



Gloucestershire
COUNTY COUNCIL

Children's Social Care Services

Customer Feedback – Complaints, Comments & Compliments

Annual Report 2019 – 20

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1) Executive Summary

This executive summary highlights key points from the analysis of Children's Social Care feedback received between 1 April 2019 and 31 March 2020.

For this period the council managed:

- 208 comments (i.e. contacts received and resolved without them becoming statutory complaints)
- 199 statutory Stage 1 complaints
- 11 Stage 2 complaints
- 2 Stage 3 panels
- 21 formal referrals from the Local Government & Social Care Ombudsman
- 103 compliments

The number of Social Care contacts that were managed as comments rose by 82% in 2019/20, increasing from 114 in 2018/19 to 208 this year. This is of particular note, as it demonstrates the council's ability to respond to concerns and act promptly to resolve them, without recourse to the formal complaint procedures.

The number of formal Social Care complaints received for the year increased by 12% (199, compared to 178 in 2018/19). Of these complaints, 94% were not escalated beyond Stage 1.

11 Social Care complaints were independently investigated at Stage 2 of the complaints procedure, where resolution at Stage 1 could not be achieved.

21 Social Care complaints were taken to the Local Government & Social Care Ombudsman (LG&SCO) when the issues could not be resolved within the council's statutory process. 7 of those complaints resulted in the Ombudsman undertaking a formal investigation.

The rate of escalation for complaints, between the various stages of the complaints process, is low. This reflects the successful efforts made by officers to understand and address concerns when they arise.

Although there was a slight increase in the number of complaints received, as compared to the previous year, this should be considered against a backdrop of increasing demand across Children's Services as a whole. Nevertheless, the increase in formal complaints does demonstrate that quality of practice, and the outcomes achieved for children and young people, should continue to be the focus of our drive for improvement.

The total number of Social Care compliments received is slightly lower than the previous year (103 compared to 107 in 2018/19).

2) Comments - an overview

Where possible, the Complaints Team and relevant service area have continued to try to find ways to resolve concerns quickly, outside the formal complaints process.

The 208 Social Care contacts in 2019/20 represent a significant increase on the 114 managed in this way during the previous year. Such an approach requires active support and input from team managers, with prompt responses being provided to the queries and concerns raised. This might be with a view to offering an apology, arranging a meeting, providing an explanation, or simply outlining the actions which will be taken and the timescale in which this will happen.

Where it is not possible to achieve resolution in this way, the council can still take concerns forward under the statutory complaints process / its own complaints process (also known as the Corporate Complaints Policy), as appropriate.

Key message - The priority for the Complaints Team and service areas, moving forward, is to continue to work together, and to explore ways of proactively resolving issues. This should hopefully lead to a sustained increase in the number of contacts resolved outside of the complaints processes.

3) Complaints - an overview

When complaints have been made by or on behalf of children and young people, and they relate to actions, decisions, or apparent failings on the part of Children's Services, these complaints follow the statutory complaints process. Where concerns are unconnected to the safety or well-being of a child or young person with whom Children's Social Care is involved, they will be managed under the council's Corporate Complaints Policy.

The table below details the number of complaints dealt with at various stages of the complaints processes.

Number of complaints ¹ managed at :	During 2015/16	During 2016/17	During 2017/18	During 2018/19	During 2019/20
Stage 1	171	168	153	178	199
Stage 2	7	4	1	5	11
Stage 3	1	1	1	1	2
LG&SCO	7	5	7	16	21

The volume of complaints dealt with should be viewed in the context of all the work undertaken by Gloucestershire Children's Social Care.

	2017/18	2018/19	2019/20
Total number of contacts received by Children's Services	19,953*	29,854*	26,118*
Total number of children in care	649	716	740
Total number of children subject to Child Protection Plans	653	754	715
Total number of children assessed as Children in Need	2,287	2,359	2,185
Total number of Single Assessments completed	8,601	8,297	9,234
Total number of Single Assessments completed in up to 45 working days	6,851	6,517	7,192

*The basis on which this data is captured changed between 17/18 and 18/19, meaning these figures are not directly comparable.

Although the numbers of complaints at each stage increased for 2019/20, the total number received represents less than 1% of the total contacts dealt with by the service.

Stage 1

There were 199 complaints dealt with at Stage 1, which represents an increase of 12% from 2018/19, when 178 were recorded.

¹ Includes Social Care complaints falling under both the statutory complaints procedure and the Corporate Complaints Policy. It does not include Children's Services complaints which do not relate to Social Care.

94% of complaints were resolved following an investigation and response at Stage 1 of the complaints procedure, or with further intervention.

Stage 2

11 complaints started to be investigated at Stage 2 in 2019/20. Of these, 8 were suspended part way through the process of investigation, due to Covid-19. Investigations did not resume until June 2020 and, at the time of writing this report, none of the suspended cases had been finished.

All 3 cases that were completed followed the statutory complaints process and were all undertaken by independent investigators, external to the council.

One complaint centred on a lack of support provided to a young person and a lack of '*joined-up working*'/ communication between the council and partner agencies. This complaint was fully upheld and a number of recommendations were made, including financial compensation for the lack of support and the emotional distress caused.

The second complaint related to a Strategy Meeting not being attended by the correct professionals, and Children's Social Care not taking into account all of the evidence available. This complaint was partially upheld, and it was recommended that the importance of the following practices be reiterated to workers : evidence-based analysis when contributing to reports, strategy discussions and assessments, and clear and accurate reporting, especially when meeting with parents.

The third complaint focussed on one parent's belief that they were being treated differently from another, both in terms of how they were approached and the way that Children's Social Care communicated with them. As a result, they felt assessments completed in regard to their children were inaccurate. This complaint was partially upheld, with a recommendation being made that addendums be placed on the children's records.

Stage 3

There were 2 complaints which progressed to a Stage 3 review panel in 2019/20. In the first case, the panel upheld the outcomes of the Stage 2 investigation, and recommended that relevant complaint documents be uploaded to the records of the complainant's children.

The panel also upheld the outcomes of the Stage 2 investigation in the second case, and made several recommendations. In response, the council confirmed that work had commenced on revising the way consent forms are recorded, improving multi-agency working, and examining processes and understanding in relation to Fabricated Induced Illness. Additionally, the council agreed to pay the complainant £1500 for any distress which had been caused.

Local Government & Social Care Ombudsman

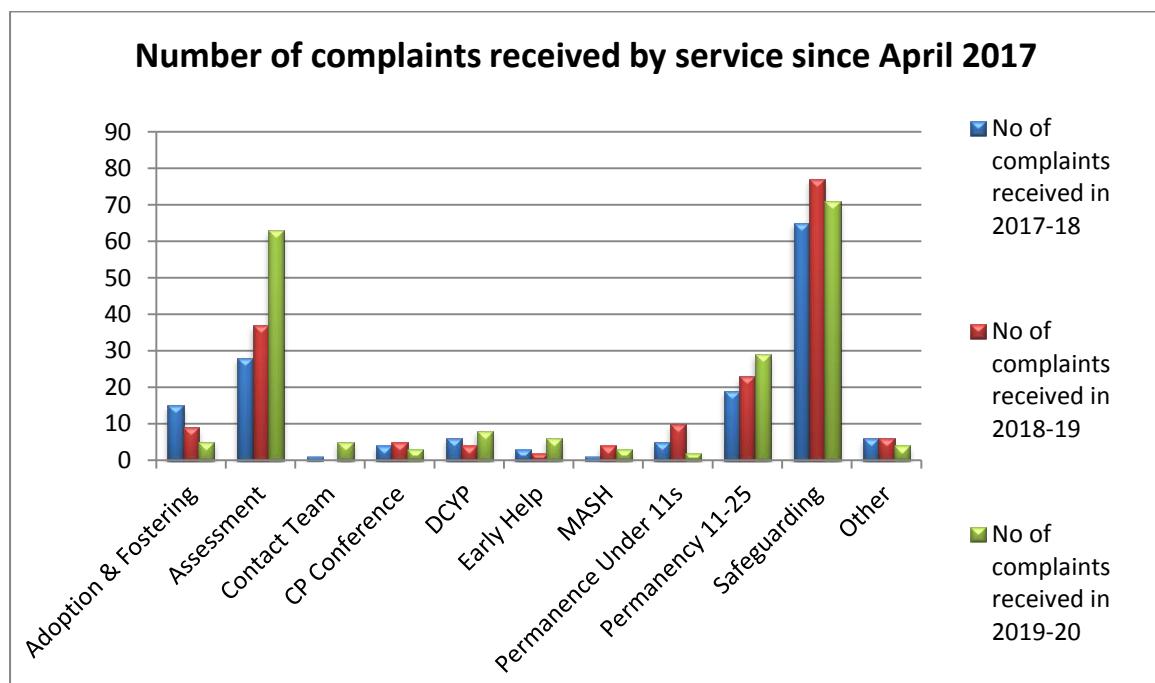
In 2019/20, the council received 21 referrals regarding Children's Social Care from the Local Government & Social Care Ombudsman. In the previous year, it received 16. Of the 21 referrals received, only 7 led to full investigations, and the table at the top of the next page sets out the decisions made in each case.

Of the 2 cases where the Ombudsman has yet to make a final decision, 1 is still being investigated and 1 is still at the assessment stage. Covid-19 has delayed both, with the Ombudsman suspending casework from April 2020, for a period of approximately 3 months.

LG&SCO Decision received in year ending 31 March 2020				
Closed after initial inquiry	Premature	No fault	Fault/Injustice	No final decision made
8	5	3	3	2

Of the 3 cases where fault was found, the first resulted in the council making a remedy payment of £300 for the distress which had been caused, and writing a letter of apology. In the second case, the council made a remedy payment of £500 for the complainant's time and trouble, £1000 for their distress, and also wrote a letter of apology. In the third case, the council were asked to apologise to the complainant for failing to provide the minutes of meetings in a timely manner.

A further 9 complaints were recorded by the Ombudsman for Children's Services. These were for areas of the council outside the scope of this report (e.g. SEN services and school admissions appeals).



Regarding the table above, in 2019-20, 'Other' encompasses the Emergency Duty Team, the Independent Reviewing Team and the Social Work Academy. In 2018-19, 'Other' encompassed the Emergency Duty Team, the Forest of Dean Project Team, IRIS Casework, Operation Acorne, and the Team Around the Child Service (TACS). In 2017-18, 'Other' encompassed Financial Assessments and Benefits, the Independent Reviewing Team, the Countywide Project Team, the Forest of Dean Project Team, the Gloucester Project Team and the Team Around The Child Service (TACS).

4) Reasons and outcome of complaint by service

This section of the annual report analyses the reasons for complaints by service, and identifies trends and outcomes.

Adoption & Fostering

Within the 5 complaints received in 2019-20, the most commonly raised reason for complaint was **Discrimination**. A parent felt they were being discriminated against on a personal level, and a prospective carer felt they were being discriminated against due to their race.

1 of the 5 complaints was not upheld, 2 were partially upheld, 1 was upheld because of delays which had occurred, and 1 was withdrawn.

Assessment

Within the 63 complaints received in 2019-20, the most commonly raised reason for complaint was **Quality of Service**. 27 of the reasons related to errors or omissions in an assessment / a letter / minutes / a statement, 12 related to the insensitive application of a service, 5 related to services not adhering to policy / guidelines, 6 related to the complainant not seeing any benefit from the council's involvement, and 1 related to there having been too many changes in social worker.

16 of the complaints have been logged as not progressing, 11 were not upheld, 25 were partially upheld, 6 were upheld, and 5 were withdrawn.

Contact Team

Within the 5 complaints received in 2019-20, the most commonly raised reason for complaint was **Communication**. 3 complainants felt that they had not been provided with the proper amount of notification, 1 believed there had been a delay in the returning of a contact, and 1 felt they were not being heard.

3 of the complaints were not upheld, 1 was partially upheld, and 1 was upheld.

CP Conference

Within the 3 complaints received in 2019-20, the most commonly raised reason for complaint was an **Unwelcome or disputed decision**. A parent felt the outcome of their children's conference was unfair, and another was unhappy with decisions made which they believed favoured the other parent.

1 of the complaints was not upheld, 1 was partially upheld, and 1 was upheld.

DCYP

Within the 8 complaints received in 2019-20, the 2 most commonly raised reasons for complaint were **Non delivery** and **Quality of service**. In regard to Non delivery, 3 parents felt the proper amount of support was not being provided, and 1 believed the number of visits / meetings taking place was excessive. In regard to Quality of service, a parent twice raised the issue of documents containing inaccurate information, and another raised on two separate occasions that they felt the application of a service had been insensitive.

1 of the complaints was not upheld, 2 were partially upheld and 5 were upheld.

Early Help

Within the 5 complaints received in 2019-20, the most commonly raised reason for complaint was **Quality of service**. 3 parents felt the application of a service had been insensitive, and 1 felt they could see no benefit from the authority's involvement.

3 of the complaints were not upheld, 1 was partially upheld, and 1 was upheld.

MASH

Within the 3 complaints received in 2019-20, the 2 most commonly raised reasons for complaint were **Communication** and **Quality of service**. In regard to Communication, 1 parent felt their personal information had been handled inappropriately, and another felt they were not being kept updated. In regard to Quality of service, 1 parent felt teams were not working together effectively, and another raised concerns about a case of mistaken identity.

2 of the complaints were partially upheld and 1 was upheld.

Permanence Under 11s

Within the 2 complaints received in 2019-20, the most commonly raised reason for complaint was **Staff attitude**. 2 carers felt a worker had displayed rude or aggressive behaviour towards them.

1 of the complaints was not upheld and 1 was partially upheld.

Permanency 11-25

Within the 29 complaints received in 2019-20, the most commonly raised reason for complaint was **Communication**. 2 complainants felt their personal information had been mishandled, 7 felt there had been a delay in providing them with information, 5 believed they were not being kept involved / heard, 1 felt information about an investigation had not been properly explained, and 1 felt they had not been given a proper amount of notification.

1 complaint has been logged as not progressing, 8 were not upheld, 18 were partially upheld, 1 was upheld, and 1 was withdrawn.

Safeguarding

Within the 71 complaints received in 2019-20, the most commonly raised reason for complaint was **Communication**. 3 complainants felt the council had handled personal information inappropriately, 18 believed there had been a delay in the provision of information, 13 felt they were not being kept involved / heard, 4 felt information had not been properly explained to them, 4 believed they had not been provided with a proper level of notification, and 4 were unhappy that relevant staff were not available at the time of their contact.

14 of the complaints have been logged as not progressing, 25 were not upheld, 28 were partially upheld, 2 were upheld, and 2 were withdrawn.

Other

Within the 4 complaints received in 2019-20, the most commonly raised reason for complaint was **Communication**. 2 complainants felt they were not being kept involved / heard, and 1 believed they had not been given a proper amount of notification.

3 of the complaints were not upheld, and 1 was partially upheld.

The table on the next page details the reasons for complaint given in 2019-20, and the number of times they were raised. It should be noted there can be multiple reasons for a complaint, which is why the total number of complaints and total number of reasons for

complaint are different. In 2018-19, Quality of Service was the most commonly raised reason for complaint.

Communication	Data breach	16	117
	Delay in provision of information / response / returned contact	36	
	Feel they are not being kept informed / involved	36	
	Information, policy, plan or rule has not been properly explained	8	
	Proper courtesy not being shown, with no notification / little notification being given	15	
	Relevant staff not being available at time of contact	6	
Cost	Inappropriate charge for service	1	10
	Not receiving payments that are due	9	
	Tax payers' money wasted	0	
	Unhappy with changes to financial support	0	
Delay in decision or provision of service	Decision not provided with within given timescales	5	17
	Service not provided within given timescales	12	
Discrimination	Discriminated against due to age	1	37
	Discriminated against due to class	0	
	Discriminated against due to gender / sex	4	
	Discriminated against due to mental / physical health or disabilities	6	
	Discriminated against due to race	2	
	Discriminated against on a personal level	24	
Eligibility	No / restricted access to payment or service (general)	0	4
	No / restricted access to payment or service (personal)	4	
Non delivery	Frequency of visits / meetings not at appropriate level	9	43
	Support not provided (e.g. help not given with achieving agreed outcomes, or requested therapy sessions not arranged)	34	
Quality of service	Errors made in assessment / letters / minutes / statement	40	121
	Insensitive application of service by authority / team	39	
	Policy / guidelines not being adhered to	14	
	Sees no benefit from authority's involvement	18	
	Teams not communicating with each other / working together	2	
	Too many changes of social worker / carer	8	
	Website navigability / quality	0	
Staff attitude	Staff member displaying a lack of empathy / being unhelpful	14	66
	Staff member displaying a lack of knowledge / competence	15	
	Staff member displaying rude / aggressive behaviour	37	
Unwelcome or disputed decision	Unhappy with case being closed	2	48
	Unhappy with other decision made by social worker / authority	29	
	Unhappy with the frequency of contact with child(ren)	15	
	Unhappy with outcome of assessment	2	

Of the 199 Stage 1 Social Care and Corporate Social Care complaints received in 2019/20, 102 of them were found to have some justification and were recorded as being fully or partially upheld. This represents 51.26% of the total, and is an increase from the 47% which were fully or partially upheld in 2018-19. 54% of complaints were found to have been justified in 2017-18.

Where the Complaints Team has not received information on the outcome of concerns raised, these have been recorded as 'not progressing'.

5) How quickly are we responding to Stage 1 complaints?

This section looks at our performance in relation to the standards expected for responding to complaints.

The aim is to acknowledge all complaints within 2 working days and respond to them within the given timescales. The statutory timescale for response is 10 working days, though this can be extended to 20 working days if the complaint is complex / staff important to the investigation are absent. The timescale for response under the Corporate Complaints Policy is 20 working days.

94% of complaints were acknowledged within 2 working days. The reasons for delays in acknowledging complaints included:

- Complaints not being sent directly to the Complaints Team
- Complaints incorporating multiple issues, where it has taken time to establish the team or teams who will be responding
- Awaiting responses from team managers, when review of the contact indicates the concern could be resolved informally

The table below shows our performance for responding to complaints at Stage 1 of the process.

	2016/17	2017/18	2018/19	2019/20
% of Social Care complaints responded to within agreed timescale	82%	55%	60%	71%

Reasons for late responses include:

- The person investigating the complaint / involved staff members having other work commitments, delaying the investigation
- The detail and complexity of the complaint
- Annual leave and sick leave of key members of staff

We are working with Children's Services, as a whole, to improve the timeliness of responses, work which includes producing monthly reports on the status of complaints for Heads of Service, providing managers with access to a live tracker for outstanding complaints, sending reminder e-mails as to when responses are due, and assisting with the drafting and checking of responses. This work is ongoing, and we continue to consider ways in which the process might be bettered.

6) Learning from complaints

Learning from complaints can contribute to practice development and service improvement.

The following table details examples of actions which have been taken by individuals or teams as a result of concerns being raised. These actions relate to Stage 1 complaints and are supplementary to the Stage 2 and Stage 3 actions / learning identified earlier in the report.

Issue	Action
That a professional involved with a child was not able to attend a Child Protection Conference via conference call, as the chosen venue was not able to facilitate this.	That all venues used for Child Protection Conferences be checked, to ensure that people are able to attend remotely.
That the reasoning behind arranging a Strategy Meeting, as documented in an assessment, was found to be unclear.	That managers new to post be given support and guidance on how to document their analysis and decisions.
That a parent met with a worker and submitted paperwork requesting funding for therapeutic activity, but was then told they lived in the wrong catchment area.	That postcodes be checked at the beginning of the application process, and that workers familiarise themselves with the services available in neighbouring local authorities.
That 2 parents felt the allocated social worker had been rude and abrupt towards them, and that their relationship with the Social Care team had broken down.	That the manager and worker have a restorative meeting with the parents, discussing their concerns and the expectations on both sides, going forward.
That, due to a different electronic recording system being used by Fostering Services, there was no facility to cross-reference or raise alerts that would feature on both.	That Fostering Services use the same electronic recording system as the rest of Children's Services.
That gaps existed in case notes around home visits, including who was present and what was observed.	That workers are reminded of the importance of accurately setting down in writing information about home visits.
That there were delays in responding to a parent's contacts.	That the manager would reiterate to the relevant social worker and the wider team that they should be responding to messages within a reasonable timeframe.

7) Who is using the complaints procedure?

This section looks at who is raising issues, complaints or concerns in regard to Children's Social Care, and offers some analysis of the equalities and diversity data which has been returned to us.

The following key points can be identified in regard to the people using the Children's Social Care complaints process, and who answered our equalities monitoring questions :

- Children's Social Care complaints received from children and young people directly or via an advocate made up around 3.02% of the total
- 84.92% of Children's Social Care complaints were raised by parents, either directly or via an MP, councillor or legal representative
- Foster carers and Special Guardians represented 7.04% of complaints made
- Where it was stated, 83.13% of complainants identified as British

- Where it was stated, 36.14% of complainants identified as male, 59.04% as female, with 4.82% choosing not to say
- Where it was stated, 13.25% of complainants identified as having a disability

8) How are children and young people being supported to raise concerns?

Barnardo's continues to provide an advocacy service, which supports young people in complaining about the actions of Children's Services. Their advocates are familiar with the council's complaints processes, and information about the service is included on the Children's Services complaints page of the council's website.

Young people are also supported by Barnardo's in raising concerns, informally, with the social worker or team with whom they are working. This is in line with best practice, and the Complaints Team is not typically made aware when such interventions have been successful in resolving a young person's issues.

Of the 13 young people who raised comments and complaints this year, 4 were supported by Barnardo's advocates in making their complaints.

1 young person used the Mind of My Own app to raise concerns. Children's Services' Participation Team support and co-ordinate this, following up on how young people's concerns have been managed.

There is no statutory requirement to offer advocacy for adults raising complaints relating to their children. It has been possible at times, however, for provision to be found for people who require additional support.

9) Compliments - an overview

This section looks at compliments received. The table below compares the number of compliments received in 2019/20 with the number received in previous years.

Social Care compliments received by year	2016/17	2017/18	2018/19	2019/20
	196	135	107	103

10 of the compliments we have logged were put in by children and young people, 7 care leavers / young adults on Pathway Plans took the time to put their praise of staff on record, and 47 compliments were received from carers, prospective carers, parents or other family members. We continue to log compliments from professionals and colleagues that recognise the positive work done by teams and the individuals within those teams.

All of the frontline Social Care team types received compliments.

What positive things are people saying?

Some examples of the positive comments made by service users and parents are:

- One young person wrote to their social worker in Forest of Dean Assessment Team 2, to tell them : *'Thank you so much for being the best social worker ever. You have helped supported and cared for all of us. I will miss you lots'.*

- One young person provided the following feedback in regard to the Iris Casework Team : '*XXX helped me so much - I'm 100% happy with the support. There's nothing to improve on - I got to know the rest of the team when I called in which was nice as they knew who I was*'.
- One parent complimented a social worker in Gloucester Children's Safeguarding Team 6, saying : '*I would also like to put in a compliment for social worker XXX's work with XXX. She has gone above and beyond her job description in every way, built a fantastic therapeutic relationship with XXX (which isn't an easy task!) and has been nothing but compassionate, genuine, honest and professional throughout. We will be sad to see her go*'.
- One family presented the Contact team with a letter, saying '*We 100% appreciate your time, your advise, your commitment and respect each & everyone of you*'.
- Two grandparents who had their grandson placed with them sent a card to the social worker involved, in the Family & Friends Fostering Team, writing : '*Thank you from the bottom of our hearts. We will never forget you, and your hard work to give us XXX and we will never let him down*'.
- Two foster carers provided the following comments in regard to their social worker in the Fostering Recruitment Team : '*I would like it recorded and acknowledged that if it was not for XXX support then our fostering journey would have ended some time ago. She has gone above and beyond her duties to support us through some very difficult times*'.

10) The Complaints Process explained

This report provides information about complaints which were made between 1 April 2019 and 31 March 2020, and handled under the complaints and representations procedures established through the Representations Procedure (Children) Regulations 2006 and the council's Corporate Complaints Policy.

All timescales contained within this report are in working days. Text within inverted commas indicates direct citations from the 2006 Regulations or Guidance, unless otherwise specified.

What is a complaint?

'An expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response'.

Who can make a complaint?

The child or young person receiving or eligible to receive services from the council or their representative (e.g. a parent, relative, advocate, special guardian or foster carer).

'The local authority has the discretion to decide whether or not the representative is suitable to act in this capacity or has sufficient interest in the child's welfare'.

Stages of the complaints procedure

The statutory complaints procedure has three stages:

Stage 1: This is the most important stage of the complaints procedure, and the one at which service areas / external contractors providing services on our behalf are expected to resolve as many complaints as possible.

The Corporate Complaints Policy requires response at Stage 1 within 20 working days. The statutory complaints procedure requires response to complaints at Stage 1 within 10 working days (though the response time may be extended to 20 working days, where necessary).

Stage 2: This stage is implemented when the complainant is dissatisfied with the findings from Stage 1. Stage 2 of the statutory complaints procedure involves an investigation being conducted by an Investigating Officer, with oversight being provided by an Independent Person. Both of these people are external and independent, and an internal senior manager adjudicates on their findings and recommendations. Under the Regulations, the aim is to provide the Stage 2 response within 25 days of the complaint being agreed, though this can be extended to 65 days, where necessary.

Under the Corporate Complaints Policy, an internal senior manager reinvestigates the complaint, taking into account the response already provided. Arrangements might be made for an independent person to review and investigate the complaint instead, if this is considered necessary. The aim is to provide the Stage 2 response within 25 days of the request for a Stage 2 investigation being accepted. There is no statutory duty, with the Corporate Complaints Policy, to progress complaints to Stage 2.

Stage 3: There is no Stage 3 under the Corporate Complaints Policy. The third stage of the statutory complaints procedure, however, is consideration by a Review Panel made up of three independent people. It is not within the Panel's remit to reinvestigate complaints.

Where complainants wish to proceed with complaints about statutory Children's Social Care functions, the council is required to establish a Complaint Review Panel. The Panel makes recommendations to the Director of Children's Services, who then sets out what action will be taken in response.

Timescales in regard to Stage 3 complaints include :

- setting up the Panel within 30 working days;
- producing the Panel's report within a further 5 working days; and
- producing the council's response within 15 working days

Local Government and Social Care Ombudsman

The Local Government & Social Care Ombudsman is an independent government body, empowered to investigate complaints about councils when the council's own investigations have not provided resolution. They offer a free service, and can both offer advice and '*investigate complaints in a fair and independent way*' (Source - <https://www.lgo.org.uk>).

Complainants retain the right to approach the Ombudsman at any time, though the Ombudsman will typically expect complainants to have completed the council's complaints process before they investigate matters themselves.

**Michael Ellis (Customer Feedback Officer)
Colin Davies (Complaints Manager)**

September 2020