

# **Annual Complaints Report**

## **2019/2020**



Annual review of complaints  
received by Children's Social Care

**Complaints Team**  
Resident Services Directorate

Executive Summary.....	<b>3</b>
Background – Statutory Complaints Procedure .....	<b>3</b>
Key Highlights.....	<b>5</b>
Publicity and Information .....	<b>7</b>
Advocacy.....	<b>8</b>
Listening to service users and learning from complaints .....	<b>8</b>
Managing the complaints process.....	<b>9</b>
Training and Development.....	<b>10</b>
Integrated Services.....	<b>10</b>
Compliments.....	<b>10</b>
Analysis of complaints .....	<b>12</b>
Improvements in 2019/20 .....	<b>20</b>
Priorities for 2020/21.....	<b>21</b>

## 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 2019 to 31 March 2020 (Financial Year 2019/20) including a summary of identified issues, examples of service improvement and details of objectives for 2020/21.

Comparisons from the previous reporting period, i.e. from 1 April 2018 to 31 March 2019 (Financial Year 2018/19), 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.

Stage three review panel should not reinvestigate the complaints, nor should it consider any substantively new complaints were not considered at stage two. The focus of the panel is to listen to all parties and to help facilitate a resolution that satisfies all parties involved.

The panel 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. During 2019/2020, the Council complied with all the timescales set by the LGSCO when sending its responses to enquiries.

## 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, have left care, or have been referred for support or protection.

During 2019/20, the Council's Children's Social Care's Multi Agency Safeguarding Hub (MASH) received 1126 safeguarding referrals.

At the beginning of April 2020, the Council was providing a service to 294 Looked After Children. During the previous financial year 2019/20, 285 young people left care and were in receipt of a leaving care service during 2019/20.

In terms of service provision to this group, 32 found that they (or their parent/carer) felt that they had cause to make a complaint.

- **Stage One Complaints**

During the reporting period of 1 April 2019 to 31 March 2020, the Social Care Complaints Team recorded a total of 59 complaints relating to children's social care. This is the same amount received in the reporting period 2018/19.

The majority of complaints received, 55 (95%) were resolved satisfactorily at the first stage. One complaint was later withdrawn. Three complaints moved on to stage two of the complaints procedure. This is a 25% decrease compared with the previous reporting period of 2018/19.

The majority of complaints (38 - 64%) were made by parents, carers or relatives of the children or young people. Five (8%) complaints were made by the child or young person; this is an increase compared with the same period last year when one complaint came directly from children and young people. Twelve complaints (21%) were received via an advocate acting on behalf of the young person. Four (7%) complaints were made by organisations.

The standard timescale for responding to Stage 1 complaints is 10 working days. However, if the complaint is complex, or, 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 58 Stage One responses were issued during the reporting period. 47 (81%) were responded to within timescale of 20 working days and of these 28 (48%) within 10 working days. The latter is a 18% decrease on the previous year.

Of the cases responded to at Stage One, 29 (50%) were upheld or partially upheld during the reporting period 2019/20, compared to 30 (54%) in the previous reporting year 2018/19.

- **Stage Two Complaints**

Of the 59 complaints recorded during the reporting period, 3 complaints progressed to Stage Two. This is a decrease of 1 in comparison to the same period in 2018/19; when 4 complaints escalated to the second stage.

It should be noted that in total 5 requests for a stage two investigation were received during the reporting period; however, one was later withdrawn. One complaint accepted at Stage 2 during 2019/2020 had been investigated at Stage 1 during 2018/2019.

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 these investigations.

- **Stage Three Complaints**

One complaint escalated to the Stage Three Review Panel stage of the complaints procedure during the reporting period.

- **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 2019/20, 3 complaints were investigated by the LGSCO and 3 others were closed without enquires being made. They upheld two of the complaints investigated.

The LGSCO will usually refer a complaint back to the Council if the complainant has not been through all the stages of the complaints procedure.

- **Compliments**

During this reporting period, 31 compliments were received, which is a decrease on the 41 received in the previous year.

The Safeguarding and Family Support Service received 25 compliments, followed by Corporate Parenting with 5 compliments, and Quality Assurance received one. 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 publicised through:

- The Council's website
- a 'Welcome Pack' for 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.

## 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 2019/20 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, in support 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 under £8,000 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.

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, 31 compliments were received, which is a decrease on the 41 received in the previous year.

The Safeguarding and Family Support Service received 25 compliments, followed by Corporate Parenting with 5 compliments, and Quality Assurance received 1.

A snapshot of these is outlined below:

*"You have supported me so much and helped me through such a hard and confusing situation  
When you were giving advice, you knew exactly what you were talking about and you  
never promised something that you couldn't provide"*

*"I just wanted to write to you both to say thank you for the efforts you both went to, offering  
support to my family members. I found you both to be very professional, caring, sensitive and  
always prompt to respond to my concerns"*

*"I find you very clear and direct, and firm and fair in your approach. You appear to take a  
very matter of fact, common sense approach, which is not muddled by the use of  
professional jargon and is an approach I know parents find accessible"*

*"You have been the most consistent professional in my life since being in care, and I'm  
sure you know that you're amazing at your job, and I very much appreciate everything  
you've done for me, in finding things out, and advocating for me, and being fair, and telling  
me when I was being unreasonable"*

*"You presented the case very well. You have obviously, completed a lot of work with the  
family, which has allowed for a positive outcome for the children. This was all achieved in  
short space of time. The family also echoed that they have found you supportive"*

*"the young person and the worker were very positive about the support and positive  
relationship with the social worker. They made particular mention of the good and quick  
responses they get and the young person feels very supported"*

## 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 2018/19.

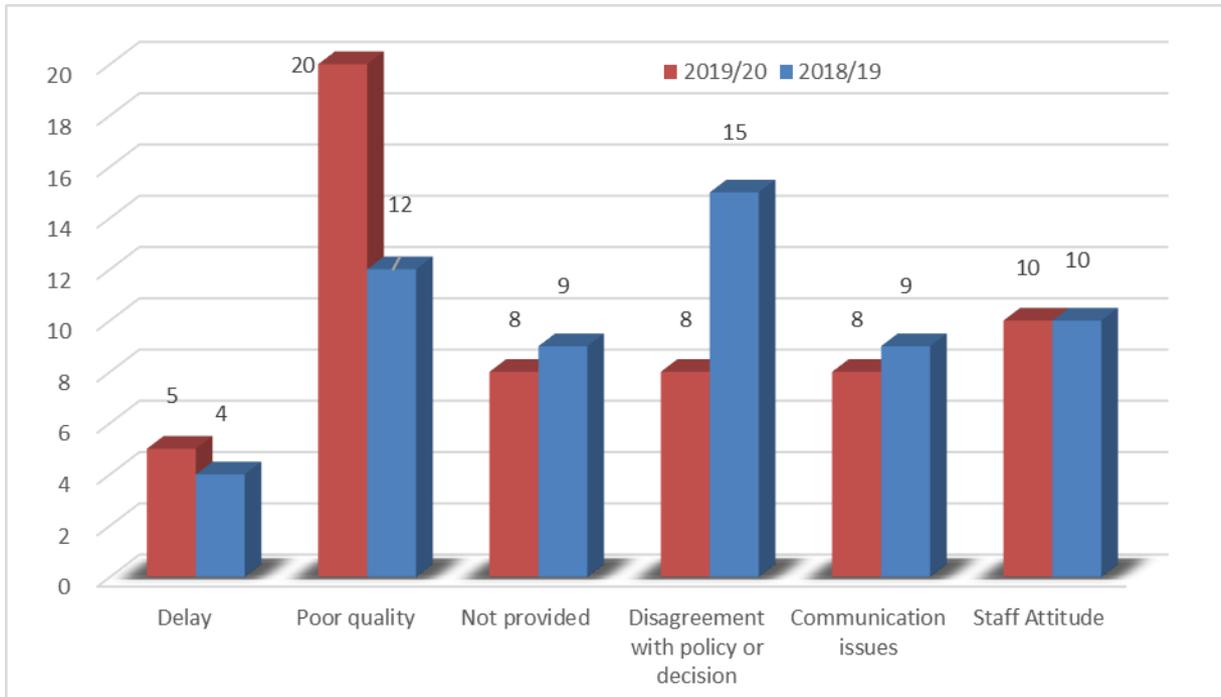
In this report, we have outlined six main issues about which people made a complaint. These are the same categories used across all Council directorates to provide consistent and comparative information across all directorates.

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:

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

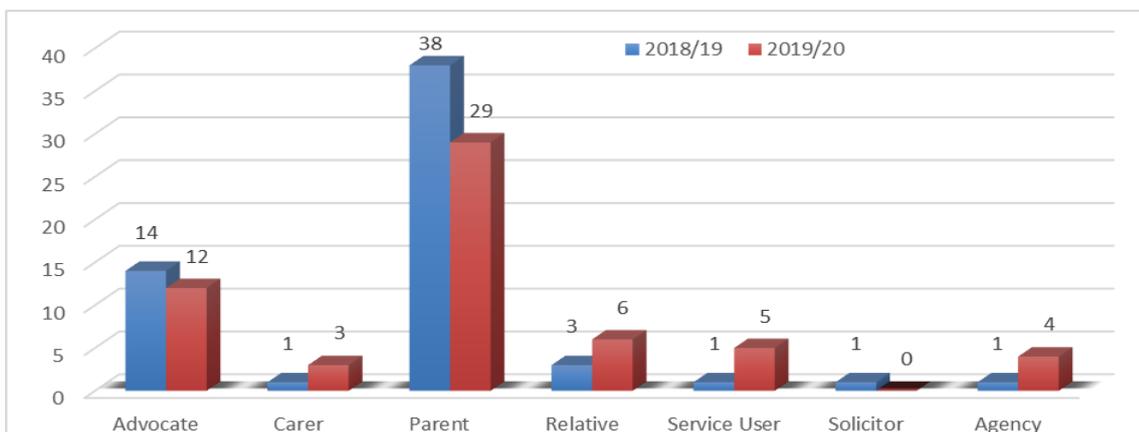
During the reporting period 1 April 2019 to 31 March 2020, the Social Care Complaints Team recorded a total of 59 complaints received, which is the same amount received in the reporting period 2018/19. One complaint was later withdrawn and has not been included in the outcome figures.

The following chart shows the reasons for making a complaint during the reporting period, compared with the previous year 2018/19.



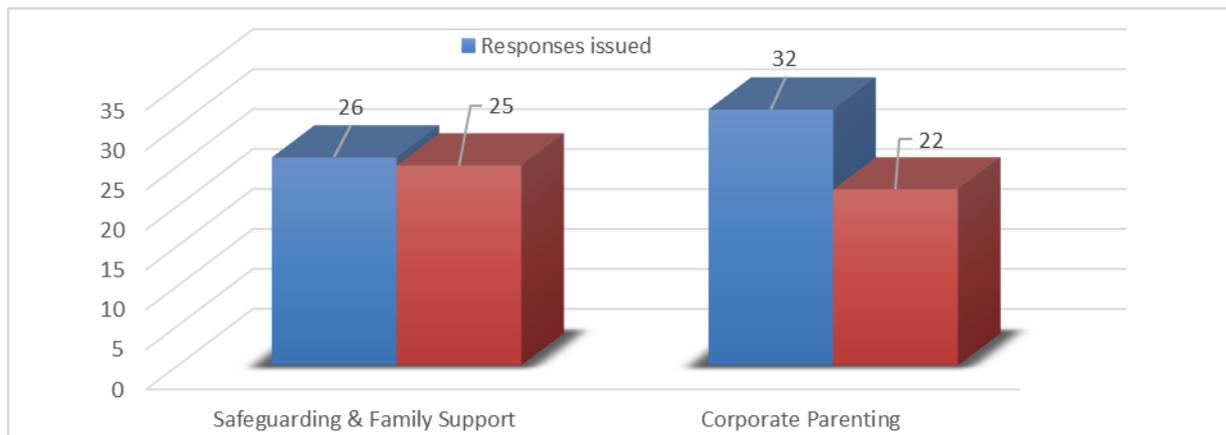
- Overall, there was a general decrease in complaints across all areas, with the exception of delays, where there was an increase of 1 complaint, and Staff Attitude which was the same as last year.
- Disagreement with Policy or Decision saw a significant decrease with around half the number of complaints received compared with the previous year.
- There was an increase in the number of complaints about poor quality, which was up to 20 (34%), from 12 (20%) in the previous year.

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



Nearly two out of three complaints 38 (64%) were made by parents, carers or relatives of the children or young people. Five (8%) complaints was made by the child or young person; this is an increase compared with the same period last year when one complaint came directly from children and young people. 12 complaints (21%) were received via an advocate acting on behalf of the young person. Four (7%) complaints were made by organisations.

**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 majority of complaints received, 55 (95%) were resolved satisfactorily at the first stage. Which means that only 3 complaints moved on to stage two of the complaints procedure. This is a 25% decrease compared with the previous reporting period of 2018/19.

It should be noted that one complaint was withdrawn; this meant that 58 complaints were actually investigated at Stage One.

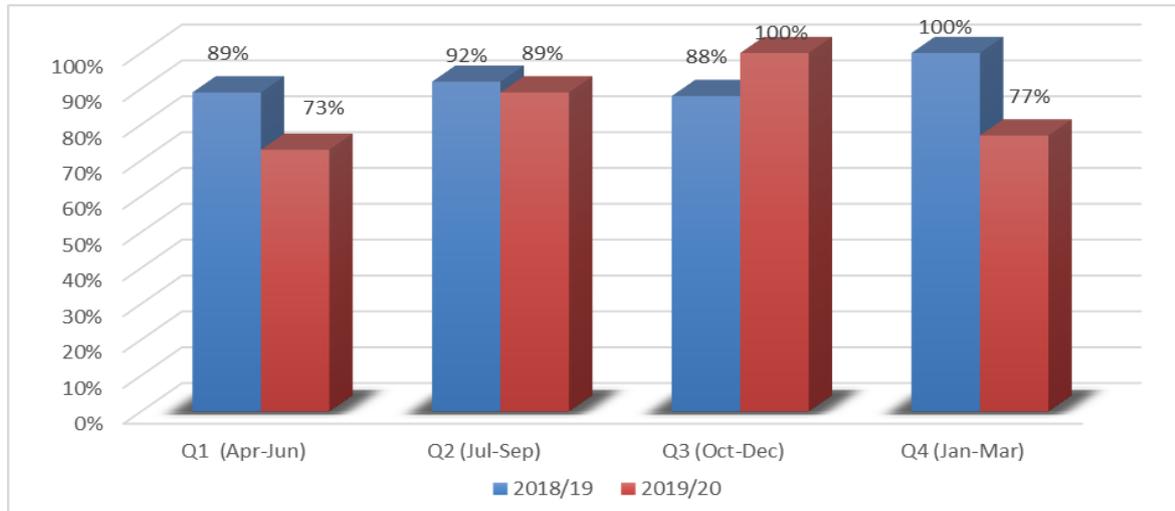
During the reporting period 2019/20, three complaints were investigated by the Local Government and Social Care Ombudsman and three others were closed without enquires being made.

Trend	Number of Complaints	Upheld	Partly Upheld	Not Upheld	Withdrawn	% of Complaints Upheld and Partly Upheld
<b><u>Stage One</u></b>	<b>59</b>	<b>3</b>	<b>26</b>	<b>29</b>	<b>1</b>	<b>50%</b>
<b>Policy and Decision</b>	8	0	3	5	0	38%
<b>Staff Attitude</b>	10	0	7	3	0	70%
<b>Poor Quality</b>	20	2	7	10	1	45%
<b>Not Provided</b>	8	0	3	5	0	38%
<b>Communication</b>	8	1	2	5	0	38%
<b>Delay</b>	5	0	4	1	0	80%
					Ongoing	
<b><u>Stage Two</u></b>	<b>3</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>67%</b>
<b>Policy and Decision</b>	1	1	0	0	0	100%
<b>Poor Quality</b>	2	1	0	0	1	50%
<b><u>Stage Three</u></b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0%</b>
<b><u>LGSCO Complaints</u></b>	<b>3</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>67%</b>

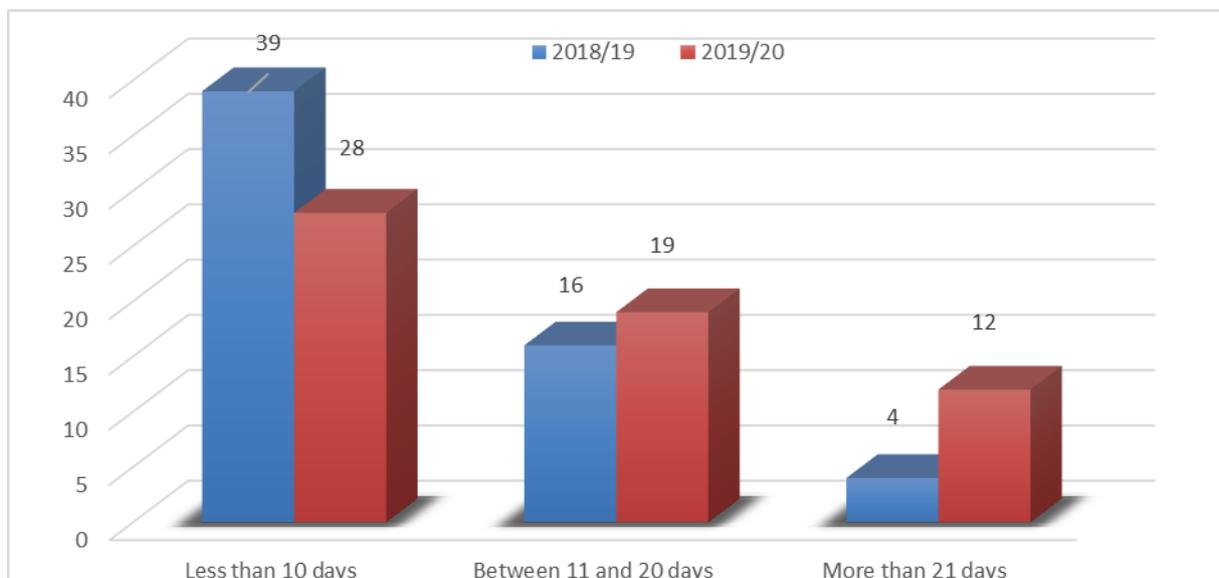
Many managers contact complainants and offer to meet with them informally to discuss the complaint and try to provide a verbal resolution prior to sending their written response. The clarification of complaints also enables a better quality response, as issues usually become clearer during a meeting 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, 47 (81%) were responded to within timescale of 20 working days and 28 (48%) within 10 working days. The latter is a 18% decrease 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.

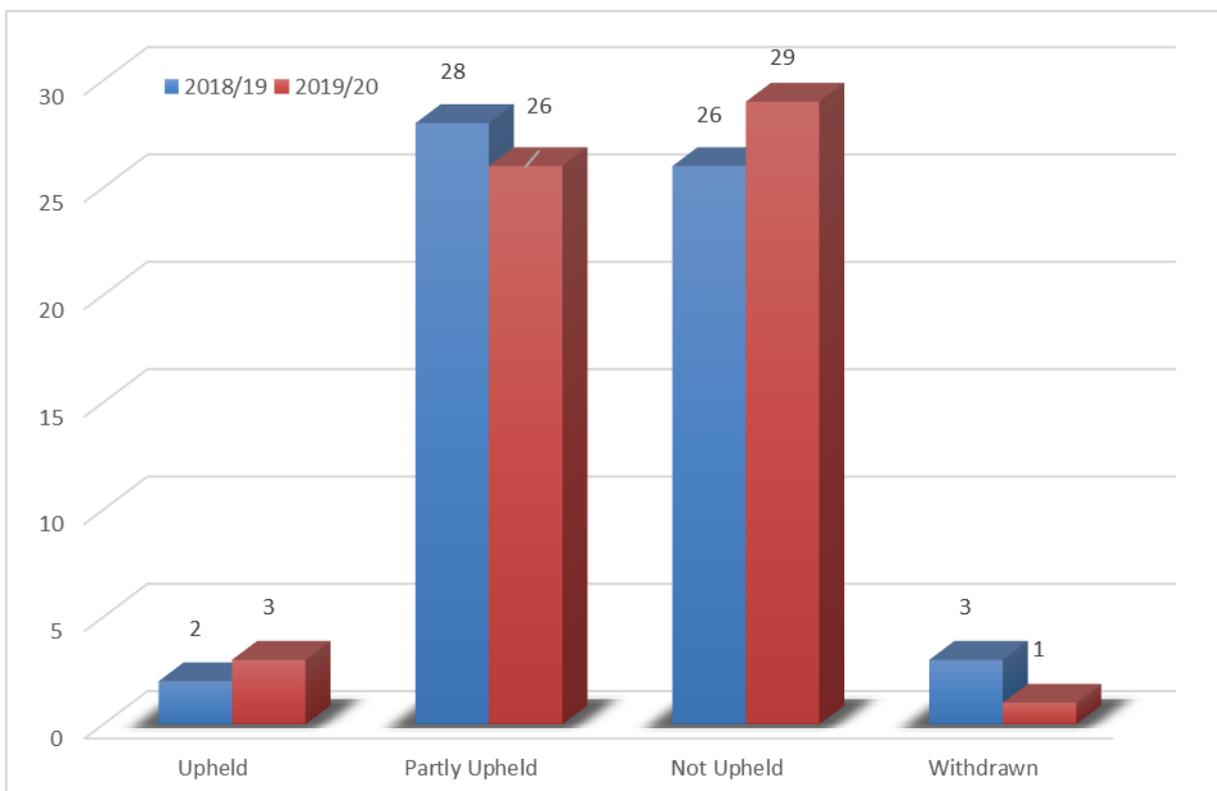
In a report called 'Are we getting the best from children's social care complaints?', the Local Government and Social Care Ombudsman states: *'Don't delay - The statutory timescales are designed to ensure complaints are handled effectively, fairly and swiftly throughout the process'*.

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.

During 2020/21 we will be working with senior managers to identify ways of improving the timescale responding to complaints at all stages. We have outlined this in our priorities on page 22.

**The following chart shows the outcome of Stage One Complaints received during the reporting period, compared with the previous year 2018/19.**



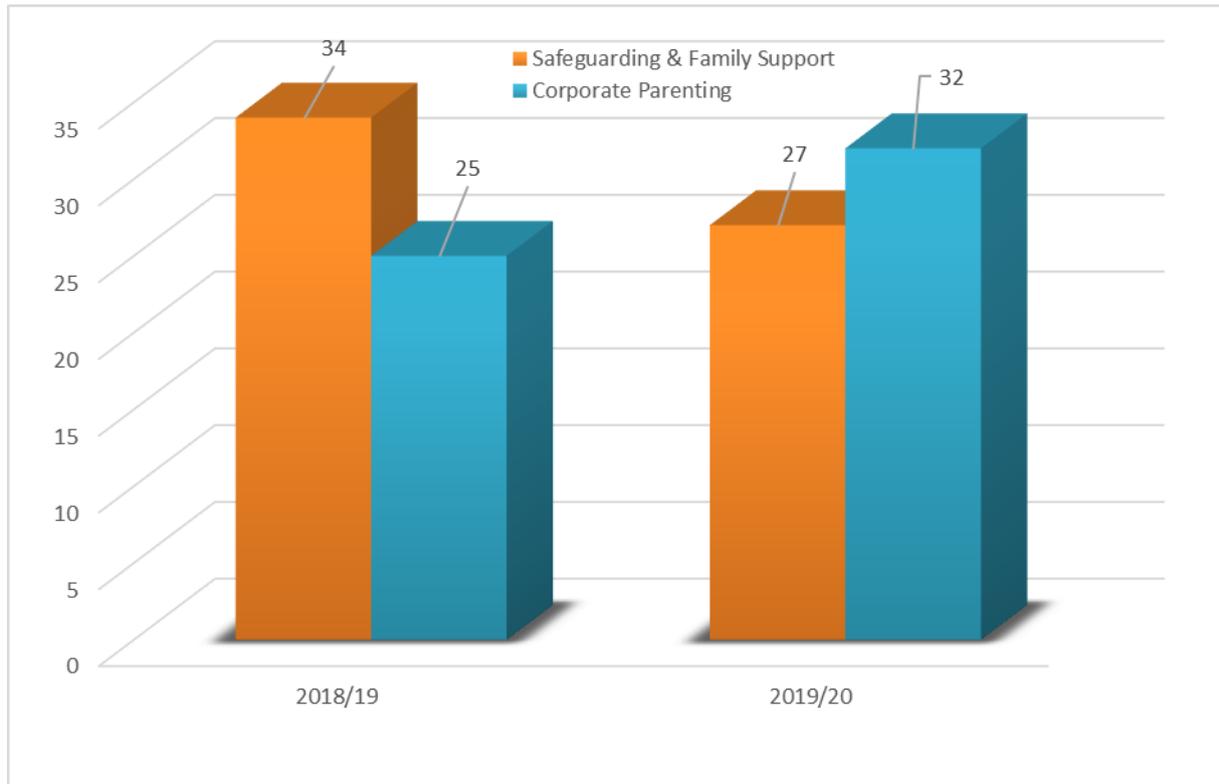
Of the cases responded to at Stage One, 29 (50%) were upheld or partially upheld during the reporting period 2019/20, compared to 30 (54%) in the previous reporting year 2018/19.

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 2019/20, the Council's Children's Social Care's Multi Agency Safeguarding Hub (MASH) provided an outcome for 1267 safeguarding referrals. 611 referrals moved on to Child and Family assessments.

### Complaints received by each service in comparison to previous year



27 (46%) of the complaints received in this reporting period were in relation to safeguarding and family support; compared to 34 (58%) in 2018/19; this is a 12% decrease 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 being 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.

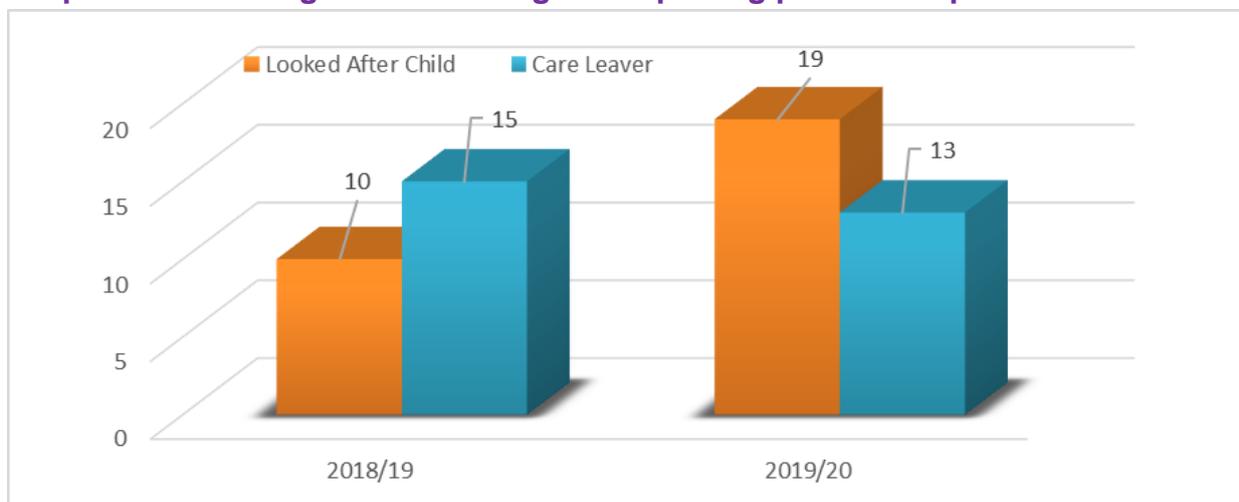
## Corporate Parenting

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 2019, the Council was providing a service to 304 Looked After Children. During the previous financial year 2018/19, 284 young people left care and were in receipt of a leaving care service during 2019/20.

During the reporting period, 32 (54%) complaints were received compared to 25 (42%) in 2018/19.

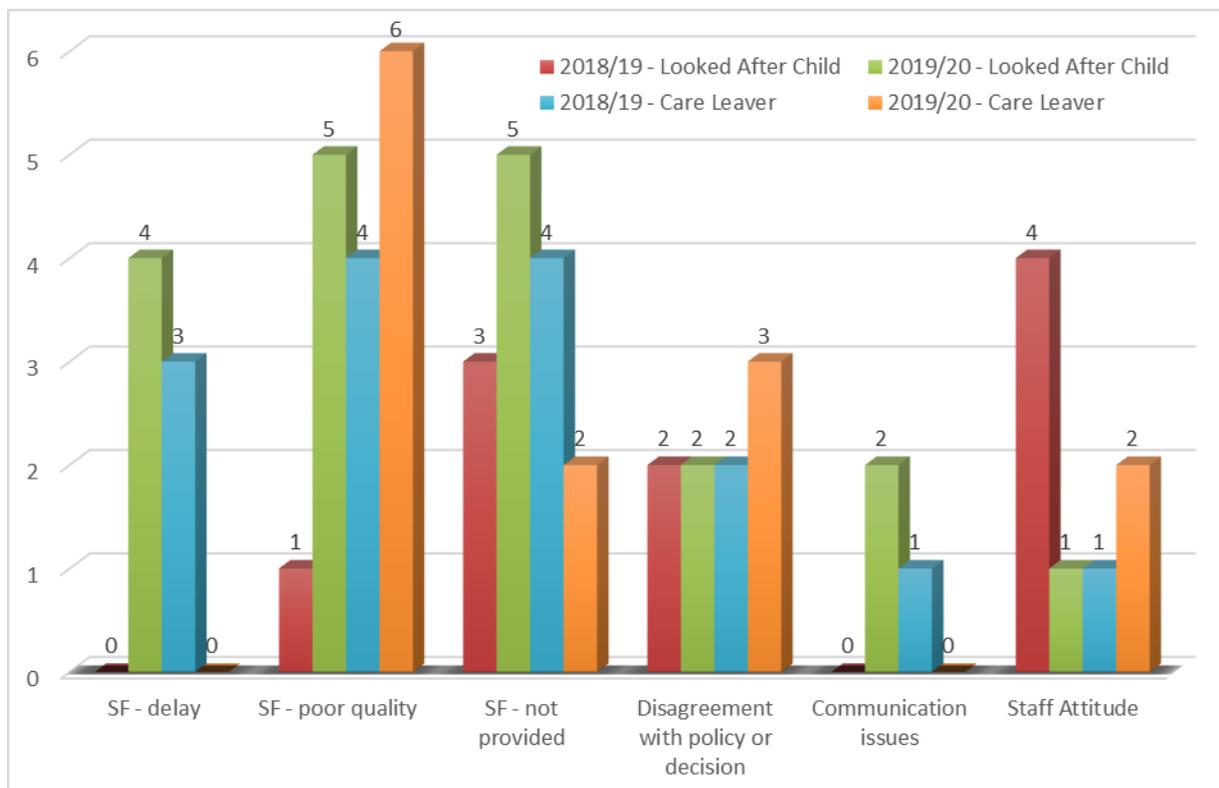
**The chart below shows which groups of people complained about the Corporate Parenting Service during this reporting period compared to 2018/19.**



It should be noted that 12 of the 13 complaints came from care leaver themselves or their advocate. Whereas 13 of the 19 complaints came from parents/relatives/carers of Looked After Children; with 3 made by the young person themselves or via their advocate. The other 3 complaints came from a provider.

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 2018/19.**



## Improvements in 2019/20

- A new process was devised to improve the time taken to investigate stage two and stage three complaints. This was implemented in April 2020.
- We worked with the Council's General Data Protection Regulation Support team, 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.

## Priorities for 2020/21

The Social Care Complaints Team will:

- continue to emphasise the importance of responding to complaints within timescales. We will continue to send reminders to the Service to avoid responses being delayed. In order to improve the response rate, we will liaise with the Quality Assurance Lead for Children and Adults to highlight Services where the response rate needs to improve. We will also include the Quality Assurance Lead into reminders for the Service of when the response is due.
- We will provide further commentary in the Quarterly Reports to senior management to indicate where issues exist in specific teams.
- Some complaints should be considered by Services as an indicator of areas that are failing to meet the minimum standard of Service that is expected from customers. Where similar failures have been raised in more than one complaint this may suggest that the Service needs to review if part of its Service delivery or procedures needs to be amended to improve on Service provision.