2 There is also a leaflet for children and young people receiving a service. This leaflet was designed with help from the children and young people from One Voice, the Children and the Young People's Forum. The leaflet includes a pre-paid slip that can be completed and posted back free of charge.

click here to access complaints website

- 2.3 When young people are admitted into Local Authority care, part of the 20-day review requirements state that they are to be visited by the Council's Children's Rights Officer. The young person also receives a 'Welcome' pack', which includes information, leaflets and other guidance on how to make a complaint.
- 2.4 Children and young people are now able to use their smartphones or tablet computers to contact the services via Mind of My Own, (MoMo). MoMo is an app which allows the child or young person to comment on their service and if necessary, to raise dissatisfaction.
- 2.5 The Children's Rights Officer, Independent Visitors and Independent Reviewing Officers are important links between the child and the Complaints Manager and ensure that any issues of dissatisfaction are resolved at the earliest opportunity.

3.0 Advocacy and Special Needs

3.1 The purpose of advocacy in complaints procedures is to ensure that children and young people are given assistance when making or intending to make a complaint. Advocacy is about empowering children and young people to make sure that their rights are respected and that their views and wishes are fully considered and reflected in decision-making about their own lives. It is a legal requirement that any child or young person wishing to make a complaint must always be offered the services of an advocate.

4.0 The Independent Element

4.1 Under the complaints procedure, there is a requirement to provide Independent Persons for all Stage 2 complaints. There is currently a consortium arrangement with South Tyneside Metropolitan Borough Council and Sunderland City Council, which provides Independent People for Children Act 1989 complaints. There is also a requirement to ensure that Stage 3 Review Panels consist of three members who are fully independent of the Council.

5.0 Training and Employee Development

5.1 Training for Investigating Officers is undertaken on an annual basis. All investigating skills training courses are commissioned from the Local Government Ombudsman, (LGO). This ensures that investigating officers are trained to the Ombudsman's investigation standard with the focus being on swift resolution, proportionate investigations and appropriate redress. To ensure that all new managers within Children's Services are fully able to investigate complaints, a LGO Investigating Skills

Training Course took place in April 2017. 15 managers from across Children's Services and Children's Support Services attended the training.

5.2 The training was very successful and as such another training course will be arranged for October 2018. This training will ensure that all new managers within Children's Services are equipped with the skills to investigate and respond effectively to complaints at Stage 1 and Stage 2 of the statutory complaints procedure.

6.0 Complaint Recording & Resolution in Children's Residential Facilities

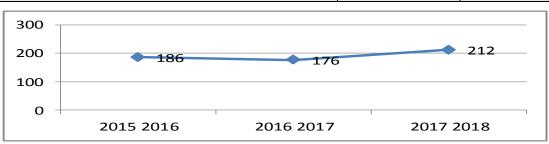
6.1 All children's residential homes have their own "in-house" complaints process to resolve low level concerns. Residential staff work with the young person and allow them to identify themselves how their issues can be resolved to their satisfaction. Information about low level concerns is retained within the facility and is available in the event of OFSTED inspections.

7.0 Equalities Monitoring

- 7.1 Gateshead Council recognises that equality monitoring of service delivery is crucial for effective planning and scrutiny of the services that it provides. This monitoring can identify which groups are using services and gauge their level of satisfaction. The information can then be used to highlight possible inequalities, investigate their underlying causes and address any unfairness or disadvantage.
- 7.2 Information about the complaints procedure can be made available in key languages and formats. Information for customers with sight or hearing impairment can also be provided.

All Representations	2015/2016	2016/2017	2017/2018
Stage 1 Complaints	37	32	49
Stage 2 Complaints	5	1	2
Stage 3 - Review Panels	1	4	0
Comments	Na	Na	2
Corporate Complaints	4	5	7
Complaint related queries	56	38	35
Data Issues / Breach	2	1	10
Insurance Claims	N/A	2	2
LGO Investigation	4	1	2
LSCB CP Unit	N/A	3	0
MP Referral	N/A	1	1
Compliments	77	88	102
Total	186	176	212
Trend %	-5%	-5.38	+20.45%

8.0 All Representations Received over the Past Three Years



8.1 A Representation is any formal comment made about Children's Services.

- 8.2 Representations may be general, dissatisfaction or complimentary but all are regarding the quality of the services that have been received.
- 8.3 The table and graph on page 3 shows the 20% increase in representations received during 2017/18.
- 8.4 The number of formal complaints received increased by 53% since 2016/17
- 8.5 However, as representations also include compliments, the rise in the number of representations received during 2017/18 is, in part, due to the increase in the number of compliments received about the quality of the services or individual staff within Children's Services.

9.0 Stage one complaints

Stage 1 trend	2006 2007	2007 2008	2008 2009	2009 2010			2012 2013					
	22	32	18	10	19	29	36	34	45	37	32	49
%		45	-44	-44	90	53	24	-6	32	-18	-14	53

9.1 Key Points of Interest

- The number of formal contacts received, which include compliments, regarding Children's Services increased by 20% compared with the number of contacts received during 2016/17.
- During 2017/18, 48% of all Children's Services contacts were compliments.
- Forty nine Stage 1 complaints were received regarding Children's Services. This is a 53% increase on complaints received during 2016/17, (32).
- The number of complaints, (49), represents 23% of all formal contacts received about Children's Services during 2017/18, (212).
- Stage 1 Complaints increased by 53% since 2016/17.
- The number of complaint related queries (low level issues not requiring a written response), received decreased by 8% (35) compared to the number received during 2016/17 (38).
- The decrease in complaint related queries may partly be responsible for the increase in formal complaints received, with complainants now preferring a written response to their concerns.
- 23% (8) of the complaint related queries received were regarding the quality of the social work support offered to families of children receiving a service and 14% (5) were disputes to information within social work reports.
- As in previous years, the main theme of concern raised within complaint related queries was about the quality of the support provided by either the individual worker or by the service.
- All of the low level issues received were dealt with directly by either the team manager of the service complained about or by the Complaints Section after prior discussion with the worker concerned.

9.2 Key Themes of Complaint

9.2.1 After full consideration of all Stage 1 complaints received during 2017/18, two key themes of dissatisfaction have been identified.

1. Quality of Service - Quality of Worker Support / Involvement

Quality of services provided continues to attract the largest number of complaints. Complaints about quality cover a number of areas and can range from low level disputes to significant concerns about the actions or decisions of the services involved.

During 2017/18, 73% (36) complaints received were regarding quality issues, with 41% of the complaints citing the support provided by the social worker or service as their main concern.

After further analysis of the complaints received, it was again found that families of children receiving a service may often misinterpret the reasons for the social work involvement and can, in some cases, assume that the social worker is allocated to address their own personal needs rather than the needs of the child. Social workers are always mindful of the requirement to consider the whole family unit whilst undertaking assessments or providing services, but their main concern should always remain the wellbeing of the child or children concerned.

Following investigation, only one of the complaints received regarding social work support was justified. Five complaints were found to be partially justified, but the findings from fourteen complaints evidenced that the issues raised had been completely unjustified.

2. Quality of Service – Communication Issues

Effective and timely communication is key to maintaining relationships with parents or carers as this often encourages families to work with the social worker and with any plans or assessments that are developed. Good communication can also help to resolve any minor issues that may arise at the time, which then averts the need to invoke the formal complaints procedure.

During 2017/18, 20% (10) of all complaints received cited lack of or poor communication from either the social worker or the service involved. However, after investigations were carried out, only 30% (3) of complaints were found to be fully justified.

It is understandable that families who are involved with Children's Services may wish for ongoing and regular communication with the worker concerned as they are often anxious about what actions may be taken. However, the level of communication that is often requested by various family members may not be sustainable and workers can struggle with continuous requests for information regarding the child / children's case. Despite this, workers should, where possible, continue to provide updates for significant family members as this can often alleviate some of the stress that the families may be feeling.

To ensure that workers are reminded of the need for effective and timely communication, team managers should regularly raise this matter within their own team meetings and with individual staff members. Team managers should also reiterate the importance of dealing with significant family members only and not with those who do not have a right to the child / children's personal information.

When dealing with families who are difficult to contact, team managers will also remind their staff to consider alternative means of contact, such as text messaging or emails. Workers should always check whether the family member concerned has any specific sensory needs which may inhibit communication.

9.3 Specific Areas of Complaint

Service Area	2015 2016	6	2016 2017	7	2017 2018	
Children with Disabilities	6.67%	3	0.00%	0	10.20%	5
Looked After Children Team	13.33%	6	18.75%	6	8.16%	4
Family Group Conference	0%	0	3.13%	1	0%	0
Fostering & Adoption	0%	0	6.25%	2	8.16%	4
Out of Hours Duty Team	2.22%	1	0.00%	0	0.00%	0
Referral & Assessment	13.33%	6	18.75%	6	24.49%	12
Safeguarding, Care Planning	44.44%	20	53.13%	17	46.94%	23
Safeguarding Children Unit	2.22%	1	0.00%	0	2.04%	1
Total		37		32		49

- 47% (23) of all complaints received were in respect of services provided by the Safeguarding and Care Planning Teams.
- The majority of children receiving a service are allocated a social worker from the Safeguarding and Care Planning Teams and as such, dissatisfaction with aspects of the service can be envisaged.
- After investigation, only 13% (3) of all complaints about the Safeguarding & Care Planning Teams were upheld.
- 24% (12) of complaints were regarding the services provided by the Referral and Assessment Team. This is a 50% increase on the number of complaints received during 2016/17, (6).
- The key theme identified from the complaints about the Referral and Assessment Team was disputes to information included with social work reports, which accounted for four of the complaints received.
- Where it is found that the information is factually incorrect, this can be amended. However, any differences to opinion can only be noted on the child / children's case file.
- It should also be noted that during 2017/18, 1889 referrals were received by the Referral and Assessment Team. This means that only 1% of referrals had resulted in a formal complaint.
- 10% (5) of complaints were about the Disabled Children's Team. The majority of issues raised were disputes after an assessment of social care needs. Two of the complaints received were regarding issues with allotted budgets via direct payments. As a resolution to the complaints regarding budgets, the child / children concerned underwent an assessment review.

Main Complaint Issues	2015 2016 2016 2017		7	2017 2018		
Delay	2.70%	1	0.00%	0	0.00%	0
Lack of Service	16.22%	6	0.00%	0	16.33%	8
Quality of Service	40.54%	15	59.38%	19	73.47%	36
Refusal of Service	0.00%	0	0.00%	0	0.00%	0
Staff Issues	40.54%	15	40.63%	13	10.20%	5
Total		37		32		49

- Only 10% (5) complaints received during 2017/18 were regarding allegations of inappropriate staff conduct. This is a decrease of almost 62% on the number received during 2016/17, (13).
- After investigation, 60% (3) of the five complaints received were not upheld and 40% (2) were partly upheld.
- Where there is evidence that workers have acted inappropriately or failed to follow processes or procedures, the matter is always addressed directly with the member

of staff concerned and appropriate measures are then taken to reduce the risk of any similar situations occurring.

- Quality of Service remained the key theme of all complaints received. Almost 74% (36) of complaints received were regarding the quality of the services provided.
- Quality of service includes:
 - Missed or late contact visits;
 - Contact visits that are cancelled at very short notice;
 - Conflicting or incorrect information by workers;
 - Allegations of poor support from the services involved in individual cases;
 - Poor communication between the workers and family members.
- After investigation, only 8% (3) of complaints regarding quality of service were upheld.
- 20% (10) of complaints were regarding the standard of communication with families of children receiving a service.
- After investigation, 50% (5) of complaints about the quality of communication were found to be unjustified. 30% (3) were fully upheld and 20% (2) were partially upheld.
- Where it had been evidenced that communication had been poor, team managers always ensure that the reasons are discussed with the social worker concerned. If necessary, measures can be put in place to help the social worker to improve communication where appropriate.
- Almost 41% (20) of the complaints received were regarding the standard of social work support provided to individual families.
- After investigation, 70% (14) of the complaints regarding social worker support were not upheld, 25% (5) were partially upheld and only 5% (1) was fully upheld.

Method of Complaint	2015 202	16	2016 2017		2017 2018	
Complaint Form	8.11%	3	6.25%	2	12.24%	6
E - mail	29.73%	11	21.88%	7	26.53%	13
Children's LAC Leaflet / MoMo	0.00%	0	3.13%	1	4.08%	2
Letter	32.43%	12	25.00%	8	26.53%	13
Personal Visit	8.11%	3	9.38%	3	8.16%	4
Telephone	21.62%	8	34.38%	11	22.45%	11
Total		37		32		49

9.4 Methods of Complaint

- Email and letters continue to be the main method of complaint referral accounting for 53% (26) of complaints. This is a 73% increase from the number of complaints received by email and letter during 2016/17, (15). Emails and letter tend to raise a number of complex issues regarding various services. After consideration of the increase in written complaints, it may be that this may be due to the complainant ensuring that a written record of their complaint is made and that they wished to ensure that all of their concerns had been included.
- Complaints brought by relatives of children receiving a service accounted for 88% (43) of complaint referrals.

9.5 Complaints and Concerns direct from Looked after Children

• Five complaints were received from young people. Four were from children / young people receiving a service and one was from a previously looked after young person.

- This is an increase from the three complaints received during 2016/17.
- One of the complaints received was via the MoMo (Mind of My Own) app.
- After investigation, only one complaint was partially upheld and four were found to be unjustified.
- One low level issue was also received from a looked after young person regarding the support provided when moving into new accommodation. This issue was resolved by the social worker concerned.

9.6 Timescales and Outcomes

Complaints Resolved within 20 Working Days	2015 2016	2016 2017	2017 2018
Resolved	19	15	20
Not Resolved	16	17	29

- The statutory timescales for resolution is ten working days. This can be extended to twenty working days with the complainant's agreement.
- Eight complaints were completed within ten working days.
- This means that only 17% of complaints responded to had met the statutory timescale of ten working days.
- Twenty complaints were completed within twenty working days.
- This evidences that only 43% of complaints met the extended timescale of twenty working days.
- Twenty nine complaints, (which includes the two complaints that are outstanding), had not been completed within twenty working days.
- Where a complaint is not responded to within ten or twenty working days, the complainant has the legal right to request that their complaint is considered at Stage 2 of the complaints procedure.
- It is a statutory duty to respond to complaints within the prescribed timescales. The service will need to consider how response timescales can be improved.

Outcomes of all categories of complaints	2015 20 ⁻	16	2016 2017		2017 2018	
Outstanding	0		2		2	
Closed or withdrawn	14.29%	5	3.13%	1	2.13%	1
Not upheld	34.29%	12	43.75%	14	55.32%	26
Partially upheld	40.00%	14	50.00%	16	31.91%	15
Upheld	11.43%	4	3.13%	1	10.64%	5
Total		35		32		49

- In 2017/18, 55% (26) of complaints were not upheld after investigation. This is a 86% increase on the number of complaints upheld during 2016/17, (14).
- The number of complaints found to be unjustified evidences that the workers involved had acted appropriately and in line with guidance and procedures.
- Almost 32% (15) of all complaints were partially upheld.
- Complaints that are partially upheld often include a number of varied issues. After investigation, it may be that some of the elements of complaint, such as poor

communication, delays in arranging contact or missed visits may be felt to be justified, but the primary issue had been found to have been unjustified.

• In each case where it is found that there had been some fault by the service, the complainant will always receive a written apology within their response letter.

10.0 Stage 2 and 3 Complaints

	2015 2016	2016 2017	2017 2018
Stage 2 Complaints	5	1	2
Stage 3 Review Panels Held	1	4	0

- Two complaints were registered at Stage 2 of the Complaints Procedure during 2017/18.
- This is a 50% increase from the numbers of Stage 2's received during 2016/17, (1).
- One of the Stage 2 complaints received was around the quality of the child protection processes and the internal management of the child protection conferences. The complainant also raised issues around discrimination.

The complaint was considered by an external investigating officer. The external investigating officer was accompanied throughout the investigation by an external independent person, which is in line with the requirements of the Statutory Complaints Procedure. Following a full and thorough investigation, the complaint was found to be partially justified.

The investigating officer had felt that there were areas where it had been evidenced that the level of service provision could have been improved upon. However, the investigating officer did not find any evidence of discrimination by the workers involved.

As an outcome to the complaint, the investigating officer had recommended a number of changes to the service practices and processes. One of the recommendations identified was that the service should always ensure that child protection reports are received by family members in a more timely manner. This will allow family members time to be able to consider the contents of the report and to provide them with the opportunity to raise any queries beforehand.

All of the recommendations were considered and subsequently agreed by the services concerned and implemented immediately. The complainant also received a full apology for any injustice that had been caused.

• The second Stage 2 complaint was regarding a number of areas within Children's Services. It also included elements relating to the Council's Benefits Team along with services provided by The Gateshead Housing Company.

The complaint was fully investigated and found to be unjustified. The complainant had requested significant compensation as an outcome to the complaint, so the complainant was advised of their right to submit a claim to the Council's Finance and Risk Team.

As the complaint had taken some time to complete, the complainant received a separate letter of apology for the delay in responding to the complaint.

- All improvements from Stage 2 investigations are included within this report.
- There were no Stage 3 Review Panels during 2017/18.

11.0 Complaints from BAME Community

- 11.1 During 2017/18, four Stage 1 complaints and one Stage 2 complaint were received from members of the BAME community.
 - One of the Stage 1 complaints received was from a looked after young person.
 - After investigation of this complaint, it was found that the workers had offered appropriate support and as such the complaint was not upheld.
 - Two complainants were offered an assessment review, which resolved the issues complained about.
 - One complaint was partly upheld and an apology was offered.
 - Two compliments were received from members of the BAME community.

12.0 Learning from Complaints

- 12.1 At the end of every investigation the investigating officer is responsible for identifying any improvements or recommendations resulting from the complaint. Changes can include policy, procedure or staff development.
- 12.2 Complaints about individual practice or failure to follow procedures are dealt with by reinforcement of processes and reiterating customer care standards through service / team meetings or individual supervision sessions. In addition to this, if it is felt that additional or refresher training is required for either workers or teams, this will be progressed by the relevant team manager.
- 12.3 In all cases, if it is found that an employee has deliberately acted inappropriately or maliciously, the issue will be dealt with in line with internal employment procedures. During 2017/18, no complaint about staff conduct had resulted in any formal employment action against an individual worker within Children's Services.

Improvements to service identified as a result of a complaint:

- A Review of the internal procedures for the Safeguarding Children Unit (SCU) has taken place. The procedure now instructs Senior Safeguarding Clerks to verify information shared within child protection conferences in respect of family members before it is recorded within child protection minutes.
- The Safeguarding Children Unit now use the contact information provided by family members on the attendance sheet, to check alongside the child's electronic records. This will ensure that all child protection plans and minutes are sent to the correct address to maintain confidentiality.
- The Safeguarding Children Unit also ensure that information regarding change of addresses, which has been provided by family members, is used to update the child's electronic records.
- The Safeguarding Children Unit have reviewed and refreshed the Conference Agenda to include a section which prompts Senior Clerks to confirm factual information in relation to current addresses, post codes and dates of birth. In also prompts staff to confirm information in relation to any GP's that are involved with the child or significant others.

- A number of recommendations were made in respect of a complaint from a looked after child. Although these were specific to the child's case, it did highlight that social workers should ensure that they listen to the views of children / young people and, where necessary, assist them to formally raise concerns.
- That all workers should be sensitive of the way they explain any decisions taken when speaking to families of children receiving a service. They should also understand how the situation may affect those who are experiencing mental or emotional issues due to the challenging situation.
- If families of children receiving a service are agreeable, the service could ensure that they are informed of any significant information or health appointments relating to their child by either text or email.
- Procedures have been reviewed by the Adoption Team, which will ensure that as soon as information is known about a birth family member's death that it is shared with adoptive parents. This will be done initially by telephone and if no reply is gained then a home visit will be made.
- That when potentially distressing information needs to be shared with family members, consideration should be taken by the worker to ascertain the best way to share this with them. Unplanned telephone calls should be avoided and consideration given to meeting with the family member to share the information in person where possible.
- The processes and procedures within the Disabled Children's Team are being reviewed to ensure they provide an efficient, effective and children focused service. In particular, the service should develop a clear Appeals Process and ensure that this is included within the Disabled Children's Team Panel Terms of Reference.

13.0 Compliments

- 13.1 There was a 16% increase in all compliments received, (102 from 88). During 2017/18 48% of all representations about Children Services were compliments.
 - Twelve compliments were regarding the Adoption Service;
 - Four compliments were in respect of the services provided by the Fostering Team;
 - Twenty compliments were regarding the Children with Disabilities Services including Grove House Children's Respite Facility;
 - Twenty three compliments were regarding the Safeguarding and Care Planning Teams;
 - Ten compliments were regarding the Referral and Assessment Team;
 - Five compliments were regarding the Looked after Children Team;
 - Compliments were also received regarding the Children' Early Help Service, with the Individual Domestic Violence Team receiving twenty four compliments about the quality of the service provided.

13.2 Examples of compliments received

Adoption Team

A big massive thank you for everything you have done for us. You have been amazing!! We could not have asked for better support!

• Independent Reviewing Officers

Just a quick note in respect of a CP meeting, my child was extremely anxious as was I. However, your calm supportive attitude went a long way to making a difficult and emotional meeting bearable.

Referral and Assessment Team

When social services got in touch I was so scared I was going to lose my children and when an incident happened and they turned up at my front door I thought this is it my children are getting taken away from me but this wasn't the case, my social worker has been an absolute life saver she has brought me and my children closer together

• Safeguarding & Care Planning Teams

Just a quick thank you for everything you've done for me and the kids. I really appreciate it all. You know I struggle to trust people easily but you made it easier for me, so thank you.'

• Looked After Children Team

'I'd like to thank you for all the support you have gave me over the few years I've known you, it's much appreciated.

• Fostering Team

Thank you for all of your hard work in sorting out payments and for helping to keep the children's placement going.

14.0 Conclusions

- 14.1 Complaints about Children's Services increased by 53% (49) in comparison with the number received during 2016/17, (32). However, during 2017/18, there were 2,797 children receiving a service. This means that 98% (2748) of those who currently have social work involvement have been satisfied with the support offered by either the individual workers or teams within Children's Services.
- 14.2 Only two complaints moved to Stage 2 of the Procedure. This means that 96% (45) of complaints had been resolved at Stage 1, (two complaints remain outstanding).
- 14.3 Quality of services provided continues to attract the most complaints about Children's Services. The majority of the issues raised within complaints about quality were around the support offered by the service or the worker concerned.
- 14.4 It must be noted that complaints are inevitable when social workers, whose responsibility is to the child / children to whom they have a legal duty to protect, have develop and maintain relationships with the families concerned. to Misunderstandings about the role and remit of a Children's Services social worker is common, especially when family members ask social workers for support with personal issues which are not linked to the services involvement. In cases where the request for personal support is refused, the family member can feel wronged and as result, may then submit a formal complaint.
- 14.5 To facilitate easy feedback about their services, Children's Services ensure that publicity about complaints and compliments is available in public areas and that it is made available to all families receiving a service. It is also evident that the services are generally well received as during 2017/18, 48% of formal representations about Children's Services were compliments.

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