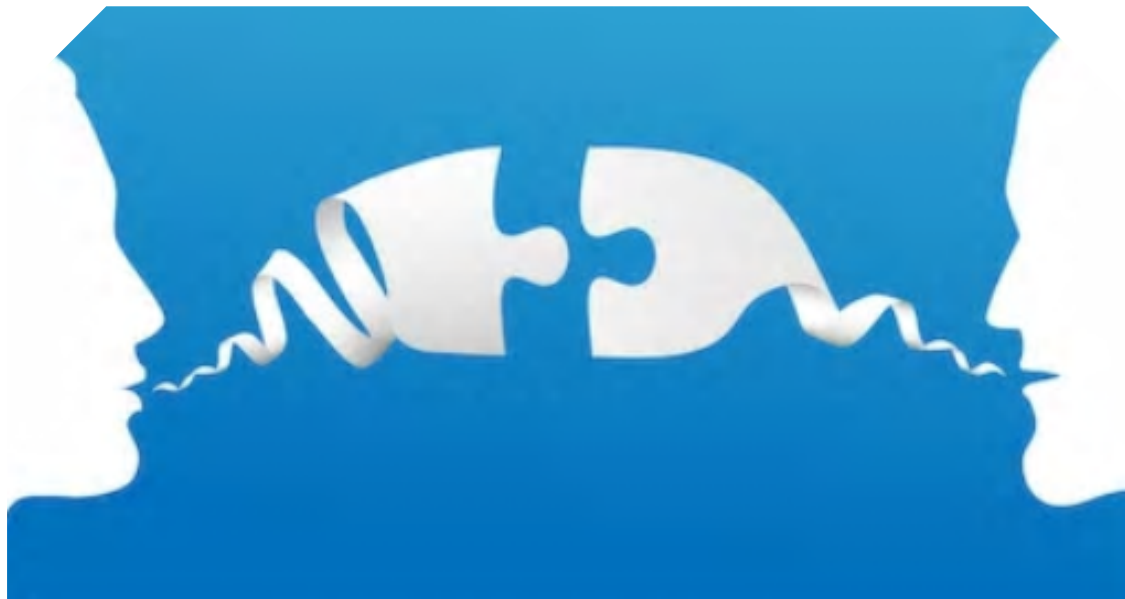




# Complaints Annual Report Children Social Care Services 2019 / 20



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## 1. Introduction

The report covers Children Social Care Services for the period 1 April 2019 to 31 March 2020, it details the complaints and compliments that have been formally recorded during this period. There have been no changes to the Complaint Regulations in this financial year, with this in mind the remainder of this introduction and chapter 2 'The Statutory Process' are unchanged from last year's report.

The Children's Act 1989 require all local authorities with Children Social responsibilities in England and Wales to have a complaints procedure. The aim of The Children Act 1989 Representations Procedure is for Children and Young People to have their concerns resolved swiftly and wherever possible by the people who provide the service locally. 'Getting the Best from Complaints' provides guidance for local authorities on implementing the Children's Act and defines a complaint as being:

**A complaint may generally be defined as an expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response.**

Statutory complaints relate to the provision of Children Social Care and are handled in line with the national regulations referred to above, the key stages of which are set out in section 2 of this report: stage 1 - local resolution; stage 2 – investigation; stage 3 - review panel and section 4 - referral to the Local Government and Social Care Ombudsman.

Complaints about Children Social Care Services that do not fall under The Children Act 1989 Representations Procedure may be responded to under the Councils' Corporate Complaints Procedure these are investigated at stage 1, reviewed at stage 2 and customers may choose to progress their complaint to the Local Government and Social Care Ombudsman as a final stage. Some complaints may be addressed in accordance to internal HR procedures.

It is a requirement of The Children Act 1989 Representations Procedure for the local authority to have a designated officer who is responsible for the management of the procedure and who is independent of social care operational line management and of direct service providers. In order to contribute effectively to service development, the Complaints Management function is managed by the Principal Policy Officer based within the Policy, Provision and Performance Division in the Education, Inclusion & Provision Department.

There are other customer contacts which allow early resolution to prevent complaint escalation and this can include advice and guidance, signposting and problem solving direct with the customer. Another and very positive aspect is the recording and reporting of compliments and positive feedback received by the People (Children Services) Directorate.

This Annual Report is produced in line with national guidance and is designed to share information more widely with members of the public.

## 2. The Statutory Complaints Process

Halton Borough Council aims to address any concerns as quickly as possible and we aim to acknowledge complaints within 3 working days of being received advising the customer of how their complaint will be handled. We cannot promise to deliver the outcomes that complainants want, but we do make sure that complaints are dealt with as quickly and as thoroughly as possible.

**STAGE 1** – the complaint will be allocated to the appropriate team manager who is asked to investigate the complaint. We always aim to resolve the problem as quickly as possible (within 10 working days) however, sometimes the complaint is complex so may take up to 20 working days.

If a complainant is dissatisfied with the response or investigation at Stage 1 and feels that the complaint is not resolved, they or their representative can request to go to Stage 2.



**STAGE 2** - An external Independent Person is commissioned by Children's Services to further investigate the complaint. The Investigating Officer and Independent Person will aim to produce a report within 25 working days. However, if the case is complex, they can have a maximum of 65 working days in which to produce their reports. Once the reports have been finalised they are sent to the Adjudication Officer (usually the Head of Service) who will, after careful consideration of the reports, provide the complainant with a written response to their complaint.

If the complainant still remains dissatisfied with the decision/outcome following the independent investigation at Stage 2, they can ask to have their complaint reviewed by the Complaints Review Panel.



**STAGE 3** -. The Complaints Review Panel is made up of three external people who will review the complaint, but they will not reinvestigate or consider new complaints. The complainant can attend the panel meeting if they choose to and can bring a friend or someone they can trust.



**STAGE 4** – If a complaint cannot be resolved locally, it can be investigated by the Local Government and Social Care Ombudsman (LGSCO). A complainant has the right to self-refer their complaint to the LGSCO at any stage during the complaint process. However, the LGSCO normally allows the Local Authority the opportunity to process a complaint through every stage of the complaints procedure, before investigating it themselves.

### 3. Complaints received

Complaints and compliments are feedback received from our service users. Effective feedback, both positive and negative is very helpful, it highlights weaknesses as well as strengths that can be used to improve services. Feedback is around us all the time, every time we speak to someone we communicate feedback, it's impossible not to give feedback. For most of us in our day to day work there is that opportunity to pick up on those small signs of frustration, receive that feedback and address it there and then but sometimes regardless of best efforts or intentions they will escalate to a complaint.

- 33 Statutory complaints were made. A 25% decrease but more in comparison to previous years

- No complaints were received from children or young people under 18 years of age
- 1 complaint was received from a care leaver who was supported by Advocacy (NYAS)
- Historically and nationally numbers of complaints are low from young people

- 7 complaints were upheld
- 11 were partly upheld
- 14 were not upheld
- The majority were resolved by the explanation provided

- 1 of the 33 complaints progressed to Stage 2 Independent Investigation.
- None progressed to Stage 3

- 4 Local Government and Social Care Ombudsman enquiries did not progress to investigation

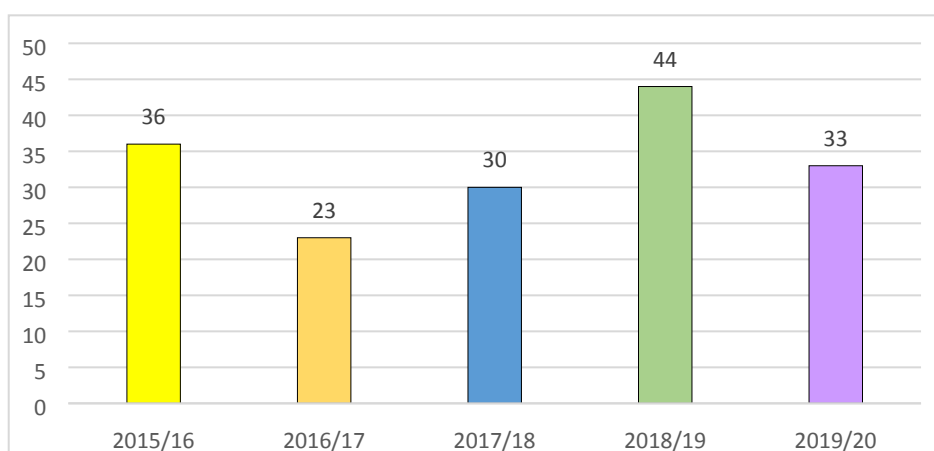
- 67 expressions of positive feedback were received.

- 18 complaints were managed under a corporate process, a 37% decrease from previous year.
- 1 was reviewed at Stage 2



## 4. Customer feedback data

### 4.1 Number of Statutory Children Social Care complaints.



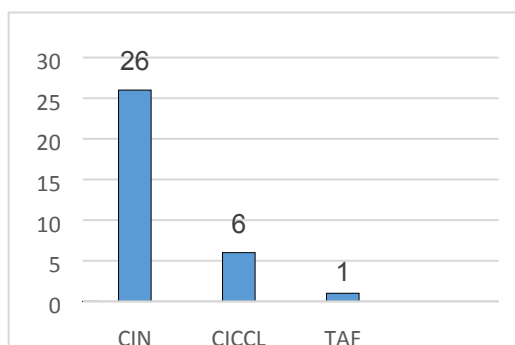
Complaints is a difficult service to measure, on one hand we want to try to reduce customer complaints to improve our services for our customers, but then on the other hand we question why they have reduced. It makes sense to eliminate as many complaints as possible and improve services however, it is really hard to predict and stop every possible imaginable problem or complaint before it happens.

Complaints don't just spring out of thin air, they are the end product of a series of negative events, problems with a service, process or people resulting in a dent or a break in that chain of events. Every time a complaint is investigated those links in the chain surrounding their complaint are examined, that link is made stronger for those using the service in the future however, complaints will continue to be raised as those different links in the chain get tested and as they have done in previous years and they will continue to fluctuate. Reducing complaints involves the entire department, it does not work without cross-team collaboration, and there is a clear sense of ownership of complaints in the Children and Families Service.



Complaints represented less than 3% of open cases to Children in Need, Children in Care and Care Leavers at 31st March 2020, the same as the previous year. There was a further 104 enquiries received that were resolved outside of the complaints process.

### 4.2 The teams the complaints are made about



The greatest number of complaints continues to be in the Children in Need and Child Protection Division (26 of 33), it is the frontline service dealing with a large number of cases with very difficult issues to address. The complaints were fairly evenly spread across CIN Widnes (15) and CIN Runcorn (11), this is usually the case. Of these 33 cases, 3 involved a child with a disability (9%).

### 4.3 How complaints are made and who makes them

E-mailing complaints continues to be the preferred method to make a complaint, this is probably due to the ease of access on mobile devices.

	2016/17		2017-18		2018-19		2019-20	
Email	10	42%	19	64%	19	43%	19	58%
Telephone	2	30%	10	33%	14	32%	8	24%
Complaint Form	1	19%	0	4%	5	11%	4	12%
Letter	9	6%	1	3%	6	14%	2	6%
Meeting	1	3%	0	0	0	0	0	0

32 of the 33 complaints were received by parents, when comparing other local authority annual reports, as in Halton, the number of complaints received from children and/or young people remains low.

The 1 care leaver who made a complaint was supported by an advocate. Halton Borough Council commissions the National Youth Advocacy Service (NYAS) to support Children in Care and Care Leavers, if they want one. All young people in contact with the team are offered access to an advocate so that their voices can be heard and their issues discussed, this can often be at the point of service delivery where the matter can be resolved rather than progressing to a complaint.

Staff are encouraged to resolve issues informally. If a customer has a point of contact, someone to go to at the first sign of trouble, small frustrations are less likely to escalate to the customer becoming more upset by the situation. Because of this there may be greater numbers of people who were originally dissatisfied but whose matters were resolved to their satisfaction preventing escalation to a complaint. It is not possible to capture this level of detail in the service however there were also a further 100 contacts recorded by the Principal Policy Officer that were resolved at point of contact.

Halton has a 97.8% white population. No complaints were from an ethnic minority.

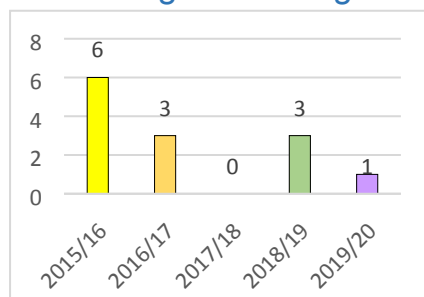
### 4.4 How quickly do we respond to complaints

	% within 10 days	% within 20 days	% over 20 days
<b>2019-20</b>	<b>30%</b>	<b>67%</b>	<b>33%</b>
<b>2018-19</b>	<b>23%</b>	<b>66%</b>	<b>34%</b>
<b>2017-18</b>	<b>73%</b>	<b>91%</b>	<b>9%</b>
<b>2016-17</b>	<b>33%</b>	<b>83%</b>	<b>17%</b>

This year has been a challenging year to try and make further progress on timescales and for a period it was doing ok. Manager's availability had been affecting their capacity to respond due to training away from the office and the development of the Eclipse System however, on the 24<sup>th</sup> February 2020 Halton Borough Council became the subject of a three week Ofsted Inspection during which staff resources were diverted. In addition to this, a week later the nation went into COVID-19 lockdown which placed enormous and unprecedented pressure on front line service delivery and in ensuring children and young people were safeguarded, unsurprisingly dealing with complaints in relation to matters that had already passed became less of a priority at that time.

When examining some of the delays that took responses over 20 days prior to COVID-19, we have to factor in office closures during the Christmas break, in addition managers visited a couple of the complainants to source other information as part of their investigation and complex/comprehensive responses take time to compose. The focus should always be on ensuring a thorough investigation and response that responds clearly to their concerns, if this takes slightly longer then so be it, if the complainant was dissatisfied with the response, regardless of how long it took we feel they would come back to us to progress their complaint and this has not been the case.

#### 4.5 Stage 2 investigations



One Stage 2 complaint investigation was undertaken within the extended timescale of 65 working days, this was due to the complexity and availability of staff. The complaint was made by a parent and in relation to decision around the provision for her disabled child and it also encompassed safeguarding procedures, the investigation found that five complaints were upheld with three further complaints partially upheld.

#### 4.6 Stage 3 Review Panels

No Stage 3 Review Panels were held in this year, there was one last year but prior to that the last one was held in 2013.

#### 4.7 What are the complaints about

Main categories	2016/17	2017/18	2018/19	2019/20
Staff	0	0	1	0
Service (i.e. quality, lack of, over provision & client expectations, customer care)	12 (52%)	12 (40%)	22 (50%)	19 (58%)
Assessment / Review Process (disputed or delay in decision)	11 (48%)	18 (60%)	21 (48%)	14 (42%)
Total	23	30	44	33

The Complaints Procedure is not designed to deal with allegations of misconduct by staff, they are covered under the separate disciplinary procedures of the Council but may occasionally be interwoven into the complaint as a whole.

Service Provision is about how we have done things, it is about the quality of the service we have provided.

Assessment and Review is about the process, have we done what we should have done in accordance to policy, procedure or regulations.

In the majority of cases, complaints cross over all three categories and so the Principal Policy Officer taking into consideration the main crux of the complaint, the desired outcome, and the complaint findings will determine the category.



## 4.8 Why complaints have been upheld

(\* more than 1)

- Appointments/home visit cancelled or failed to attend\*, prioritised safeguarding
- Children Social Care assess all avenues, perceived as delay when end up with what they asked for
- Communication/availability with the Social Worker\* i.e. time taken to respond to emails/texts \* no call backs to rearrange, resulting in very little contact
- Tell one party but not the other
- Had the correct decision been made at the time i.e. SAP progressed and fathers views sought, it would not then have resulted in dissatisfaction now
- Lack of practical support offered due to staff sickness, financial assessment was not completed
- Understanding / explanation of Consent
- Delay in assessment and reallocation, Social Worker left
- Reports for the Conference should have been provided 2 days in advance but given on day \*
- Christmas contact rearranged after longstanding plans made \*
- Staff late for meetings\*
- Conference cancelled, social worker not completed paperwork
- Spelling errors, factual accuracy in reports
- SAP authorised 27<sup>th</sup> August 2019, letter accompanying dated 27<sup>th</sup> August 2019, received early October 2019, delivery
- Social Worker did not inform parent or foster carer of change to contact hence they turned up, she didn't.
- Delays in making contact - OFSTED ILACS
- Did not include sons views in the assessment, did not give report in timely manner
- Disputed some of the content of the assessments. Social worker left, can't determine source – case recording
- 1 Assessment missing, other 3 assessments focus on same child. Social Worker left.
- Social Worker went off sick, drift, not financially assessed, agreed to reimburse £1300.00 she paid to assist with the care of her children

A human error is an action or decision which was not intended, there are also those errors of judgement or decision-making where the “intended actions are wrong” i.e. where we do the wrong thing believing it to be right, they are unintentional errors. No complaints were determined to be as a result of deliberate deviations from rules, procedures, and regulations.

## 4.9 Actions taken and learnings

Learning from complaints is vital to ensure high levels of service, and there is reliance on teams/service having the capacity to advise on and deliver improvements as a result. Learning can be taken from all complaints rather than just those that were upheld or partially upheld, and it should be noted that some of the examples presented are case specific. Whilst there may be some common themes, the majority are not indicative of systemic practice issues.

Complaints including elements of workers actions are discussed in supervision to inform individual learning but should be shared within team meetings to reaffirm the impact on clients

A number of customers raised complaints when they could not get in touch with their allocated social worker directly. This was often not the main issue of concern for the customer but added to an overall feeling of dissatisfaction and frustration. In cases where the allocated social workers could not respond as quickly as they would have liked due to competing priorities or, due to their absence, staff were reminded of the importance of ensuring that parents and young people understand that they can contact the team or duty cover and to ensure they have the contact details.

The understanding and application of client consent was also a theme highlighted during the OSTED ILACS inspection along with consistency of case recording. These will be addressed through a staff development programme to address gaps in knowledge.

Customers complained about inaccuracies in reports, but the main theme was that they disagreed with the opinion of the Social Worker and the conclusions reached during the assessment process. Whilst it is understandable that a lengthy report such as the Single Assessment may have a few minor errors such as a misspelling of a name or an incorrect date, it is recognised that this may undermine customers' confidence in the assessment process. The new case recording system 'Eclipse' when introduced will have the facility to spell check, it will work on any device, anytime, anywhere enabling direct recording with clients, allowing for quality case recording that supports strength-based practice and enables a more integrated view of what life is like for adults, children, young people and families.

A clear explanation is offered to customers stating that Social Workers can use professional judgement to form opinions when making assessments and explaining the legal basis for carrying out assessments and recording them. Whilst we are not able to uphold their complaint or amend an assessment following a complaint of this nature, we are able to offer to add the customer's views onto the records and note that they should be read alongside the assessment. This approach provides greater transparency into the process and enables customers to feel that their voice has been heard, logged, and kept on record.

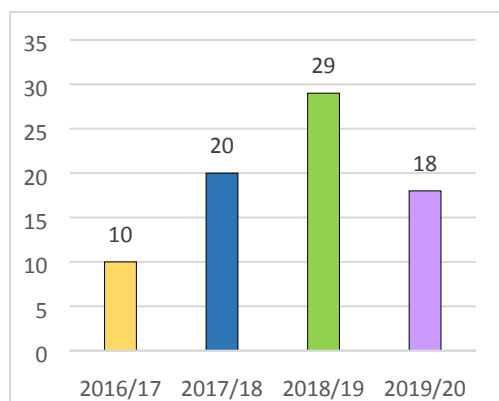
The Principal Policy Officer will continue to work proactively alongside managers making enquiries and challenging findings in order to help catch issues quickly and resolve dissatisfaction locally to prevent unnecessary escalation.

#### 4.10 The Local Government & Social Care if the re Ombudsman (LGSCO)

Halton received 4 enquiries from the LGSCO. They responded to 3 in agreement with the Local Authorities decision not to engage the Statutory Complaint Process and not to investigate further, the other one was advised to access the statutory process which they subsequently did.



#### 4.11 Corporate Complaints



The number of Corporate Complaints have decreased, more comparable to previous years. This procedure is used for dealing with complaints from adults regarding Children's Social Care Services when they do not fit the criteria for their complaint to be managed under the statutory procedure. The Team Manager investigates and respond as per the statutory procedure however, if they remains dissatisfied, Stage 2 is an internal review by the Corporate Complaint Team following which they would need to approach the LGSCO.

#### 4.12 Complaints Training and Procedures

Two training sessions were undertaken in February 2020 for front line staff in the Children and Families Service. The course was fully attended and received favourable feedback. The Principal Policy Officer is a known presence in the department and is available to support and advise staff on a one to one basis during a complaints investigation and by providing targeted training with staff and managers on request and also as part of an induction process. Complaints procedures and processes continue to be held within Tri-x which is the Web based procedure Manual for Children Social Care staff.

#### 4.13 COVID-19

Toward the end of this year, due to the spread of COVID-19 and Government advice around social distancing, self-isolation and shielding vulnerable groups, we started to capture data on the number of complaints received specifically relating to this theme, and also the number of investigations and responses which have encountered delays as a result of critical staff prioritising the needs of our vulnerable communities. We continued to take complaints at Stage 1 however there was a temporary hold on any new escalation requests.

The Local Government Ombudsman temporarily suspended its central telephone line and would not accept new complaints, guidance issued by them was implemented;

- **Inform** - Be realistic with complainants about the timescale for response to their complaint, keeping them informed if there is going to be a further delay.
- **Consider** - Consider each complaint on its own merits, and if needs be, prioritise complaint responses, considering what the impact of any delay will be on the complainant.
- **Explain** - Make sure we explain the reason for any delay or deviation from a process and document the reason.

## 5. Compliments

A separate report is compiled that records all the positive comments received and so this is a snapshot. Whilst the number of compliments passed to the Principal Policy Officer has decreased this year it is more comparative to the previous two years. Staff are reminded that it is important to report compliments as it can be very helpful feedback giving a flavour of what works well and what the families using the services really value.

Year	Total
2016-17	70
2017-18	80
2018-19	101
2019-20	67

It is important to remember that the three divisions work together to support families, children in care may be open to the Children in Need Division whilst work is being undertaken. Children in need may be receiving respite in Inglefield which comes under the Children in Care Division and services provided in the family centres which can be accessed by children in need or children in care will come under the Team Around the Family Division.

Knowing that the work they do is noticed and valued is a powerful motivator for staff, people strive to do more of what brings praise from others.

	16-17	17-18	18-19	19-20
<b>CIN</b>	18%	33%	31%	25%
<b>CIC</b>	26%	14%	14%	42%
<b>TAF</b>	54%	53%	55%	33%



She wanted to say thank you and she thinks your amazing! She said you have helped her out of so much trouble and she wanted to let you know without your help they would be homeless by now. She said things are going ok now and she appreciates what you have done for her. She has got help and things are looking better now. Just wanted to say thanks. (Client)

Needed to put into an email to you how much we, as a family have benefited from the input. At a point of which I was very low and tearful... she sat and truly listened. Straightaway she was making calls and making enquiries upon our behalf. She explained so much to us, things we never knew existed. She instigated meetings to pull all professionals together, arranged direct payments. Her confidence is improving, she is less anxious, it's become routine and most importantly planned. I know people are quick to send letters of complaint, but I believe letters to acknowledge how well something has worked should also be sent. Your department and especially her, she has had a big impact on our lives and although things are still very challenging, with her help and guidance we have been able to enjoy quality time with our son alone whilst our daughter is occupied. (Client)

I just want to say thank you for everything you have done, (please don't say it's your job) I actually don't know what mess my family would be in if it wasn't for you. And I hand on heart mean that, can never thank you enough. I am keeping your number just in case. (Client)

As the local authority funded his fees the judge instructed his

Thank you all for taking care of my daughter this year, she has really appreciated everything you have done for her and so have we. We don't know how we could ever thank you for all that you do. (Client)

The Judge stated that her Section 37 was on to Children's Directors for

You have been a superstar and helped me feel comfortable enough to discuss some very difficult events in my life during the assessment. (Client)

child's' residence and thanked her for giving him all the information he needed to make this decision in her s37 and oral evidence. (Professional)

I just want to say thank you for coming into my life and playing a big part of it, you have helped me through many of my struggles. I don't think I have the words to explain how much you really mean to me. You have helped me more than any other person ever has in my entire life. I seriously don't know what I would do without you. No one knows me like you do. No one understands me like you do, no one makes my day better like you do. You was there when I had no one, you have remained in my heart for a very long time. I am truly proud of the person I have become today and I want to say a massive thank you for helping me to achieve that. You stood by me when I thought I had lost everything, you help me make the right decisions that lead me to where I am today. I totally and utterly adore you I look up to you like a mother figure, and nothing will ever change that, take your time to read what I have wrote to you and take it all in, I want you to realise how much you have actually done for me and help me through my worst times, heart breaking times. When all I needed was a cuddle and for someone to tell me I'm going to be okay, you was that person you will always be that person, thank you. (Client)