CHILDREN’S SOCIAL CARE COMPLAINTS

Annual Report 2017/2018

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 2017/2018 financial year (1 April 2017 to 31 March 2018). It primarily concerns new complaints received during that period, but also includes complaints received prior to 1 April 2017 which were ongoing or completed during the period.

Executive Summary
There was an increase in statutory children’s social care complaints in 2017/2018, with the majority being submitted by parents while 7 complaints were received from young people in care. The main themes being mentioned in the complaints relate to quality of, and alleged bias in combined assessments, timeliness in the distribution of minutes of meetings and completed assessments, problems with contact arrangements and communication issues. Response times to complaints continue to be an area where improvement is needed. 49 compliments were received from social care service users and external professionals as well as 623 recorded by users of Children’s Centres.

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 2017/2018

- A total of **143 new statutory complaints** were received relating to children’s social care services (which compares to 120 received during 2016/2017 and 104 received during 2015/2016) along with **49 compliments, 49 representations and 33 MP letters**.

- **623 compliments** were also received directly by Children’s Centres.

- **9 complaints** received in 2017/2018 were escalated to Stage 2.

- The Local Government & Social Care Ombudsman (LGO) issued **12 Final Decision Notices**, 9 of which were not investigated.

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.
7 complaints were received directly from young people in care. These complaints covered:

- Complaints about foster carers. Disrespectful and mistreatment by foster carers; Children’s Services not doing their job correctly or delaying any issue reported about the placement.
- Complaints about the conduct of Social Workers and Personal Advisors.
- Complaints about birthday money not arriving in time for their birthday.
- Complaints about placement moves.
- Complaints about meetings being cancelled at very short notice.

(1) Total complaints received 1 April 2017 to 31 March 2018 by Team
(2) **Response Times to Complaints**
(refer to when a full Stage 1 response was sent)

<table>
<thead>
<tr>
<th>Category</th>
<th>2016/2017</th>
<th>2017/2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Answered within 10 days</td>
<td>19%</td>
<td>31%</td>
</tr>
<tr>
<td>Answered within 20 days</td>
<td>27%</td>
<td>30%</td>
</tr>
<tr>
<td>Answered outside 20 days</td>
<td>1%</td>
<td>34%</td>
</tr>
<tr>
<td>Suspended</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Not Pursued/No Response Sent</td>
<td>16%</td>
<td>16%</td>
</tr>
</tbody>
</table>
NB: The above categories are the main category type as determined when the complaint was initially logged. A lot of complaints contain several elements, for example someone may be complaining about the attitude of a member of staff but also complaining about a delay in an assessment being completed and about contact arrangements.
Complaints by Source

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 (2018) 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.

Local Government Ombudsman (LGO)

Following a successful training session on effective complaints handling delivered by the LGO on 13 September 2016, a further session was held on 7 March 2018 which was 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 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.

12 Final Decision Notices were received from the LGO during 2017/2018. 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 9 were not investigated either because they had been to court, because they were out of timescale (usually 12 months) to be investigated, because the desired outcomes could not be achieved or because they were referred back to the council as premature complaints.
## OUTCOME OF CASES INVESTIGATED BY THE LGO IN 2017-2018

### Case 1

**The Ombudsman’s final decision**

Summary: The Council was at fault in failing to arrange supervised contact between Mr and Mrs X and their children during a child protection investigation. The Council has agreed to make a payment to recognise the impact of the loss of contact and their time and trouble in pursuing the complaint. It has also apologised and improved procedures.

**Agreed action**

57. The Council has already apologised to Mr and Mrs X and explained the procedural improvements and staff training it has put in place.

58. The Council has now agreed to make payments to them to recognise the impact on them and the children of the failure to make appropriate contact arrangements.

The payments are calculated on the basis of £100 for each child and adult per month of reduced or missing contact. They amount to:

- £1,800 to Mr X (£300 per month for six months)
- £2,000 to Mrs X (£400 per month for five months).

59. The Council will also pay Mr and Mrs X £250 to recognise the delays in dealing with the complaint and the time and trouble involved.

### Case 2

**The Ombudsman’s final decision**

Summary: The ICO has found fault in how the Council handled information it held about Miss B’s son. The Council has apologised to Miss B and accepted the ICO’s recommendations, so it has already remedied the injustice caused. The Council has also found fault in the way it managed its child protection procedures in 2014. It has agreed to apologise to Miss B, which remedies her injustice.

**Agreed action**

26. The Council has agreed to write to Miss B to apologise for the errors it made in assessing C and making him subject to a CP plan.

27. This action should be completed within two weeks of the date of this decision statement.
Case 3

The Ombudsman’s final decision
Summary: The Council failed to deal with Ms B’s complaint in line with the children’s statutory complaints procedure. After the Ombudsman’s intervention, it has now agreed to do so.

Agreed action
11. In recognition for the faults identified above, the Council, within two weeks of my final decision has agreed to: • Contact Ms B to start the stage two investigation.
12. Under the information sharing agreement between the Local Government and Social Care Ombudsman and the Office for Standards in Education, Children’s Services and Skills (Ofsted), we will share this decision with Ofsted.
Compliments

A total of 49 compliments from either service users or professionals from other organisations/agencies were recorded plus 623* received directly by Children’s Centres. Compliments were received from:

Parents, Young People, Foster Carers, Adopters, School Teachers, CAFCASS, Cheshire & Wirral Partnership, a Child’s Guardian, Judges and Barristers, Crewe YMCA and Solicitors.

*The South locality reported 570 compliments while the North reported only 53. A number of Children’s Centres in the North were unable to provide figures for compliments for 2017-2018, and they have now been asked to report figures monthly so that these can be captured for 2018-2019.

Some comments:

"Dear P. Thank you so much for everything you have done for me. You have helped me a lot and it has made a difference to my life...I'm so grateful for everything". (Thank you card from a young person)

"I just wanted to really thank you for all your help and support with my family and me. Have been looking back and can’t believe how far we have come and how different our lives are now. I don’t know how I would have began change without meeting you... you have helped me recover and become the mum I need to be, we all wish you the best. Super Hero Social Worker" (Thank you card)

"the current social worker was highly balanced, sensible and sympathetic and extremely balanced in her evidence" (from a Judge)

"We have found that dealing with Cheshire East Council has been a very pleasurable experience; we have always been kept well informed and any questions we asked were explained in full" (Adopters)

"I wanted to thank you for all your hard work and support for some of our most vulnerable young people. Keep up the great work!!" (From a School)

"Thank you for everything and for looking out for M. We appreciate everything especially when you tried to get us extra hours during the hard time. It’s a great ending and we had a great social worker" (From parents)

"I would like to take this opportunity to commend the Social Worker, for her child-focused practice. It was clear from her evidence that she had earned the trust of S. The social worker included S in age-appropriate discussions about her future and supported her with expressing her wishes and feelings. I am confident that the social worker had placed S at the centre of her decision making and S spoke highly of her during my last visit". (From CAFCASS Guardian)

"Children's Social Care has helped us a lot over the past 3 years, they have helped us to be better parents to our son ... they have also helped us with our personal problems".
“Particular praise must go to X and Y. I have observed Y carve a role for himself as the Support Worker. He has gone above and beyond what one would expect of a support worker. I believe a similar role should be created in all local authorities in which Unaccompanied Asylum Seeking Children are placed”. (From Solicitors)

**Representations**

**49 contacts/communications were recorded as ‘representations’ during 2017/2018.** 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 2017/2018:**

![Bar chart showing representations for different teams during 2017/2018 and 2016/2017]
33 MP letters were received relating to Children’s Social Care issues during 2017/2018 (some cases receive more than one MP letter, and 2 or 3 responses may have been sent to the MP about the same case).

<table>
<thead>
<tr>
<th>MP</th>
<th>Number of letters submitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fiona Bruce (Congleton)</td>
<td>6</td>
</tr>
<tr>
<td>Esther McVey (Tatton)</td>
<td>3</td>
</tr>
<tr>
<td>David Rutley (Macclesfield)</td>
<td>5</td>
</tr>
<tr>
<td>Antoinette Sandbach (Eddisbury)</td>
<td>1</td>
</tr>
<tr>
<td>Edward Timpson (Crewe &amp; Nantwich)</td>
<td>2</td>
</tr>
<tr>
<td>Laura Smith (Crewe &amp; Nantwich)</td>
<td>14</td>
</tr>
<tr>
<td>Other MPs</td>
<td>2</td>
</tr>
</tbody>
</table>

The main issues raised in MPs letters were:

- Concerns about the actions of social workers and procedures followed especially where children have been removed from their parents;
- Concerns about the welfare of children who are in (or who were in) the care of the local authority;
- Concerns about contact arrangements or lack of contact with their children
Conclusion

There was an increase in complaints during 2017/2018 compared to 2016/2017. However, approximately 3000 referrals into Children’s Services were received during 2017/2018 and the number of complaints thus represents less than 5% of referrals received. Over 50% of the complaints were either Not Upheld or Not Pursued/Withdrawn.

While the vast majority of complaints (over 90%) continue to be resolved at Stage 1 of the complaints process, there was an increase in cases being escalated to Stage 2 in 2017/2018. These tended to be complex complaint cases with parents raising numerous complaint issues usually focused around the issues of social worker practice and procedures not being followed correctly. At Stage 1 only 11% of complaints were Upheld with 23% 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.

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.

30 October 2018

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