

Annual Complaints Report 2018 / 2019



Annual review of complaints
received by Children's Social Care

Complaints Team
Resident Services Directorate

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Executive Summary

It is a statutory requirement to produce an annual report about complaints made by or on behalf of children and young people who receive support or services from Children's Social Care.

This report provides an overview and analysis of all complaints received during the reporting period 1 April 2018 to 31 March 2019 (Financial Year 2018/19) including a summary of identified issues, examples of service improvement and details of objectives for 2019/20.

Comparisons from the previous reporting period, i.e. from 1 April 2017 to 31 March 2018 (Financial Year 2017/18), have been included where available.

This report will be published on the Council's website, and made available to managers and staff, elected members, residents and inspection bodies.

Graphical information regarding the volume and type of complaints received during the reporting period can be found from page 12 onwards. The following narrative highlights key points to note.

Background – Statutory Complaints Procedure

Children's Social Care complaints are investigated under the statutory provisions of the Children Act 1989 Representations Procedure (England) Regulations 2006. The legislation is supported by detailed guidance from the Department for Education, 'Getting the Best from Complaints', and used in the development of the Children and Families Social Care complaints procedure published by the Council.

The Social Care Complaints Team has the key responsibility for managing the statutory process for complaints from children and young people (or their representatives) about the quality of the service they receive.

The fundamental key principles that underpin Waltham Forest's Children's Social Care complaints procedure are:

- Ensuring that complaints are managed effectively at all stages of the procedure by having clear and straightforward systems in place to capture complaints and that these processes are readily accessible to all service users, and
- Ensuring decisions are taken as quickly as possible and where fault is found, lessons are learnt which are then fed back into service improvements.

The statutory children's social care complaints procedure has three distinct stages which aim to resolve complaints and address representations as soon as reasonably practicable, and within specific timescales. These stages are described as follows.

- **Stage One – Local Resolution**

This stage provides the opportunity for managers and staff who have responsibility for the case, to try and resolve issues of dissatisfaction at a local level as early as possible. The Social Care Complaints Team also provides support and guidance to both the complainant and the service, to help achieve early resolution and, where things have gone wrong, ensure that matters are put right quickly with lessons learned captured and fed back into service improvements.

The timescale for resolving complaints at Stage One is 10 working days; but can be extended to 20 working days for more complex cases.

The timescale in which a complaint is to be responded to is decided by the complaints team, based upon the information in the complaint and the best way to try and resolve it. For example, a parent may want to have a meeting with the team manager to discuss the issues first. It is not always possible to arrange this and respond within 10 working days.

- **Stage Two Investigation**

This part of the procedure is used when the complainant remains dissatisfied after a Stage One investigation, or the complaint is sufficiently serious to warrant a more formal investigation.

This stage allows for a fresh and independent look at the original complaint. The investigation is conducted by an external Investigating Officer and an Independent Person when required who oversees the fairness and transparency of the investigation process.

The Investigating Officer and Independent Person will look at all details surrounding the complaint and make recommendations for a better or improved service, and how any service failings can be rectified.

After considering the findings and recommendations of the investigation team, the Director of Children's Social Care provides a written response to the complainant setting out their view of whether or not they accept the outcome of the investigation.

The timescale for responding to complaints at Stage Two is 25 working days. This can be extended to 65 working days where necessary.

- **Stage Three Review Panel**

If there is any residual dissatisfaction with the outcome at Stage Two, the complainant can request that the issues are taken to a Review Panel consisting of three independent panellists.

The panel considers the complaint and makes recommendations for the consideration of the Strategic Director, Families Directorate; who will then respond to the complainant on the outcome of the review and any actions to be taken.

There are various timescales relating to Stage Three complaints, including:

- Organising the panel within 30 working days of the complainant's request;
- Producing the Chairperson's report within 5 working days detailing its recommendations; and
- Sending the local authority's response to the complainant within 15 working days of the Panel's report.

- **Local Government and Social Care Ombudsman (LGSCO) stage**

If a complainant remains dissatisfied after exhausting all three stages of the statutory complaints process, they can take their complaint to the Local Government and Social Care Ombudsman.

A complainant can access the LGSCO at any point; but the LGSCO normally expects the Local Authority to process the complaint through all stages of the statutory procedure before dealing with it.

The timescales for responding to the LGSCO's enquiries (usually 28 calendar days) is set by them and the Council is required to adhere to this. All responses to the LGSCO were sent to them within the given timescale.

Key Highlights

- **Service User Population**

The service user population is made up of those who had some form of interaction with Children's Social Care during the reporting period. This is primarily those who were in care, had left care, or had been referred for support or protection.

During 2018/19, the Council's Children's Social Care's Multi Agency Safeguarding Hub (MASH) received 3537 safeguarding referrals.

At the beginning of April 2018, the Council was providing a service to 294 Looked After Children. During the previous financial year 2017/18, 223 young people left care and were in receipt of a leaving care service during 2018/19.

In terms of service provision to this group, just over 1% found that they (or their parent/carer) felt that they had cause to make a complaint.

- **Stage One Complaints**

During the reporting period of April 2018 to March 2019, the Social Care Complaints Team recorded a total of 59 complaints relating to children's social care, compared to 42 in the same reporting period in 2017/18.

It should be noted that three complaints were not investigated; as one was withdrawn, one did not have the user's consent, and the other one was outside the remit of the statutory social care complaints procedure.

These three complaints are included in the data relating to being received; but not the reply information; such as timescale or outcome. Therefore, 56 complaints were actually investigated and provided with a response.

The majority of complaints received, 52 (93%) were resolved satisfactorily at Stage One, which means that only four complaints moved on to stage two of the complaints procedure. This is a 5% decrease compared with the previous reporting period of 2017/18.

Nearly three out of four complaints 42 (71%) were made by parents, carers or relatives of the children or young people. One complaint was made by the child or young person; this is a decrease compared with the same period last year when 10 complaints came directly from children and young people. Fourteen complaints (24%) were received via an advocate acting on behalf of the young person.

The standard timescale for responding to Stage 1 complaints is 10 working days. However, if the complaint is complex, for example, it requires a meeting with the advocate/parents, and it is not possible to do this within the initial 10 working days, the timescale can be extended to 20 working days.

A total of 56 Stage One responses were issued during the reporting period. Of these, 93% were responded to within timescale of 20 working days and 39 (66%) within 10 working days. The latter is a 30% improvement on the previous year.

Of the cases responded to at Stage One, 30 (54%) were upheld or partially upheld during the reporting period 2018/19, compared to 20 (49%) in the previous reporting year 2017/18.

- **Stage Two Complaints**

Of the 59 complaints recorded during the reporting period, four complaints progressed to Stage Two. This is an increase of three in comparison to the same period in 2017/18; when one complaint escalated to the second stage.

It should be noted that in total eight requests for a stage two investigation were received during the reporting period; however, one was later withdrawn and the other three complaints originated in the previous year.

Due to the complex nature of the complaints and the need to consult fully with all relevant parties, it took longer than the extended 65 working days timescale to complete the investigation.

- **Stage Three Complaints**

No complaints escalated to the Stage Three Review Panel stage of the complaints procedure during the reporting period. This was the second year running that there were no stage three complaints.

- **Escalation to the Local Government and Social Care Ombudsman (LGSCO)**

A complainant can contact the Local Government and Social Care Ombudsman (LGSCO), at any point during the complaints process. During the reporting period 2018/19, one complaint was investigated by the LGSCO and three others were closed without enquires being made. They did not uphold any of these complaints. The LGSCO will usually refer the complaint back to the Council if the complainant has not been through all the stages of the complaints procedure.

- **Compliments**

During this reporting period, 41 compliments were received, which is a significant increase on the 28 received in the previous year.

The Safeguarding and Family Support Service received 33 compliments, followed by Corporate Parenting with five compliments, and Quality Assurance received three. A snapshot of compliments can be found on page 11.

Publicity and Information

To encourage and facilitate easy access to the complaints process for children and young people, publicity material and information relating to the complaints process continues to be widely publicised through:

- The Council's website
- Speaking to their Social worker
- Speaking to Coram Voice (advocacy)
- Speaking to the Social Care Complaints Team who can provide additional or more detailed advice and support as requested
- Speaking to the Independent Reviewing Officer during or after Reviews

In addition, when children and young people come into the care of the Local Authority as part of the 28-day review meeting, information, leaflets and other guidance on how to make a complaint are included in a 'Welcome Pack'.

Advocacy

Advocacy in its broader sense 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.

Although the role of advocacy is not limited to assisting children or young people when they wish to make a complaint, the purpose of an advocate in the complaints procedure is to ensure that children and young people's interests are promoted effectively by a personal champion.

To support this process, Waltham Forest Council commissions Coram Voice to provide an advocacy support service to Looked After Children, Care Leavers, and Child Protection Advocacy for children aged 7+. Coram Voice can also provide advocacy for Disabled Children. The provision of the advocacy service encourages young people to have their voices heard and their issues discussed at the point of service delivery rather than progressing to a complaint.

Coram Voice also provide an Independent Visitors service to Waltham Forest. They work with children and young people who are in care. Some of these children and young people may have very little or no contact with their families and for some the contact may not always be a positive one. Where it is thought to be in their best interest, they will be asked whether they would like an Independent Visitor.

National consultations with young people have shown that young people do not necessarily want to make complaints, but want to have their issues resolved. The Coram Voice advocacy and Independent Visitor service supports children and young people in trying to achieve such resolutions.

More information about their work can be found at: <https://coramvoice.org.uk/>

Listening to service users and learning from complaints

Children's Social Care considers outcomes from complaints as valuable learning. To improve service quality, managers responding to complaints/representations are encouraged to identify any areas for improvement within the service and to inform the complainant of actions which will be taken to prevent a recurrence of the event which led to the complaint.

All resolution and actions ensuing from complaint investigations are assigned to the responsible manager and progress against those actions is monitored by both the service area and the Social Care Complaints Team over the course of the year.

Two examples of identified learning following complaint investigations during 2018/19 are:

- Social Workers are to ensure that they give parents enough time to comment on assessment reports and have the opportunity to correct any factual inaccuracies or have their views noted in the report.
- Social Workers are to be mindful of the information they write in assessment reports to ensure that it does not disclose personal information inadvertently to unauthorised third parties. In some cases, a redacted version of reports may be considered to be more appropriate.

Managing the complaints process

The Children's Care Complaints Service is managed by the Resident Services Directorate, on behalf of the Families Directorate. This ensures that the Social Care Complaints Team is independent of operational line management and of direct service providers.

The team consists of a Social Care Complaints Manager and a Social Care Complaints Officer. They are responsible for the administration and management of the children's statutory social care complaints process.

External consultants are commissioned to investigate Stage Two complaints and sit on Stage Three Review Panels.

During the reporting year, just over £12,100 was spent on using external consultants for Stage Two investigations. Part of this expense was for investigation of complaints that originated during the previous financial year.

Complaints should be made through an online portal (or by letter if the person does not have online access).

They are then allocated to team managers via this system which has the ability to send out reminder notifications and to keep the complainant informed about where their complaint is within the process.

Training and Development

Online e-learning is available to all staff; including modules on complaints handling, customer care, data protection and so on; these can be accessed through the Council's Website.

During this reporting period 12 managers attended a complaint handling training session provided by the Local Government and Social Care Ombudsman.

The Social Care Complaints Team is available to support and advise staff; to ensure that best practice is followed during a complaint investigation; and to provide targeted training with individual members of staff and managers on request.

In addition, complaints handling procedures and processes are regularly updated and made available on the staff intranet.

Integrated Services

Many of Waltham Forest's health and social care services are provided in partnership with health agencies within the borough, primarily; the North East London NHS Foundation Trust, Barts Health NHS Trust and the Waltham Forest Clinical Commissioning Group.

Complaints processes are provided and managed separately by each agency, and performance in this report is specifically about the Waltham Forest Council aspect of the complaints procedure.

Compliments

Children and young people come to the attention of Children's Social Care for a variety of reasons, and the input with some families may not always be welcomed. However, much of the support provided is greatly appreciated, with many compliments delivered verbally. These cannot be captured for reporting purposes.

However, where staff have done an exceptionally good piece of work or provided an excellent service, some parents and carers have sent in a written compliment to that worker or team.

During this reporting period, 41 compliments were received, which is a significant increase on the 28 received in the previous year.

The Safeguarding and Family Support Service received 33 compliments, followed by Corporate Parenting with 5 compliments, and Quality Assurance received 3.

A snapshot of these is outlined below:

"I just wanted to express my thanks for your support in finally getting this young person the help they so desperately needed. They are getting support from the social worker and feeling much more positive about the future"

"The social worker has been very accurate with her assessment of the situation, she has been quick to respond to the rising concerns and she has communicated quickly and efficiently with us as a family"

"I just want to point out how helpful the staff member has been to us in safeguarding our young people and ensuring we maintain a smooth multi-agency working partnership. In particular when dealing with urgent cases. She seems to be phenomenal at her job, thus I just want to highlight that she is definitely an asset to your team"

"Please can I take this opportunity to say how impressed I am with the work that the social worker is doing to support the family. She is probably one of the most thorough social workers I have worked with. I am sure that you will know how people are generally very quick to point out negatives, but we would like you and her to know how impressed we are"

"I have had many social workers but none of them have really helped or understood me. I will honestly remember her and all she has done for me. My life is back on track and I feel more positive"

"I would like to thank you personally for your handling of our case with such professionalism. You do amazing work and maybe don't get enough recognition for it. You all genuinely care and want the best for families. Thank you so much again"

Analysis of complaints

The following sections of this review provide statistical information on the number of statutory complaints recorded and actioned; the performance against statutory timescales for handling complaints and complaint trends between the reporting period to date, and the same period the previous reporting year 2017/18.

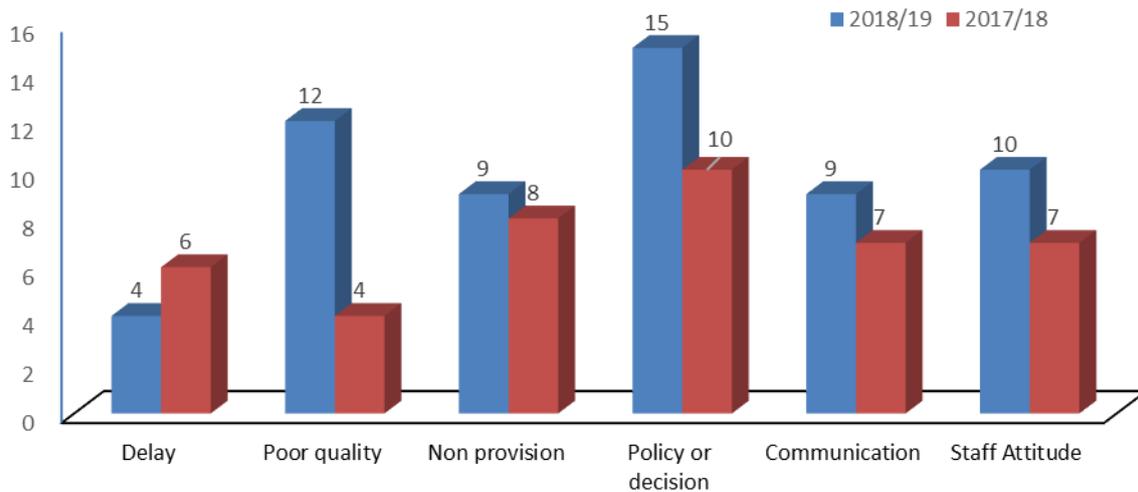
In this report, we have outlined six main issues about which people made a complaint. These are the same categories used across all Council directorates to provide consistent and comparative information across all directorates.

It is not always easy to fit Children's Social Care complaints into one of the six areas, as it is not a 'one size fits all' solution, and some complaints cross multiple categories. Each complaint is allocated a 'best fit' category according to the issues raised by the complainant and is from their perspective. The types of complaints are allocated as follows:

Policy and Decision	Usually relates to an outcome of an assessment or a service request that has not been agreed
Staff Attitude	Primarily around customer service issues, or where a worker said they would do something; but did not.
Poor Quality of Service	Mainly about the quality of reports and case management.
Non-Provision of Service	Where a service was agreed; but not provided.
Communication	Usually about, calls, messages, emails, etc not being returned.
Delay in Service Provision	Where a formal or informal deadline is set to provide a service; but is missed and provided much later.

During the reporting period 1 April 2018 to 31 March 2019, the Social Care Complaints Team recorded a total of 59 complaints received, compared to 42 in the same reporting period in 2017/18.

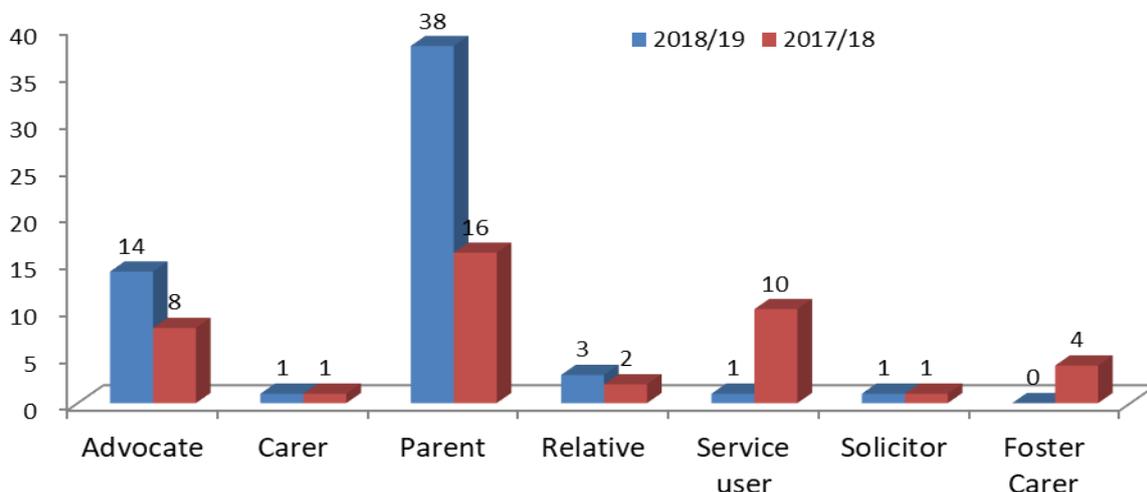
The following chart shows the reasons for making a complaint during the reporting period, compared with the previous year 2017/18.



The above chart shows that there were 17 more complaints made in this reporting period than in the previous year. To enable a like for like comparison, percentages give a better indication of whether there was an increase or decrease in the specific types of complaints received.

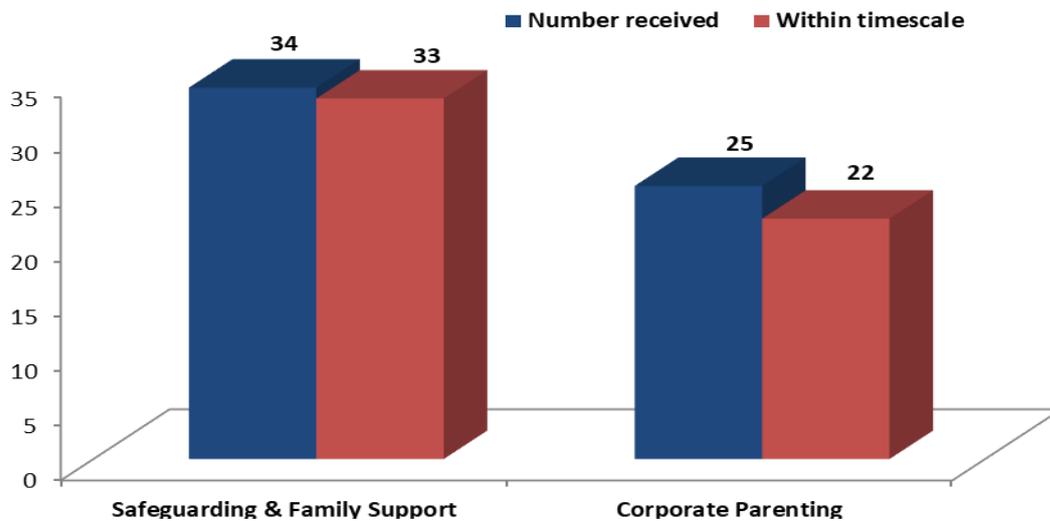
- Overall there was an 29% increase in the number of complaints received in this reporting period compared to 2017/18.
- There was a significant increase in the number of complaints about poor quality, which was up to 12 (20%), from 4 (10%) in the previous year.
- Overall, there was a general increase in complaints across all areas, with the exception of delays, where there was a decrease.

The following chart sets out information about who accessed the statutory procedure during the reporting period.



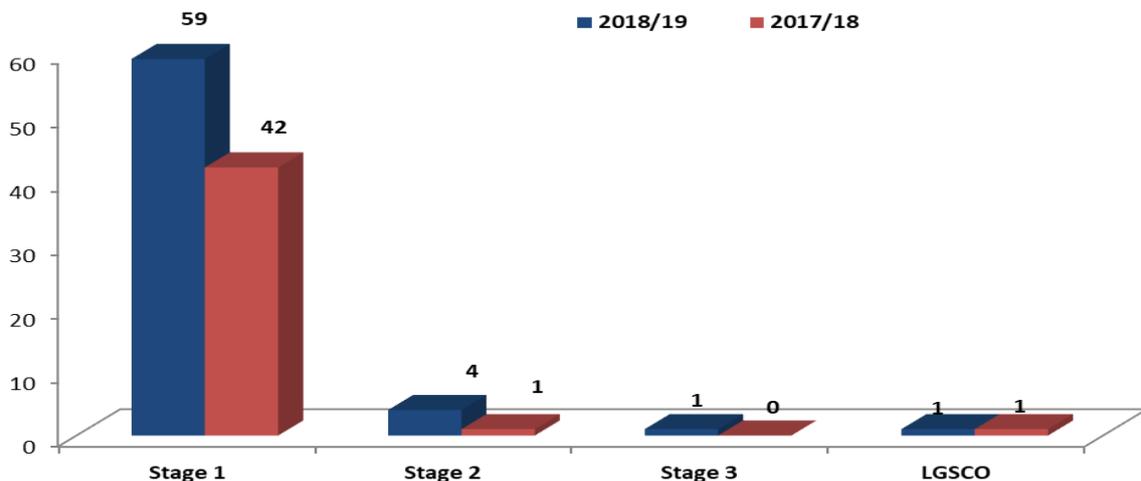
Nearly three out of four complaints 42 (71%) were made by parents, carers or relatives of the children or young people. One complaint was made by the child or young person; this is a decrease compared with the same period last year when 10 complaints came directly from children and young people. Fourteen complaints (24%) were received via an advocate acting on behalf of the young person.

The following chart sets out the total number of complaints requiring a response by each service area during the reporting period and the number responded to within timescale:



- The Safeguarding and Family Support Service includes the Referral and Assessment teams and MASH.
- The Corporate Parenting Service includes the Leaving Care Service, Placement and Resources Service and Fostering and Adoption Team

The following chart shows the number of cases that were escalated at each stage of the Complaints Process during the reporting period, compared with the previous year 2017/18



The majority of complaints received, 52 (93%) were resolved satisfactorily at Stage One, which means that only 4 complaints moved on to Stage Two of the complaints procedure. This is a 5% decrease compared with the previous reporting period of 2017/18.

It should be noted that three complaints were not investigated; as one was withdrawn, one did not have the user's consent, and the other one was outside the statutory complaints remit. This meant that 56 complaints were actually investigated at Stage One.

During the reporting period 2018/19, only one complaint was investigated by the Local Government and Social Care Ombudsman and three others were closed without enquires being made.

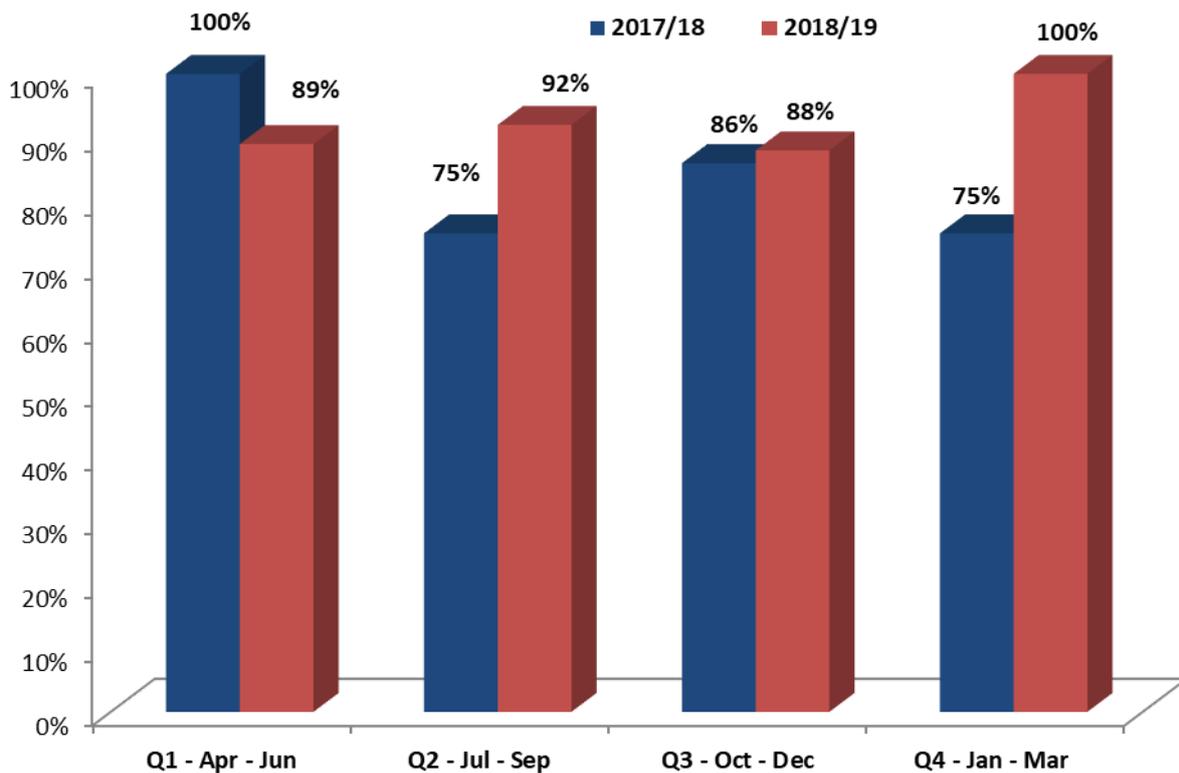
The following table shows the percentage rate of the type of complaint that was upheld or partly upheld.

Trend	Number of Complaints	Upheld	Partly Upheld	Not Upheld	Withdrawn	% of Complaints Upheld and Partly Upheld
<u>Stage One</u>	59	2	28	26	3	54%
Policy and Decision	15	2	4	9	0	40%
Staff Attitude	10	0	6	4	0	60%
Poor Quality	12	0	9	3	0	75%
Not Provided	9	0	3	3	3	33%
Communication	9	0	4	5	0	44%
Delay	4	0	2	2	0	50%
<u>Stage Two</u>	5	0	4	0	1	80%
Policy and Decision	3	0	2	0	1	67%
Poor Quality	2	0	2	0	0	100%
<u>LGSCO Complaints</u>	4	0	0	4	0	0%

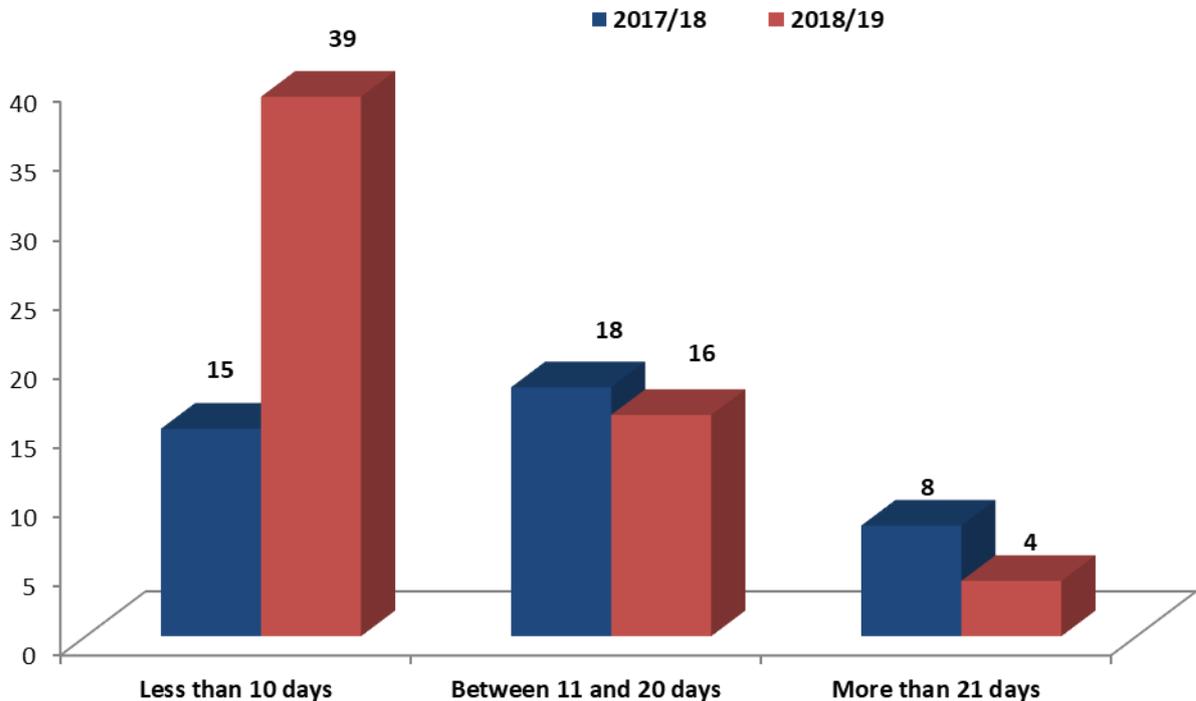
Many managers contact complainants and offer to meet with them informally to discuss the complaint and try to provide a verbal resolution prior to sending their written response. The clarification of complaints also enables a better quality response, as issues usually become clearer during a meeting or telephone conversation.

This is considered good practice as it enables managers to clear up any misunderstandings and to resolve matters as quickly as possible, especially for parents involved in a child protection enquiry. However, arranging such meetings usually means that responding to the complaint can take longer than 10 working days, and as such 20 working days is used as the main performance measure.

The following chart shows the number of complaints responded to within timescale per quarter.



The following chart shows the number of working days taken to respond to complaints within this reporting period.



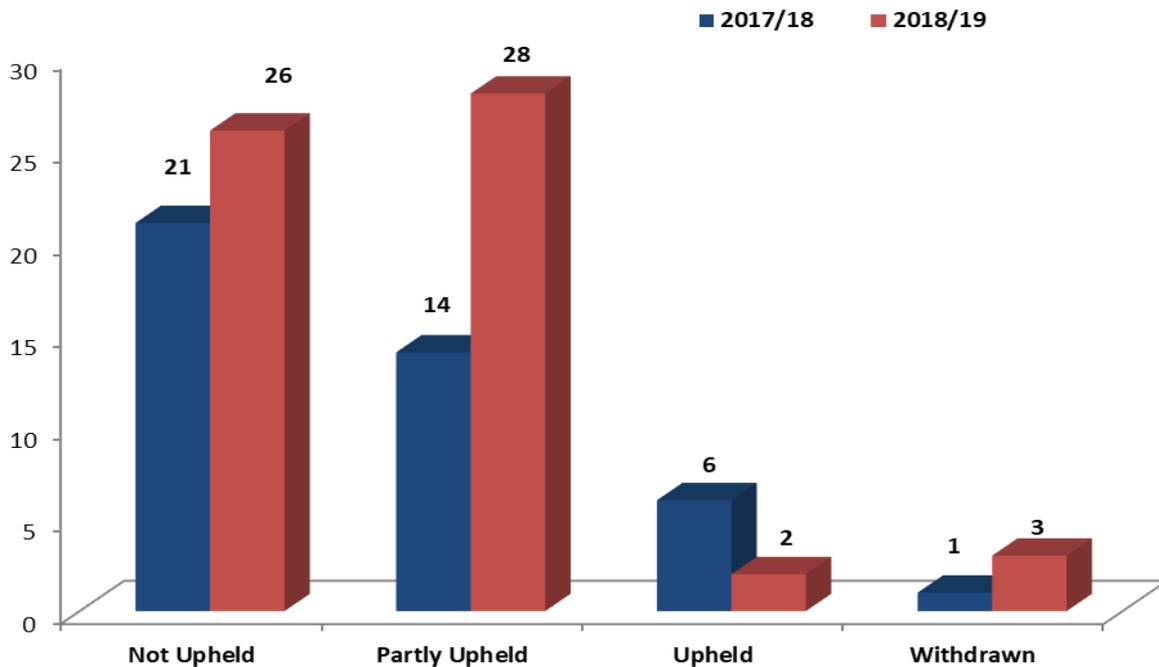
Of the Stage One responses received during the reporting period, 93% were responded to within timescale of 20 working days and 39 (66%) within 10 working days. The latter is a 30% improvement on the previous year. Where the complaint is complex, for example, it requires a meeting with the advocate/parents, it is not possible to do this within the initial 10 working days, the extended timescale is used.

In a report called 'Are we getting the best from children's social care complaints?', the Local Government and Social Care Ombudsman states: *'Don't delay - The statutory timescales are designed to ensure complaints are handled effectively, fairly and swiftly throughout the process'*.

They go on to say: *'We also receive complaints from people frustrated by delays, often finding the path through the statutory process to be littered with obstacles, coming to us hoping to find a swifter and simpler resolution'*.

It is vital that complaints are responded to within the set timescale to ensure that users, parents and carers know that their dissatisfaction is taken seriously and does not add to their frustrations.

The following chart shows the outcome of Stage One Complaints received during the reporting period, compared with the previous year 2017/18.



Of the cases responded to at Stage One, 30 (54%) were upheld or partially upheld during the reporting period 2018/19, compared to 20 (49%) in the previous reporting year 2017/18.

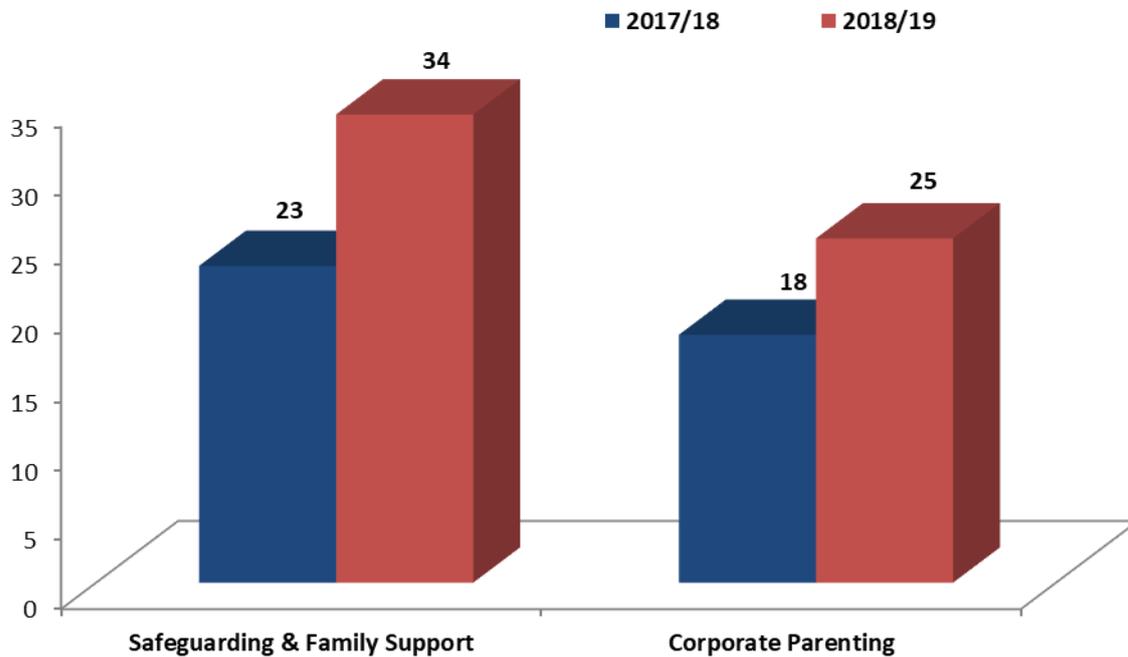
With regards to those complaints that were upheld, the service offered apologies and advised the service users of any actions that would be taken to prevent the incident that led to their complaint from recurring.

Child Protection – safeguarding, plans and conferences

During 2018/19, the Council's Children's Social Care's Multi Agency Safeguarding Hub (MASH) received 3537 safeguarding referrals.

The majority of complaints in relation to child protection were primarily from parents and relatives around the quality of reports written by the allocated worker or about information written about them that they felt misrepresented their views.

Complaints received by each service in comparison to previous year



34 (58%) of the complaints received in this reporting period were in relation to safeguarding and family support; compared to 23 (55%) in 2017/18; this is a slight percentage increase in comparison to last year.

This includes cases where at the time of the complaint, the child may have initially been subject to a Child Protection Plan; but subsequently became subject to a Child in Need Plan.

For many complainants the child protection enquiry is the first contact that they may have had with 'Children's Social Care', so they initially refer to the information leaflets that they are given, which state:

'The law also says that Children's Social Services must work with parents and carers and keep them involved with what is happening'.

When parents/carers feel that they are not kept informed regularly or fully involved in what is happening with their child; they use the appropriate mechanisms to raise this.

It is acknowledged that a child protection enquiry can be upsetting and difficult for parents/carers to come to terms with, especially if they are the subject of any allegations. The majority of issues raised in complaints about child protection procedures are in relation to the child protection investigation, poor communication, and the attitude of the social worker. These are often all contained in one overall complaint.

It is evident that when concerns are not dealt with at the time the issue is raised, this causes frustration which leads to a greater level of dissatisfaction. An example of this is when telephone calls and messages are not returned, complainants feel that they are being ignored and they cannot find out what is happening.

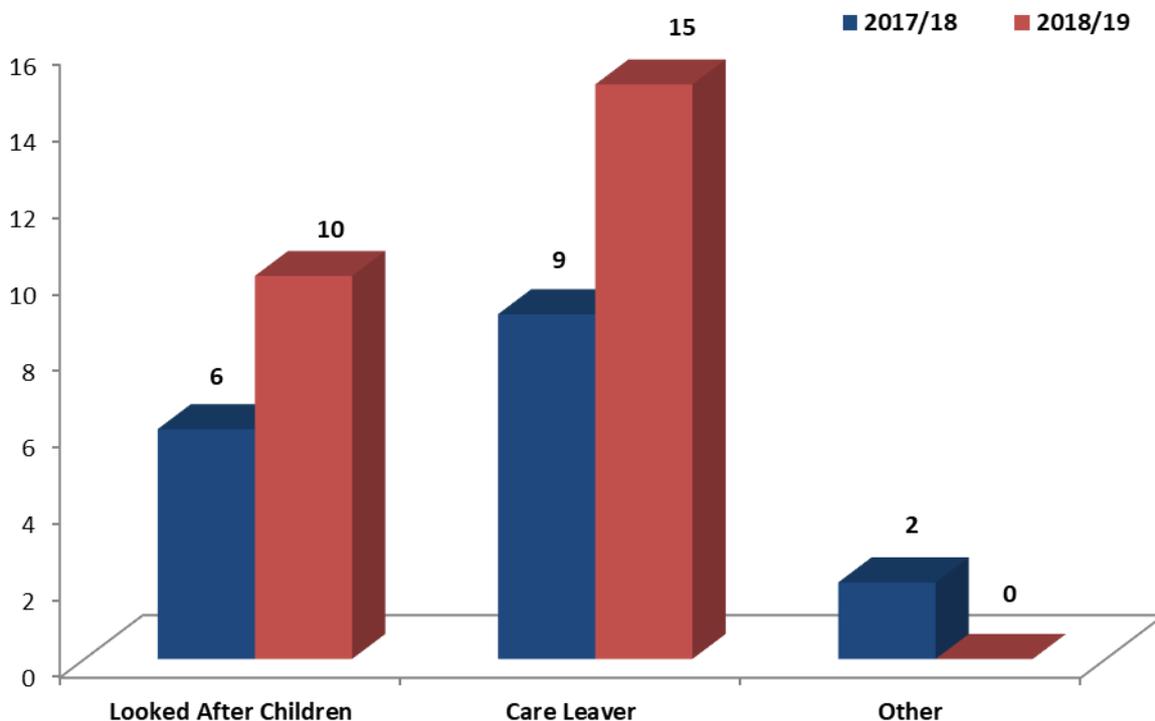
Corporate Parenting

The Corporate Parenting Service is primarily split between two types of service user; those who are in care (Looked After Children) and those who have left care (Care Leavers).

At the beginning of April 2018, the Council was providing a service to 294 Looked After Children. During the previous financial year 2017/18, 223 young people left care and were in receipt of a leaving care service during 2018/19.

During the reporting period, 25 (42%) complaints were received compared to 17 (40%) in 2017/18.

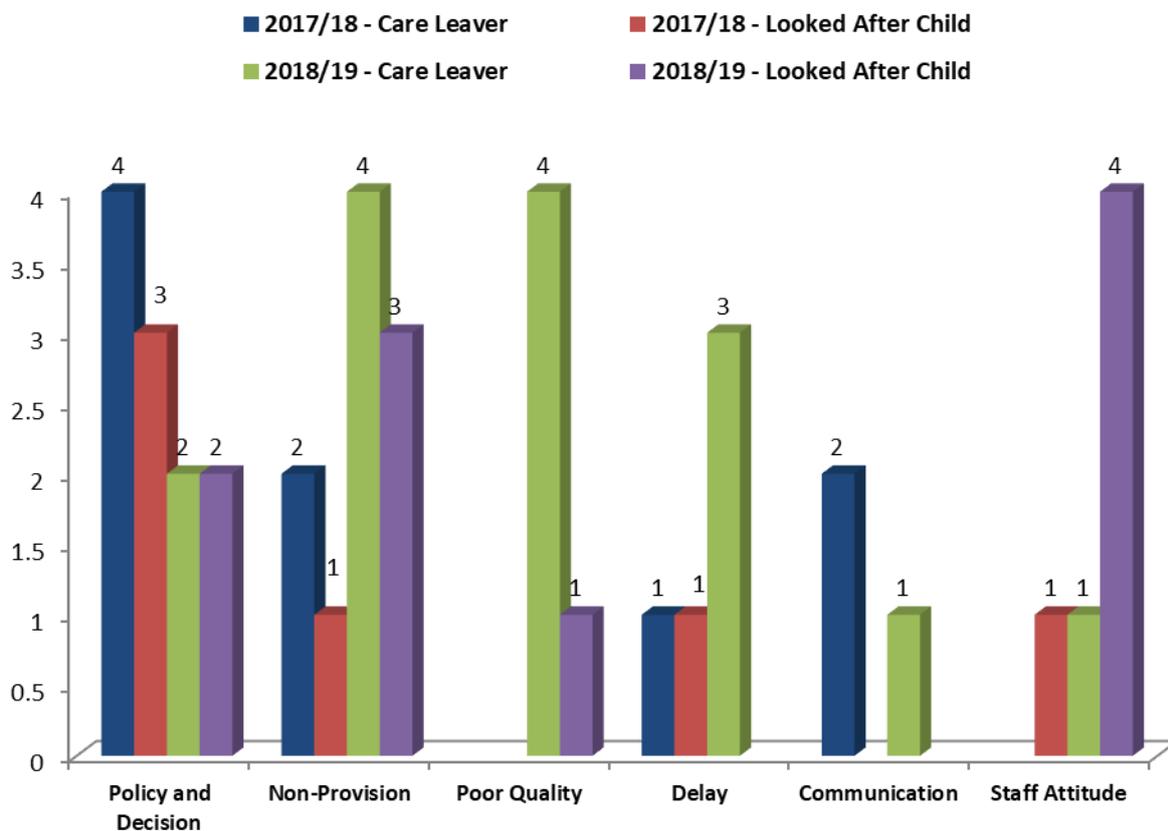
The chart below shows which groups of people complained about the Corporate Parenting Service during this reporting period compared to 2017/18.



It should be noted that 12 of the 15 complaints came from care leaver themselves or their advocate. Whereas 6 of the 10 complaints came from parents/relatives/carers of Looked After Children; with the remaining 4 made via their advocate.

As referred to earlier in this report, the low number of complaints received directly from children in care or their advocates, could be partially due to informal complaint resolutions facilitated by Coram Voice, who contact managers directly to raise the young person's concerns and resolve issues informally; this is identified as good practice and enables early resolution of problems.

The chart below shows what Looked After Children and Care Leavers complained about in the Corporate Parenting Service in the period compared to 2017/18.



Improvements in 2018/19

- Complaint guide and the information on the website were updated to ensure that it remains accessible to all. This can be found at: <https://www.walthamforest.gov.uk/content/complaints-compliments-and-comments>
- The complaints procedure was reviewed and updated. This is made available to staff through publication on the Council's intranet.
- Training was provided by the Local Government & Social Care Ombudsman to 12 managers across the service.

- The Complaints Team Privacy Notice has been created and can be found on the Council's website at: <https://www.walthamforest.gov.uk/content/corporate-complaints-team-privacy-notice>

Priorities for 2019/20

The Social Care Complaints Team will:

- continue to work with Children's Social Care to identify areas for service improvement and learning from complaints. This will be done through the implementation of action plans, which the Social Care Complaints Team will set out with recommendations for service improvement. Children's Social Care will have the opportunity to review recommendations, agree or change them as appropriate and then feed back to the Social Care Complaints Team.
- work with the Council's General Data Protection Regulation Support team, where required, to support the service to identify and implement any changes required by the General Data Protection Regulation in relation to complaints handling; such as, consent, retention periods and Privacy Notices.
- implement any changes to the complaints process in light of re-organisation of the Council's management board restructuring.
- look at ways to improve the time taken to investigate stage two and stage three complaints.