



City of Westminster

Family Services

Children's Social Care Annual Complaints
Report

1st April 2020 to 31st March 2021

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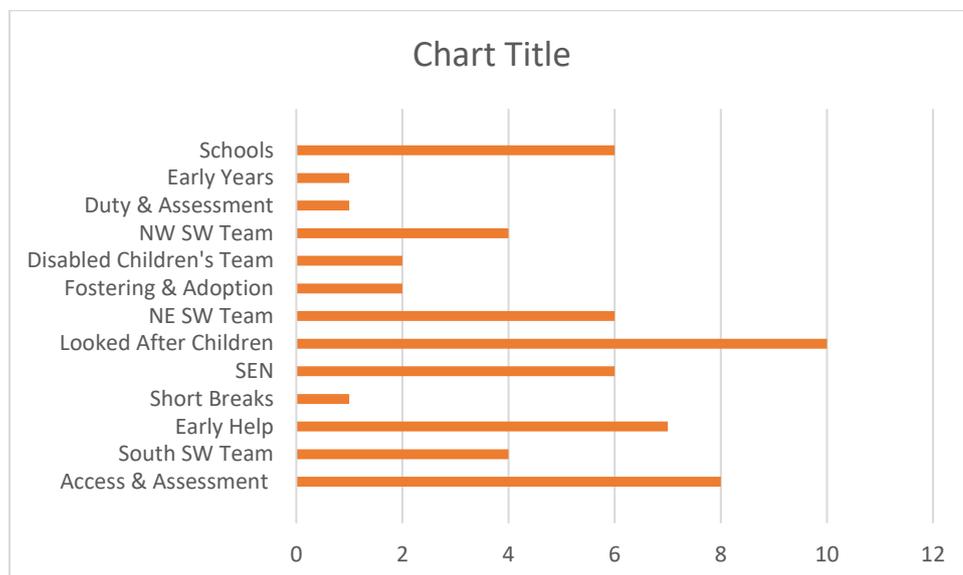
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1. EXECUTIVE SUMMARY

- 1.1 The Children's Social Care Statutory Complaints Procedure stipulates that an annual report must be produced for complaints made under the Children's Act 1989 Representation Procedure (England) Regulations 2006. The procedure further requires that the report should provide a mechanism by which the Local Authority can be kept informed about the operation of its complaint and representations procedure; and that it should be presented to staff; the relevant management committee and be made available to the regulator and the general public.
- 1.2 The focus of this report is on all complaints about Children's Services (Statutory and non-statutory) and on the themes, trends and volumes of complaints received between 1st April 2020 and 31st March 2021. It also highlights the learnings identified and the service changes that have already been implemented in response to learning from complaints.
- 1.3 A complaint accepted under the Statutory Children's complaints procedure is one that considers services provided to Children and young people under Part 3 and some of parts 4 & 5 of the Children's Act 1989, as well as some adoption and special guardianship services, under the Adoption and Children's Act 2002. These could be complaints about contact or accommodation issues or an assessment decision involving looked after children for example. These types of complaints are considered under the Statutory three stage complaints process. See Appendix **A** for an explanation of the different stages of the Statutory complaints process.
- 1.4 Complaints which are outside of part 3 of the Children's Act as well as some parts of part 4 & 5 are categorised as non-statutory complaints. These complaints including those about Special Educational Needs (SEN), Transport and Commissioned services were considered under the Council's three stage corporate complaints process. See Appendix **B** for an explanation of the different stages on the non-statutory complaints process.
- 1.5 In 2020/21, the Customer Relationship Team (the Team) received and responded to 58 complaints about Children's Services. Of these complaints, 6 were recorded as Statutory Children's Services complaints and the remaining 52 were considered under the non-statutory complaints' procedure. Of the total 58 complaints received, 2 were resolved at initial contact and 2 were rejected as they pertained to other Local Authorities.
- 1.6 The pandemic is thought to have had a knock-on effect on the number of complaints received (58) when compared with the numbers received in 2019/20 (85). This represents a 47% decrease in the number of complaints received.
- 1.7 The table below shows the volume of complaints received by the social care teams from 1st April 2020 to 31st March 2021. It is a positive thing to note that

services users are using the complaints' channel to lodge their concerns. This reflects the awareness raising that the Team have continuously engaged in.

Complaints received from 1st April 2020 to 31st March 2021

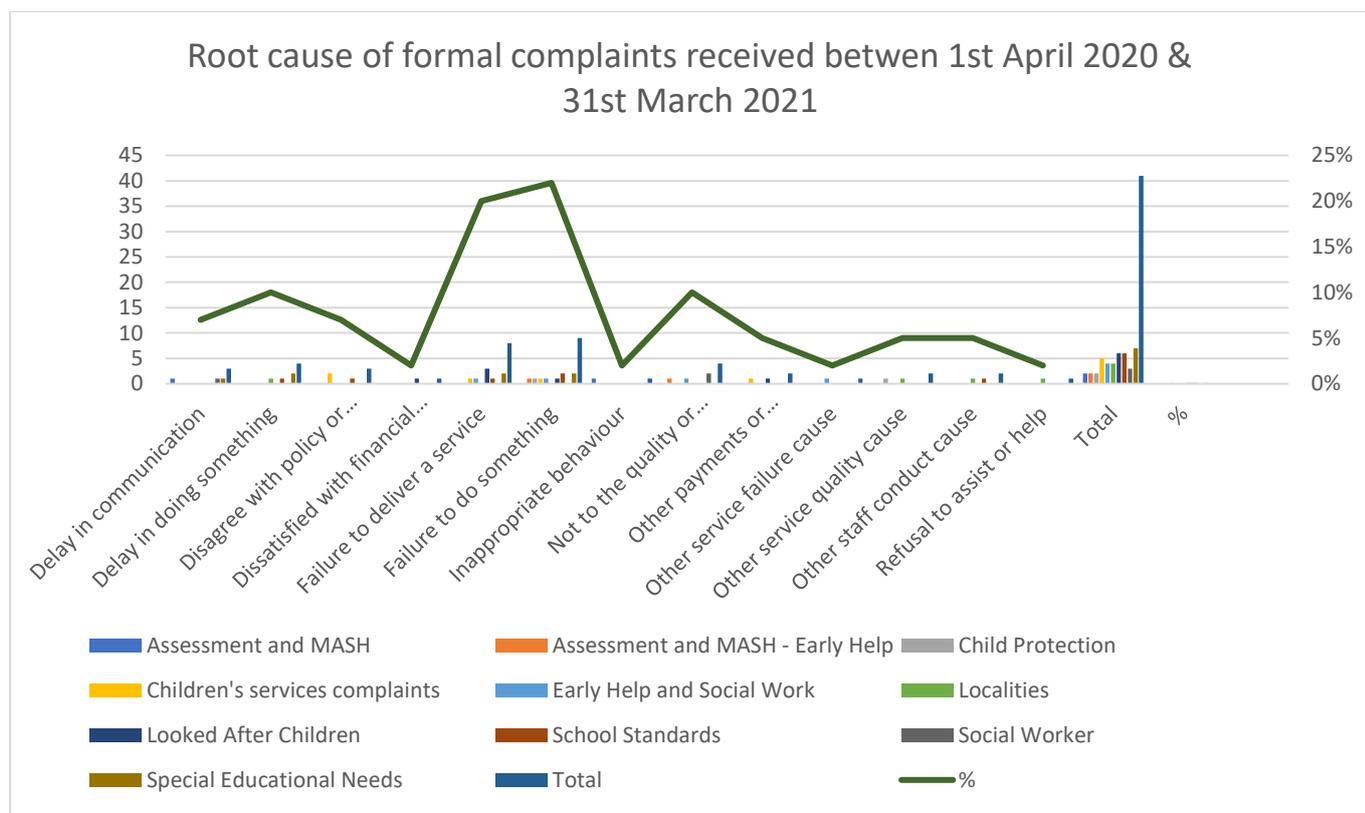


- 1.8 Over the past year the Team have continued to strengthen their direct engagement with colleagues to more fully explore the issues raised by the complainant. Given the current context, this was carried out virtually via Teams rather than face to face.
- 1.9 The Team has also continued to maintain engagement with Services by prioritising the building of strong working relationships with colleagues in other teams, practitioners, and the Children's advocate in a bid to promptly resolve complaints, with a substantive and robust response.
- 1.10 The Team encourages Service Managers to notify them of complaints being resolved directly with the resident. This ensures that these are reflected upon, and a record made of the actions taken to resolve the concerns.
- 1.11 In the last 12 months, the Team received notification of 2 complaints resolved at initial contact. None of the 2 escalated to Stage 1.
- 1.12 The focus of the Team very much remains continuous engagement with complainants prior to accepting complaints at the different stages. This has enabled officers to not only build and sustain the rapport built with service users, but also to have transparent conversations about realistic outcomes and to help manage their expectations. These actions have resulted in a decrease in the request to escalate complaints to the next stage.

2 PERFORMANCE OVERVIEW

2.1 This section of the report provides an overview of the top 10 reasons for making a formal complaint across the total volume of complaints.

2.2 42% of the complaints received have been about the failure or refusal to offer or deliver a service. This continues to be a common theme in the complaints received about Family Services.



2.3 It is important to emphasize that complainants often raise issues about several areas outlined in the chart above. For example, within a single complaint, a service user may complain about non consistent contact arrangements set up with their child and about the contents of a letter written in support of an ex-partner. The complaints, therefore, are categorised by the area which forms most of the complaints.

2.4 The table below shows the breakdown of complaints received across Teams in Family services.

Team	Number of Complaints
Access & Assessment Team	5
Special Educational Needs	8
North East Social Work Team	4
Fostering and Adoption Team	2
Disabled Children's Team	1
North East Early Help Team	11
Looked After Children & Leaving Care	11
School Standards	6
Short breaks	1
Localities	7
Total	56

- 2.5 In analysing these complaints, the predominant theme remains that of parents or service users highlighting their concerns about a failure or refusal to meet their expectations in an area of service.

3. RESPONSE TIMES AND OUTCOMES OF COMPLAINTS

- 3.1 In this reporting year, Family Services responded to 74% of stage 1 complaints within the timescales, compared to 79% in 2019/20. This represents a 5% reduction in response times. This was mainly due to covid restrictions. Complaints received in hard copy by post could not be responded to within statutory timescales as per normal procedures. This was due to the Team working from home during the 1st five months of the pandemic and not being able to access post sent to them.
- 3.2 The Team continues to work to strengthen the relationship with colleagues in other teams to improve on the timeliness of responses. In the cases where the customer experienced a delay, the team continued to maintain contact with the service users and were able to meet the revised deadline for response.
- 3.3 42% of the total complaints received were either upheld or partially upheld. A complaint is upheld or partially upheld where it is identified that things did not happen as they should have done. For example, some of the complaints identified a feeling of being let down by the social worker or a failure to communicate information properly. In one instance, there was considerable detriment to the family. In addition to the learnings identified at Stages 2 and 3 of the complaints processes, a summary of all learnings is reflected in section 4.

Stage 2 and 3 complaints

- 3.4 5 complaints (statutory & non-statutory) of those responded to at stage 1 were considered at stage 2. Only one of the 5 complaints considered at stage 2 was a statutory complaint and this complaint progressed to stage 3. This was responded to within the Statutory complaints' procedure and timescales. This complaint related to the actions of the social worker in failing to identify the victim of domestic abuse in a family and therefore not providing the necessary support needed at that time.

Recommendations made to the Council were:

- ***That the City of Westminster continues to roll out its training programme so that staff have sufficient awareness of domestic violence to ensure that there is no institutional blindness going forwards when men are the victims.***

- ***Furthermore, that the City of Westminster, through one of the voluntary sector organisations set up for male victims of domestic violence, consider inviting a male victim to participate in any future training programmes.***

- ***That, Family services should ensure that all evidence sent in support of a complaint or an allegation is correctly recorded on the case recording System (Mosaic) used by social workers.***

- 3.5 Regarding the remaining 4 non-statutory complaints, please find below an explanation of the cause of the complaints.

- *One of the complaints was from a young person requesting for back dated payment of the leaving care grant. This was a historic complaint as the young person was involved with Family services back in 2015 and accommodated under s20 of the Children's act.*

- *The 2nd non-statutory complaint was about a sec 17 report in which the parent stated that he was not given a copy of the report and it contained inaccurate information.*

- *The 3rd complaint focused on a single assessment carried out in relation to a child where it was alleged that the social worker had omitted to include in the report the numerous issues reported by the child.*

- *The 4th complaint related to a letter written in support of a victim of domestic abuse. The complainant felt that the contents of the letter would negatively affect his future contact with his children.*

3.6 It is worth mentioning that no SEN complaints in this reporting year progressed to stage 2 or 3.

LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN DECISIONS

3.8 The Ombudsman received 3 complaints about Children's services, all of which have been investigated and closed.

3.9 The table below shows the outcomes reached across the 3 cases where a decision has been made by the LGSCO. In the case that the LGO did not investigate, this was because it was out of their jurisdiction. It was a matter for the Court to decide.

Decisions	Number of Complaints
Out of Jurisdiction	1
Fault leading to Injustice	2

3.10 Regarding the complaints investigated by the Ombudsman, please find below a brief overview of each complaint.

- *The Ombudsman found fault leading to injustice in both complaints. In the one case involving a foster carer, the Council provided five written responses to the complainant which was confusing as it was unclear as to what stage the complaint was at.*
- *The second complaint was about a parent who complained that the Council failed to properly consider her application for transport assistance for her daughter. The Ombudsman recommended that the Council should review its travel assistance policy on appeals to ensure that it complies with Government guidance.*

3.12 Children's Services remain committed to improving services and complaints handling in cases where things have not happened as they ought to. The Children's complaint team continues to work collaboratively with the Council's complaints team to ensure a consistent approach in the handling of complaints.

4. Learning from Complaints

4.1 An important aspect of the culture in Children's Services is learning from complaints. Team Managers responding to complaints are encouraged to identify any failings within the service as part of their response, and to inform the resident of actions which will be taken to prevent a reoccurrence.

4.2 In addition to the recommendations made by the Investigation Team for statutory complaints across the Bi-Borough Children's services, listed below are some of the learnings identified by services across all complaints.

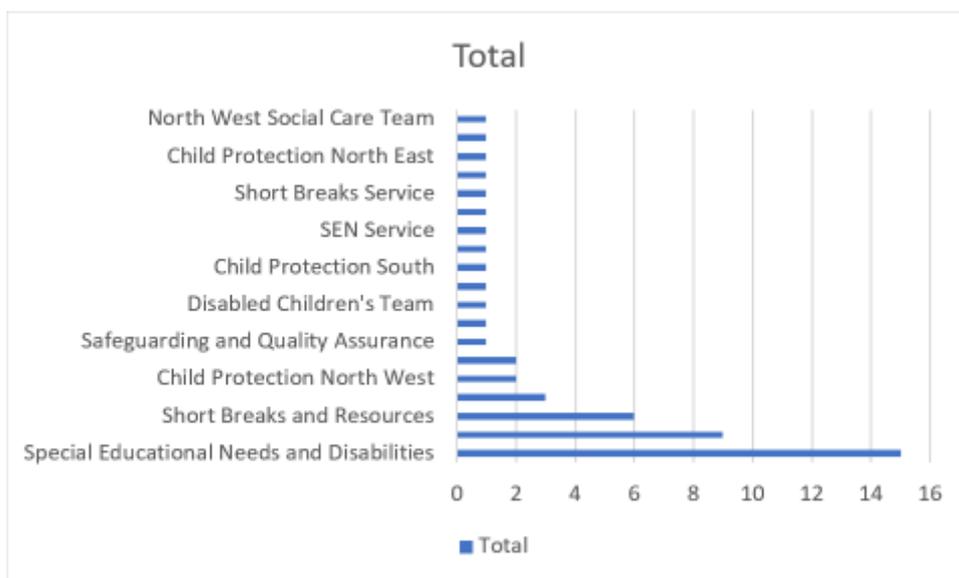
- a) *The need for parents to be kept informed/updated about changes to a school route especially where a special needs child is affected.*
- b) *Improved communications between Social workers and service users in general.*
- c) *The need for Social Workers to produce a leaflet that details information on how an assessment is carried out and which informs the service user of their right to view the draft report and make comments where they disagree with what's been written*
- d) *The need to provide domestic abuse training for Social workers to enable them to identify male survivors of domestic abuse and signpost them to relevant support as required.*
- e) *Where management have identified tasks for action by a Social Worker and some of those tasks cannot be completed, a case note as to the action that is incomplete must be included within the case file records.*
- f) *Case recording needs to be of a sufficient level to enable clear accurate and thorough reviewing of case files. Relevant staff should be reminded of the importance of following case recording procedures and ensuring that information (including emails) are routinely uploaded and properly recorded on to the electronic systems.*
- g) *The child protection process can be a stressful and an emotional environment. Social work teams should ensure that families have time to process information in their own time, and also, consideration should be given to the production of written information (in the form of a leaflet, for example) which explains key trigger points of the process.*

4.3 Following on from learnings identified from complaints, some service improvements have been put in place to demonstrate that the service actively listens to and takes feedback from complainants seriously. Please find below some service improvements made:

- *The assessment team has been working in how assessments are carried out, thinking particularly about engagement with referrers, and how to better engage with families and professionals together.*
- *In response to some informal complaints received, the service is considering whether the MARF can be amended to better capture the families' agreement to referral.*
- *A group of senior practitioners in the assessment team are working together to devise better ways of capturing family feedback on conclusion of assessments. This is part of the work currently being done in the team's quarterly forums – "Towards an anti-racist front door".*
- *The Section 20 template for young people when they make the decision to come into care has been redesigned.*

5. Compliments

- 5.1 In addition to learning from complaints, Children's services welcome compliments from its service users. These compliments act as indicators of good practice and are also reflective of the type of service that families find helpful, thereby enabling the service to further improve on the activities that are working well. A flavour of some of the compliments received by the different teams within Children's services is listed in Appendix C.
- 5.2 During 2020/21, 59 compliments were sent to the Team. The chart below shows the distribution of these across the various team within the service. The SEN team recorded the highest number of compliments this financial year.



6. Customer Relationship Team - Delivery against priorities for 2020/21

- 6.1 Information on the progress made against each of the priorities set for the Team is outlined below:

- 1) **To track learning outcomes and recommendations from Stage 2 & 3 complaints and to share these with Senior Management and services on a quarterly basis.**

Learnings and recommendations are captured on the case management system – Integrated Casework (ICW) and these are shared with the relevant Director, service and the Heads of Service quarterly.

- 2) **To review recommendations and work with other teams within the service to ensure case specific and service wide commitments to change in approach, or practise is completed, and service delivery improved.**

Most of the recommendations received especially from the Local Government and Social Care Ombudsman (LGSCO) are time specific. The Team shares these with the Director and relevant team managers and ensures that the recommendations are carried out by the specified dates. For example, where the LGSCO recommends that an apology and some financial compensation be made to the complainant within a month from the date of the issue of the final report - The Team works together with the service to draft the letter and ensure that the recommendation is completed by the date specified. The Team also processes the payment and keeps the complainant updated. Once all the tasks have been finished, the Team feeds back to the LGSCO for completeness.

- 3) **To compile datasets and complaint themes identified from stage 1 complaints and to share these with respective teams within the service, thereby supporting areas of improvement and embed better ways of working.**

The complaints case management system captures data accurately and is used by the Team to produce data for quarterly reporting on complaints. This data and the themes identified is shared with respective social care teams. They in turn use the themes to drive service change and improve on the quality of services offered to service users.

- 4) **To continue to promote agile and flexible approaches to resolving complaints, meeting with the service managers for each statutory complaint accepted by the Team with a view to resolving these in 10 working days.**

The Team continues to meet with service managers to consider the complaint received and decide on the best approach to resolving the concerns.

7. Customer Relationship Team - **PRIORITIES FOR 2021/22**

The Key priorities for the Customer Relationship team over the next 12 months are as follows:

- 1) To review the current process being adopted when a new complaint is received. One approach may be to arrange a Teams meeting (in view of current restrictions still in place) within three days of receipt so that the process of investigating and drafting the response is started much earlier.
- 2) To reduce the number of complaint escalation requests received for stage 2 and 3 complaints by ensuring that the responses at stage 1 are robust, fair and transparent.
- 3) To continue to promote the functions of the team in relation to complaints handling across the service by organising lunch and learn sessions and inviting colleagues from various teams to attend.

- 4) To promote good systemic practice among service users – such as calling a complainant to better understand their concerns and facilitating meetings between the relevant team and the service users. Thereby making the complaints process less daunting.

- 5) The Team to avail themselves of relevant courses and training which will enhance the quality of complaint responses.

APPENDIX A

COMPLAINTS PROCEDURES FOR STATUTORY COMPLAINTS

The Children's Act 1989 Representations Procedure (England) Regulations 2006, Children (Leaving Care) Act 2000, Adoption and Children Act 2002 and the Health and Social Care Acts 2003 require the Local Authority to have a procedure for resolving complaints and representations received by, on behalf of, or relating to children and young people.

To facilitate the procedure in a fair and consistent way the Local Authority follows guidance provided by the Local Government and Social Care Ombudsman (LGSCO), who also provide practical information on how processes can be improved. The Council also follows the principles outlined in the publication 'Getting the Best from Complaints' which was produced by the Department for Education.

The complaints procedure has three stages and has a strong emphasis on resolving complaints quickly and informally.

Stage 1 – Local Resolution

This is the most important stage of the complaints procedure and we aspire to resolve as many complaints as possible at this initial point; within 10 working days, but no more than 20 working days as this is the maximum extension that is permitted.

Stage 2 – Investigation

This stage is usually initiated when the complainant is dissatisfied with the findings of Stage 1, has not received a response within the timescales and or because it has been agreed that Stage 1 is not appropriate. An external Investigating Officer (IO) is commissioned to investigate the complaint, and an Independent Person (IP) to oversee the fairness and transparency of it. Following their reports, the Council will write an adjudication letter responding to the findings and any recommendations made. The end-to-end process should take no more than 65 working days.

Stage 3 - Independent Review Panel

Where complainants remain unhappy with the Stage 2 Investigation, the Council will consider arranging a complaints Review Panel. These are made up of three independent panel members, who will ask the IO, IP and representatives of the Council (normally a Head of Service) questions to establish if the Stage 2 Investigation was robust and findings were reached in full consideration of all available information. The panel makes recommendations to the Executive Director of Children's Services who then reaches a decision on the matter and any actions to be taken.

There are various timescales relating to Stage 3 complaints which include:

- Organising the Panel within 30 working days of the complainant's request
- The Chair should produce the panel's report within 5 working days of the Review Panel
- Sending the Local Authority's response to the complainant within 15 working days of the Panel's report.

APPENDIX B

Non-Statutory complaints

In line with the Council's complaints procedure, the Team also accepts complaints that are not covered by the Children's Act 1989 but relate to the involvement of Family Services. For example, complaints made by the grandparent of a child who does not have parental responsibility but is unhappy with the actions taken by Family services or perhaps a complaint about the length of time taken by an allocated worker to return calls which is dissatisfaction with the service provided.

The Council has a 2 stage complaints procedure for these types of complaints.

Stage 1 of the complaints' process should be completed within 10 working days and the Team will encourage services to consider alternative ways to resolve the complaint throughout the process.

Stage 2 is usually initiated when the complainant is dissatisfied with the findings at stage 1, or the complainant has not received a response within timescales or where it has been agreed that Stage 1 is not appropriate. The stage 2 response is signed off by the Chief Executive and has a 10 working days deadline.

Advocacy

We observe best practice, in line with "Getting the best from complaints". The Team provides children and young people with information about advocacy services and offer them help to get an advocate. Advocacy can be provided by friends, relatives, advocacy groups or legal representatives.

Local Government and Social Care Ombudsman

If the complainant is not satisfied with the outcome of a statutory or non-statutory complaint, they have the right to take their complaint to the Local Government and Social Care Ombudsman (LGSCO).

Complainants can refer their complaint to the Ombudsman at any time, although they may be referred back to the Local Authority if the complaint has not been considered or escalated through the Council's complaint process.

APPENDIX C - A sample of compliments received across the teams in Children's services.

Sen Team

Thank you for running yesterday's annual review meeting so calmly and efficiently. It was most helpful to have the relevant documents on the screen. I was certain that I would muddle the 100 plus pages littered over my messy desk so - a huge relief!

Thanks for your prompt response to my concern. Very much appreciated.

Thank you so much I really appreciate your time, effort and input into getting H's EHCP together. I feel a lot more confident and happy that H will get the right kind of support to help him thrive in his education with the given help and guidance. Thank you.

North East Social Work Team

When I spoke to the family yesterday they praised A's' work with Y and were very grateful for all he has done to ensure that Y's needs are being met. They also told me that Matt Hancock's office had recently asked how things were and they reported to them that things were much better now and Y would receive good services.

The Judge praised Toby's oral evidence saying it was comprehensive, thorough and balanced

Early years/Education

I just wanted to say a big thank you and well done for Fridays' early years conference, I think it went extremely well. The morning speakers were excellent and of a very high quality. I always feel proud to work as part of Westminster city council, and thought this conference really put our early years practice on the map. Well done, I hope you have had really positive feedback

Gangs and Serious Youth violence service

A huge thank you for a really informative, fascinating and stimulating presentation. We are circulating your presentation to all and i know Colleagues will learn a lot from the material provided.

Short breaks and Resources Team

thank you for the amount of help and support you have given to my family

I thought it would be nice for you to know that mum of J explained that Tresham staff is extremely helpful and is her only helpline without them she doesn't know what she would do and wanted to thank the staff.

I sincerely appreciate your support and for having faith in us as a team. From working here, i have seen much dedication and passion from all staff members and am grateful for all the hard work and support you as well as staff behind the scenes have provided in order to help vulnerable children in Westminster.

I'm writing to let you know that I'm very sad as both Online Courses You have kindly suggested and send to me for signing in with " Webex Meetings Mentoring by N "& "Parents Autism Awareness course " Mentoring from S & P are nearly due to the end.... 😞

I'm very happy to let you know how much both commitments have benefit, nourish & empowering with my depression, confidence & appreciation with my own self as mother... woman & human being. ♡

Assessment Team

Thank you to you and your team for all your hard work and commitment you have achieved in perhaps the most difficult year. It was great to see such care and consideration towards children at this time.

North West Child Protection Team

'Hi R it's m's mum. D is H's social worker. I just wanted to let you know how amazing she has been she has gone out of her way so many times to help us it is more than just a job to her she is so caring and dedicated. Thank you all.

S and D who wanted me to share with our managers how helpful and supportive they've found you over the past few weeks around contact. S said she felt you really empowered her and understood her situation, and that you offered lots of reassurance when S was being naughty yesterday.

Look After Children & leaving Care Team

I miss Jamaica and mom but I am happy to be in the UK, as it was very hard in Jamaica, especially for mom. Again I would like to say thank you to my social worker P for everything she has done for me and my brother to be in England. P showed us videos of the flat before and after she had furnished it. I was nice of her to do that as we were able to see where we would be staying before we arrived.

I found that A has been one of the best people that have been assigned to me from the service. When I changed PAs things really started to look up for me. A is extremely diligent and makes an effort to keep me updated regardless of the news. He both helped me leave my tumultuous hostel and make other arrangements and found me my current job at Partnership for Young London. This has been one of the best things to come out of my life as a care leaver and

has allowed me to have some kind of control and stability in my life. A has continued to send me various networking opportunities and events outside of work that I have really enjoyed and have allowed me to better my work.

After speaking with J (who was the duty worker) yesterday, both mum and G were full of compliments, saying how kind J is and understanding and really took time to listen. Both asked if J could be his allocated worker from now on, which after careful consideration we were able to achieve.

