CHILDREN’S SOCIAL CARE COMPLAINTS

Annual Report 2016/2017

This report provides a summary and analysis of the complaints considered under the complaints representations procedure. It also includes compliments and representations (feedback and contacts other than formal complaints). Letters from MPs are also included again this year. This report relates to complaints and representations dealt with during the 2016/2017 financial year (1 April 2016 to 31 March 2017). It primarily concerns new complaints received during that period, but also includes complaints received prior to 1 April 2016 which were ongoing or completed during the period.

This report contains information under the following headings:

- Stage 1 Complaints: Outcomes and Themes
- Stage 1 Complaints: Statistics
- Learning Points Complaints
- The LGO
- Compliments
- Comments including MPs Letters

Headline Facts 2016/2017

- A total of 120 new statutory complaints were received relating to children’s social care services (which compares to 104 received during 2015/2016 and 98 received during 2014/2015) along with 42 compliments, 56 representations and 27 MP letters.

- 155 compliments (54 – South & 101 – North) were also received directly by Children’s Centres.

- 2 complaints received in 2016/2017 were escalated to Stage 2, along with a further 2 received prior to 1 April 2016.

- No complaints received since 1 October 2016 have been escalated to Stage 2 so far.

- The Local Government Ombudsman (LGO) issued 6 Final Decision Notices, 3 of which were not investigated.

20 Formal Expressions of Dissatisfaction with Stage 1 Response

12 Meetings held and complaints resolved at Stage 1

2 Cases escalated to Stage 2

4 Cases referred to the LGO

2 Cases ongoing
The main issues recorded are:

- Inaccuracies in reports and assessments; perceived bias in the reports and by workers;
- Poor Communication – messages left by telephone not being returned; lack of written correspondence – introduction & closing letters; minutes and assessments not received.
- Children & Families Assessments being completed without parents having the opportunity to comment on them first.
- Delays in completing reports and assessments.
- Lack of information provided by staff; lack of notice about meetings; lack of updates about their child’s case.
- Issues with contact arrangements with children – cancellations, lack of contact.

These are similar to the themes identified in the previous three years.

The main issues recorded from complaints from children and young people (9 complaints) were:

- Young Person not wanting to move from his current placement to another one (nearer his family).  
  **Outcome:** There are no plans to force the young person to move placement. His views are being taken into account.

- Young Person complaining about her Personal Advisor, as she won’t let her buy the things she wants for her new home.  
  **Outcome:** Not Upheld – Setting Up Home Allowance is for essential items and value for money needs to be achieved.

- Young Person complaining about a lack of support given to her family, contact days missed and number of social workers she’s had.  
  **Outcome:** Suspended as case was subject to court proceedings and subsequently not pursued.

- Young Person (Care Leaver) complaining about a reduction in her Christmas Allowance for 2016  
  **Outcome:** Reduction in Christmas Allowance for Care Leavers was a policy decision taken by members.
• Young Person complaining about a number of issues: (1) She doesn't feel that she can trust social workers and describes a lot of them as "being very sly" (2) Not happy with how the removal from her home to go into a foster placement was handled (3) Not being allowed contact with her family (4) the care plan review being left to the "very last minute" (5) Being pressurised to go and look at a school when she is home schooled as she doesn't "feel comfortable in a school".

Outcome: Not Upheld

• Young Person complaining via their Advocate about wanting to return to her previous school which she has not attended for 8 months. Young Person did not want to attend the new school that has been identified for her.

Outcome: Not Upheld

• Young Person complaining about a debt relating to her summer holiday accommodation at university. Claims that Cheshire East Council agreed to fund this cost before the holidays but that when it came to paying the bill Cheshire East refused to pay.

Outcome: Not Upheld

• Young Person complaining about the number of accommodation moves he has had and the lack of help as he sees it that he has had from Cheshire East Children's Services.

Outcome: Not Upheld

• Young Person complaining about the lack of support she feels she has received from Children's Services. She turns 18 in April and has been told her only options are to go to a hostel or become homeless. She feels she should be classed as a care leaver.

Outcome: Not Upheld
(1) **Total complaints received 1 April 2016 to 31 March 2017 by Team**

(2) **Response Times to Complaints**
(refers to when a full Stage 1 response was sent)
Complaints by Main Category Type

- Reports - Errors/Bias
- Records
- Procedure
- Special Guardianship…
- Safeguarding
- Member of Staff
- Fostering Issue
- Finances + Benefits…
- Direct Payments
- Delays
- Data Breach
- Communication
- Change of Placement
- Change of Service
- Care Practice
- Care Plan
- Care Package/Respite
- Contact Arrangements
- Assessment
- Advice & Information

2015/2016 vs 2016/2017
Complaints by Source

(4) Complaints by Source

Key Learning Points from Complaints

Complaints are a valuable source of information. They can help to provide a picture of how services are performing and can help to identify recurring or underlying issues so that improvements can be made.

It is important to capture information relating to complaints to enable analysis to identify the causes, to record learning from complaints and to have a record of the action which has been taken. Since the first quarter of the 2015/2016 reporting year, Children’s Services have implemented an Action Plan which identified the key learning points from each complaint and listed the actions needed as a result.

The following is a summary of the key learning points from the areas where most complaints were received in the reporting period. Consistent with previous years most complaints related to the actions (or lack of) and conduct of members of staff, communication issues, care practice issues and issues with lack of factual accuracy in reports and assessments.

Learning from complaints is captured in the Learning Action Plans which accompany the quarterly reports completed throughout the year.
(1) Quality of Combined Assessments

- Social workers to be reminded about their spelling and grammar especially when completing assessment and reports, but also when making case notes on the electronic database (Liquid Logic),

- Social Workers to be reminded that factual details, especially names, dates of birth, familial relationships and addresses should be double-checked to ensure these are accurate.

- Social Workers to be reminded that draft assessments should be shared with parents and young people prior to being signed off and finalised. Parents should have the opportunity to comment on the factual accuracy of assessments (and reports such as those prepared for the courts) and be able to offer their views on professional opinions given in reports. Assessments should be shared with all relevant family members including fathers where they hold Parental Responsibility.

(2) Distribution of Minutes of Meetings

- Staff to be reminded that minutes of meetings (including Child in Need meetings, Child Protection Conferences and Core Group meetings) should be sent out to parents/young people within the agreed timescales or as soon as possible thereafter. Clients should not have to chase for these or resort to the complaints process in order to obtain them.

(3) Timing of and attendance at Meetings

- Meetings where parents are invited to attend should wherever possible be arranged at dates and times suitable for parents and take into account their working commitments.

- Social workers (and other professionals) to give as much notice as possible where they know they will be on leave or unable to attend a pre-arranged meeting. Apologies for non-attendance should be sent to the Chair as far as possible in advance of the meeting.

- Dates, venues and times of meetings should be conveyed to all attendees so everyone is clear as to where and when the meeting is taking place.

(4) Communication Issues

- Staff to double-check that they are sending letters to the correct address so as not to breach the Data Protection Act and cause undue distress to clients.
Absent fathers who hold Parental Responsibility should be sent all relevant paperwork, such as copies of assessments and minutes of meetings that relate to their children. They also need to be notified of any changes in social worker.

Telephone messages should be returned by social workers within a reasonable amount of time. If a client’s designated social worker isn’t available and the client wishes to speak with someone urgently, they should be put through to the Duty social worker.

Young people to be kept clearly informed of what is happening before and during any placement move, especially if the reasons are not clear to them.

Letters and emails from parents or solicitors should always be responded to.

Telephone messages from other professionals should be clearly recorded and passed on to the appropriate members of staff. Out of Office messages on answerphones eg over the Christmas-New Year period, need to clearly state when the office will re-open and who to contact in an emergency.

Local Government Ombudsman (LGO)

Training on effective complaints handling was commissioned by the council from the LGO and a dedicated session on Children’s Social Care complaints took place on 13 September 2016, which was well attended by a cross-section of managers from Children’s Services.

Where complainants identify clear unresolved disputes from Stage 1 and wish to take to Stage 2, these are rigorously reviewed and moved to Stage 2 where appropriate. A number of requests from complainants expressing dissatisfaction with the Stage 1 response have been referred direct to the LGO (see page 2) where it is clear that a Stage 2 can not achieve the desired outcomes of the complainant and can add no value to the complaint resolution.

6 Final Decision Notices were received from the LGO during 2016/2017. Of these 3 were investigated by the LGO and a summary of the complaints and recommendations are listed on the next 2 pages. The other 3 were not investigated either because they had been to court or because they were out of timescale (usually 12 months) to be investigated.
### Summary of Complaint

**Case 1**
Complaint was from a father (Mr X) who was not happy with how a Child Protection investigation was carried out and believed that the social worker was biased against him. The complaint had already been investigated at Stage 2 with the recommendations below:

1. That staff will be reminded – via Team Meetings and Practice and Performance Workshops – of the need to respond to letters within 10 working days, or advise the sender of any delay. Team Managers will also be reminded of the need to respond to complaints within the statutory timescales (10 working days or 20 working days for complex complaints).

   **Action:** Reminders have been sent to Team Managers regarding the need to respond to letters within 10 working days. Reminders have also been issued to Team Managers about the statutory requirement to meet the 10 working-day and 20 working-day timescales for responding to complaints at Stage 1.

   In addition, a training session on responding effectively to complaints was delivered (on 13 September 2016) by a trainer from the LGO. A good cross-section of children's social care managers attended this training. A further internal training session was held in December 2016 for those Team managers unable to attend the session in September.

2. That all staff will be reminded of the requirement (Cheshire East Practice Standards) to share the outcome of the assessment with family members within a reasonable period, a reasonable period is ten working days.

   **Action:** All social workers in Children's Services have been reminded of the practice standard to share the outcome of an assessment with both parents within 10 working days.

   In addition, the LGO recommended:

   1. That the authority will arrange for Mr X’s concerns about the welfare of another child to be followed up.

      **Action:** The authority has followed up the concerns about thus child, although due to Data Protection and Confidentiality we are not able to report back to Mr X.

   2. That Mr X’s comments on the assessments undertaken by Children’s Services be recorded on his children’s records. A reference to these can be inserted into the ‘Case Summary’ which is the part of the electronic record which summarises the whole case.
Case 2
Mr B complained about the Council’s response when he reported injuries that his son, D, suffered while in his mother’s care. Mr B is dissatisfied with the Council’s response to his complaint. In particular:

• he is unhappy with the Council’s apology;

• he wants an explanation from the Council about why his concerns were ignored;

and

• he wants compensation for himself and his son.

The LGO recommended the Council:

• apologise to Mr B for the distress caused by its failure to respond to his allegations that D was being maltreated in January, March and July 2014; and

• make a payment of £750 to acknowledge the impact of this failure on Mr B and D.

Case 3
Mr Y complained that the Council failed to write to him to explain changes to how it would assess his son’s social care needs before beginning an assessment and delayed responding to some correspondence. An apology and payment of £250 is satisfactory remedy for the injustice caused.

Agreed action
The Council has apologised for delays responding to correspondence and for completing the RAS form at the meeting in March 2015 when it should not have done.

The LGO recommended the Council should:

• apologise to Mr B for not writing to him when it decided to step his case down to the CAF process;

• pay him £250 to reflect the time and trouble he had to go to seeking answers to his questions and in pursuing his complaint.

25. It is clear most of the fault in this case arose because of the introduction of the new assessment process and how that was communicated to Mr B. The Council has agreed, if it introduces new assessment processes in the future, to write to those affected to make clear the new assessment process and how it affects them before trying to implement it.
A total of **42 compliments** from either service users or professionals from other organisations/agencies were recorded plus received directly by Children’s Centres. Compliments were received from amongst others:

Parents, Young People, Foster Carers, Cheshire Police, School Teachers, CAFCASS, CWP, a Child’s Guardian, Judges and Barristers.

**Some comments:**

“Thank you for all your help and getting us happy again” From 2 children for their social worker.

“I would like to extend a thank you ..... the professionalism I have been shown was exemplary and no doubt a beacon of standard to what the rest of the workforce can aspire too” From a parent.

“I have nothing but the highest praise for A, she clearly cares very deeply for C and her siblings and has fought with great tenacity to get us to this point. I find her approachable, helpful and supportive of my work with C” From a Foster Carer.

“Can I personally say a big ‘Thank you’ as a social worker in supporting us with this case. It has been a tricky one to plough through and I wanted to thank you for your determination in proving what was actually going on despite the non compliance with Mum. You have been an excellent social worker! Hats off to you....you have turned C’s life around.” From a School Teacher.

“I would .. like to thank (the social worker) for keeping me regularly updated of any developments. I found (the social worker) to be incredibly child-focused in her approach and she was empathic towards the parents’ difficult positions” From a Child’s Guardian.

“I do believe that the successful reunification of T was mainly due to the allocated social worker, who I believe worked tirelessly with the couple. The support plan prepared was highly detailed and provided for the family to have continued professional support in order to maintain the placement was in T’s best interest” From a Child’s Guardian.

“I would like to extend a thank you to X and Y, the professionalism I have been shown was exemplary and no doubt a beacon of standard to what the rest of the workforce can aspire too”. From a Parent (Father)

“Thank you for all your help. D and I are really grateful for the help and advice you have given us” From Grandparents.
56 contacts/communications were recorded as ‘representations’ during 2016/2017. These are usually cases where the issues raised do not warrant being logged as formal complaints, or where the complainant/person themselves are not eligible to make a formal complaint or simply do not wish to make a formal complaint, but provide feedback.

The issues raised were varied and were mostly from parents and grandparents or other family members. Concerns raised included issues about members of staff, delays, lack of progress and lack of information provided, problems with arranging contact between a parent and their child, alleged breaches of confidentiality and not being informed of cancelled/re-arranged meetings.

Comments received by teams during 2016/2017:
27 MP letters were received relating to Children’s Social Care issues during 2016/2017 (some cases receive more than one MP letter, and 2 or 3 responses may have been sent to the MP about the same case).

Of the MP letters received, the majority (10) were received from Edward Timpson, MP for Crewe and Nantwich, on behalf of his constituents.

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<thead>
<tr>
<th>MP</th>
<th>Number of letters submitted</th>
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<tbody>
<tr>
<td>Fiona Bruce</td>
<td>6</td>
</tr>
<tr>
<td>George Osborne</td>
<td>1</td>
</tr>
<tr>
<td>David Rutley</td>
<td>7</td>
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<tr>
<td>Antoinette Sandbach</td>
<td>1</td>
</tr>
<tr>
<td>Edward Timpson</td>
<td>10</td>
</tr>
<tr>
<td>Other MPs</td>
<td>2</td>
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The main issues raised in MPs letters were:

- Concerns about the actions of social workers and procedures followed;
- Concerns about the welfare of children who are in the care of the local authority;

One issue of concern remains around the confidential and sensitive nature of the issues raised in MP correspondence particularly with regard to Children’s Social Care issues.
Conclusion

There was an increase in complaints during 2016/17. However, compared to the number of referrals received and assessments completed (3438 and 4113 respectively) complaints represented only 3.5% of referrals received, and over 50% of those complaints were either Not Upheld or Not Pursued/Withdrawn.

The vast majority of complaints (over 90%) continue to be resolved at Stage 1 of the complaints process, and of those resolved over 40% are Not Upheld. Only 11% of complaints were Upheld with 26% Partially Upheld. These figures mirror very closely those from the previous year. Thus, a very small percentage of Children’s Social Care clients actually make a formal complaint, and of those that do less than half are Fully Upheld or Partially Upheld.

The majority of complainants are parents, and a significant proportion of these are parents in acrimonious relationships, and the complaints made relate to staff bias and biased reports. This continues to be where a lot of the Not Upheld complaints are found. Parents try to use the complaints procedure to gain an advantage in their acrimonious relationships and in contact with their children.

Although themes such as communication and delays continue, a decrease has been noted in the number of complaints mentioning these issues, and the service continues to improve in managing complaints at the local level despite continuing pressures.

As well as complaints, the service does receive a number of compliments from a range of people (see page 12) and many of the comments are very complimentary indeed. It is likely that the figure quoted in the report for numbers of compliments received, under-represents the true number of compliments the service receives – especially if they are verbal compliments which are not easily captured.

(8 June 2017)
(Revised 23 June 2017)

Report prepared by Alan Ward, Complaints Officer, Children’s Services