



**Children's Social Care  
Complaints, Compliments  
and Comments  
Annual Report  
2019/20**

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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.

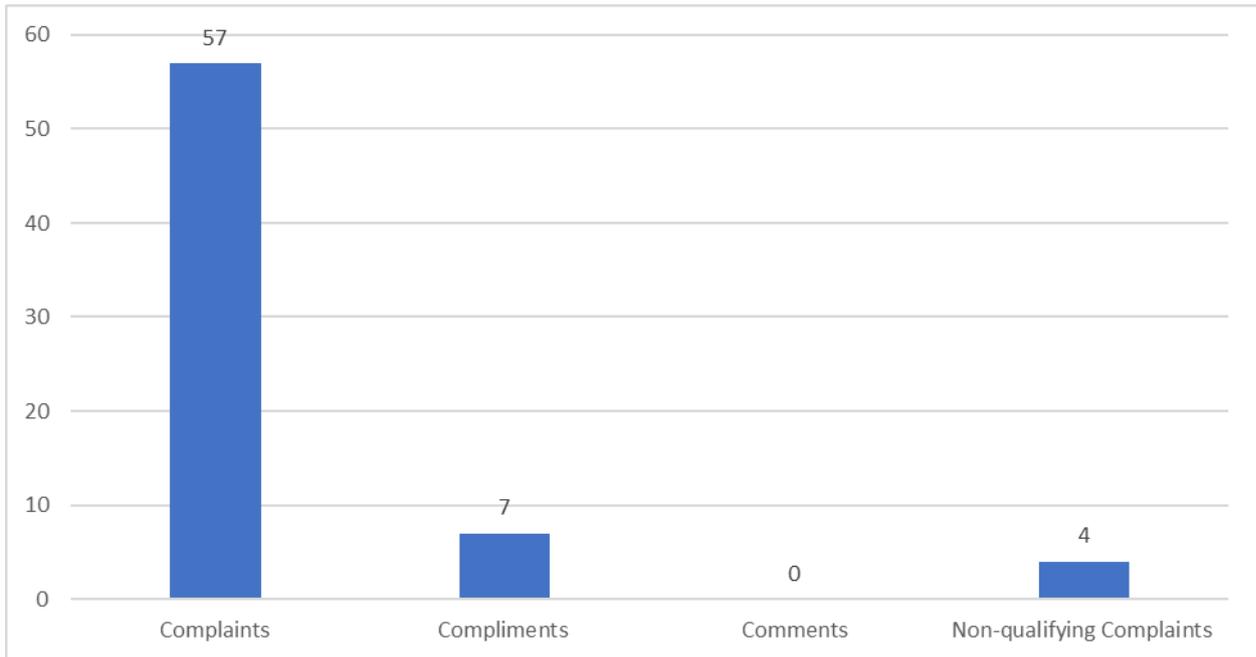
### Independent Persons

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



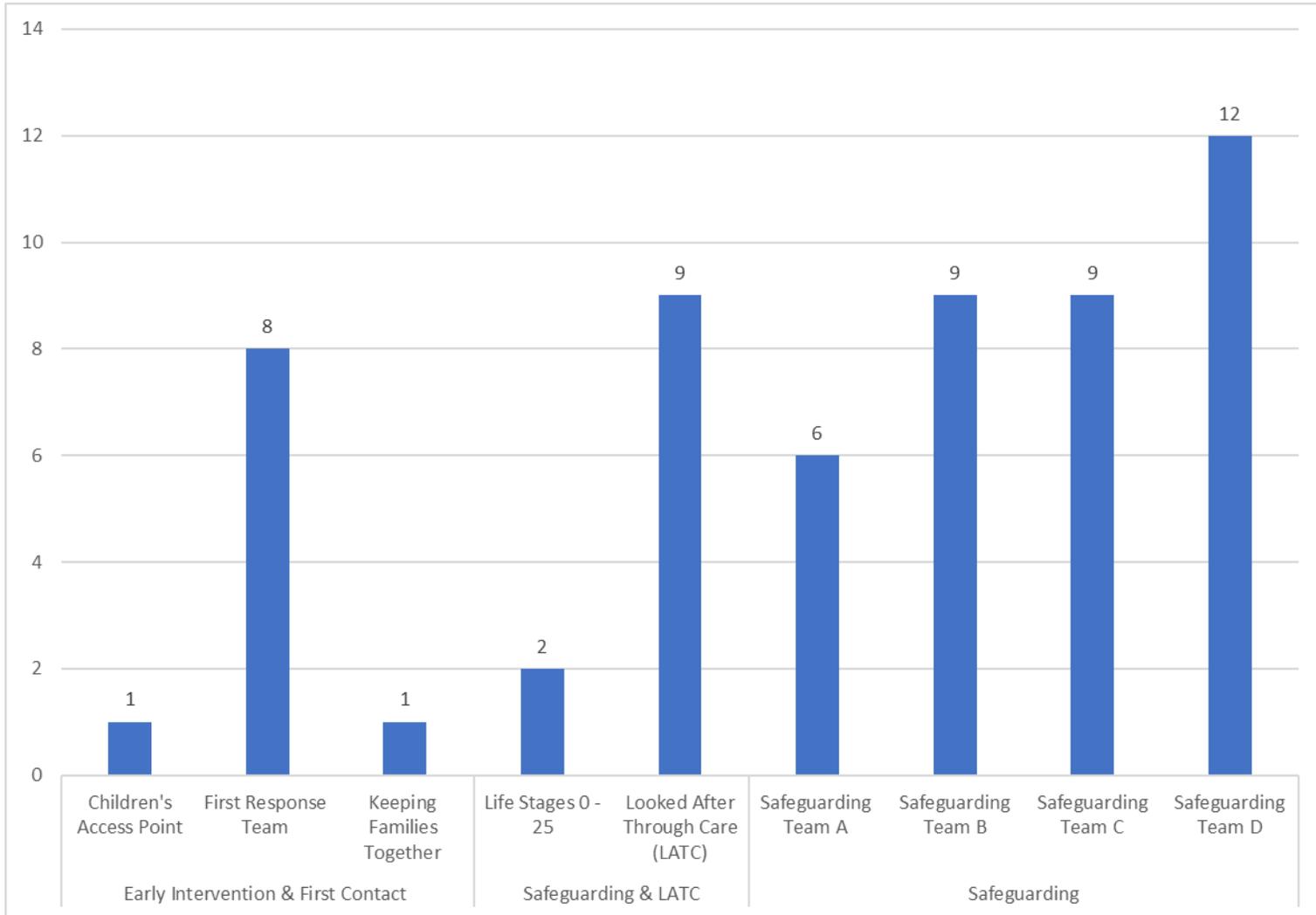
The Council received 57 complaints during 2019/20, a decrease from 67 complaints during 2018/19.

The Council received seven compliments during 2019/20, a decrease from 19 during 2018/19.

The Council received zero comments during 2019/20, the same as in 2018/19.

The Council received four non-qualifying complaints during 2019/20, a decrease from five in 2018/19.

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



*N.B. Those teams that are not listed did not receive any complaints during 2019/20.*

### ***Early Intervention & First Contact***

Children's Access Point received one complaint, a decrease from two in 2018/19.

First Response Team received eight complaints, an increase from four in 2018/19.

Keeping Families Together received one complaint, an increase from zero in 2018/19.

### ***Safeguarding & Looked After Through Care (LATC)***

Life Stages 0 – 25 received two complaints, a significant decrease from seven in 2018/19.

Looked After Children Through Care (LATC) received nine complaints, the same number of complaints as in 2018/19.

### ***Safeguarding***

Safeguarding Team A received six complaints, an increase from five in 2018/19.

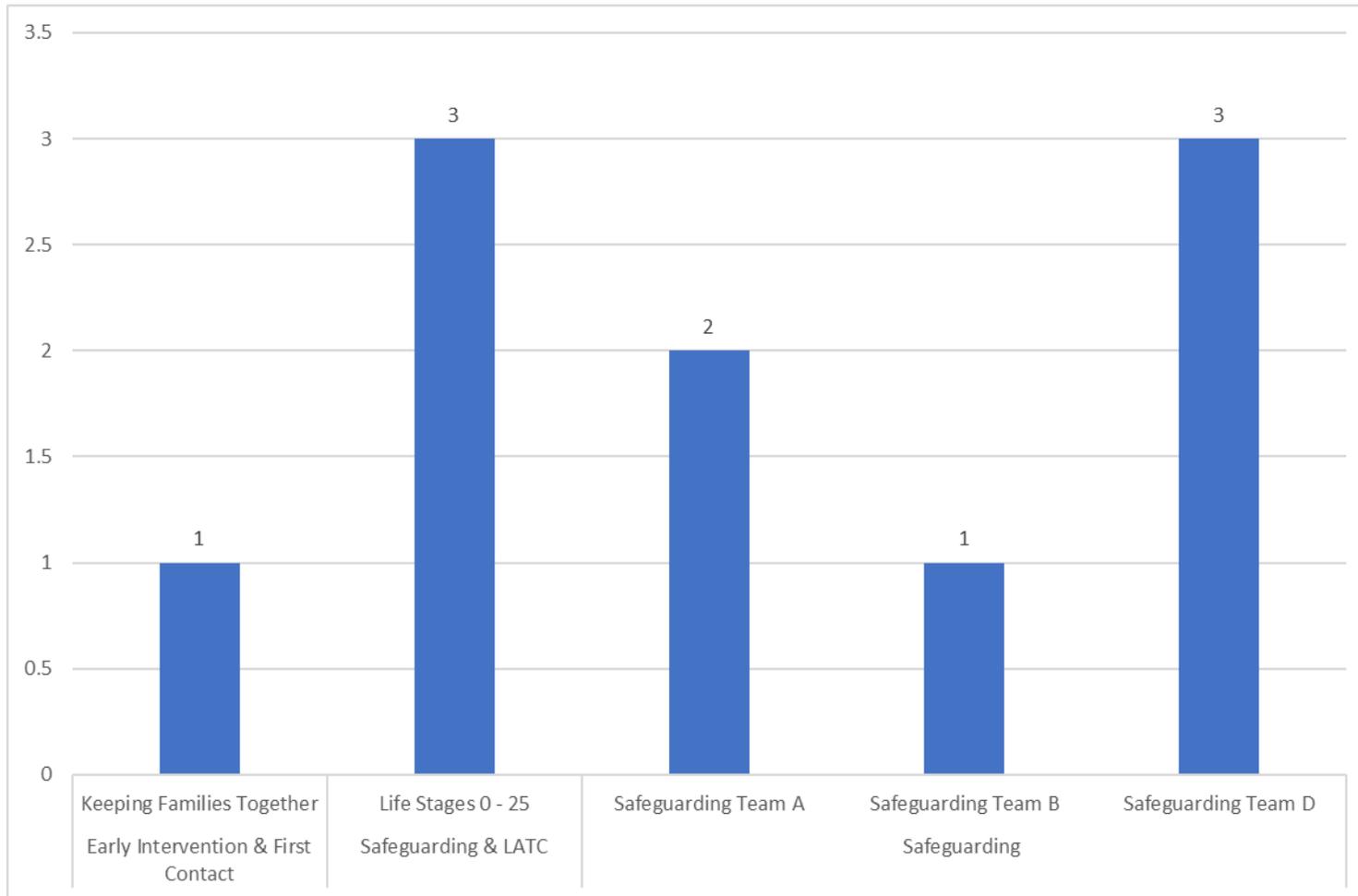
Safeguarding Team B received nine complaints, the same number as in 2018/19.

Safeguarding Team C received nine complaints, an increase from eight in 2018/19.

Safeguarding Team D received 12 complaints, a decrease from 14 in 2018/19.

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

10 complaints were escalated to Stage 2 during 2019/20, a decrease from 16 in 2018/19.



***Early Intervention & First Contact***

Keeping Families Together received one complaint, an increase from zero in 2018/19.

***Safeguarding & Looked After Through Care (LATC)***

Life Stages 0 – 25 Team received three complaints, the same number as in 2018/19.

***Safeguarding***

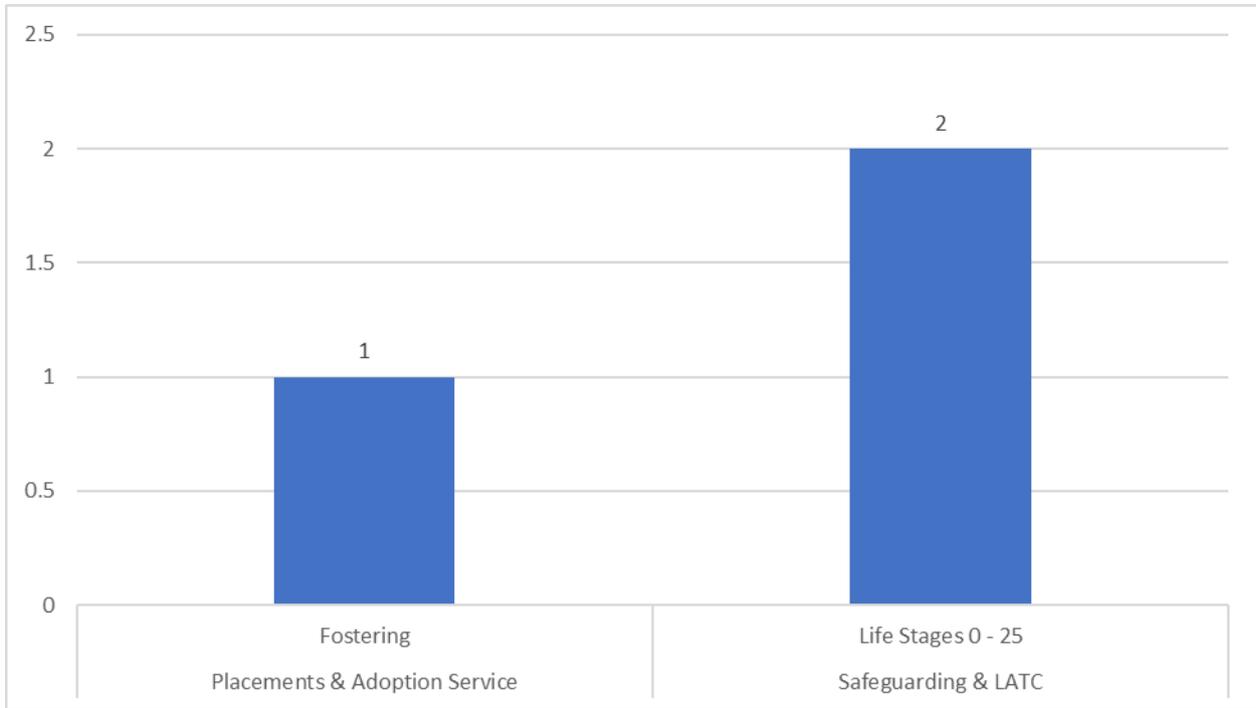
Safeguarding Team A received two complaints, an increase from one in 2018/19.

Safeguarding Team B received one complaint, a decrease from three in 2018/19.

Safeguarding Team D received three complaints, an increase from one in 2018/19.

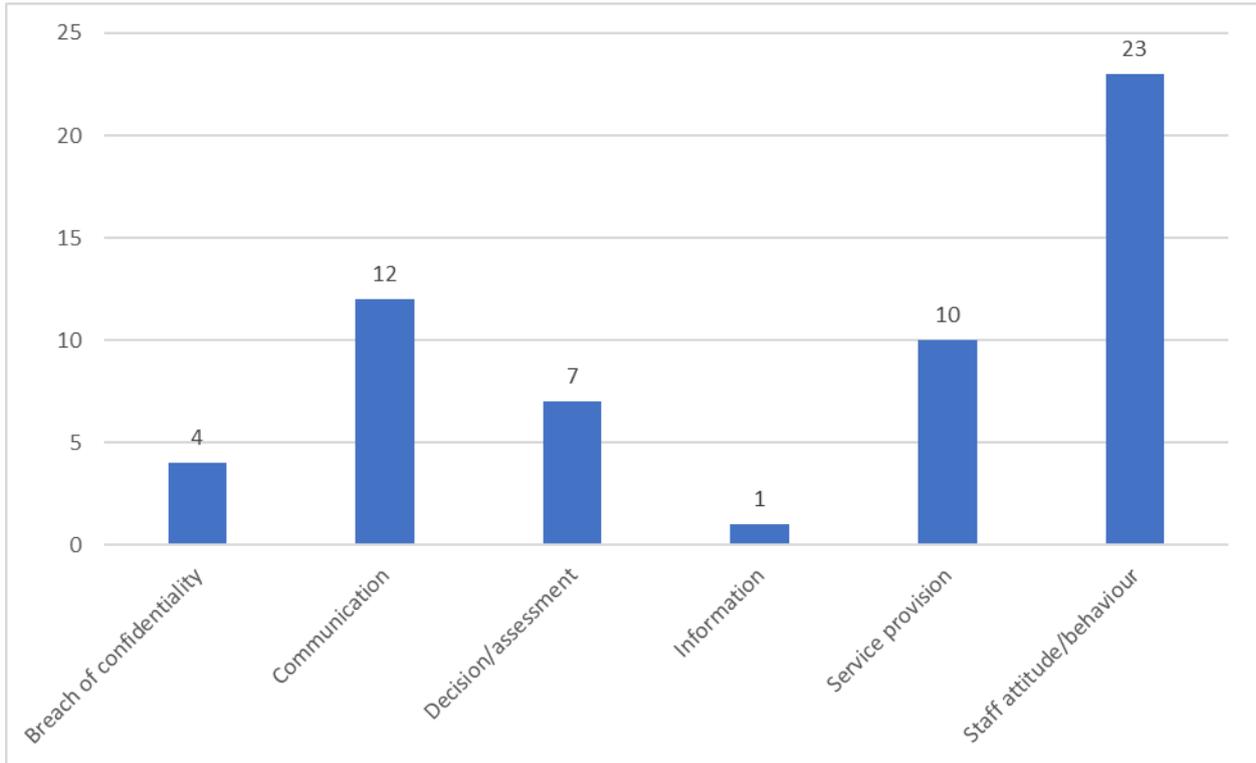
### Breakdown of Stage 3 complaints by Service Area/Team

Three complaints were escalated to Stage 3 during 2019/20, a decrease from four in 2018/19.



Neither of these teams received a Stage 3 complaint during 2018/19.

### Breakdown of complaints by Issue



Staff attitude/behaviour was the most commonly complained about issue. The Council received 23 complaints about this issue, an increase from 18 in 2018/19.

The second most complained about issue was communication. The Council received 12 complaints about this issue, a decrease from 15 in 2018/19.

The third most complained about issue was service/provision. The Council received 10 complaints about this issue, a decrease from 21 in 2018/19.

The fourth most complained about issue was the outcome of a decision/assessment. The Council received seven complaints, a decrease from nine in 2018/19.

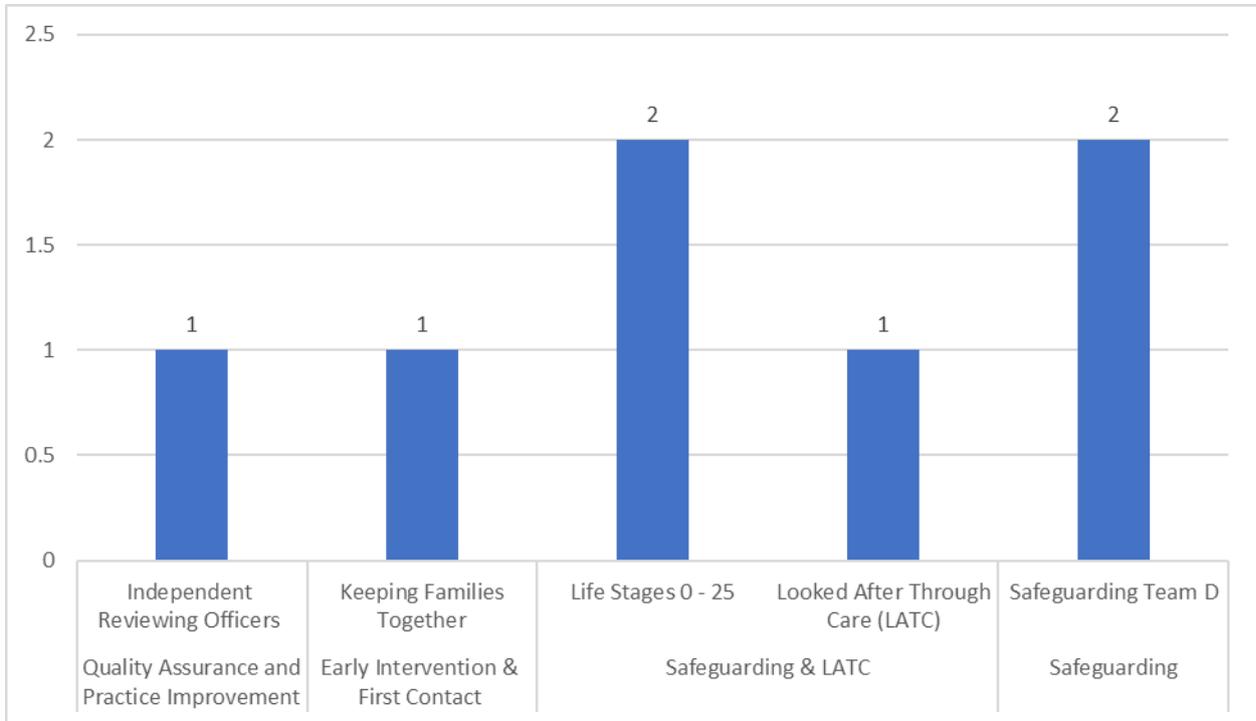
The fifth most complained about issue was breach of confidentiality. The Council received four complaints, an increase from zero in 2018/19.

The least complained about issue was the provision of information. The Council received one complaint, a decrease from four in 2018/19.

### Breakdown of Comments by Service Area/Team

The Council did not receive any comments during 2019/20, as was the case in 2018/19.

### Breakdown of Compliments by Service Area/Team



The Council saw a significant decrease in compliments, seven compared to 19 in 2018/19

## Complaint Outcomes

**Stage 1** - The below table shows the decisions reached on Stage 1 complaints during 2019/20.

Service Area/Team		Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
<b>Early Intervention &amp; First Contact</b>								
	Children's Access Point	0	0	1	0	0	0	1
	First Response Team	0	0	2	3	2	1	8
	Keeping Families Together	0	0	0	1		0	1
<b>Total for Early Intervention &amp; First Contact</b>		<b>0</b>	<b>0</b>	<b>3</b>	<b>4</b>	<b>2</b>	<b>1</b>	<b>10</b>
<b>Safeguarding &amp; LATC</b>								
	Life Stages 0 - 25	0	1	0	1	0	0	2
	Looked After Through Care (LATC)	0	0	5	1	0	3	9
<b>Total for Safeguarding &amp; LATC</b>		<b>0</b>	<b>1</b>	<b>5</b>	<b>2</b>	<b>0</b>	<b>3</b>	<b>11</b>
<b>Safeguarding</b>								
	Safeguarding Team A	0	0	2	2	1	0	5
	Safeguarding Team B	0	1	6	0	1	0	8
	Safeguarding Team C	0	0	7	1	0	0	8
	Safeguarding Team D	0	0	5	4	0	0	9
<b>Total for Safeguarding</b>		<b>0</b>	<b>1</b>	<b>20</b>	<b>7</b>	<b>2</b>	<b>0</b>	<b>30</b>
<b>Total for Children's Services</b>		<b>0</b>	<b>2</b>	<b>28</b>	<b>13</b>	<b>4</b>	<b>4</b>	<b>51</b>

**Stage 2** - The below table shows the decisions reached on Stage 2 complaints during 2019/20.

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
<b>Safeguarding &amp; LATC</b>						
Life Stages 0 - 25	0	0	5	0	0	5
<b>Total for Safeguarding &amp; LATC</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>5</b>
<b>Safeguarding</b>						
Safeguarding Team A	0	1	0	0	1	2
Safeguarding Team B	0	1	1	0	0	2
<b>Total for Safeguarding</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>4</b>
<b>Placements &amp; Adoption Service</b>						
Fostering	0	0	1	0	0	1
<b>Total for Placements &amp; Adoption Service</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Total for Children's Services</b>	<b>0</b>	<b>2</b>	<b>7</b>	<b>0</b>	<b>1</b>	<b>10</b>

**Stage 3** - The below table shows the decisions reached on Stage 3 complaints during 2019/20.

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
<b>Safeguarding &amp; LATC</b>						
Life Stages 0 - 25	0	1	1	0	0	2
<b>Total for Safeguarding &amp; LATC</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>
<b>Placements &amp; Adoption</b>						
Fostering	0	1	0	0	0	1
<b>Total for Placements &amp; Adoption</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Total for Children's Services</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>3</b>

## **Local Government and Social Care Ombudsman (LGSCO) Complaints**

One complaint was referred to the LGSCO during 2019/20, the same number as in 2018/19.

One complaint was determined by the LGSCO during 2019/20, the same number as in 2018/19.

## **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 2019/20. Some examples of these are detailed below.

### ***Life Stages 0 - 25***

Following a complaint for Life Stages 0 -25 it was agreed the team would develop a letter template and send a letter to recipients of Direct Payments clearly setting out when the payment will end. It was also agreed the Team Manager would contribute to a review of the Direct Payments process to ensure it was clear when a payment ends.

Following a further complaint for Life Stages 0 – 25 it was agreed consideration would be given to the administration of the resource allocation system and indicative budgets, so there was a consistent understating amongst social care professionals of its intended purpose.

Following another complaint for Life Stages 0 – 25 it was agreed the Council would review its training in respect of PREVENT and the Channel Panel.

As a result of another complaint for Life Stages 0 -25 it was agreed the Council would review the information provided to parents receiving a short breaks services to ensure it accurately reflects the service being offered.

As a result of a further complaint for Life Stages 0 -25 it was agreed the Council would complete work to ensure that social workers and team managers are clear about the difference between services being considered or offered, that all relevant policies and procedures would be updated to reflect this and that training would be provided to ensure there is a clear and recorded rationale for all decisions. It was also agreed the Direct Payments Scheme would be reviewed.

### ***Safeguarding Team A***

Following a complaint for Safeguarding Team A, social workers were reminded to ensure that they continue to consult with parents when children have been removed from their care so that they are fully involved in on-going assessments and involvement by the Local Authority.

Following a further complaint for Safeguarding Team A, social workers were reminded that when sensitive personal information in respect of members of the family is to be

included within reports, this should be made clear to the family. A reminder was also sent to all social workers within Assessment & Safeguarding to ensure referrals are made within a timely manner following a need being identified to support a child/family.

### ***Safeguarding Team D***

Following a complaint for Safeguarding Team D, social workers were reminded to ensure they obtain details of any key appointments for children when they are placed outside of parental/family care. Details should then be provided to foster carers to ensure appointments are able to be attended.

### ***Fostering***

Following a complaint for Fostering, it was agreed an audit of Special Guardianship Order (SGO) allowance payments would be undertaken and appropriate action taken to address any issues identified.

### ***Keeping Families Together***

Following a complaint for Keeping Families Together, it was agreed strategies would be implemented to reduce the number of changes of social worker and that social workers bringing cases for discussion at Keeping Families Together Panel would need to provide evidence that parents have given informed consent for Keeping Families Together to work with their family.

## **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 2019/20.

### **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.

- 33.4% of Stage 1 complaint responses were sent within 10 working days. This was a decrease in performance from 47.5% in 2018/19.
- A further 43.1% of Stage 1 complaint responses were sent within 20 working days.
- In total 74.7% of Stage 1 complaint responses were sent within the maximum 20 working day timescale, an increase in performance from 62.7% in 2018/19.

#### **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.

- 0% of Stage 2 complaint responses were sent within 25 working days during 2019/20, as was the case in 2018/19.
- 10% of Stage 2 complaint responses were sent within the maximum timescale allowed (65 working days), a decrease in performance from 33.3% in 2018/19.
- 90% of Stage 2 complaint responses were sent after 65 working days, a reduction in performance from 66.7% in 2018/19.

#### **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 complainants within 15 working days in 66.66% of cases, a decrease in performance from 100% of cases in 2018/19.

## **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 (LGSCO). The Council received zero maladministration decisions during 2019/20, a decrease from one in 2018/19.

Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 3 December 2019 and 15 September 2020 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

## **Further recommendations**

The Council should continue to work to improve performance against the Stage 2 timescale for Children's Social Care complaints.