

TITLE: **Children and Families Service** - Annual Report on Services Complaints, Compliments and Representations - April 2020 to March 2021

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 2020 – 31 March 2021.

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, which must be negotiated with the complainant.

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 is arranged to take place in April 2021. All current and new managers across Children's Services will be invited to attend the course. Feedback from previous courses has been extremely positive and provides managers with the necessary skills to investigate and resolve complaints at all stages of the procedure.

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.

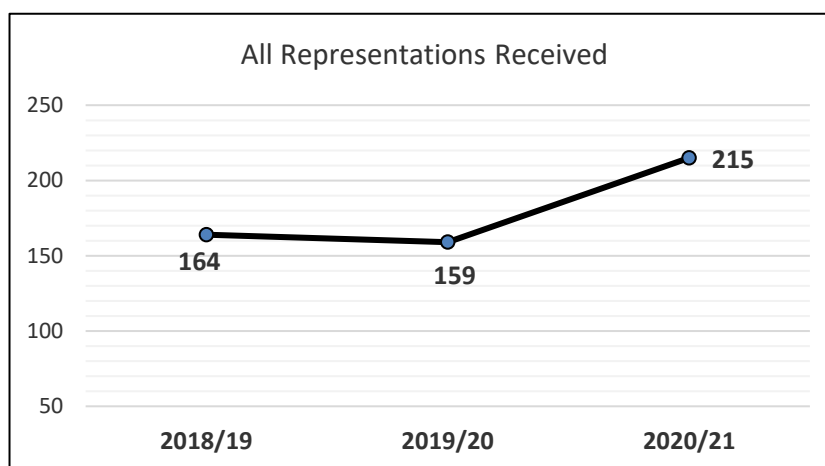
7.0 Equalities Monitoring

- 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 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

Stage 1	2009 2010	2010 2011	2011 2012	2012 2013	2013 2014	2014 2015	2015 2016	2016 2017	2017 2018	2018 2019	2019 2020	2020 2021
	10	19	29	36	34	45	37	32	49	40	35	17
%		90%	53%	24%	6%	32%	18%	14%	53%	18%	13%	51%

Representations	2018/2019	2019/2020	2010/2021
Stage 1 Complaints	40	35	17
Stage 2 Complaints	3	2	2
Stage 3 - Review Panels	1	1	1
Comments	0	3	2
Corporate Complaints	2	2	14
Complaint related queries	38	27	27
Data Issues	3	10	1
Insurance Claims	2	1	1
LGO Investigation	1	3	3
Safeguarding Partnership Complaints	0	0	0
MP / Councillor Referral	1	4	2
Total	91	88	79
Compliments	73	71	136
All Representations Received	164	159	215
Trend		-4.24%	35.22%



8.1 Key Points of Interest

- The number of formal contacts received, including compliments, about Children's Services increased by 35% (215) compared with the number of contacts received during 2019/20, (159).
- However, this increase was due to the number of compliments received across Children's Services (136).
- The number of contacts raising dissatisfaction decreased by 10% (79 from 88).
- During 2020/21, 63% (136) of all Children's Services contacts were compliments.
- Children's Services received 17 Stage 1 complaints during 2020/21. This is almost a 52% decrease on Stage 1 complaints received during 2019/20, (35).
- 65% (11) of complaints related to the quality of services provided.
- Only 6% (1) complaint was in respect of the actions or conduct of individual social workers.
- After investigation, this complaint was found to be unjustified.
- The number of complaint related queries (low level issues not requiring a written response) received stayed at the same level as those received during 2019/20 (27).
- However, 10 of the complaint related queries received were in relation of schools Covid-19 restrictions.
- 55% (15) of complaint related queries were regarding the quality of services provided.
- All complaint related queries received about Children's Social Care 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 was one Stage 3 Review Panel held during 2020/21.

8.2 Key Themes of Complaint

- 8.2.1 After full consideration of all Stage 1 complaints received during 2019/20, only one key theme of dissatisfaction was identified.

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

Quality of services provided continues to attract the largest number of complaints with eleven being received during 2020/21.

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 2020/21, six of the complaints received about quality were regarding the quality of support provided by the social worker or service. After investigation, two complaints about worker support were found to be unjustified, two complaints were closed after initial investigations and two complaints remain outstanding.

After consideration of these concerns, it continues to be an issue that families of children receiving a service may misinterpret the parameters of social work involvement and, on occasion, make unreasonable requests for support from workers. In some cases, complainants seek to use the complaints procedure to override professional decisions properly made.

Social Work Team 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 or decisions are outside a social worker's remit.

8.3 Specific Areas of Complaint

Service Area	2018 2019		2019 2020		2020 2021	
Assessment & Intervention / CCiN	12.50%	5	25.71%	9	35.29%	6
Children with Disabilities	5.00%	2	11.43%	4	5.88%	1
Fostering Team	7.50%	3	2.86%	1	11.76%	2
Looked After Children Team	42.50%	17	31.43%	11	17.65%	3
Safeguarding, Care Planning	25.00%	10	25.71%	9	23.53%	4
Safeguarding Children Unit	7.50%	3	2.86%	1	0.00%	0
Other	n/a	0	n/a	0	5.88%	1
Total		40		35		17

- Almost 24% (4) 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.
- 36% (6) of complaints were regarding the services provided by the Assessment and Intervention Team, which includes 1 complaint regarding the CCiN & RR Team.
- The key theme identified from complaints about the Assessment and Intervention Service were disputes to information within assessments or the assessment process.
- Almost 18% (3) of all complaints received were regarding services provided by the Looked After Children Team. This is almost a 73% decrease on the number of complaints received about the team in 2019/20, (11). Two of the complaints received were from Looked after Children.
- After investigation, one complaint from a Looked after Child was not upheld and one complaint was found to be fully justified.

Main Complaint Issues	2018 2019		2019 2020		2020 2021	
Delay	0.00%	0	0.00%	0	0.00%	0
Lack of Service	10.00%	4	8.57%	3	11.76%	2
Quality of Service	60.00%	24	71.43%	25	64.71%	11
Refusal of Service	10.00%	4	0.00%	0	17.65%	3
Staff Issues	20.00%	8	20.00%	7	5.88%	1
Total		40		35		17

- Only one Stage 1 complaint was received during 2020/21 regarding allegations of inappropriate staff conduct. This is a decrease of almost 86% on the number received during 2019/20, (7).
- After investigation, this complaint was found to be fully unjustified.
- 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 65% (11) 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, no complaints about quality of service were upheld. However, almost 38% (3) were found to be unjustified, 38% (3) were partially upheld and 25% (2) were closed following initial investigations.

8.4 Methods of Complaint

Method of Complaint	2018 2019		2019 2020		2020 2021	
Complaint Form – Online	7.50%	3	2.86%	1	0.00%	0
E - mail	30.00%	12	37.14%	13	58.82%	10
Children’s Leaflet / MoMo	7.50%	3	0.00%	0	5.88%	1
In Person	10.00%	4	0.00%	0	0.00%	0
Letter	15.00%	6	25.71%	9	23.53%	4
Telephone	30.00%	12	34.29%	12	11.76%	2
Total		40		35		17

- Email and letters continue to be the main method of complaint referral accounting for 82% (14) 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, along with desired outcomes 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 76% (13) of complaint referrals.
- Three complaints were raised directly by Looked after Children.

8.5 Complaints and Concerns direct from Looked after Children

- Three 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.
- One complaint from a looked after young person was found to be partially justified and recommendations made. One complaint was found to be unjustified. The investigation had identified that the service had already offered an appropriate remedy to the young person concerned.
- 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 Completed within 20 Working Days	2018 2019	2019 2020	2020 2021
Resolved	25	17	5
Not Resolved	15	15	11

- The statutory timescale for Stage 1 resolution is ten working days. This can be extended to twenty working days with the complainant’s agreement.
- Five complaints were completed within twenty working days.
- This evidences that only 31% of complaints met the extended timescale of twenty working days.
- One complaint, received in March 2021, is still within timescale and is currently under investigation.
- 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.

Outcomes of complaints	2018 2019		2019 2020		2020 2021	
Outstanding	0		3		5	
Not upheld	45.00%	18	62.50%	20	50.00%	6
Partially upheld	47.50%	19	18.75%	6	25.00%	3
Upheld	7.50%	3	9.38%	3	8.33%	1
Closed or withdrawn	0.00%	0	9.38%	3	16.67%	2
Total		40		32		17

- In 2020/21, almost 50% (6) 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.
- 25% (3) 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 17% (2) 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. The Investigating Officer will also be expected to identify ways in which the service can improve.

9.0 Stage 2 and 3 Complaints

Stage 2 Complaints	2018 2019	2019 2020	2020 2021
	3	2	2

Stage 3 Review Panels Held	2018 2019	2019 2020	2020 2021
	1	0	1

- Two complaints were registered at Stage 2 of the Complaints Procedure during 2020/21.
- This is the same number of Stage 2 complaints received during 2019/20, (2).
- There was one Stage 3 Review Panels held during 2020/21.

Stage 2 Complaint & Stage 3 Review Panels Held

During 2020/21, Children's Services registered two complaints at Stage 2 of the complaint's procedure.

- One Stage 2 complaint was around support from the Social Work Team along with disputes around the level of Direct Payments provided for two children child receiving a joint social care and health service.
- The complaint also included issues relating to the Newcastle Gateshead Clinical Commissioning Group (CCG). However, although involvement and information were provided by CCG Staff, unlike the Adults statutory complaints procedure, there is no formal arrangement for the formal joint consideration of children's complaints which include Health Services.
- In cases where joint issues are raised, the complainant should be advised that issues relating to Health should be submitted to the relevant Health service for consideration.
- A Stage 2 complaint was received from the parents of an adopted child and is in relation to financial support following adoption. The complaint also raised concerns about the care provided to the child whilst in foster care. This complaint is currently under investigation.
- One Stage 3 Review Panel was held during 2020/21. This complaint was regarding the actions of Children's Services and included areas about how the Child Protection Conference was handled. The complaint was found to be partially upheld, and recommendations identified have now been implemented.

10.0 Local Government & Social Care Ombudsman Referrals

- 10.1 Between 1 April 2020 and 31 March 2021, Children's Services received three Ombudsman's referrals. Two referrals were classed as "premature complaints" which meant that the issues raised had not exhausted the Statutory Complaints Procedure. Two of these referrals were progressed through the appropriate complaints procedure and one complaint was found to be out of time and closed with no further action.

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 Children's Services have recently developed a Quality Assurance process which allows the Services to consider recommendations and improvements identified from all complaints that have been responded to. The process will now monitor the agreed recommendations to ensure that they are implemented within a timely manner, and to ensure that learning from complaints is shared across all Children's Services Teams.

11.4 Improvements to service identified following a complaint:

- 11.4.1 A complaint was received about the Looked After Children Team, identified that individual workers within the Team were not consistently recording all dissatisfaction raised by looked after young people.

As a result of the complaint, the Looked After Children's Team recommended that social workers and others must ensure that all issues raised by looked after young people are dealt with appropriately and that any outcomes are fed back to them as soon as possible. The issue and response should also be included within the young person's case file.

- 11.4.2 A complaint was received about bias within a Child in Need Assessment. It was also alleged that personal information had been shared without permission.

Although the assessment had been completed in line with statutory guidance and that the assessment was considered fair, it was accepted that information felt to be relevant, had not been included. Therefore, the complainant was invited to submit a statement setting out their views on the assessment. Once received back, the statement was placed on the children's file alongside the disputed assessment.

The issue about confidentiality was justified and an apology was offered to the complainant. The issues about sharing personal information has now been addressed and all Council staff were required to undertake mandatory GDPR training.

- 11.4.3 A complaint was received about miscommunication about Social Work visits. A complainant advised that despite being advised of the date and time of a meeting and subsequently taking time off work, it was then found that the meeting had been arranged for a different day.

Following this complaint, Social Workers were instructed to always ensure that the time and dates of meetings should be shared with the family member in writing (or text) and that any changes should be communicated with the family member as soon as possible.

- 11.4.4 Following a Stage 2 investigation and subsequent Stage 3 Review Panel, Children's Service have reviewed the practice relating to the taking of messages from family members. The review has now provided a process framework to identify a clear and auditable trail of messages being recorded and passed to individuals.

- 11.4.5 To clarify the complaints investigation procedure or Stage 2 Investigations, the guidance to investigating officers has been updated. The standard report template has also been reviewed and updated to ensure key areas of investigation are included.
- 11.4.6 Children's Services have ensured that all staff have been reminded to comply with the professional standard of Social Work England in relation to clear, timely and concise recording of all work done undertaken with parents, children, young people or those responsible for caring for them.

12.0 Compliments

- 12.1 Between 1 April 2020 and 31 March 2021, Children's Services received 136 compliments about either individual workers or teams. This means that during 2020/21, 63% (136) of all representations about Children Services were compliments.
- 12.2 The Table below shows the distribution of all compliments received.

Children's Social Work Compliments 2020-2021	Total	Year
Integrated Referral Team	13	9.56%
CCiN & RR Team	3	2.21%
Children's Rights	1	0.74%
Disabled Children's Team	4	2.94%
Disabled Team Respite - Grove House	34	25.00%
Fostering Team	2	1.47%
Looked After Children Team	2	1.47%
Safeguarding, Care Planning Teams	45	33.09%
Safeguarding Children Unit	11	8.09%
Other Teams <ul style="list-style-type: none"> • Domestic Abuse Team • Early Help Teams • Travel Care Team – Children's Home to School Transport • Children's Rights • EDT Team • Children's Services Business Support 	21	15.44%
Total	136	

12.2 Examples of compliments received

Safeguarding & Care Planning Teams

- *"My family and I would like to use this opportunity to say a huge thank you for the selflessness and commitment to helping us when we needed it, I am grateful for the empathy you showed us by just showing up and assisting us in the way you did, in my opinion this act of kindness should not go without us letting you know we honestly do appreciate you. I also want to reiterate you help see the good in mankind, you went out and above for us, your kindness and co-operation in ensuring we were comfortable and safe was immeasurable. Also, the whole team has been nothing short of amazing. Can't seem to say it enough thank you. I know you are on a special diet right now; I'm still going to bake you a cake as promised. Regards, K and R."*
- *"Thank you for all of the work and effort put into my case because I never could've done it on my own. It means so much and I could never thank you enough for getting me to where I am now. I could never have wished for a better team to handle my case. From F.... xxx"*
- *"Your absolutely spot on and do a cracking job so don't ever doubt yourself if things don't go a family's way coz in the end once they actually sit and reflect then they'll see sense. .If you can get us sorted you can conquer any family. We love you and always will be my stand in ma. X"*

- *“That we wouldn’t have been where we are today without B.....’s help she gave us the opportunity to change the outcome of the case, that I will be helping us get support to move out of me dads, she also was really easy to speak to and always was able to help us with anything she could, she definitely showed what a social worker is for and not what they get made out to be. She is just great at her job and helping families change for the better. There’s a lot more to say about her but would be on all day. We have got her a present to say thank you also for everything she done for us. Also thank you so much to you as well for the help you gave us it means a lot everything yous have done. Could you also say thank you to R..... for the help she gave us as well. Thanks C.....”*

Assessment & Intervention Team

- *“As a family, we could not thank the whole team enough. The help and support we have received so far has been unbelievable the girls really have been our rock at times. The journey we have been on this last 12 months has had some terrible lows but some real highs and the whole team has stood by our side through everything. Looking to the future we are positive that we can go from strength to strength ... I just couldn’t see or believe how we could get through this, but with all your help we are in a much better position and have a happy home for the first time in years...”*
- *“As K... left after her last visit I told her how lovely it was to meet her and although it was under circumstances I never intend to be in again, she would always receive a warm welcome in our home. I wish her every success in the future and I truly believe she will make a massive impact in continuing to ensure the safety and welfare of the children in our community is upheld.”*
- *After a review, a mother spoke about the support she received from the Team and what a difference this made in her accessing services and building her confidence that she could leave her abusive partner and start a new life and be a good mother to her children. Mother was advised that she was previously a looked after child and she said that it was first time she felt she had been heard.*
- *“I would like to express my thanks to KS for the input she has had with my children and I recently. I felt she was very caring and compassionate, and provided some much-needed support and advice in my current situation. She was excellent with my children and made them feel very at ease. Thank you.”*

Child Protection Unit

- *“I would like to thank you and the panel for the professionalism, empathy and respect shown to me during last week’s Child Protection Conference. As you can imagine I found this very stressful, but hope I came across appropriately and responded to questions with sufficient information and clarity without too much emotion. Again, thank you. Regards SK ”*

Grove House Children’s Respite Facility

- *‘Thank you very much, You’re the best’ Thank you so much for your constant support and hard work over the years. Love AC ”*
- *“The young person was collected by Mum after the last stay at Grove House. Following this Mum put following on Facebook “mixed emotions today, it was last weekend of respite at Grove House which is the most fabulous place I can’t describe how much they have been part of the amazing journey made over the last couple of years...”*
- *“Just few words to say thank you for all the support you have given us and continue to offer to L..... Its a very difficult time for him and he needs special people like yourselves to help through this period”.*
- *“Grove House has been invaluable to us as a family. Its given D... some normality during such a time of uncertainty and we were happy for his stays to continue throughout knowing he’s in very safe hands. As a family we really appreciate that this service has been able to continue throughout the pandemic. The staff all do an amazing job keeping our children safe”.*

- *“It has been a great support that Grove House has remained open during Covid19 as this has given A... some normality as she has no understanding of what is going on. I am so grateful that I have got a break from caring role that has been extremely difficult and hard. The staff at Grove House have been great support to us as a family and keep A.. safe. Thank you,”*

Looked After Children Team

- *“We just want to say thank you so much for all your help and support regarding indirect contact with the children. You have always been very kind and understanding. Kind regards, G&K*

Home to School Transport

- *“J...’s Dad said he can’t imagine how hard it has been for the Travel Care Team over the summer and wanted to thank the team for all their hard work and brilliant organisation”*

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