



**Children's Social Care  
Complaints, Compliments  
and Comments  
Annual Report  
2017/18**

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## **Introduction**

Darlington Children's Social Care welcomes complaints, compliments and comments as a way of improving service delivery to children, young people and their families. The purpose of this report is to inform the service users, carers, the public, Council Members and Children's Social Care staff of the effectiveness of the Children's Social Care Complaints, Compliments and Comments Procedure (the Procedure). The report identifies topics and trends in relation to complaints information, makes suggestions for service improvements, where appropriate and identifies areas of organisational learning that have taken place in relation to people, policy and process.

## **The Law**

The Council is required by law to have management arrangements in place for considering children's social care representations, including complaints, under the Children Act 1989. National legislative procedures for social care were amended in September 2006 with the introduction of the Children Act 1989 Representation Procedure (England) Regulations 2006 (the Regulations). It is a requirement of the Regulations that the Council publishes an annual report. In addition to the Regulations the Department for Education and Skills produced some comprehensive guidance for local authorities on managing complaints, called 'Getting the Best from Complaints'.

Key features of the Regulations include:

- A requirement for local authorities to appoint a Complaints Manager;
- A requirement for review panels to be retained by local authorities but with more robust arrangements for constituting and running them; and
- A 12 month time limit to make complaints.

## **Complaints and Information Governance Team**

The Complaints and Information Governance Manager is appointed as the 'Complaints Manager' in accordance with the requirements of the Regulations. The Complaints and Information Governance (CIG) Team is independent of Children's Social Care operational line management. This ensures a high level of independence in the way children's social care complaints are managed within the Council.

## **Public Information**

We are committed to making sure that everyone has equal access to all our services, including the Procedure. To help make the Procedure easily accessible we have produced two leaflets (one for children and young people and one for adults) covering all Council services to reflect the single point of access for complainants within the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.

Information is available on the Council's website. There is also an electronic form which people can use to make a complaint, pay someone a compliment or pass comment on Council services. People may make a complaint in any format they wish.

This can be in writing, by email, via the web, over the phone, in person or by any other reasonable means.

The Complaints Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

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

### **Stage 1 – Local Resolution**

This initial stage allows children's social care managers the opportunity to try and resolve complaints locally, usually within the team being complained about.

### **Stage 2 – Investigation**

Stage 2 involves a full and formal investigation. An 'Independent Person' must also be appointed to oversee the investigation and report independently to Children's Social Care Services. Both the Investigating Officer and Independent Person produce reports, which are submitted to a senior manager who writes the final response to the complainant.

### **Stage 3 – Review Panel**

A review panel is convened when the complainant is dissatisfied with the Stage 2 response. The panel consists of an independent chairperson and two individuals who are independent of the Council.

## **The Local Government and Social Care Ombudsman**

Although complainants can refer complaints at any stage to the Local Government and Social Care Ombudsman (LGSCO) they will not normally investigate until the Council has conducted its own investigation and provided a response.

## **External Support to the Complaints Process**

### Advocacy

The Council commissions an advocacy service for children and young people who make a complaint. This is an independent service provided by NYAS.

### Investigating Officers

While the Regulations do not require Investigating Officers to be independent of the Council, we have signed up to a contract for the provision of Independent Investigating Officers.

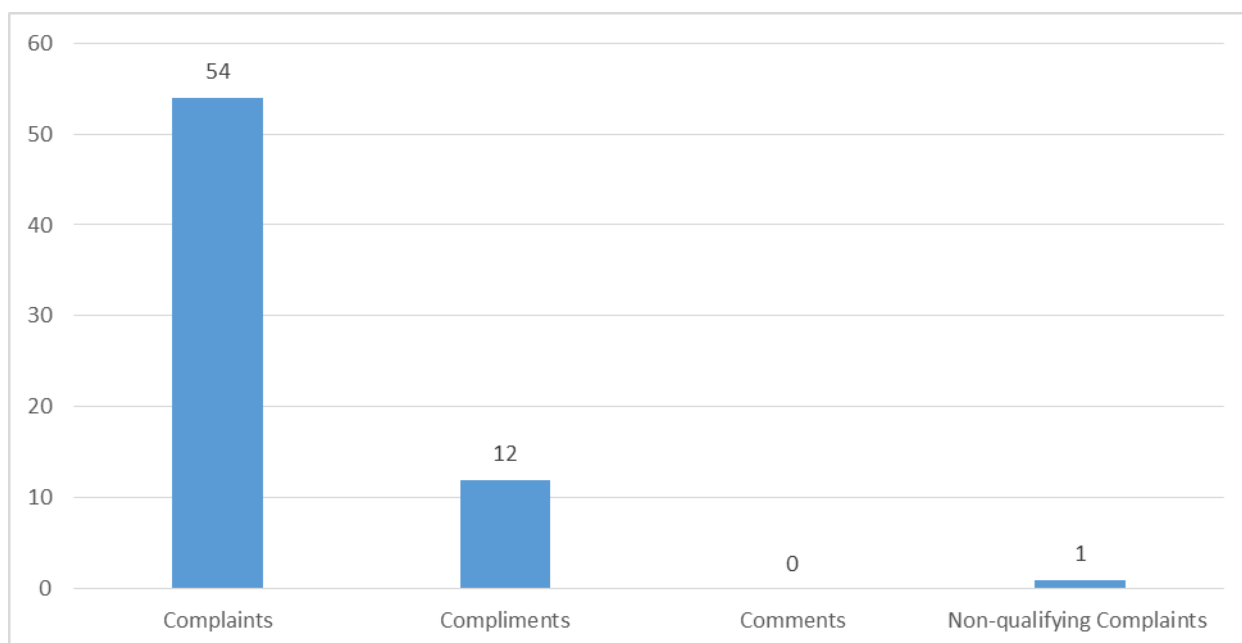
### Independent Persons

The Council has signed up to a contract for the provision of Independent Persons.

### Review Panels

The Council has also signed up to a contract for the provision of an Independent Chair and Independent Panellist service.

## Total Complaints, Compliments and Comments received



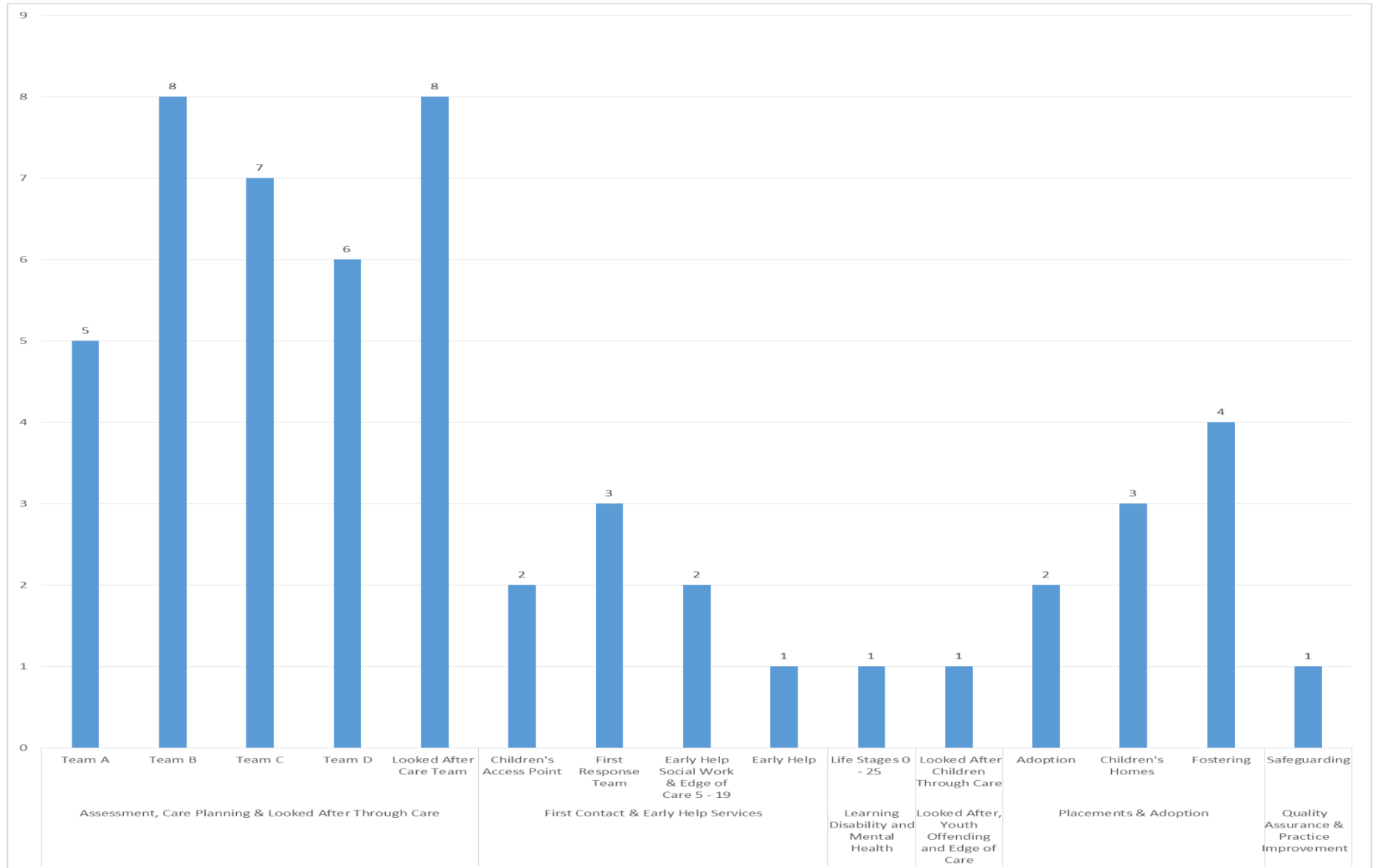
The Council received 54 complaints during 2017/18, a decrease from 58 complaints during 2016/17.

The Council received 12 compliments during 2017/18, an increase from 4 during 2016/17.

The Council received 0 comments during 2017/18, the same as in 2016/17.

The Council received 1 non-qualifying complaints during 2017/18, a decrease from 5 during 2016/17.

### Breakdown of Stage 1 Complaints by Service Area/Team



*N.B. Those teams that are not listed did not receive any complaints during 2017/18.*

While it is not possible to make a direct comparison at team level following the change from 3 to 4 area social work teams, the Council received 26 complaints for the area social work teams during 2017/18, a reduction from 30 in 2016/17.

The Council received 9 complaints for Looked After Children Through Care/Looked After Care Team, an decrease from 14 in 2016/17.

First Contact and Locality received 8 complaints, an increase from 3 in 2016/17.

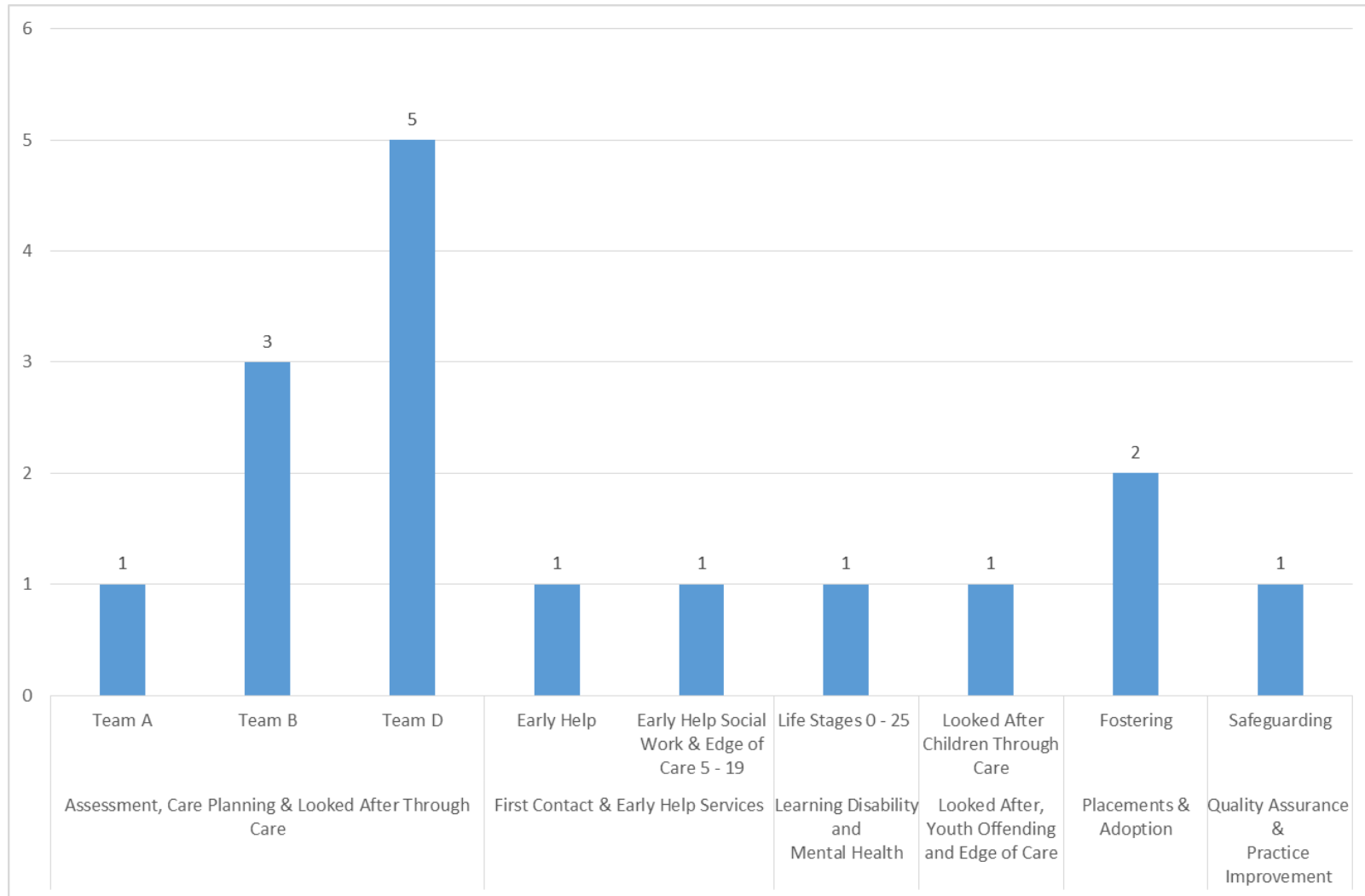
Life Stages 0 – 25 received 1 complaint, compared to 2 in 2016/17.

Placement and Adoption received 9 complaints, an increase from 6 in 2016/17.

Safeguarding received 1 complaint, compared to 0 on 2016/17.

### Breakdown of Stage 2 Complaints by Service Area/Team

16 complaints were considered at Stage 2 during 2017/18, the same number as in 2016/17.





While it is not possible to make a direct comparison at team level following the change from 3 to 4 area social work teams, the Council received 9 Stage 2 complaints for the area social work teams during 2017/18, a reduction from 10 in 2016/17.

First Contact and Early Help received 2 Stage 2 complaints, an increase from 1 in 2016/17.

Life Stages 0 – 25 Team received 1 Stage 2 complaint, the same as in 2016/17.

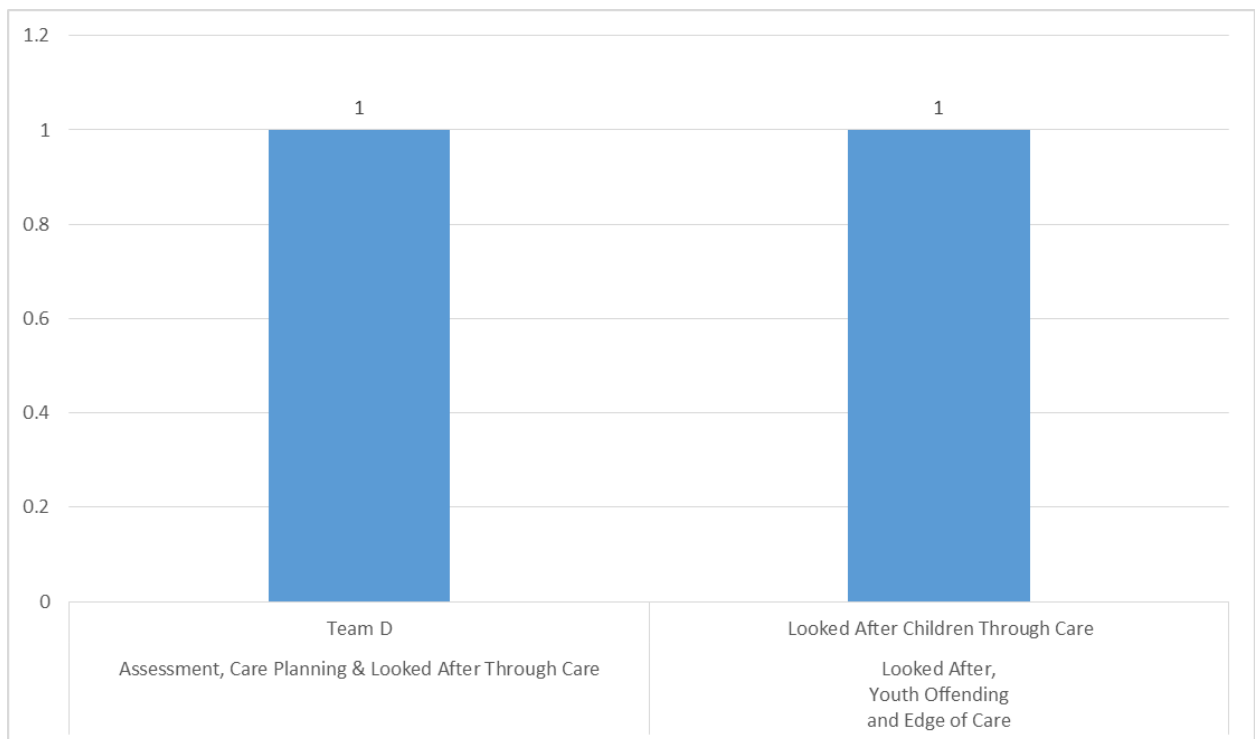
The Looked After Children Through Care Team received 1 Stage 2 complaint, a decrease from 3 in 2016/17.

Placements and Adoption received 2 Stage 2 complaints, an increase from 1 in 2016/17.

Safeguarding received 1 Stage 2 complaint, compared to 0 on 2016/17.

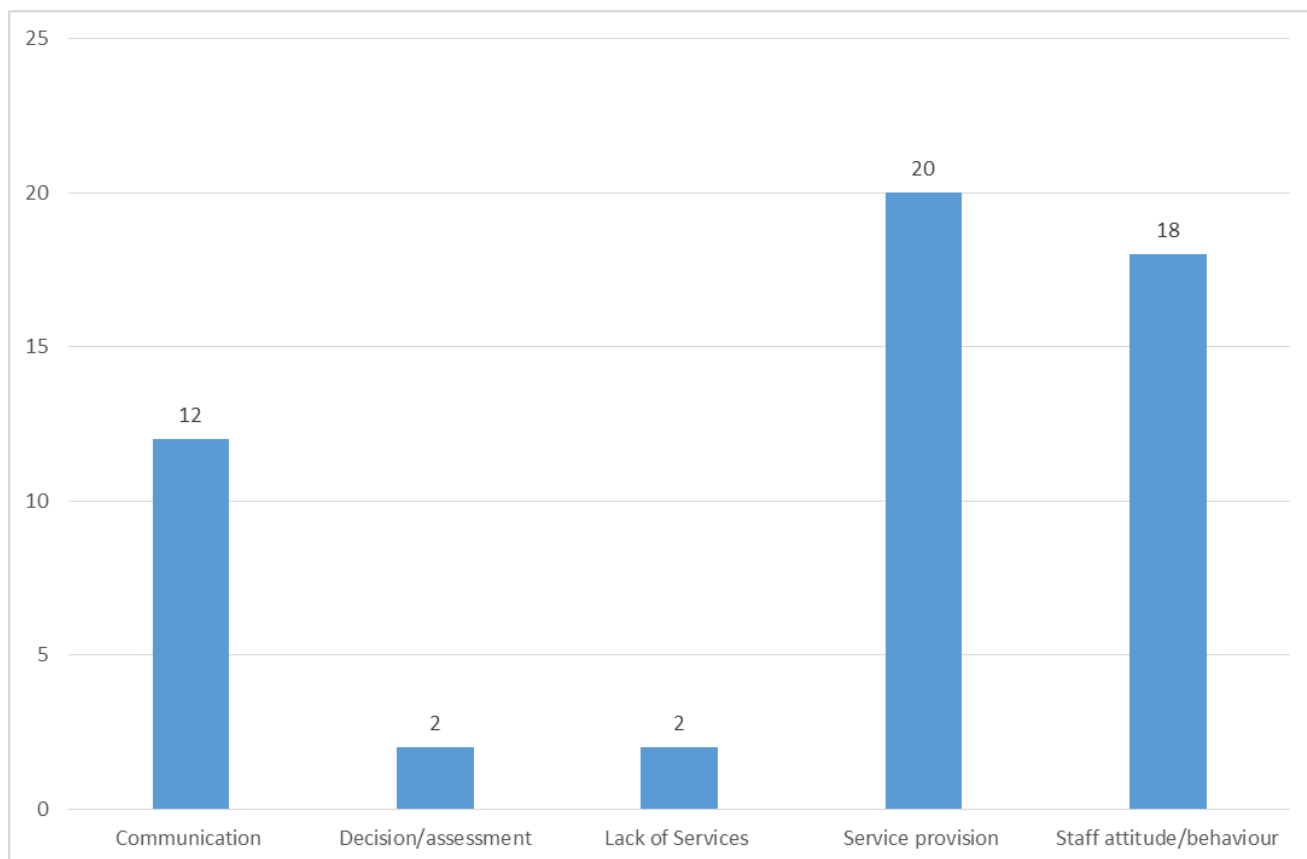
### Breakdown of Stage 3 complaints by Service Area/Team

2 complaints were escalated to Stage 3 during 2017/18, compared to 5 in 2016/17.



Neither of these teams received a Stage 3 complaint during 2016/17.

## Breakdown of complaints by Issue



Service provision was the most commonly complained about issue. The Council saw an increase in complaints about service provision, from 14 in 2016/17.

The second most complained about issue was staff attitude/behaviour. The Council received 18 complaints about this compared to 9 in 2016/17.

The third most complained about issues was communication. Having been the most commonly complained about issue last year the Council saw a decrease in complaints about communication, from 19 in 2016/17.

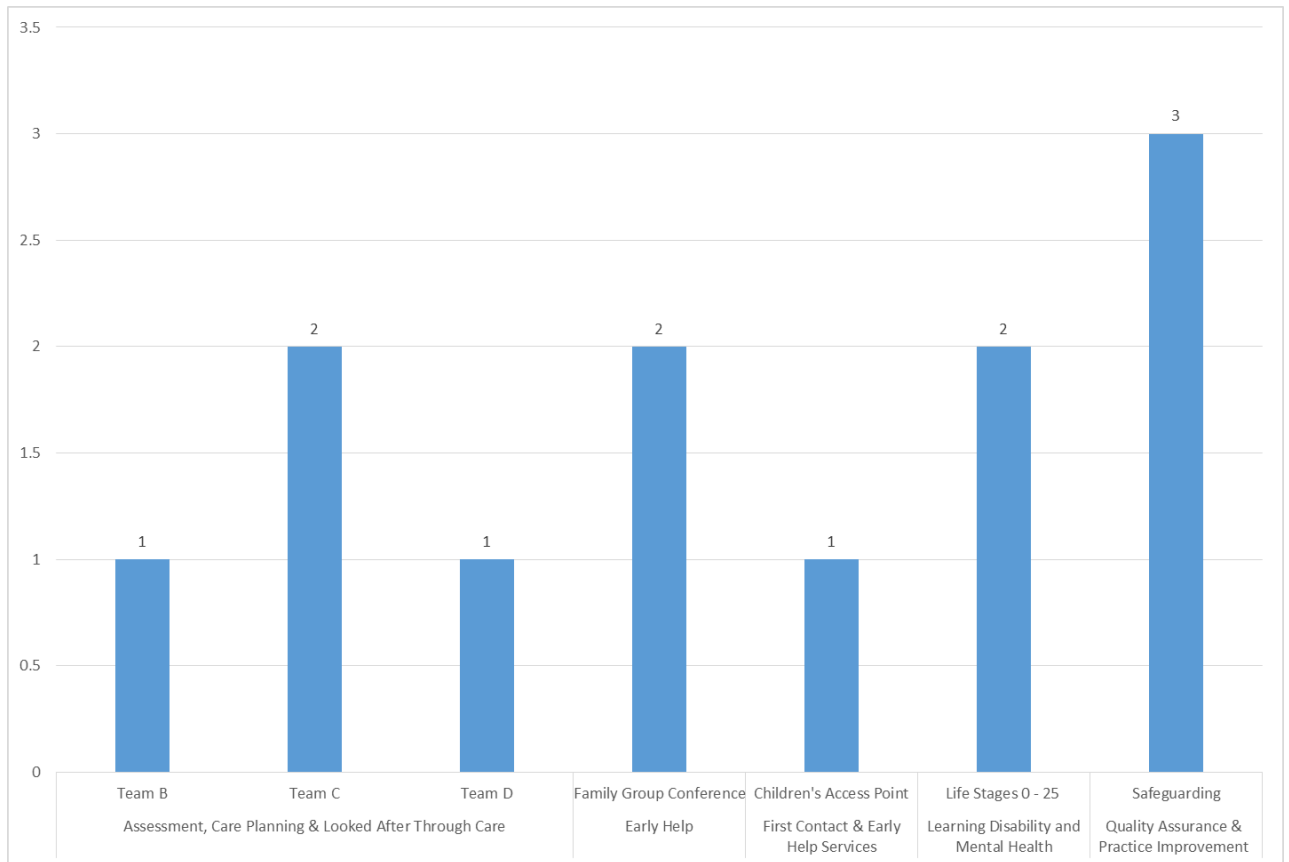
The Council received a further 2 complaints about a decision/assessment, a decrease from 7 in 2016/17.

The Council also received 2 complaints about lack of services, a decrease from 6 in 2016/17.

## Breakdown of Comments by Service Area/Team

The Council did not receive any comments during 2017/18, the same as in 2017/18.

## Breakdown of Compliments by Service Area/Team



The Council saw a significant increase in compliments, 12 compared to 4 in 2016/17.

## Complaint Outcomes

**Stage 1** - The below table shows the decisions reached on Stage 1 complaints during 2017/18.

<b>Team</b>	<b>Closed with no response</b>	<b>Escalated to Stage 2 as no Stage 1 response provided</b>	<b>Suspended (ongoing proceedings)</b>	<b>Withdrawn</b>	<b>Upheld</b>	<b>Not Upheld</b>	<b>Partially Upheld</b>	<b>Inconclusive</b>	<b>Total</b>
Assessment, Care Planning & Looked After Through Care, Looked After Care Team	0	0	0	1	5	0	2	0	<b>8</b>
Assessment, Care Planning & Looked After Through Care, Team A	0	0	0	0	0	3	1	0	<b>4</b>
Assessment, Care Planning & Looked After Through Care, Team B	0	0	0	0	0	6	2	0	<b>8</b>
Assessment, Care Planning & Looked After Through Care, Team C	0	0	0	1	0	3	2	0	<b>6</b>
Assessment, Care Planning & Looked After Through Care, Team D	0	0	0	0	0	5	1	0	<b>6</b>
Assessment & Safeguarding, Team B	0	0	0	0	0	0	1	0	<b>1</b>
Assessment & Safeguarding, Team D	0	0	0	0	2		1	0	<b>3</b>
First Contact & Early Help Services, Children's Access Point	0	0	0	0	2	0	0	0	<b>2</b>
First Contact & Early Help Services, Early Help	0	0	0	0	0	1	0	0	<b>1</b>
First Contact & Early Help Services, Early Help Social Work & Edge of Care 5 - 19	0	0	0	0	0	0	2	0	<b>2</b>
First Contact & Early Help Services, First Response Team	0	0	0	0	2	0	0	0	<b>2</b>
Learning Disabilities and Mental Health, Life Stages Service 0 - 25 Team	0	0	0	0	0	0	2	0	<b>2</b>
Looked After, Youth Offending and Edge of Care, Looked After Children Through Care	2	0	0	1	2	0	0	0	<b>5</b>

Continued...

<b>Team</b>	<b>Closed with no response</b>	<b>Escalated to Stage 2 as no Stage 1 response provided</b>	<b>Suspended (ongoing proceedings)</b>	<b>Withdrawn</b>	<b>Upheld</b>	<b>Not Upheld</b>	<b>Partially Upheld</b>	<b>Inconclusive</b>	<b>Total</b>
Placements and Adoption Services	0	0	0	0	1	0	0	0	<b>1</b>
Placements & Adoption, Adoption	0	0	0	0	1	0	1	0	<b>2</b>
Placements & Adoption, Children's Homes	0	0	0	1	0	0	1	0	<b>2</b>
Placements & Adoption, Fostering	0	0	0	0	0	2	2	0	<b>4</b>
Quality Assurance & Practice Improvement, Safeguarding	0	0	0	0	1	0	0	0	<b>1</b>
<b>Total</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>16</b>	<b>20</b>	<b>18</b>	<b>0</b>	<b>60</b>

**Stage 2** - The below table shows the decisions reached on Stage 2 complaints during 2017/18.

<b>Team</b>	<b>Withdrawn</b>	<b>Upheld</b>	<b>Not Upheld</b>	<b>Partially Upheld</b>	<b>Inconclusive</b>	<b>Total</b>
Assessment, Care Planning & Looked After Through Care, Team B	1	0	0	1	0	<b>2</b>
Assessment, Care Planning & Looked After Through Care, Team D	0	0	1	0	0	<b>1</b>
Assessment & Safeguarding, Team A	0	0	0	1	0	<b>1</b>
Assessment & Safeguarding, Team B	0	1	0	0	0	<b>1</b>
Assessment & Safeguarding, Team D	0	0	1	3	0	<b>4</b>
First Contact & Early Help Services, Early Help	0	0	0	1	0	<b>1</b>
Learning Disability and Mental Health, Life Stages Service 0 - 25 Team	0	1	0	1	0	<b>2</b>
Looked After, Youth Offending and Edge of Care, Looked After Children Through Care	0	0	1	1	0	<b>2</b>
Placements & Adoption, Fostering	1	0	0	0	0	<b>1</b>
Social Care & Youth Offending, Area 3 Social Work Team	0	0	0	1	0	<b>1</b>
Multi Agency Safeguarding Hub (MASH)	0	0	0	1	0	<b>1</b>
<b>Total</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>10</b>	<b>0</b>	<b>17</b>

**Stage 3** - The below table shows the decisions reached on Stage 3 complaints during 2017/18.

<b>Team</b>	<b>Withdrawn</b>	<b>Upheld</b>	<b>Not Upheld</b>	<b>Partially Upheld</b>	<b>Inconclusive</b>	<b>Total</b>
Assessment & Safeguarding, Team C	0	0	0	1	0	1
Assessment & Safeguarding, Team D	0	0	0	1	0	1
Looked After, Youth Offending and Edge of Care, Looked After Children Through Care	0	0	0	1	0	1
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>3</b>

## **Local Government and Social Care Ombudsman Complaints**

3 complaints were referred to the LGSCO during 2017/18, the same number as in 2016/17.

4 complaints were determined by the LGSCO during 2017/18, compared to 0 in 2016/17.

### **Organisational Learning**

All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints several service improvements were made following complaint investigations during 2017/18. Some examples of these are detailed below.

#### ***Compliance with the Complaints Procedure***

It was agreed following two separate complaints that training would be provided to improve in-house complaints investigations, with a view to resolving more complaints at Stage 1.

Following a Stage 3 complaint it was agreed in respect of social workers refusing to engage in complaints investigations once they have left the authority, something the Panel had seen in other authorities, that the Local Authority would consider whether they can improve engagement via the Northern Regional Complaints Manager's Group (NRCMG) and the Children's Services' Directors' Group.

#### ***Looked After Through Care***

It was agreed the Council would ensure timescales for enabling access to case files are adhered to, continue to improve access to therapeutic support for looked after children and continue to improve the quality and choice of placements available for looked after children.

It was also agreed the Council would ensure minutes of LAC Review meetings, where family members are in attendance are sent to those family members to check for factual accuracy.

It was also agreed that following a request from a young person not to share information with family members clarity would be sought regarding what information, if any, could be shared.

#### ***Area 3 Social Work Team***

It was agreed Darlington Children's Services would not rely on family members or service users to pass on decisions or information and that social workers would make the necessary contact and record this within the appropriate case records.

It was also agreed that that training would be given to social workers to ensure inappropriate language is not used within reports and case records.



### ***Team A***

It was agreed Children's Services management would reinforce to staff the importance of ensuring that case recordings accurately reflect how, when and by whom information is shared i.e. email communication should be recorded within the case note section of the case files as opposed to social care professionals retaining the same within their individual Outlook accounts, which only they have access to.

### ***Team D***

It was agreed there needs to be a strengthening of practice around practitioners, managers and legal representatives listening and acting upon the wishes and feelings of young people they work with and a clear policy and procedure that highlights some of the complexities of the area of working with the wishes and feelings of young people developed in its own right rather than being incorporated into the procedures of other areas of work.

It was agreed there would be a development day for practitioners, managers, legal advisors and representatives of children and young people who are looked after and/or care leavers to develop practice around listening to children and young people and the care planning processes and a strategy be developed and implemented.

It was also agreed there would be supervision training for social work managers that addresses the issue of managing professional bias in practice and the development of hypothesis trees and the blocked cycle framework.

It was agreed a robust process would be adopted to ensure that actions agreed at review meetings where the member of staff responsible is not present are progressed.

It was agreed that social workers would be reminded to inform parents with as much notice as possible when pre-arranged appointments are going to be missed and where referrals to external agencies are to be made.

It was also agreed that following assessment of birth parents in line with duties under the Adoption and Children Act 2002, processes would be established that monitors the take up and outcomes of those services commissioned to support birth parents, in particular where the support is provided by an agency independent to the Local Authority.

## **Performance against the Children's Social Care Complaints, Compliments and Comments Procedure**

The below performance measures are in relation to those complaints responded to during 2017/18.

### **Timescales**

#### **Stage 1**

The target for responding to a complaint at Stage 1 is 10 working days, with a possible extension of up to 20 working days if the complaint is complex.

- 12.5% of Stage 1 complaint responses were sent out within 10 working days. This was a decrease in performance from 20.8% in 2016/17.
- A further 30.3% of Stage 1 complaint responses were sent out within 20 working days.
- In total 42.9% of Stage 1 complaint responses were sent out within the maximum 20 working day timescale, a decrease from 47.9% in 2016/17.

#### **Stage 2**

The target for responding to a complaint at Stage 2 is 25 working days, extendable up to a maximum of 65 working days.

- 7.7% of Stage 2 responses were sent out within 25 working days during 2017/18, an increase from 0% in 2016/17.
- 15.4% of complaints were responded to within the maximum timescale allowed (65 working days), compared to 12.5% in 2016/17.
- 84.6% were responded to after 65 working days, compared to 87.5% in 2016/17.

#### **Stage 3**

- At Stage 3 the Review Panel should be held within 30 working days of the request. 100% of Review Panels were held within 30 working days.
- The Review Panel should write to the Director within 5 working days of the panel. They did so in 100% of cases.
- The Director should write to the complainant within 15 working days of receiving the Panel's response. The Director wrote to the complainant within 15 working days in 66.7% of cases.

### **Performance against key performance indicators**

In relation to children's social care complaints the Council's key performance indicator is the number of maladministration decisions received from the Local Government and

Social Care Ombudsman. The Council received 2 maladministration decisions during 2017/18, an increase from 0 in 2016/17.

Full details of those complaints determined by the LGSCO are included in the Cabinet reports of 5 December 2017 and 9 October 2018 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

### **Further recommendations**

Children's social care staff should work to improve performance against the Stage 1, 2 and 3 timescales.