

# **Children's Services Annual Complaints Report**

**April 2020 - March 2021**

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## 1. Introduction

This report examines complaints received about our Children's Social Care Services from 1 April 2020 to 31 March 2021. It does not include complaints made about our Education and Services to Children. Most of these complaints were dealt with through our corporate complaints process and a smaller number through the social care statutory complaints procedure as set out in the Children Act 1989.

Complaints help us to better understand the experience our residents have of our services. They also help us to identify areas where we could improve and have good practice. This report shows the issues complained about, how we handled dealt with these complaints and how we tried to use the feedback to improve our services.

### 1.1 Key points of the report

In this period there was a 12% drop in the number of Stage 1 complaints received and one less Stage 2 complaint was received compared with 2019/20. However, proportionately we received more Stage 2 complaints than last year when taking account of the reduced volume of Stage 1 complaints. The Ombudsman informed us that they were contacted 14 times by individuals who were unhappy with our Children's Services, but they only found fault with the service on one of these occasions

The number of Stage 1 complaints closed on time improved to 74% which was the best performance in the last six years and all, but one complaint was about the service areas, MASH, Referral and Assessment or Looked After Children.

Consistent with previous years, the most complained about issue was to do with poor quality of service. We upheld or partly upheld 37% of all Stage 1 complaints. When the complaint was escalated to Stage 2, 19% of these were either upheld or partially upheld.

We also saw a significant increase in the number of Subject Access Requests this year up from 76 to 119 and 16 compliments were received during this period.

### 1.2 Background

Under the Children Act 1989, we are legally required to have a procedure in place to deal with complaints relating to our key social care responsibilities, which are defined in the Act.

The children's statutory complaints procedure has three stages (see below). If a complainant remains dissatisfied after they have exhausted these stages, they can further escalate their complaint to the Local Government and Social Care Ombudsman (LGSCO), who they are also free to approach at any time.

**Stage 1:** The complaint is investigated by the relevant Service Manager or Head of Service who tries to resolve the complaint at a local level. We have 10 working days to resolve complaint, but this can be extended to 20 working days in exceptional cases.

**Stage 2:** If the complainant remains dissatisfied with the outcome at Stage 1, they can escalate their complaint to Stage 2 where it is investigated by an Investigating Officer (IO) and is overseen by an Independent Person (IP). The IP makes sure the process is both fair, transparent and lawful.

The IO can be a council employee, or someone appointed from outside specifically for this piece of work. The IP must be independent. The IO and IP work with the complainant to agree what issues to investigate that the complainant feels were not resolved at Stage 1 of the process.

The IO investigates the issues raised by the complainant and produces report to determine if we are at fault on, all, some or none of the issues raised by the complainant. The IP also produces a shorter report which outlines if they agree with the findings of the IO. The IO report makes recommendations about how we can provide a better and/or improve the service to the complainant. This includes putting forward proposals on how we can rectify any fault that have been identified.

Our Deputy Director of Children's Services consider the final reports from the IO and IP and can agree, partially agree, or reject the findings. The Deputy Director then writes to the complainant setting out their findings within 25 working days. The time can be extended however depending on complexity of the investigation.

**Stage 3:** If the complainant remains dissatisfied at the end of Stage 2, they can escalate their complaint to a Review Panel. The panel consists of three independent people who do not work for the council. The panel considers the issues at Stage 2 and makes recommendations for the consideration of the Director of Children's Services. The Director reviews the recommendations and writes to the complainant with the outcome of their decision.

There are various timescales at Stage 3 of the complaints process:

- we have 30 working days to organise the panel upon receipt of the complainant's request
- the Panel Chair has five working days after the hearing to produce a report detailing its recommendations
- following receipt of the Panel's recommendations, we have 15 working days to send our response to the complainant

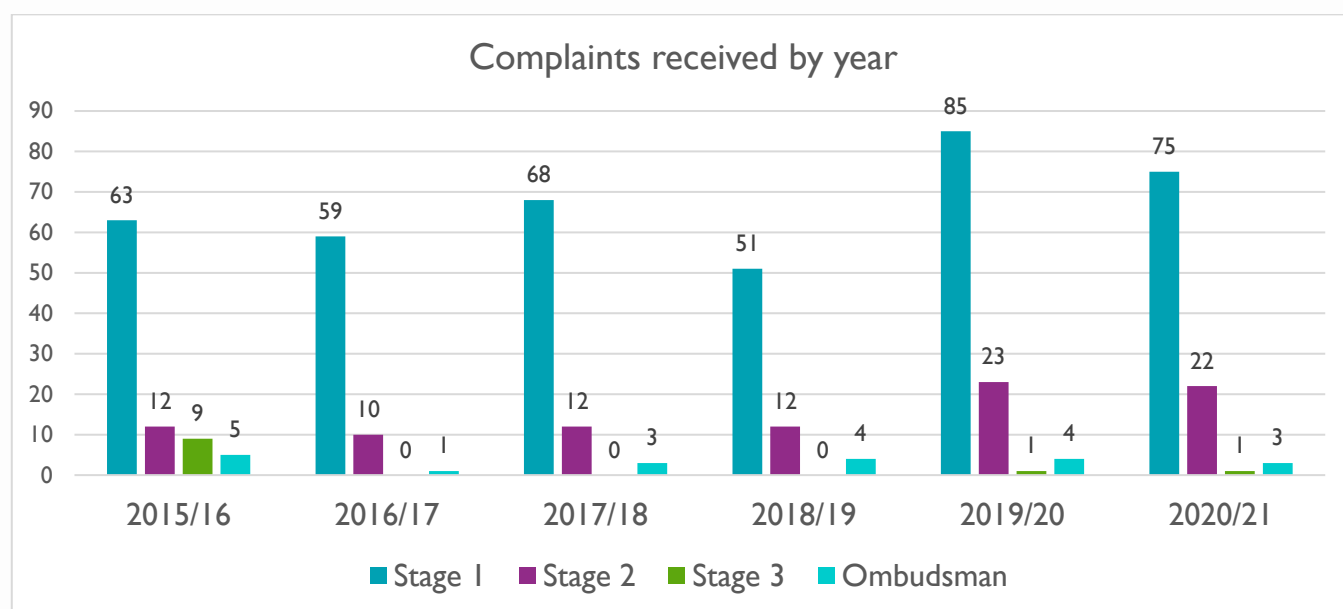
When Stage 3 is concluded, the complainant can ask the LGSCO to review their complaint if they remain dissatisfied. A complainant can also approach the LGSCO at any time in the process if they are unhappy with the way we are handling their complaint.

## 2. Complaints received

The table below provides a breakdown of the total number of complaints received from 1 April 2020 to 31 March 2021.

	Stage 1	Stage 2	Stage 3	Ombudsman	Total
<b>Corporate complaints</b>	47	12	n/a	3	<b>62</b>
<b>Statutory complaints</b>	28	10	1	0	<b>39</b>
<b>Total</b>	<b>75</b>	<b>22</b>	<b>1</b>	<b>3</b>	<b>101</b>

The chart below shows how this compares with the number of complaints we have received over the last six years.



## Analysis

We received 75 Stage 1 complaints this year, which is 12% fewer than last year but more than the four-proceeding years. The proportion of Stage 2 complaints to Stage 1 complaints increased this year, and more than one in three statutory complaints were escalated from Stage 1 to Stage 2. This is an area we need to improve on in the future.

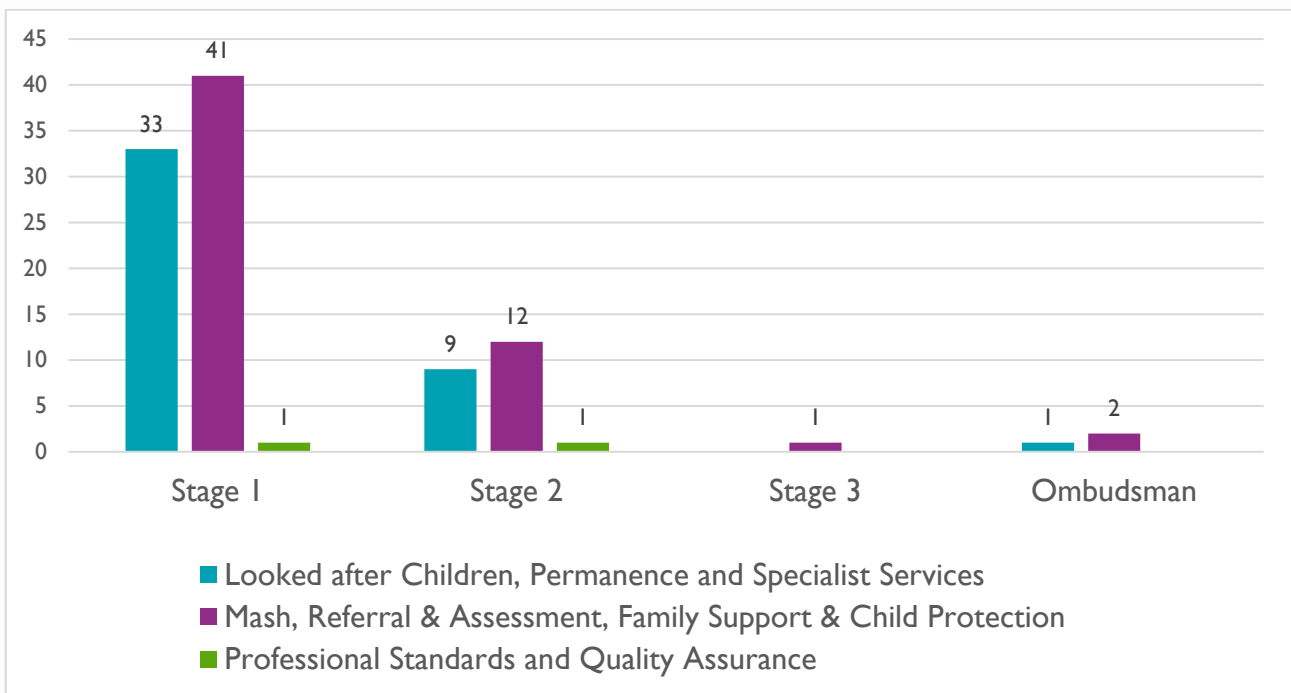
There was a small drop in Ombudsman complaints, which could indicate that we have been able to resolve more escalated complaints locally.

## 2.1 Complaints by service area

This year we received complaints about the following service areas:

- Looked after Children, Permanence and Specialist Services
- Mash, Referral and Assessment, Family Support and Child Protection
- Professional Standards and Quality Assurance

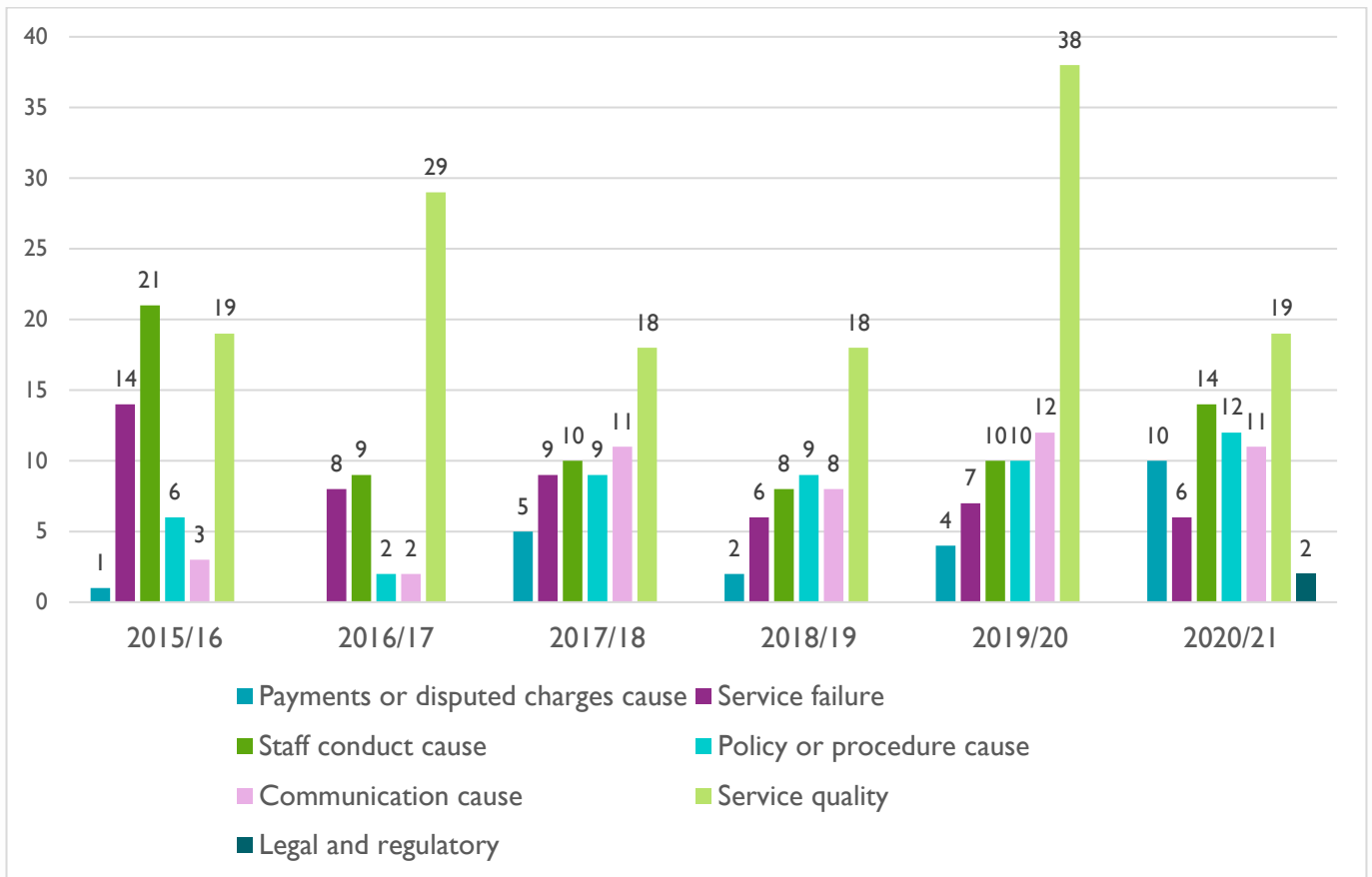
**Complaints by service area**



All but one complaint involved Looked after Children and Mash, Referral and Assessment. These services receive the most complaints because they carry out assessments on individuals who are sometimes unhappy with the outcome. Unfortunately, for a second year in a row we received more than 20 Stage 2 complaints. We need to resolve more complaints at Stage 1 by providing a better quality of response and this will be one of our priorities next year.

**2.2 Causes of complaints**

The table below shows the reasons why people complained over a six-year period.



## Analysis

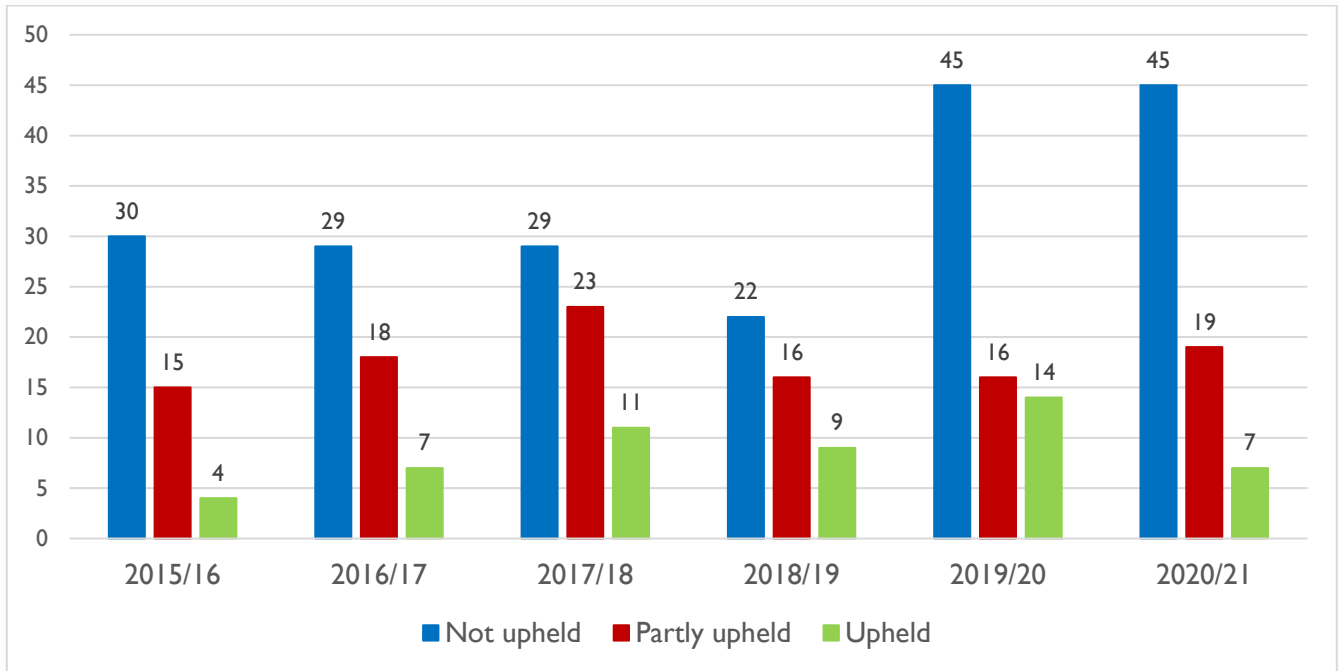
The causes of complaints were spread more evenly across a range of issues than in previous years. However, the main cause of complaints in 20/2021 was again poor 'quality of service', which covers a broad area of issues such as allegations of 'insufficient service knowledge', 'poor record keeping' and 'the service delivery was not of the quality expected'.

There was also a rise in complaints about staff conduct and poor communication compared with last year but fewer complaints about legal and regulatory issues.

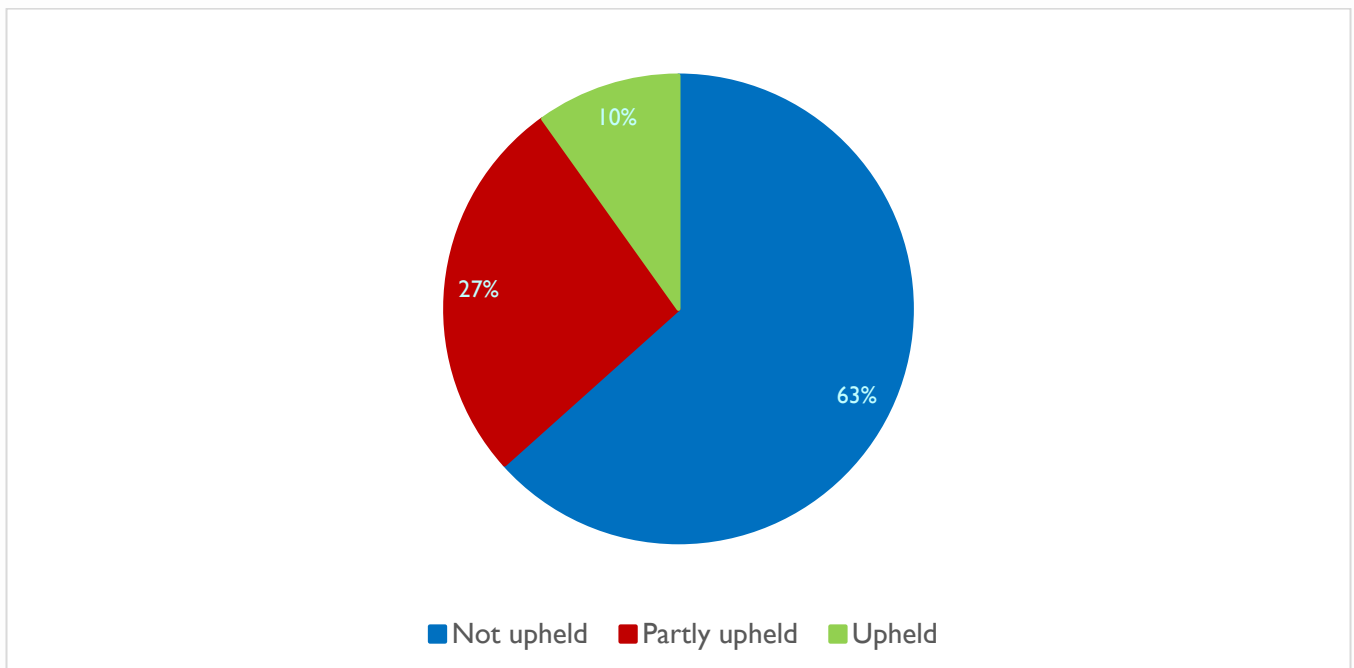
## 2.3 Complaint outcomes

The tables below show the breakdown of our complaint decisions over the last six years.

### Stage 1 complaint outcomes

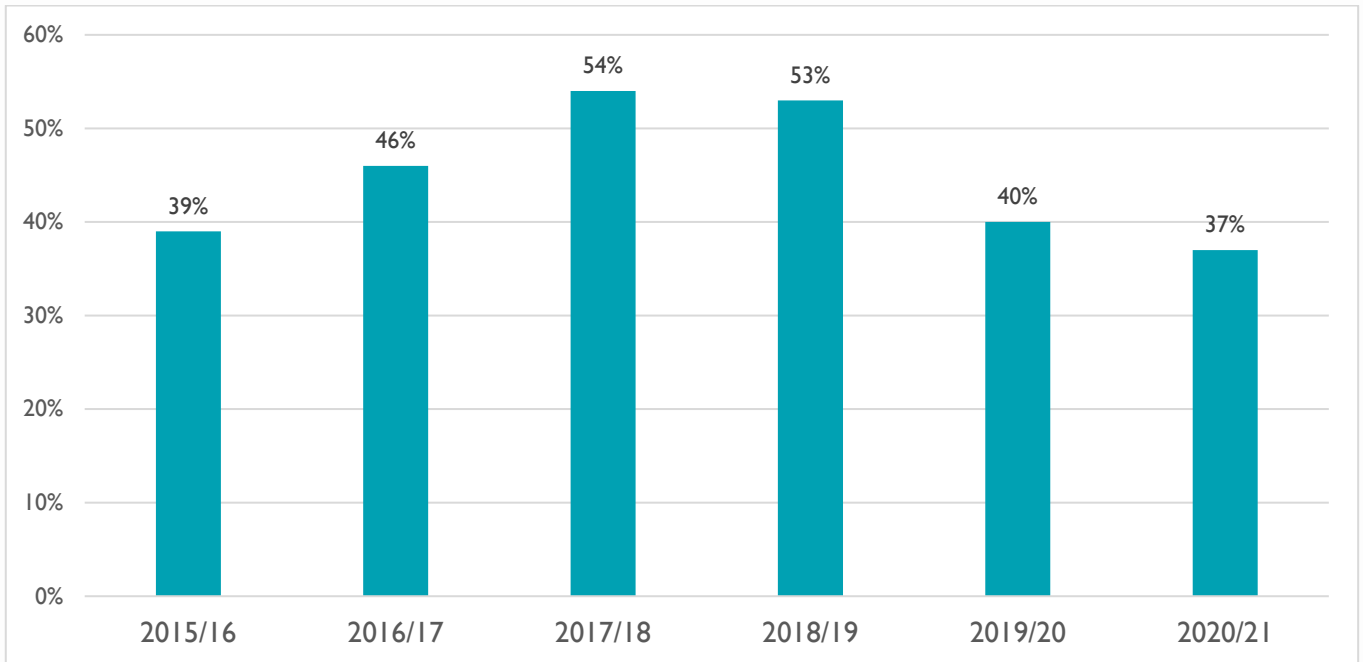


**Stage 1 complaint decisions in 2020/21**

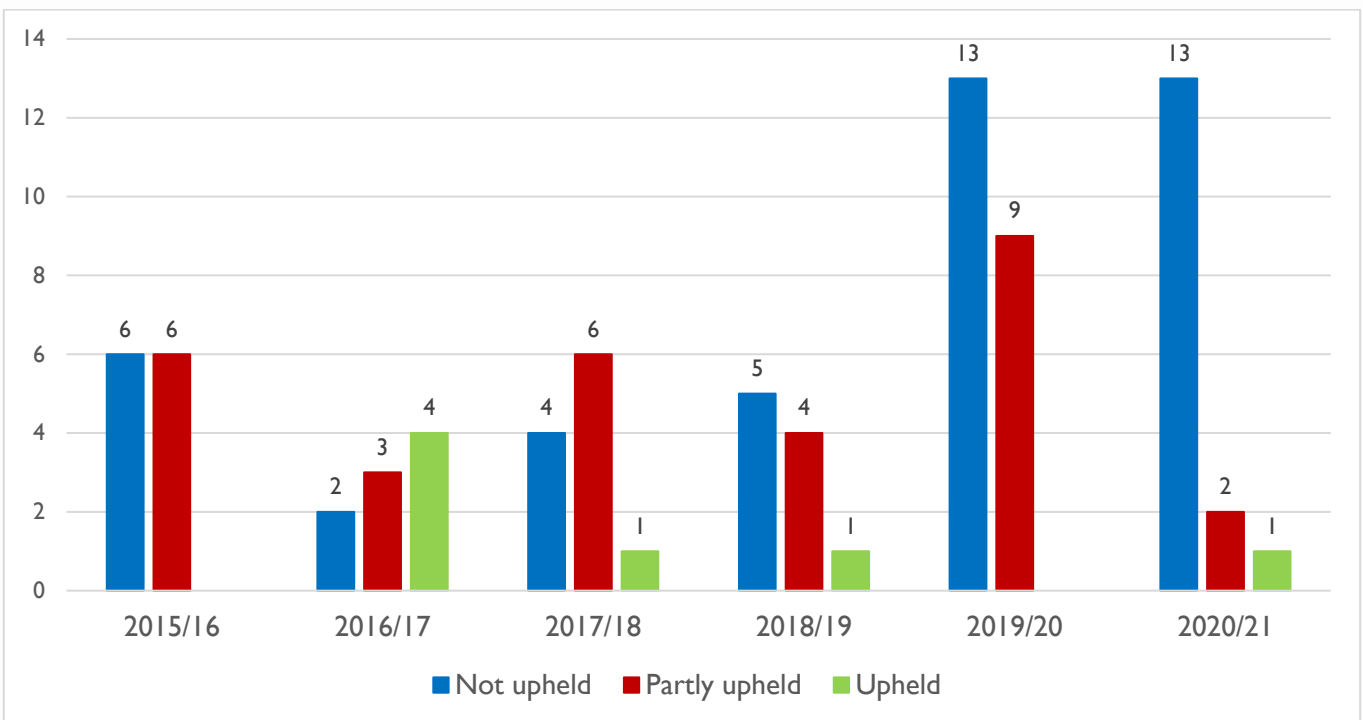


**Percentage of Stage 1 complaints where a fault with a service was found in the last six years**

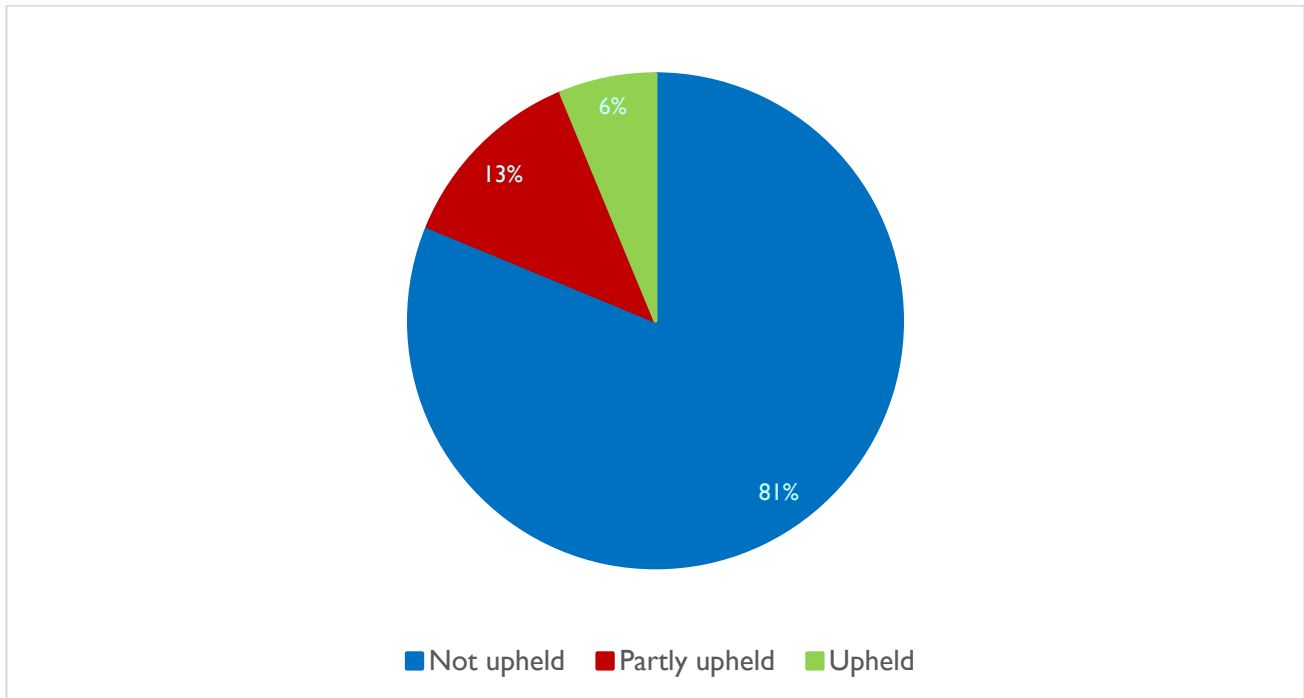




**Stage 2 complaint outcomes over the last six years**



**Stage 2 complaint decision outcomes in 2020/21**



### Analysis

We found fault in 37% of Stage 1 complaints investigated last year, which proportionally was the lowest over the last six years. Only 19% of complaints that were escalated to Stage 2 were upheld or partially upheld. This means that in most cases the outcome at Stage 1 was maintained at Stage 2 of our complaints process.

## 2.4 Complaint performance

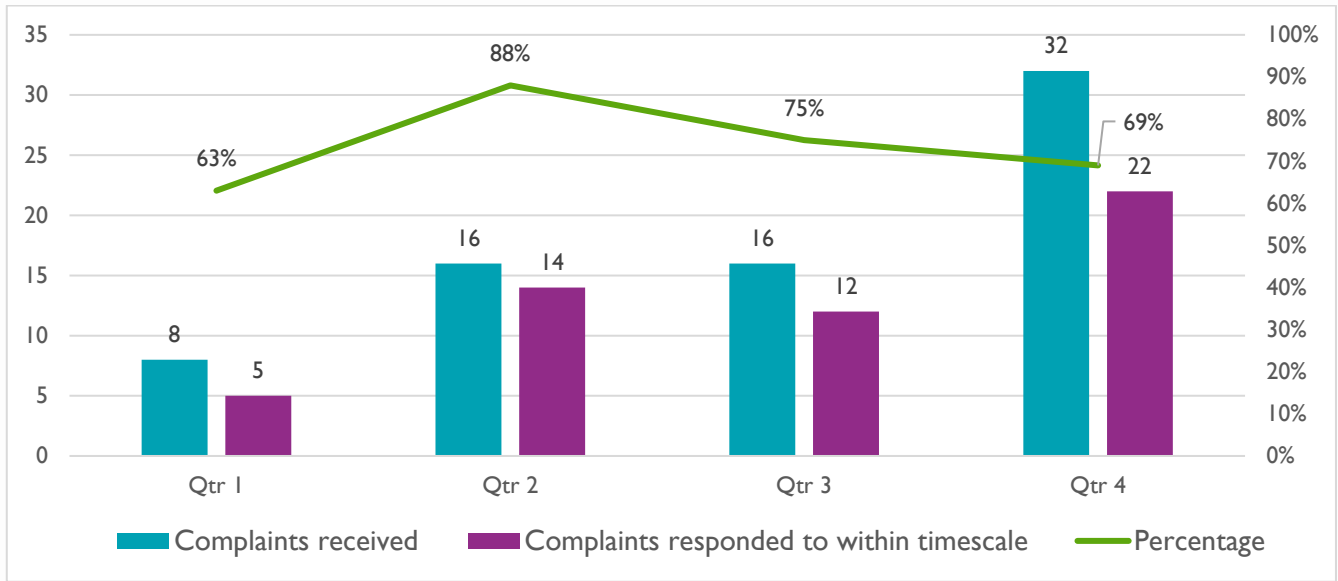
The table below shows the total number of complaints received in 2020/21 and the percentage of Stage 1 complaints responded to on time.

We dealt with 74% of Stage 1 complaints on time, which was a 6% improvement from the last year and our best performance in six years.

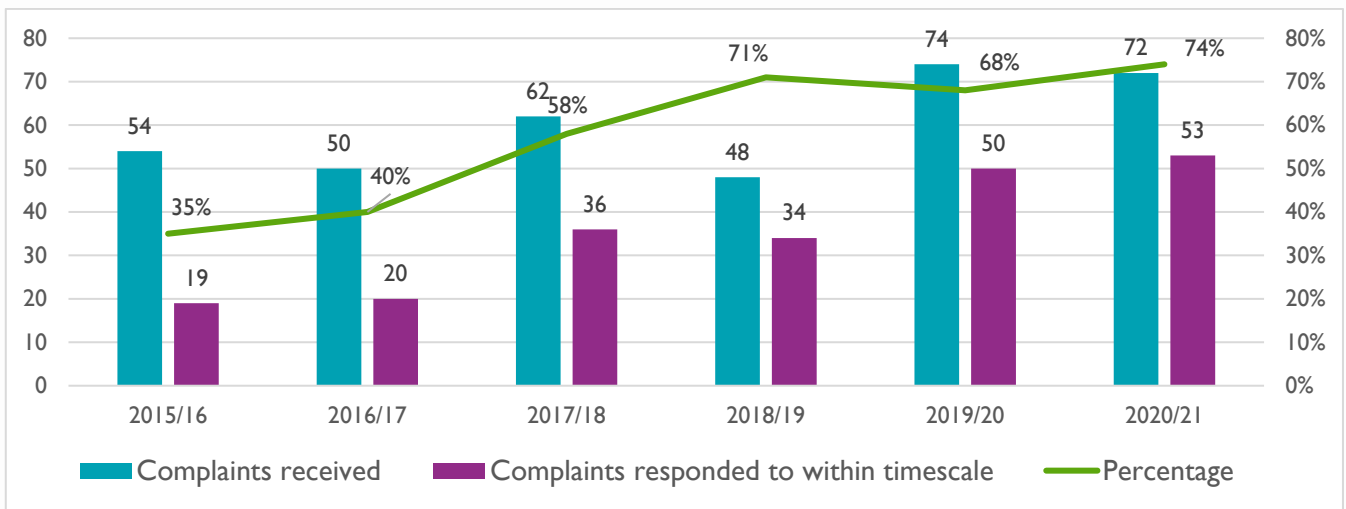
The Complaints Team produce weekly open case reports to remind all services what complaints they have assigned to them and the deadline to reply. The reports provide an overview of all open complaints and flag those that are due imminently and those that are late.

The report has proven to be an effective way of monitoring the status of all open complaints and is used to chase those that are overdue. The information is also used to produce more complex complaint reports for monthly leadership team meetings where service delivery and performance rates are reviewed.

### Stage 1 complaints received in 2020/21 and the percentage dealt with on time



**Percentage of Stage 1 complaints dealt with on time over the last six years**



Over the last six years performance has steadily improved, despite a yearly increase in the volume of complaints received.

The table below shows the Stage 2 and Stage 3 complaint performance in 2020/21.

Type	Stage 2	Stage 3
Statutory complaints	100% (3/3) *	100% (1/1)
Corporate complaints	92% (12/13)	N/A

\*(3/3) means three complaints received and three responded to on time.

The Complaints Team manage the statutory Stage 2 and Stage 3 complaints process. They are also responsible for coordinating and overseeing all investigations and ensuring that we adhere to the relevant procedures and legislation.

## **2.5 Improving and learning from complaints**

We use complaints to help improve the service we provide to our residents. We do this by looking at individual complaints after they have been investigated, try to identify what went wrong and how we could do things better in the future. We record any corrective actions we have undertaken for each complaint we upheld or partially upheld and use this information to identify common themes and recurring problems within a service that may need attention.

Teams discuss complaints in their team meetings, and officers often look at them during supervisions and in 1-2-1s. Complaints are also discussed monthly with senior managers, the Deputy Director and Director of the service.

### **Key learning points identified in 2019/20**

Last year we identified four key themes through upheld complaints, which required improvement

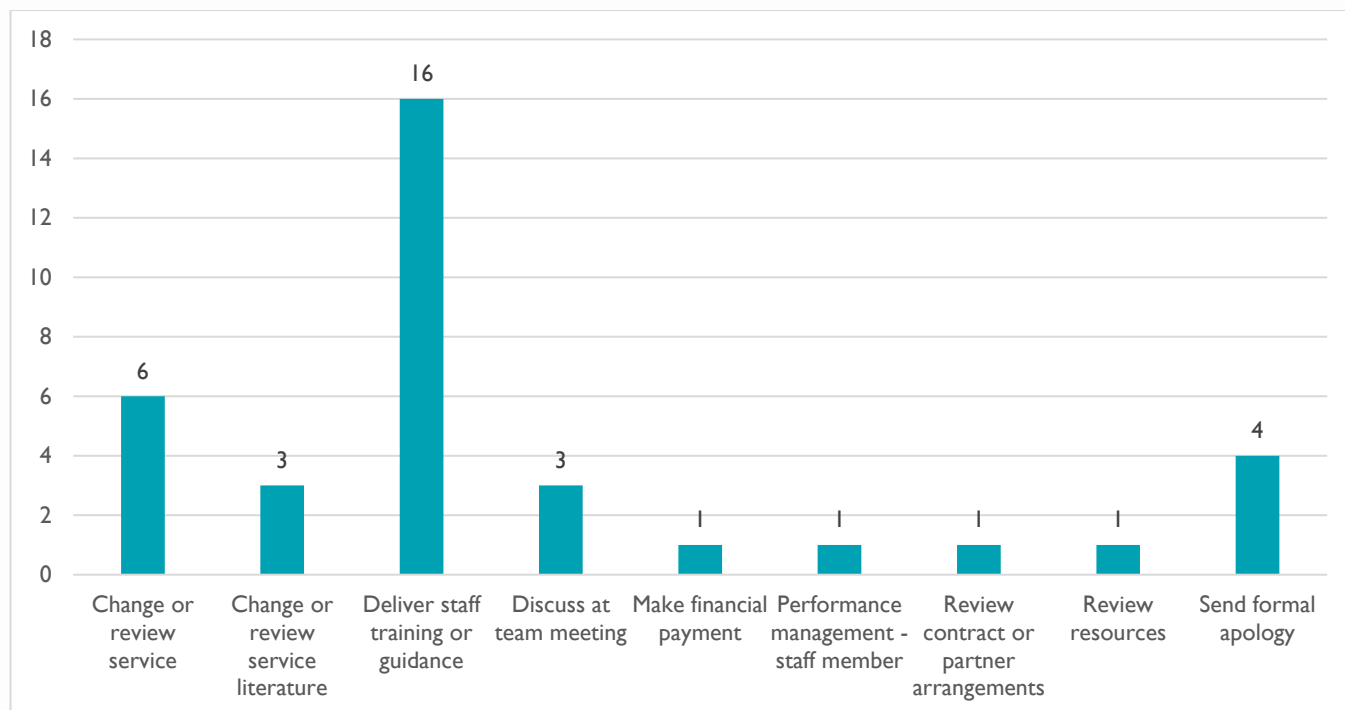
1. Some poor examples of record keeping and handling of personal information
2. Instances of inadequate communication with families
3. Some shortcomings in the service offered during the assessment and child protection process
4. Examples of insufficient support offered to care leavers and foster carers

In response to these shortcomings, we implemented a variety of measures some of which are listed below:

- Data protection refresher training was provided to some officers
- Social Workers were reminded to clarify whether statements were professional fact or mere opinion in reports sent to families
- Some staff were briefed on the importance of gaining parental consent and the need to obtain family collaboration
- We put in place a MASH employee to focus on relocating parents who had been evicted from their property. They also help to identify support in local communities
- We promised to share reports for initial Child Protection Conferences at least three days prior to the conference taking place
- Social workers now complete the SNQ electronically, to ensure it is processed faster

### **Corrective actions arising from complaints in 2020/21**

The table below shows the various actions that were taken after a complaint was either partially upheld or upheld in this period.



### Key learning points identified in 2020/21

This year we have identified four key themes, which require improvement

1. Some administrative failings leading to poor record keeping and the ability to explain historic decisions
2. Instances of inadequate maintenance of data privacy
3. Examples of inadequate Social Worker practices explaining the purposes of visits to vulnerable families
4. Parental rights were not properly maintained in some instances

### Analysis

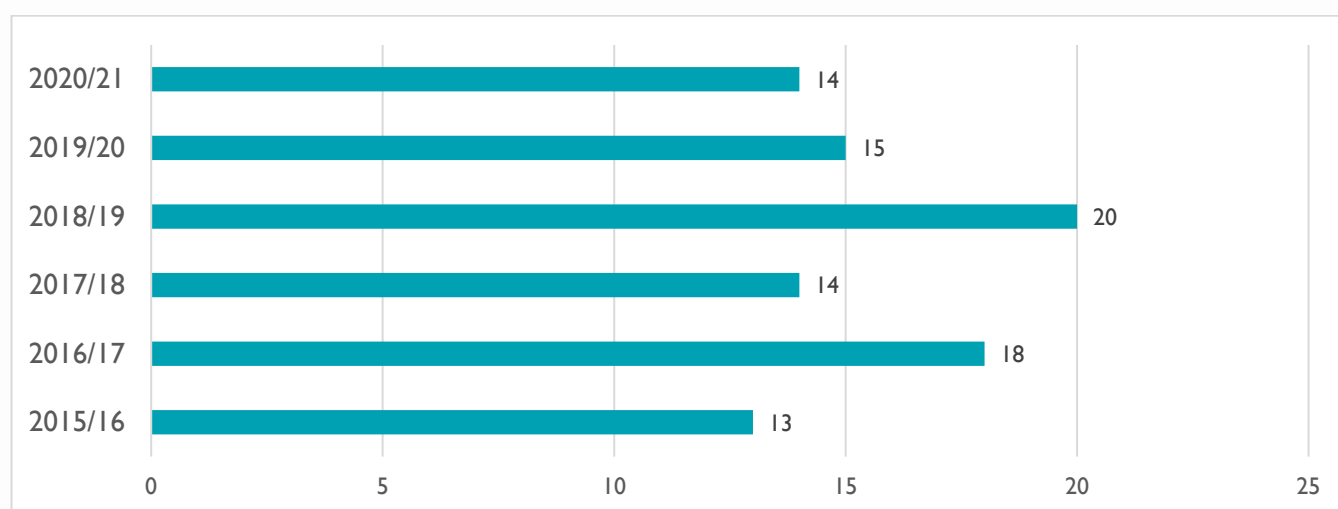
Unfortunately, some complaints in this period were again upheld because of instances of poor administrative practices and inadequate handling of personal data. We also upheld a complaint due to a Social Worker failing to explain the purpose of a visit properly to the family involved. Another complaint was upheld because the rights of both parents were adequately taken into consideration regarding the access to the children, nor was information about the children shared as equitably as it should have been

Consequently, officers have been provided with further guidance and received additional training internally from superiors and Heads of Service. Some team practices were reviewed and changed. Some complaints were anonymised and discussed at Team meetings with the view of helping officers to improve their communication and how to respond to written complaints in a more customer friendly and effective manner.

We also sent several apology letters and paid compensation to some complainants after failures in service were identified

## 2.6 Ombudsman complaints

The Ombudsman told us they received 14 Education and Children's Services complaints in 2020/21. However, this annual report only covers complaints about our Children's Social Care service. We have had to include both service areas in this report because the Ombudsman does not separate their data into Children's Social Care and Education and Services for Children.



### Ombudsman complaints received

In 2020/21 the Ombudsman found fault (maladministration and injustice) in one case, it closed five other enquiries after conducting an initial investigation and referred the complainant back to us on four occasions because they had approached the Ombudsman prematurely. The remaining investigations were a mixture of advice given, complaint closed after initial enquiry and the complaint was closed because it was incomplete.

Details of the complaint where the Ombudsman found fault us at fault is summarised below:

The complainant contacted the Ombudsman despite have had their complaint upheld through our complaints process because she claimed we had repeatedly contacted her over a child protection matter that did not concern her, harassing and violating her right to a private and family life. The Ombudsman agreed that we were at fault over our actions and recommended an improved remedy for the injustice we caused.

## 3. Compliments received

Last year we received 16 compliments from the public, a selection of these is listed below:

### **Looked after Children, Permanence and Specialist Services**

"From our very first interaction with the Bexley Adoption team at the initial Information Evening - right through to the post-adoption support stage - we have felt incredibly valued and supported throughout our journey, from prospective adopters to adoptive parents. Having completed the adoption process twice in recent years, we have found the Bexley team to be knowledgeable, empathetic, immensely supportive, and truly invested in us, as both a couple and a family.

The prospect of adoption can of course be daunting, and the journey will naturally be overwhelming and stressful at times, but with the quality and continuity of the support we received, we felt very much part of a team - from the outset, all the way to our celebration hearing and beyond. We cannot thank Alison and the Bexley team enough, for helping us to find our family and make our dreams come true."

### **Mash, Referral & Assessment, Family Support & Child Protection**

"I wanted to express my thanks for the level of support I was given during a recent MASH Team Consultation with Katie. I had not made a call before and I was so grateful for her time, professionalism, and kindness as she helped with what I needed to do.

Katie made the whole process much easier, and I felt very reassured throughout."

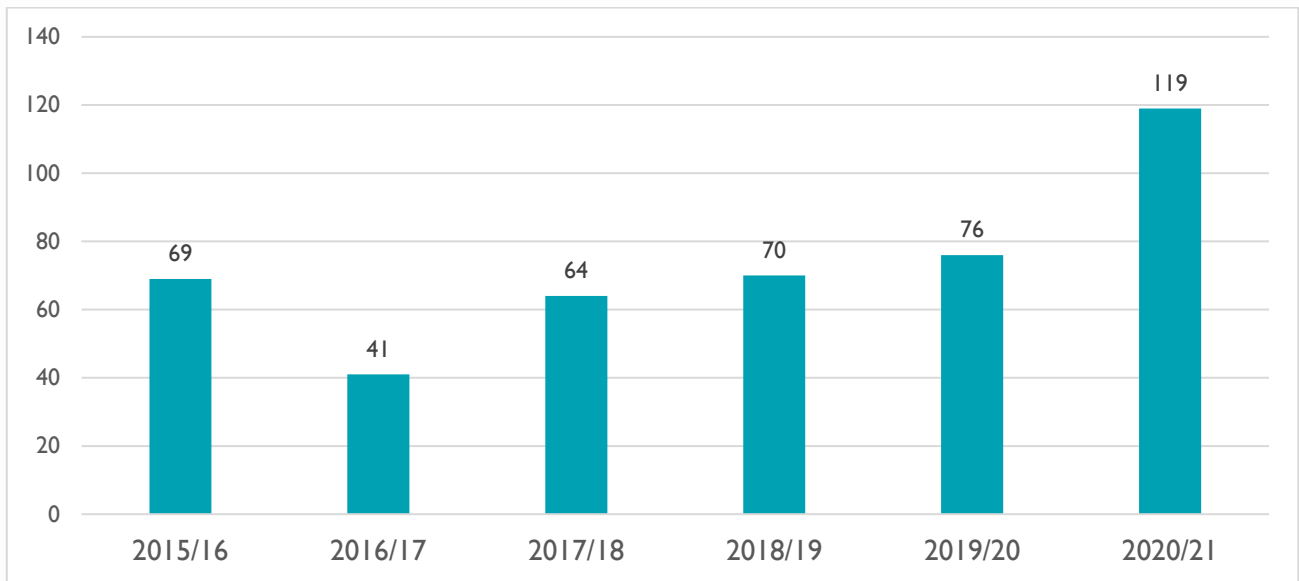
### **Children's Social Care Services**

"I just wanted to praise Elsie for her hard work and excellent support she has shown to us as a family. People are quick to complain about social workers so I thought it would be nice to give her some praise. I literally don't know what I would do without her support. She's amazing and by far the best social worker I've had during my boy's time under social care."

## **4. Subject Access Requests received**

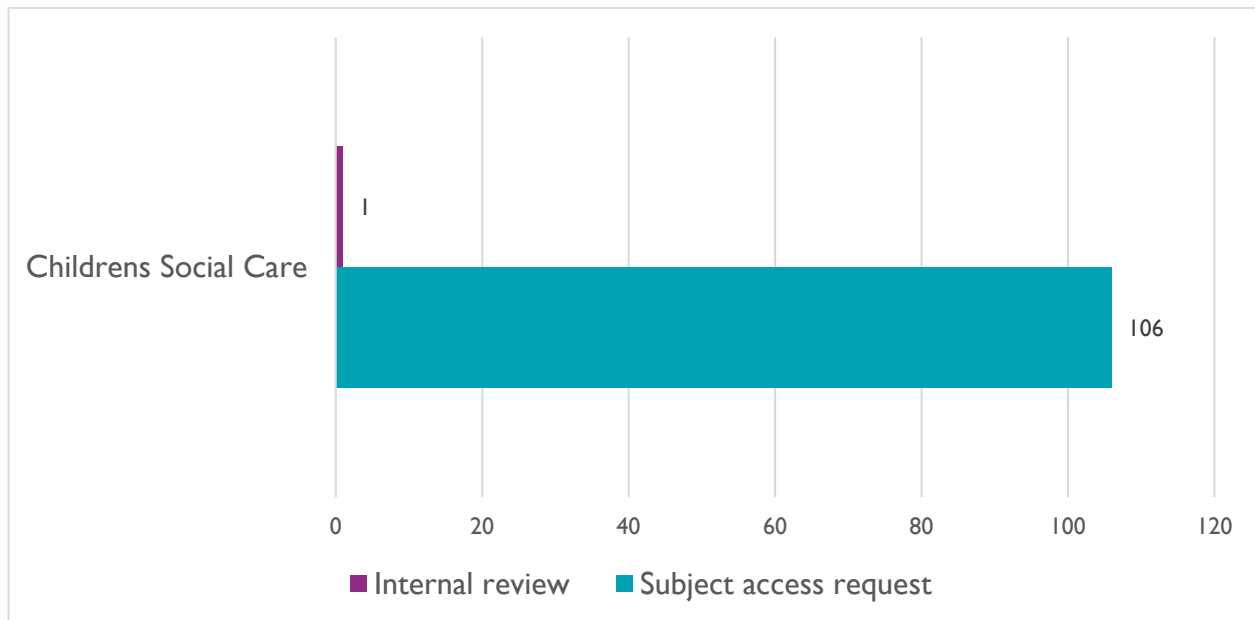
Section 7 of the Data Protection Act 2018 gives individuals the right to access information we hold about them. When an individual asks to see what personal information we hold, this is known as a Subject Access Request (SAR). If an applicant is not satisfied with the information we provided to them in the first instance, they can request for an internal review to take place.

### **Subject Access Requests received in the previous the last six years\***



\*These figures include Educational Achievement & Inclusion

### Subject Access Requests for Children Social Care in 20/21



### Analysis

In this period the Council received a total of 174 SARs across all service areas. Children's Social Care received 106 SARs which means that 61% of all SAR received were about Children's Social Care. There was only one internal review request during this period.

There was significant increase in SARs this year compared with previous years in children Social Care. We are not allowed to ask individuals why they have requested their information. However, many of those who



requested their information told us they wanted to obtain their records because of issues with historic assessments and due to concerns with their time in care.

If there is anything in this report which requires further clarification, please contact the Complaints Team at [Complaints@bexley.gov.uk](mailto:Complaints@bexley.gov.uk).