

TITLE: **Children and Families Service - Annual Report on Services Complaints, Compliments and Representations - April 2019 to March 2020**

REPORT OF: Alison Routledge, Complaints Manager

SERVICE: Quality Assurance and Commissioning (Gateshead System), Children, Adults and Families

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 (1 April to 31 March) 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 2019 – 31 March 2020.

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

Operational managers investigate stage 1 complaints. 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 complaint's procedure.

2.0 Publicity and Information

- 2.1 Information about the complaint's 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.
- 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. Mind of My Own is an app which allows the child or young person to comment positively on the service they receive but 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 complaint's 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 & Social Care Ombudsman, (LG&SCO). 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.
- 5.2 An LG&SCO Investigating Skills Training Course took place in November 2019 and several Managers across Children's Services attended the course. Feedback from the course was positive. As there are a number of new managers within Children's Services, it is anticipated that the LG&SCO Investigating Skills training course, focussing on Children's Services complaints, will take place in November 2020.

6.0 Complaints from Children in Residential Facilities

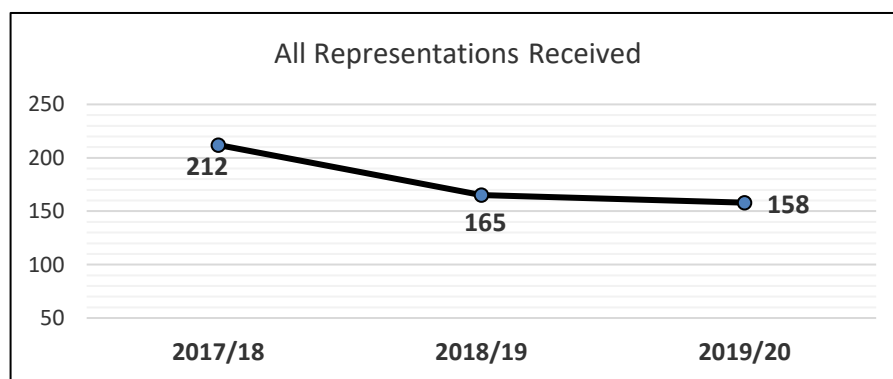
- 6.1 All children's residential homes have their own "in-house" complaints process to resolve low level concerns. Residential staff work with the young person and allow them to identify themselves how their issues can be resolved to their satisfaction. Information about low level concerns is retained 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 inequalities, investigate their underlying causes, and address any unfairness or disadvantage. However, as complainants tend to be from relatives, it is not possible to collect this information with any accuracy as diversity forms, which were sent out to complainants, were, in most cases, not returned.
- 7.2 Information about the complaint's procedure can be made available in key languages and formats. Information for customers with sight or hearing impairment can also be provided on request.

8.0 Complaints & Representations Received

Representations	2017/2018	2018/2019	2019/2020
Stage 1 Complaints	49	40	35
Stage 2 Complaints	2	3	2
Stage 3 - Review Panels	0	1	0
Comments	2	0	3
Corporate Complaints	7	2	2
Complaint related queries	35	38	27
Data Issues	10	3	10
Insurance Claims	2	2	1
Inter-Agency Concerns	0	1	0
LGO Investigation	2	1	3
CP Unit	0	0	0
MP / Councillor Referral	1	1	4
Total	110	92	87
Compliments	102	73	71
All Representations Received	212	165	158
Trend		-22.17%	-4.24%



Stage 1	2008 2009	2009 2010	2010 2011	2011 2012	2012 2013	2013 2014	2014 2015	2015 2016	2016 2017	2017 2018	2018 2019	2019 2020
	18	10	19	29	36	34	45	37	32	49	40	35
%	44%	44%	90%	53%	24%	6%	32%	18%	14%	53%	18%	13%

8.1 Key Points of Interest

- The number of formal contacts received, including compliments, about Children's Services decreased by 4% (158) compared with the number of contacts received during 2018/19, (165).
- During 2019/20, 45% (71) of all Children's Services contacts were compliments.
- Children's Services received 35 Stage 1 complaints during 2019/20. This is a 13% decrease on complaints received during 2018/19, (40).
- 71% (25) of complaints related to the quality of services provided.
- 20% (7) complaints were in respect of the actions or conduct of individual social workers.
- After investigation, almost 67% (4) of completed complaints about staff conduct were found to be unjustified.
- The number of complaint related queries (low level issues not requiring a written response) received decreased by 29% (27) compared to the number received during 2018/19 (38).
- 21% (6) of complaint related queries were about the quality of communication by individual members of staff. 25% (7) were about the support provided by staff.
- All complaint related queries 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.
- Two complaints progressed to Stage 2 of the complaint's procedure.
- There were no Stage 3 Review Panels during 2019/20.
- Ten complaints were relating to personal data, either disputes to information within reports, including court reports, or in respect of breaches of confidentiality from family members.
- Should a complainant be dissatisfied with the response from the Council, they can refer their complaint to the Information Commissioner for consideration.
- During 2019/20, there were no referrals received from the Information Commissioner.

8.2 Key Themes of Complaint

- 8.2.1 After full consideration of all Stage 1 complaints received during 2019/20, two key themes of dissatisfaction were identified.

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

Quality of services provided continues to attract the largest number of complaints with twenty-five being received during 2019/20.

Complaints about quality cover several areas and can range from low level disputes to significant concerns about the actions or decisions of the services involved.

During 2019/20, thirteen complaints were regarding the quality of support provided by the social worker or service. After investigation, none of the complaints about worker support were found to be justified. 46% (6) were not upheld, 38% (5) were partially justified and two complaints were closed.

67% (16) of all complaints about the quality of Children's Services were found to be unjustified.

After consideration of these concerns, it continues to be an issue that families of children receiving a service may sometimes misinterpret the parameters of social work involvement and, on occasion, request support or services for themselves that are outside a social workers remit. Managers should continue to reiterate to social workers during their individual supervision sessions that they should be clear with families what support can be provided and what assistance is outside a social worker's remit.

2. Staff Conduct

In line with the statutory guidance set out within Working Together 2018, Children's Services have a legal duty to assess all concerns raised about the wellbeing or safety of a child or young person. It is understandable that Children's Services involvement may not always be welcomed by the parents of the child or young person concerned. Therefore, relationships between social workers and families can often be challenging or problematic. It can also be evidenced that there are occasions where parents of children receiving a service will seek to access the complaints procedure to delay or hinder any action that is being considered by the Local Authority. Because of this, any increase in complaints about staff, whether about conduct or practice, should always be carefully considered alongside the situation that had prompted the dissatisfaction.

In 2019/20, seven complaints were received which included issues around staff conduct or practice. This is a 12% decrease on the number of complaints received during 2018/19, (8). After investigation, 67% (4) complaints were found to be unjustified with only one complaint found to be justified.

In all cases, should repeat complaints be raised about a particular member of staff, the Service will always consider the issues and, if necessary, can invoke internal employment processes should complaints be found to be justified.

8.3 Specific Areas of Complaint

Service Area	2017 2018		2018 2019		2019 2020	
Assessment & Intervention	24.49%	12	12.50%	5	25.71%	9
Children with Disabilities	10.20%	5	5.00%	2	11.43%	4
Fostering Team	8.16%	4	7.50%	3	2.86%	1
Looked After Children Team	8.16%	4	42.50%	17	31.43%	11
Safeguarding, Care Planning	46.94%	23	25.00%	10	25.71%	9
Safeguarding Children Unit	2.04%	1	7.50%	3	2.86%	1
Total		49		40		35

- Almost 26% (9) of all complaints received were in respect of services provided by the Safeguarding and Care Planning Teams.
- However, it should be noted that most children receiving a service are allocated a social worker from the Safeguarding and Care Planning Teams.
- 26% (9) of complaints were regarding the services provided by the Assessment and Intervention Team. This is an 80% increase on the number of complaints received during 2018/19, (5).
- The key theme identified from complaints about the Referral and Assessment Team were disputes to outcomes to assessments or referrals to the Council.
- 31% (11) of all complaints received were regarding services provided by the Looked After Children Team, of which three were regarding worker support.
- After investigation almost 64% (7) of complaints about the Looked After Children Team were found to be unjustified. Only one complaint was found to be upheld.

Main Complaint Issues	2017 2018		2018 2019		2019 2020	
Delay	0.00%	0	0.00%	0	0.00%	0
Lack of Service	16.33%	8	10.00%	4	8.57%	3
Quality of Service	73.47%	36	60.00%	24	71.43%	25
Refusal of Service	0.00%	0	10.00%	4	0.00%	0
Staff Issues	10.20%	5	20.00%	8	20.00%	7
Total		49		40		35

- 20% (7) complaints received during 2019/20 were regarding allegations of inappropriate staff conduct. This is a decrease of 12% on the number received during 2018/19, (8).
- After investigation, 67% (4) of the seven complaints received were found to be unjustified, with only two complaints being either partially or fully 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. 71% (25) 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 4% (1) of complaints regarding quality of service were upheld. However, almost 67% (16) were found to be unjustified.

8.4 Methods of Complaint

Method of Complaint	2017 2018		2018 2019		2019 2020	
Complaint Form – Online	12.24%	6	7.50%	3	2.86%	1
E - mail	26.53%	13	30.00%	12	37.14%	13
Children’s Leaflet / MoMo	4.08%	2	7.50%	3	0.00%	0
In Person	8.16%	4	10.00%	4	0.00%	0
Letter	26.53%	13	15.00%	6	25.71%	9
Telephone	22.45%	11	30.00%	12	34.29%	12
Total		49		40		35

- Email and letters continue to be the main method of complaint referral accounting for 63% (22) of complaints.
- Emails and letters tend to raise multiple areas of complaint. Therefore, it is important that an Investigating Officer meets with the complainant at the earliest opportunity to identify the key issues of concern and to highlight areas that are not able to be responded to.
- Complaints made by telephone tend to be following communication with the family which raise immediate issues. Complaints about staff tend to be raised via telephone.
- Complaints brought by relatives of children receiving a service accounted for 89% (31) of complaint referrals.
- During 2020/21 it is anticipated that a new public online process will be implemented. This will allow parents and young people to submit and track their complaints and compliments through our website. This process will allow complainants more control over the investigation process and opportunities to be more involved.

8.5 Complaints and Concerns direct from Looked after Children

- Four complaints were received direct from young people.
- After investigation, only one complaint from a Looked after Child was found to be justified and as such, appropriate resolution was offered to the young person concerned.
- Two of complaints from children / young people were found to be unjustified and one complaint was partially justified.
- Children and young people receiving a service have recourse to the Council’s Children’s Rights Officer. The Children’s Rights Officer works closely with those who raise concerns and, in most cases, can resolve these successfully.

8.6 Timescales and Outcomes

Complaints Resolved within 20 Working Days	2017 2018	2018 2019	2019 2020
Resolved	20	25	17
Not Resolved	29	15	15

- The statutory timescale for resolution is ten working days. This can be extended to twenty working days with the complainant's agreement.
- Twelve complaints were completed within ten working days.
- This means that only 37% of complaints responded to had met the statutory timescale of ten working days.
- Seventeen complaints were completed within twenty working days.
- This evidences that only 53% of complaints met the extended timescale of 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 complaint's procedure.
- It is a statutory duty to respond to complaints within the prescribed timescales. Therefore, the service should consider how response timescales can be improved.

Outcomes of complaints	2017 2018		2018 2019		2019 2020	
Outstanding	2		0		3	
Not upheld	55.32%	26	45.00%	18	62.50%	20
Partially upheld	31.91%	15	47.50%	19	18.75%	6
Upheld	10.64%	5	7.50%	3	9.38%	3
Closed or withdrawn	2.13%	1	0.00%	0	9.38%	3
Total		49		40		32

- In 2019/20, almost 63% (20) of complaints were not upheld after investigation.
- The number of complaints found to be unjustified evidence that the workers involved had acted appropriately and in line with guidance and procedures.
- 19% (6) were found to be partially justified. Partially justified highlights that the main issue of complaint was found to be unjustified, but there were areas where the service could have performed better, for example communication, delays in returning calls or late/missed visits.
- After investigation, only 9% (3) of complaints were found to be fully justified.
- 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.

9.0 Stage 2 and 3 Complaints

Stage 2 Complaints	2017 2018	2018 2019	2019 2020
	2	3	2
Stage 3 Review Panels Held	0	1	0

- Two complaints were registered at Stage 2 of the Complaints Procedure during 2019/20.
- This is a 50% decrease from the number received during 2018/19, (3).
- There were no Stage 3 Review Panels held during 2019/20.

Stage 2 Complaint & Stage 3 Review Panels Held

During 2019/20, Children's Services registered two complaints at Stage 2 of the complaint's procedure.

- One Stage 2 complaint was around staff communication within the Safeguarding and Care Planning Team and within the Assessment and Intervention Team. This complaint is currently under investigation.
- A Stage 2 complaint was received from the parent of a child who was receiving a service from the Safeguarding and Care Planning Team. The complaint is regarding the quality of the work carried out by the Social Worker and the alleged lack of action in response to safeguarding concerns. This complaint is also still under investigation.

10.0 Local Government & Social Care Ombudsman Referrals

- 10.1 Between 1 April 2019 and 31 March 2020, Children's Services received three Ombudsman's referrals. Two referrals were following corporate complaint investigations and one complaint was a direct referral to the Ombudsman. Information on all three referrals was provided to the Ombudsman for consideration.
- 10.2 Following their consideration, the Ombudsman found that there was no injustice in respect of the substantive issues to two complaints. However, it was found in one case that the Council had not kept the complainant informed of the progress of the investigation. To remedy this, the Council agreed to send the complainant a letter of apology for the lack of communication during the investigation process.
- 10.3 One complaint, which was referred direct to the Ombudsman, was found to be outside the Ombudsman's jurisdiction as the matter had been considered by the Family Courts.

11.0 Learning from Complaints

- 11.1 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.
- 11.2 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.
- 11.3 In respect of complaints about staff attitude or conduct, 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.

11.4 Improvements to service identified following a complaint:

Safeguarding & Care Planning Teams

A complaint was received about a lack of information provided to a family whose children were involved with the Safeguarding & Care Planning Service. As a result of this complaint, the Safeguarding & Care Planning Service identified the following improvements to their services.

- That it is important for workers to be more mindful of how families receive decisions and intervention and, in some cases, may misinterpret the reasons for the intervention. Staff have been reminded that they should always clearly advise families of the next stages in any planned action, such as child protection procedures, and what this will entail.
- The importance of effective and regular communication with families has been discussed with social workers during supervision meetings and at Team Meetings. This will ensure that workers are always mindful of the impact that a lack of communication can have on those who have children involved with Children's Services.

A complaint was received which included concerns about poor communication in respect of the Guardianship process along with issues about the lack of response to requests for information from the family concerned.

The issues around communication were found to be partially justified and action was taken to address this across the team. However, the investigation did consider that the Special Guardianship Order Assessment relating to the case had not included enough information about the family relationships / dynamics, which, although had not caused any injustice to the family concerned, the assessment was not as robust as would be expected by the service.

- It was recommended that more robust/challenging Special Guardianship Order Assessments should be undertaken. Reflective discussions about this matter have been undertaken with social workers and Team Managers. Work will also continue to ensure that this area is fully addressed.

Assessment and Intervention

After a complaint regarding the safeguarding involvement in respect of a young child, several improvements to service were identified and implemented.

- Training for social workers undertaking Section 20s will now include areas of professional conduct and sensitivity.
- That all decisions made in respect of individual cases must be clearly recorded and reviewed by senior managers prior to any transfer of case responsibility to another team. This will enable a receiving Team Manager to identify and review any key decision making in a timely manner.
- Parents should be appropriately prepared prior to any Court Hearings, in addition to being prepared for any potential changes in the case that may be necessary during the hearing.
- Parents will now be advised on the terminology that may be used by social workers or other professionals along with the terminology used in the Court arena. Where possible, terminology should be consistent to minimise any confusion that may be caused by workers / professionals (including legal professionals), using different terminology to describe the same situations.

Looked After Children Team

After a complaint about communication and staff behaviour, which focused on disputes on payments for contact travel arrangements, it was agreed that in future all regular payments will be set up as a direct bank transfer into the family member's account. This will then ensure that there are no further issues with overdue payments and that families are not put to any financial disadvantage.

12.0 Compliments

12.1 Between 1 April 2019 and 31 March 2020, Children's Services received seventy-one compliments about either individual workers or teams. During 2019/20, 45% (71) of all representations about Children Services were compliments.

- Almost 10% (7) of all compliments received were regarding the Children with Disabilities Service and were all in respect of the quality of the respite provided by Grove House.
- Almost 37% (26) of compliments were about the Safeguarding & Care Planning Teams.
- 15% (11) of compliments were regarding the Looked After Children Team.
- 18% (13) of compliments were regarding the Assessment and Intervention Team.

12.2 Examples of compliments received

Fostering Team

"My reason for writing to you is to say that D has been incredibly sensitive and supportive throughout this period. She has maintained regular, yet unobtrusive, contact - constantly reassuring us that there was no pressure at all to take on placements and ensuring that the usual demands from the Service were minimised. Her genuine concern for us and our daughter has been very apparent and for this we are most appreciative. Hopefully, over the next few months, we will be able to start to pick up where we left off with foster caring but in the meantime, we wanted you to be aware of the very positive support we have received. Very best regards."

Looked After Children Team

"To B - Merry Christmas to the No 1 best social worker and my best friend. Love you loads. Lots of love K. xxxx"

"To K happy Christmas and Happy New Year.

Thank you for supporting me and being there for me when I needed it the most. love C...xxx"

"Judge H... complimented A on the relationship that she had built with this particular young person and said they would like to thank A for her commitment to this young person and her ongoing support to the overall outcome."

Safeguarding & Care Planning Teams

Telephone call from a family member in respect of Social Worker.

"Y... is an outstanding social worker and she could not fault her throughout the full process, she highly praises her and said credit where credit is due, she is awesome".

"During the life appreciation day for the P... girls today the foster carers, their wider family and the health visitor were absolutely glowing about C.... They all said that his commitment to the girls has been brilliant and that they have always been able to get in touch with him when they have needed to. The foster carer said that he is the best Social Worker they have ever worked with!

From a child about his social worker

"if I tell her something, she will listen and not tell if I don't want her to. She tells me what is going on. She sits with us and speaks nice".

"I just want to share the lovely comments made by G's mother about R... During my conversation with her before conference, she told me what a brilliant worker R.... is and how G really trusts her and likes to speak with her. She couldn't have sung her praises more".

Targeted Family Support

"Just want to say again thank you so much for today. I'd have lost it if you weren't there for me. I know its part of your job but literally can't thank you enough for your support. I've had little support apart from you and 2 friends and you've been a star being there for me .x"

Assessment & Intervention Team

"To J.. you are the best teacher in the whole wide world. You look so very beautiful, and I will enjoy working with you J... From L..."

"A parent wanted to say how grateful he was regarding J's way of speaking to both him and his partner. He identified that the circumstances regarding our involvement were extremely difficult, but J explained things each step of the way so that they were clear. He described J as 'treating them like human beings instead of pre-judging them and looking down on them as he has experienced with other professionals. He described J as 'amazing.' He was very complementary and wanted to feedback that J's way of communicating with them put them at ease even though the situation was and still is extremely stressful. They felt prepared for what was going to happen".

Fostering Team

"Z... is one of the best Social Worker they have worked with and we don't how she does it, she is juggling so many balls and is always available to us".

Contact Officer: Alison Routledge, X2408