

ANNUAL REPORT ON CHILDREN & FAMILIES SERVICES COMPLAINTS-COMPLIMENTS- REPRESENTATIONS

APRIL 2016 – MARCH 2017

Introduction

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 2016 – 31 March 2017.

The Procedure

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.

There are three stages to the procedure:

Stage 1 - Local Resolution

This stage is investigated by operational managers. Complaints at this level are expected to be concluded within 10 working days, with an extension of further 10 working days, (with the agreement of the complainant), if necessary. The maximum time for a Stage 1 investigation is 20 working days.

Stage 2 – Investigation

Investigations at Stage 2 are conducted at arms 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 25 working days, with extension up to 65 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). Such consideration forms the end of the statutory requirement.

Publicity and Information

Information about the Complaints Process 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.

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.

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.

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.

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.

Advocacy and Special Needs

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.

The Independent Element

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.

Complaints Investigation Training

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 a specific 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 February 2017. 15 managers from across Children's Services and Children's Support Services attended the training.

Complaint Recording & Resolution in Children's Residential Facilities

All children's residential homes have their own "in-house" complaints process to resolve low level complaints. 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 complaints is retained within the facility and is available in the event of OFSTED inspections.

Complaints and Representations Received

During 2016/17, 32 complaints were received regarding Children's Services. This is an 14% decrease on complaints received during 2015/16, (37).

The number of low level issues received also decreased. During 2016/17, 38 low level issues were received about Children's Services. This is a 32% decrease on the number received during 2015/16, (56). All of the 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.

The main theme identified from the low level issues received during 2016/17 was regarding the quality of the support given by either the individual worker or by the service themselves. In most cases, confusion about the role of a children's social worker was at the heart of the issues raised, especially misunderstandings in respect of who the social worker was allocated to.

Key Themes of Complaint

After full consideration of all Stage 1 complaints received during 2016/17, 2 key themes were identified.

1. Quality of Service

The quality of services delivered is consistently the most complained about issue. 59% (19) complaints were regarding the quality of services or support provided to either parents of children receiving a service, foster carers or the child / young person concerned.

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

The key theme identified from the complaints about quality was around the support provided by either the service or individual members of staff, (11). However, after considering these complaints, the lack of effective communication with family members was a key theme. If communication breaks down, parents or carers often feel that they are deliberately being ignored and as a result of this, dissatisfaction often escalates to include other areas of the social work involvement.

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 means that the formal complaints procedure may not need to be invoked.

After investigation, 64% (7) of the complaints about the support offered by either individual members of staff or the service were partly upheld and 9% (1) was fully upheld. 27% (3) were not upheld.

Team Managers should always raise the importance of good communication within their own team meetings and with individual staff members. This will ensure that all are aware of their own responsibilities to maintain communication with families. It should also be reiterated that staff must share any communication difficulties with their line manager during their individual supervision sessions. Alternative ways of contact such as text messaging or emails should also be considered where possible, along with any specific communication needs of the person concerned, such as sensory problems or disability, including mental health issues.

2. Staff Issues

Since April 2015, all complaints which include areas of staff actions or behaviour are recorded under the primary category of "Staff Issues". This re-categorisation does mean that the numbers of complaints received about this area will remain a key theme of dissatisfaction. However, it is important that allegations of poor conduct or practise can be readily identified and measures put in place to minimise any reoccurrence. Therefore Children's Services ensure that any allegations about staff are always placed at the centre of any investigation.

Children's Services have a legal duty to look into all concerns raised about the welfare or safety of a child / children. The Local Authority's duty is set out within "Working Together 2015". It is understandable that this involvement is not always welcomed and because of this, relationships between social workers and families may be very challenging or difficult. It is accepted, that in some cases, families raise complaints as a way to delay any action that may be necessary.

During 2016/17, almost 41%, (13) of complaints were regarding members of staff. After investigation, 54% (7) of all complaints were not upheld and 46% (6) were partially upheld.

54% (7) of the thirteen complaints received about staff cited social work conduct as their primary issue of concern. After investigation, 57% (4) of complaints about primarily about staff conduct were found to be unjustified and 43% (3) were partially upheld.

Other concerns raised were regarding alleged breaches of confidentiality, in most cases, these were about information which may have been shared with other family members during child protection proceedings. In all cases, social workers should consider the implications of sharing information with others beforehand. However, it is agreed that appropriate information sharing is vital where it impacts on the welfare of other children or young people.

The Council have a duty to adhere to the guidance set out within the Data Protection Act 1998, so all social workers should still be mindful of sharing information with those who may not have a right to know.

Complaints about staff often include allegations of bias, especially when dealing with separated parents that are disputing contact or residency. It is very difficult to maintain good relationships with families involved in family proceedings, whether it is child protection action or private family issues. However, the complainants are often requested to raise any issues about bias or social work opinion within the court arena where possible.

All Complaints and Representations Received

Representations	2014 2015	2015 2016	2016 2017
Compliments	74	77	88
Corporate Complaints	3	4	5
Complaint related queries	64	56	38
Data Issues / Breach	5	2	1
HCPC Referrals	0	1	0
Insurance Claims	N/A	N/A	2
LGO Investigation	1	4	1
LSCB CP Unit	N/A	N/A	3
MP Referral	N/A	N/A	1
Stage 1 Complaints	45	37	32
Stage 2 Complaints	3	5	1
Review Panels	1	1	4
Total	196	187	176
Trend %	-1%	-5%	-6%

Stage 1 trend	2006 2007	2007 2008	2008 2009	2009 2010	2010 2011	2011 2012	2012 2013	2013 2014	2014 2015	2015 2016	2016 2017
	22	32	18	10	19	29	36	34	45	37	32
%		45	-44	-44	90	53	24	-6	32	-18	-14

- There has been an 14% decrease in the number of Children Act Stage 1 complaints received since 2015/16.
- The number of complaint related queries received has also reduced by 32% since 2015/16. Complaint related queries are issues that must be resolved within 1 working day of receipt.
- Stage 2 investigations decreased by 80%, (1 from 5). It should be noted that the number of Stage 2 complaints received during 2015/16, (5,) was the highest number ever received by the Service. The reduction evidences the additional work that was carried out by Team and Service Managers to try and resolve residual issues after the initial investigation and response.
- No Stage 1 complaint received during 2016/17 progressed to a Stage 2 investigation. The Stage 2 complaint received had progressed from a Stage 1 complaint that was investigated during 2015/16.
- There were four Independent Review Panels during 2016/17. However, all four panels were a direct progression of the Stage 2 investigations that were carried out during 2015/16.

- The number of complaints, (32), represents 18% of all formal contacts received about Children's Services during 2016/17, (176).
- The number of formal contacts received regarding Children's Services decreased by 6% compared with the number received during 2015/16.
- During 2016/17, 50% of all Children's Services contacts were compliments.

Specific Areas of Complaint

Service Area	2014 2015		2015 2016		2016 2017	
Safeguarding, Care Planning	62.2%	28	44.44%	20	53.13%	17
Looked After Children Services	8.8%	4	13.33%	6	18.75%	6
Referral & Assessment	11.11%	5	13.33%	6	18.75%	6
Out of Hours Duty Team	2.2%	1	2.22%	1	0%	0
Children with Disabilities	8.8%	4	6.67%	3	0%	0
Fostering Team	6.6%	3	0%	0	6.25%	2
Reviewing Unit	0%	0	2.22%	1	N/A	N/A
Total		45		37		32

- 53% (17) of complaints were regarding the Safeguarding, Care Planning Teams. This was a decrease of 15%, from 2015/16.
- Almost 19% (6) of complaints were regarding the services provided by the Referral and Assessment Team. However, the number of complaints about Referral and Assessment have stayed at the same level as the number received during 2015/16, (6).
- Almost 19%, (6) of complaints were about the Looked after Children's Teams.

Main Complaint Issues	2014 2015		2015 2016		2016 2017	
Quality	100%	45	40.54%	15	59.38%	19
Staff Issues	0%	0	40.54%	15	40.63%	13
Delay	0%	0	2.70%	1	0.00%	0
Refusal of Service	0%	0	0.00%	0	0.00%	0
Lack of Service	0%	0	16.22%	6	0.00%	0
Total		45		37		32

- During 2016/17, the number of complaints about staff decreased by 13%. However, although this decrease is positive, the Service still ensure that any issue which is predominately about specific concerns about a worker's professional actions or behaviour will be recorded under that category.
- 54% (7) of the complaints about staff issues cited attitude or conduct as their main concern.
- After investigation, 57% (4) of these complaints were found to be unsubstantiated and 43% (3) were partly upheld.
- Where there is evidence that workers did not always follow their service's processes or procedures, the matter is addressed with the staff member concerned and appropriate measures put in place to prevent any reoccurrence. If these measures do not resolve the problem, alternatives can be considered, which can also include invoking the Council's internal employment procedures.
- Quality of Service complaints increased by 27%.
- Quality of service includes:
 - Missed or late contact visits;

- Contact visits that are cancelled at very short notice;
 - Conflicting or incorrect information by workers;
 - Quality of support from the services involved in individual cases;
 - Poor communication between the workers and family members.
- 58% (11) of the complaints about the quality of the service, related to the standard of the support provided by individual workers. In particular, complainants felt that the social worker should spend more time supporting the needs of parents rather than the child or children. Although Social Workers do try to support parents with their own issues where possible, it is important that the wellbeing of the child or children remains at the centre of all Children's Services involvement.
 - Communication problems were often cited as secondary issues within the complaints received during 2016/17. Non return of telephone calls or lack of updates about individual cases were the key issues complained about. The Social Work Teams do have administrative support who can share information with parents and carers where appropriate. However, it can be difficult for social workers, dealing with a high volume of cases, to keep individuals updated on key events themselves. This issue is regularly discussed in team meetings and during workers individual supervision sessions.

Equalities Monitoring

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. This information can then be used to highlight possible inequalities, investigate their underlying causes and address any unfairness or disadvantage.

- During 2016/17, there were no formal complaints from members of the BME community. Two complaint related queries were received which related to disputes regarding Section 47 reports.
- There was one complaint related queries from a member of the BME community. After consideration of the issues, there were no issues regarding racial discrimination.
- Two compliments were received from members of the BME community.

Methods of Complaint

Method of Complaint	2014 2015		2015 2016		2016 2017	
Complaint Form	6.6%	3	8.11%	3	6.25%	2
E - mail	29%	13	29.73%	11	21.88%	7
Children's LAC Leaflet / MoMo	0%	0	0.00%	0	3.13%	1
Letter	24.4%	11	32.43%	12	25.00%	8
Personal Visit	15.5%	7	8.11%	3	9.38%	3
Telephone	24.4%	11	21.62%	8	34.38%	11
Total		45		37		32

- Email and letters are the main method of complaint referral accounting for 47% (15) of complaints. This is a 35% reduction of the number received during 2015/16, (23).
- During 2016/17, 34% (11) of complaints were received by telephone. Complaints of this nature are from those who want an immediate resolution to their problem, in particular those who disagree with information within reports that they have just received.
- Complaints brought by relatives of children receiving a service accounted for 84% (27) of referrals.

Complaints and Concerns direct from Looked after Children

- Three complaints were received directly from looked after children.
- After investigation, one complaint was partially upheld and one complaint was fully upheld. The third complaint was closed after informal resolution by the service.
- Two complaints received were letters from looked after children. One complaint was via the MoMo (Mind of My Own) app.
- Five complaint related queries were also received from looked after children. All issues were resolved by the services concerned.

Timescales and Outcomes

Complaints Resolved within 20 Working Days	2014 2015	2015 2016	2016 2017
Not Resolved	22	16	17
Resolved	23	19	15

- The statutory timescales for resolution is 10 working days. This can be extended to 20 working days with the complainants' agreement.
- Six complaints were completed within 10 working days.
- Fifteen complaints were completed within 20 working days.
- Seventeen complaints were not completed within 20 working days.
- As it is a statutory duty to respond to complaints within the prescribed timescales, the Service are to consider how they can improve performance in this area.

Outcomes of all categories of complaints	2014 2015		2015 2016		2016 2017	
Outstanding	0		2		0	
Closed or withdrawn	4.4%	2	14.29%	5	3.13%	1
Not upheld	42.2%	19	34.29%	12	43.75%	14
Partially upheld	44.4%	20	40.00%	14	50.00%	16
Upheld	8.9%	4	11.43%	4	3.13%	1
Total		45		35		32

- In 2016/17, almost 44% (14), of complaints were not upheld after investigation.
- This is a 17% increase on the number of complaints that were found to be unjustified in 2015/16.
- 50% (16) of all complaints were partially upheld. Complaints that are partially upheld often include a number of varied issues. After investigation, some of the issues may be found to be justified, but other issues may show that the service / worker has acted appropriately.
- In all cases, where there has been evidence of service failure, however minimal, the complainants will receive a written apology within their response.

Stage 2 and 3 Complaints

	2014 2015	2015 2016	2016 2017
Stage 2 Complaints	3	5	1
Stage 3 Complaints	1	1	4

- One complaint was registered at Stage 2 of the Complaints Procedure.
- This is a 80% decrease from 2015/16, (5).
- The Stage 2 complaint received resulted from a Stage 1 complaint which was responded to during 2015/16.

- This means that no Stage 1 complaint received during 2016/17 progressed to Stage 2 of the procedure.
- The complaint received was regarding a number of issues, but primarily around disputes about information included within a Children in Need Assessment and the conduct of the Social Worker involved. After investigation, some elements were found to be justified. However the investigation concluded that the initial action by the Council's Referral and Assessment Team was warranted due to the nature of the referral.
- As required within the statutory complaints process, the Stage 2 complaint investigation was shadowed by an Independent Person. Independent Persons cannot be employed by the Council as they are responsible for ensuring that the complaints investigation at Stage 2 is fair and transparent.
- As Independent Persons must be external to the Council, their involvement does have a financial impact on Children's Services. During 2016/17, the costs for Independent Person fee was £854.00.
- Four complaints were considered by Independent Review Panels. Two of these complaints were from members of the same family.
- The respective Review Panel members considered the information within the Stage 2 investigations and the additional information provided by the complainants and subsequently made their recommendations. Recommendations for individual cases included;
 - Developing Section 20 information and guidance for parents;
 - Updating case files;
 - Reviewing historical information to ensure that the correct process had been followed at the time;
 - Providing apologies for any areas that had been found to be inadequate.

All improvements from Stage 2 investigations are included within this report.

Safeguarding Unit Complaints (LSCB)

During 2016/17, three complaints were received which were around the management of the Child Protection Conferences. Two issues were about the conduct of the Conference Chair. Both complaints were investigated and responded to. One of the complaints was closed after the complainant refused to engage with the complaints procedure. The other complaint was partially upheld as it was felt that information or statements had been wrongly interpreted which had caused the complainants to feel uncomfortable during the Conference.

One complaint was regarding the accuracy of the information within the Child Protection Conference minutes. This issue was investigated and found to be upheld. The service agreed to amend the minutes with the correct information.

One complaint regarding the Referral and Assessment Team and one complaint regarding the Safeguarding & Care Planning Team also included issues about the Child Protection Conference Chair.

Complaints in relation to the Data Protection Act 1998

- During 2016/17, one formal complaint was received about the Access to Records Process. The complaint was in relation to delays receiving personal records. Complaints of this nature are not responded to through the statutory procedure. However, a full investigation is still carried out and a response sent to the complainant. The response will also inform the complainant of their right to progress their complaint to the Information Commissioner should they remain dissatisfied.
- After investigation, the complaint was upheld. The complainant received a full explanation and apology for the delay. The Service also reimbursed the £10 Subject Access Fee.

Learning from Complaints

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.

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, which includes the mandatory data protection training, is required for either workers or teams, this will be progressed by the relevant Team Manager.

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 2016/17, no complaint about staff conduct had resulted in any formal employment action against an individual worker.

Improvements to Service:

- A Review of the internal procedures for the Child Protection Unit has taken place. The procedure now instructs Senior Clerks to verify information shared within child protection conferences in respect of family members before it is recorded within child protection minutes.
- That the Child Protection Unit 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 Child Protection 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. It 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 workers are sensitive of the words they use 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.
- Across the Service, consideration is now given to alternative methods of communication / special arrangements being put in place in such circumstances where an individual has parental responsibility and specific communication needs.

All improvements and recommendations identified are set out within the complaint response letter where possible. This feedback helps to reassure the complainant that the services do use the outcomes to complaints and dissatisfaction to improve Children's Services.

All improvements highlighted within this report have been verified and have been implemented.

Compliments

There was a 14% increase in all compliments received, (88 from 77). 50% of all representations about Children Services were compliments.

- 39 compliments were regarding the Fostering & Adoption Service;
- 18 of these were about the Adoption Process;
- 21 were in respect of the services provided by the Fostering Team;
- 16 compliments were regarding the Children with Disabilities Services including Grove House Children's Respite Facility;
- 21 compliments were regarding the Safeguarding and Care Planning Teams;
- 8 were regarding the Referral and Assessment Team;
- 2 compliments were regarding the Looked after Children Team;
- 1 compliment was about the quality of care from a children's home;
- 7 compliments were direct from looked after children and were about the quality of their service or social workers.

Conclusions

Complaints about Children's Services decreased by 14% in comparison with the number received during 2015/16, (37). There were no Stage 2 investigations progressing from a Stage 1 complaint received during 2016/17. This means that 100% of complaints received were resolved at Stage 1.

Stage 2 complaints also reduced by 80%. This decrease is due to the willingness of Children's Services Managers offering further resolution to those dissatisfied with the outcome of their Stage 1 investigation.

Quality of services provided continues to be the most complained about area and attracted the most complaints. However, the majority of the issues raised within these complaints tend to be around support from the service or worker concerned. When Children's Services become involved with children or young people, parents and carers often misunderstand the social workers role and often assume that the worker is allocated to the adults. Although it is very important to always do a full holistic assessment of the family circumstances and consider what support may be required, the key focus of involvement must always be the welfare of the child or young person concerned.

Children's Services positively encourage feedback about their services and always ensure that publicity about complaints and compliments is available in public areas and to all families receiving a service. It is also evident that the services are generally well received as during 2016/17, 50% of formal contacts about Children's Services were compliments.