



**Children's Social Care
Complaints, Compliments
and Comments
Annual Report
2018/19**

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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.

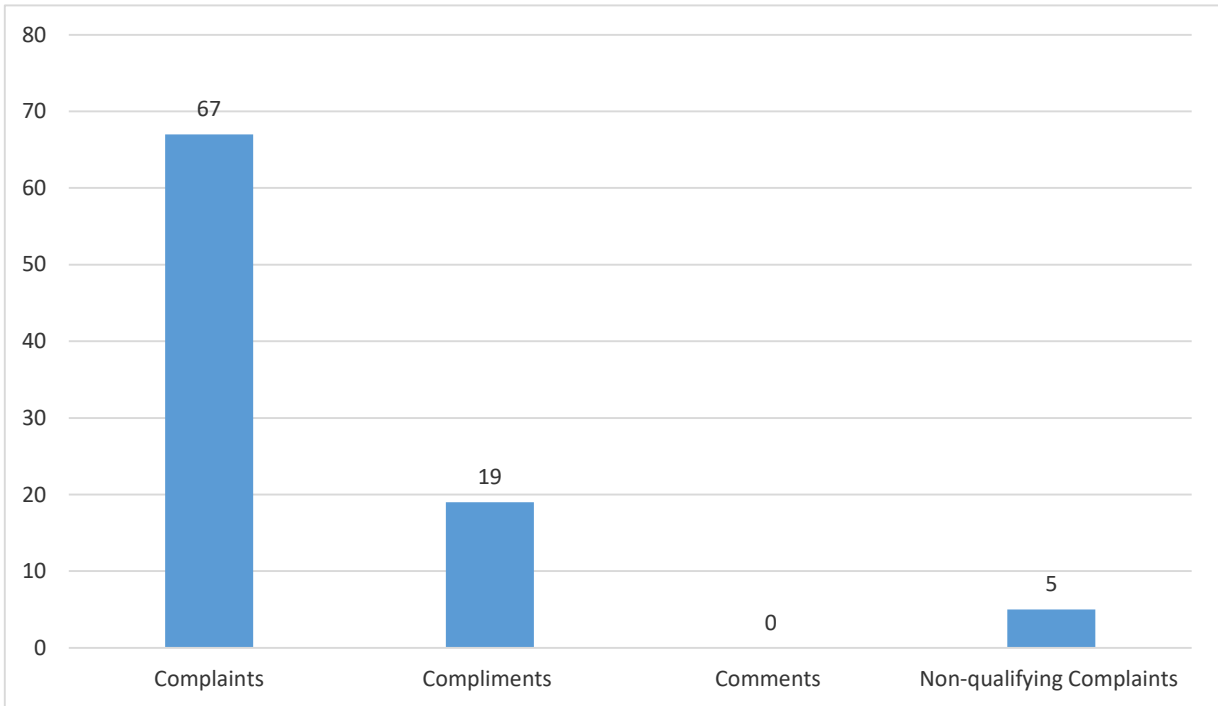
Independent Persons

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



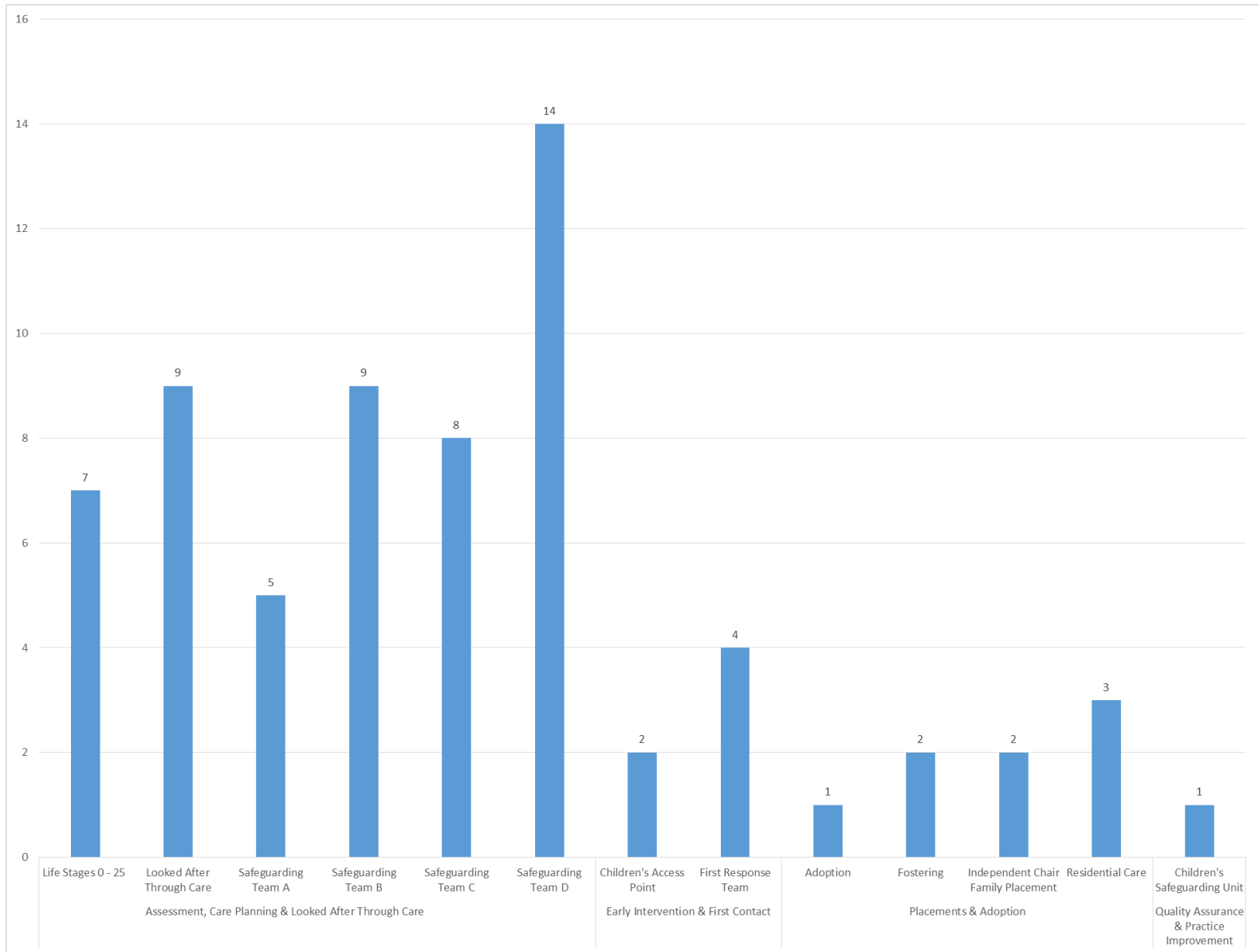
The Council received 67 complaints during 2018/19, an increase from 54 complaints during 2017/18.

The Council received 19 compliments during 2018/19, an increase from 12 during 2017/18.

The Council received zero comments during 2018/19, the same as in 2017/18.

The Council received five non-qualifying complaints during 2018/19, an increase from one during 2017/18.

Breakdown of Stage 1 Complaints by Service Area/Team



N.B. Those teams that are not listed did not receive any complaints during 2018/19.

Assessment, Care Planning & Looked After Through Care

Life Stages 0 – 25 received seven complaints, a significant increase from one in 2017/18.

Looked After Children Through Care (LATC) received the same number of complaints as in 2017/18.

Safeguarding Team A received the same number of complaints as in 2017/18.

Safeguarding Team B received nine complaints, an increase from eight on 2017/18.

Safeguarding Team C received eight complaints, an increase from seven in 2017/18.

Safeguarding Team D received 14 complaint, a significant increase from six in 2017/18.

Early Intervention & First Contact

Children's Access Point (CAP) received the same number of complaints as in 2017/18.

First Response Team (FRT) received four complaints, an increase from three in 2017/18.

Placements & Adoption

Adoption received one complaint, a reduction from two in 2017/18.

Fostering received two complaints, a decrease from four in 2017/18.

Independent Chair Family Placement received two complaints, compared to zero in 2017/18.

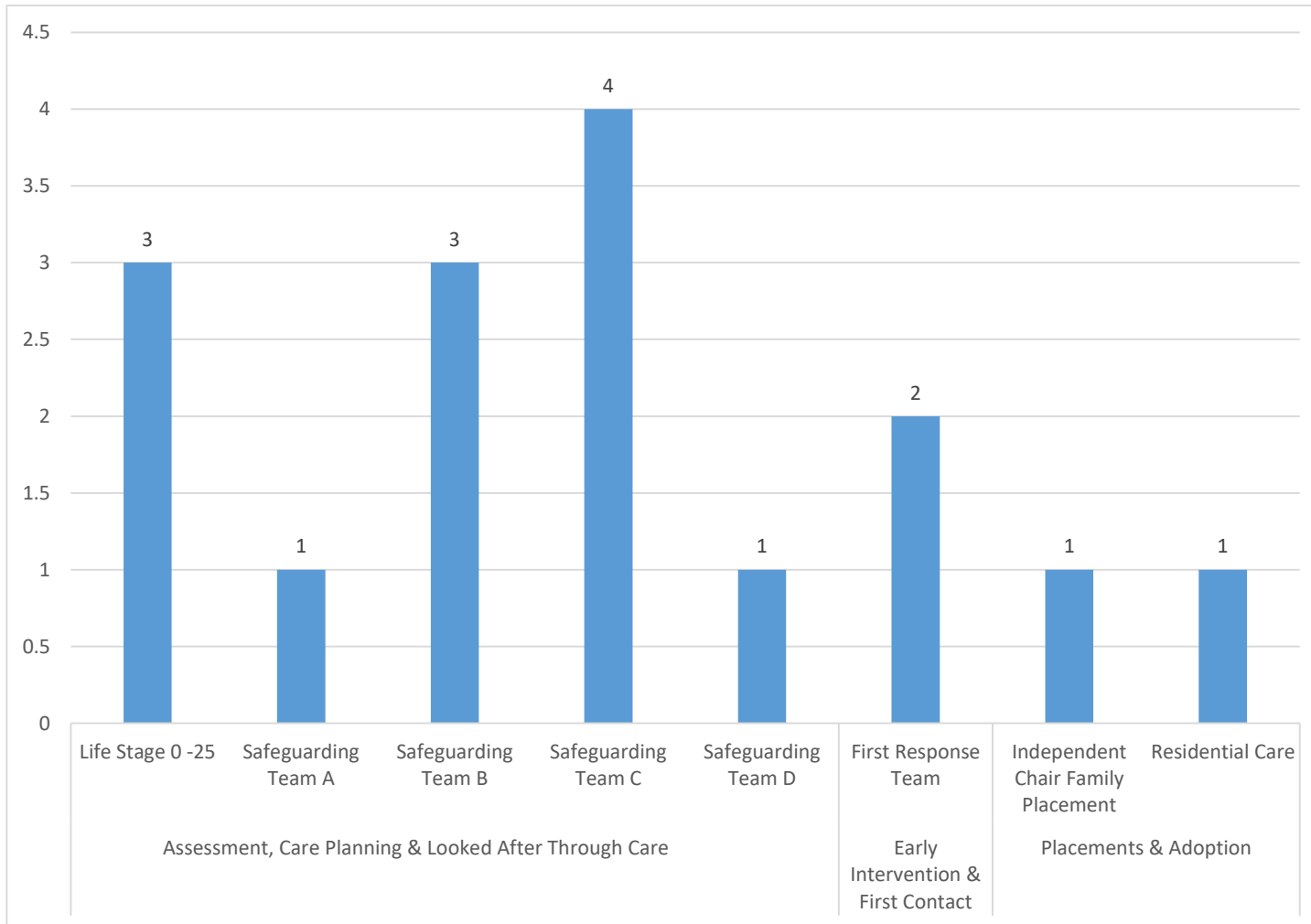
Residential Care received the same number of complaints as in 2017/18.

Quality Assurance & Practice Improvement

Children's Safeguarding Unit received the same number of complaints as in 2017/18.

Breakdown of Stage 2 Complaints by Service Area/Team

16 complaints were considered at Stage 2 during 2018/19, the same number as in 2017/18.



Assessment, Care Planning & Looked After Through Care

Life Stages 0 – 25 Team received three complaints, an increase from one in 2017/18.

Safeguarding Team A received the same number of complaints as in 2017/18.

Safeguarding Team B received the same number of complaints as in 2017/18.

Safeguarding Team C received four complaints, an increase from zero in 2017/18.

Safeguarding Team D received one complaint, a decrease from five in 2017/18.

Early Intervention & First Contact

First Response Team (FRT) received two complaints, an increase from zero in 2017/18.

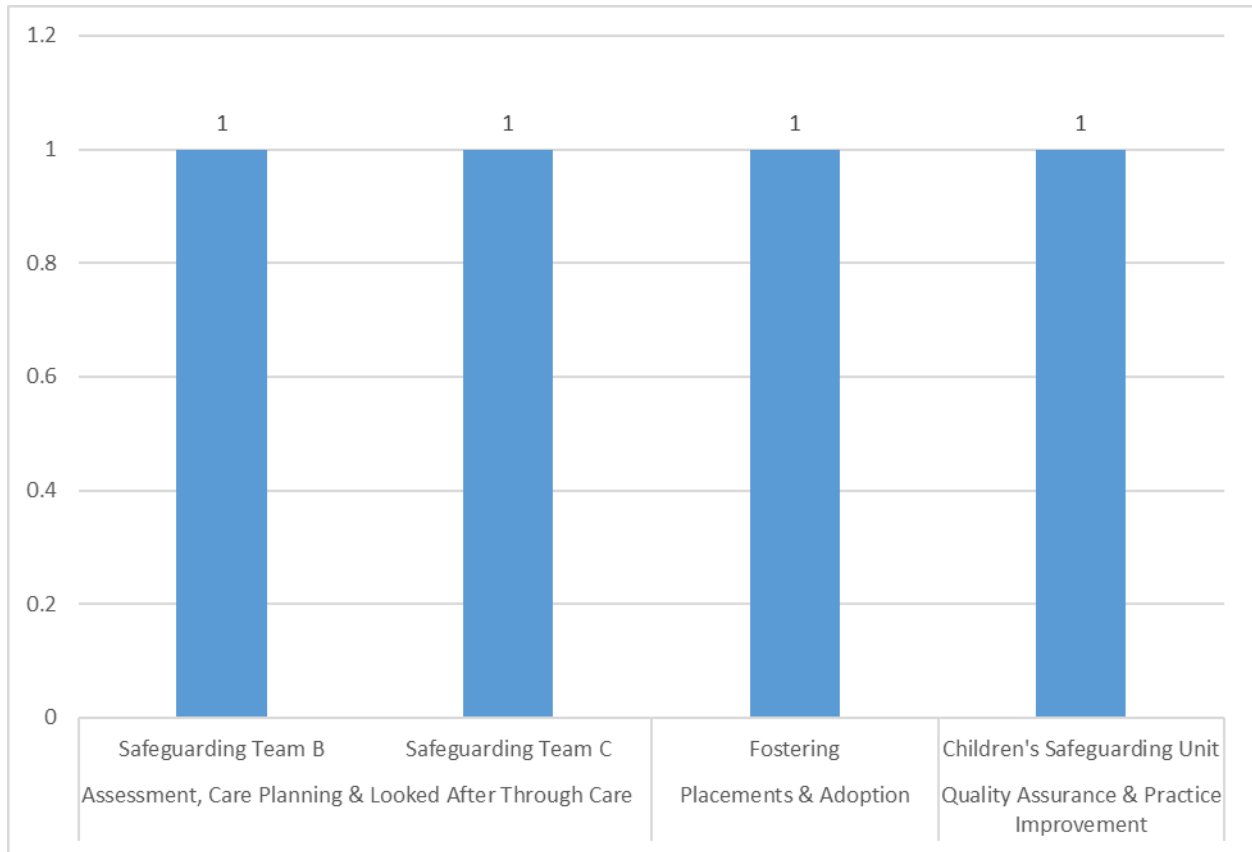
Placements & Adoption

Independent Chair Family Placement received one complaint, an increase from zero in 2017/18.

Residential Care received one complaint, an increase from zero in 2017/18.

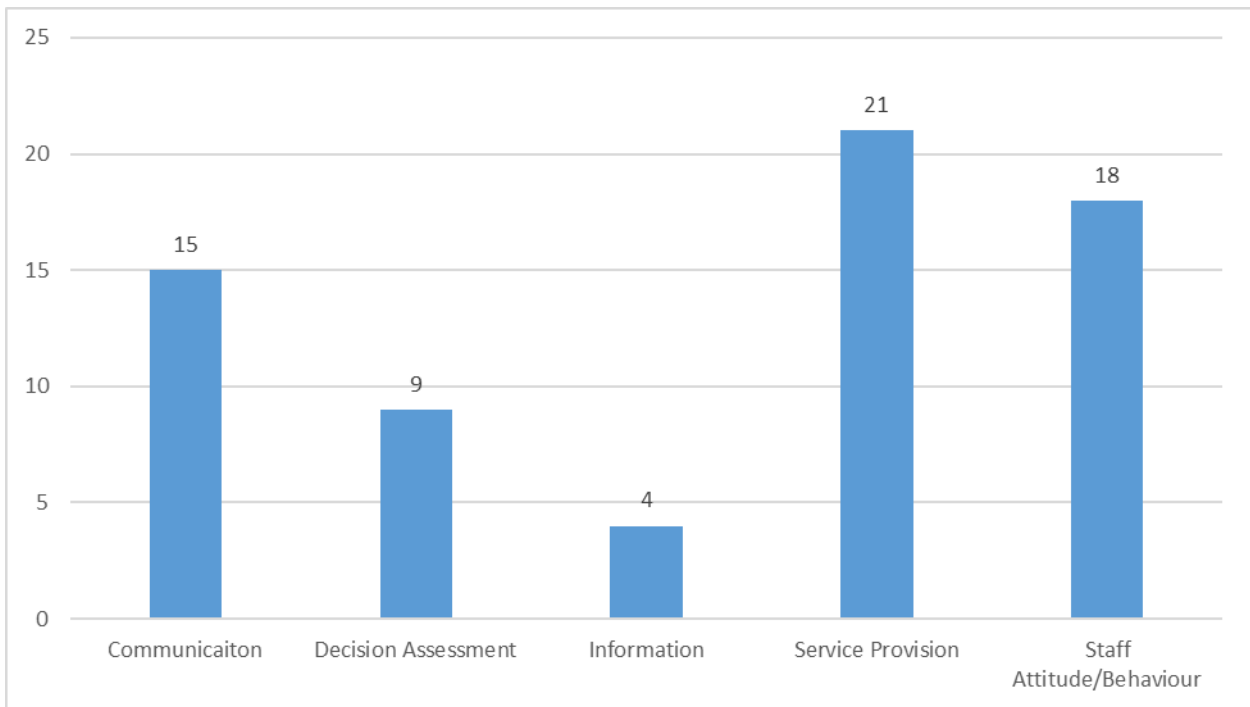
Breakdown of Stage 3 complaints by Service Area/Team

Four complaints were escalated to Stage 3 during 2018/19, compared to two in 2017/18.



None of these teams received a Stage 3 complaint during 2017/18.

Breakdown of complaints by Issue



Service provision remained the most commonly complained about issue. The Council received 21 complaints about this issue, compared to 20 in 2017/18.

The second most complained about issue remained staff attitude/behaviour. The Council received 18 complaints about this issue, the same number as in 2017/18.

The third most complained about issues remained communication. The Council received 15 complaints about this issue, an increase from 12 in 2017/18.

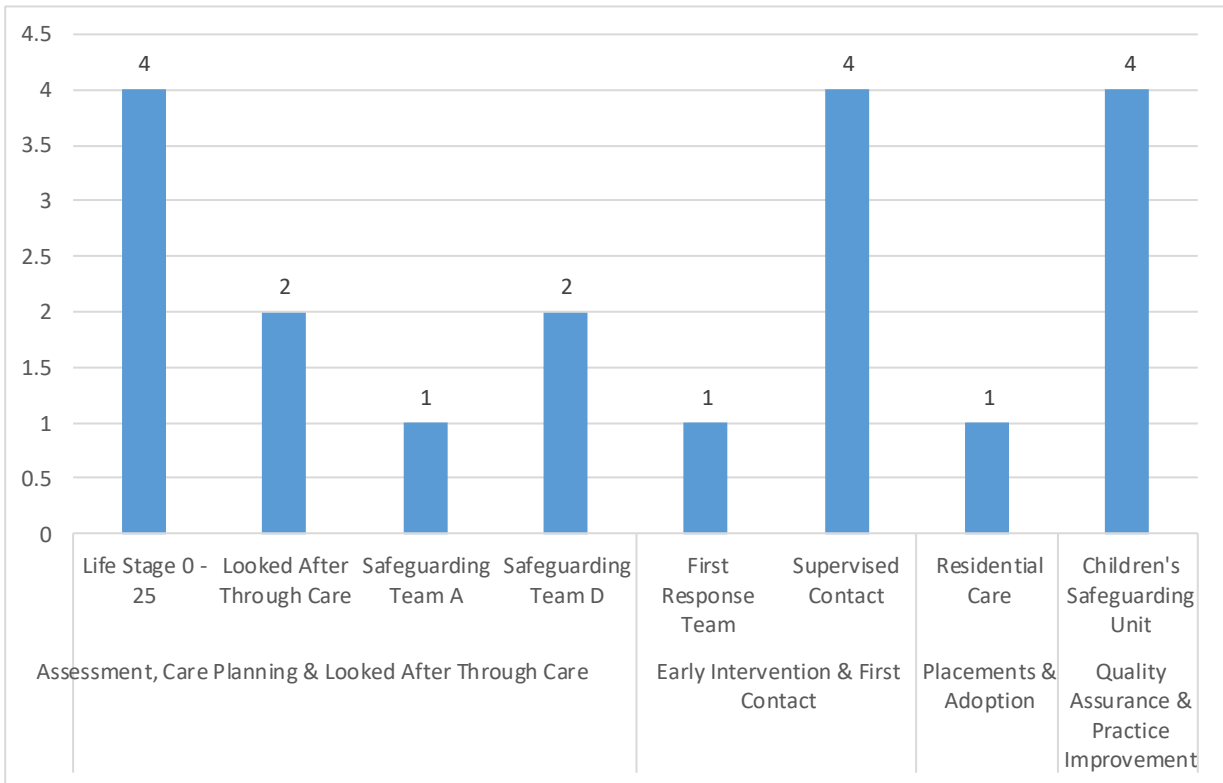
The Council saw an increase in complaints about the outcome of a decision/assessment, nine compared to two in 2017/18.

The Council also received four complaints about information, an increase from zero in 2017/18.

Breakdown of Comments by Service Area/Team

The Council did not receive any comments during 2018/19, as was the case in 2017/18.

Breakdown of Compliments by Service Area/Team



The Council saw a continued increase in compliments, 19 compared to 12 in 2017/18 and 4 in 2016/17.

Complaint Outcomes

Stage 1 - The below table shows the decisions reached on Stage 1 complaints during 2018/19.

Service Area/Team		Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Assessment, Care Planning & LATC								
	Safeguarding Team A	0	0	3	0	0	1	4
	Safeguarding Team B	0	0	4	4	1	0	9
	Safeguarding Team C	0	0	6	3	0	0	9
	Safeguarding Team D	0	0	9	2	0	0	11
	Life Stages 0 - 25	1	0	1	3	0	0	5
	Looked After Through Care (LATC)	0	1	2	3	2	0	8
Total for Assessment, Care Planning & LATC		1	1	25	15	3	1	46
Early Intervention & First Contact								
	Children's Access Point	0	0	0	2	0	0	2
	First Response Team	0	0	2	3	0	0	5
Total for Early Intervention & First Contact		0	0	2	5	0	0	7
Placements & Adoption Service								
	Adoption	0	0	0	0	1	0	1
	Fostering	0	0	0	2	1	0	3
	Independent Chair Family Placement	0	0	1	1	0	0	2
	Residential Care	0	0	2	1	0	1	4

Total for Placements & Adoption Service	0	0	3	4	2	1	10
<i>Quality Assurance and Practice Improvement</i>							
Children's Safeguarding Unit	0	0	1	0	0	0	1
Total for Quality Assurance and Practice Improvement	0	0	1	0	0	0	1
Total for Children's Services	1	1	31	24	5	2	64

Stage 2 - The below table shows the decisions reached on Stage 2 complaints during 2018/19.

Service Area/Team		Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Assessment, Care Planning & LATC							
	Safeguarding Team A	0	1	0	0	0	1
	Safeguarding Team B	0	1	1	0	2	4
	Safeguarding Team C	0	2	1	0	0	3
	Safeguarding Team D	0	1	1	0	0	2
Total for Assessment, Care Planning & LATC		0	5	3	0	2	10
Early Intervention & First Contact							
	Early Help Social Work & Edge of Care 5 - 19	0	0	1	0	0	1
	First Response Team	0	1	0	0	1	2
Total for Early Intervention & First Contact		0	1	1	0	1	3
Placements & Adoption Service							
	Fostering	0	0	1	0	0	1
	Residential Care	0	1	0	0	0	1
Total for Placements & Adoption Service		0	1	1	0	0	2
Quality Assurance & Practice Improvement							
	Children's Safeguarding Unit	0	0	1	0	0	1
Total for Quality Assurance & Practice Improvement		0	0	1	0	3	1
Total for Children's Services		0	7	6	0	3	16

Stage 3 - The below table shows the decisions reached on Stage 3 complaints during 2018/19.

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Assessment, Care Planning & LATC						
Safeguarding Team B	0	1	0	0	0	1
Total for Assessment, Care Planning & LATC	0	1	0	0	0	1
Placements & Adoption	0	0	0	0	0	0
Fostering	0	0	1	0	0	1
Total for Placements & Adoption	0	0	1	0	0	1
Quality Assurance & Practice Improvement						
Children's Safeguarding Unit	0	0	0	0	1	1
Total for Quality Assurance & Practice Improvement	0	0	0	0	1	1
Total for Children's Services	0	1	1	0	1	3

Local Government and Social Care Ombudsman Complaints

One complaints was referred to the LGSCO during 2018/19, a decrease from three in 2017/18.

One complaints was determined by the LGSCO during 2018/19, compared to four in 2017/18.

Organisational Learning

Fostering

Following a complaint for Fostering it was agreed the Council would ensure all Social Workers formulating care plans that may result in Special Guardianship Orders provide to any potential recipients a Guidance Document containing as a minimum the legal impact of such orders upon the holders and on the parents, the rights and responsibilities attributed by such orders while they are in force and the level and duration of support measures that will be made available by the Council.

Following another complaint for Fostering it was agreed the Council would review the need for a policy regarding respite provision for connected carers, which would underpin the new legislation surrounding Special Guardianship Orders. It was recommended that akin to recommendation 8 within the Ofsted report 2015: The Council should ensure that Independent Reviewing Officers (IRO) demonstrate rigour when overseeing both the quality and progress of plans. It was also recommended that akin to recommendation 10 within the Ofsted report 2015: The Council should ensure when children are looked after that decisions about their need for permanence are timely with robust oversight, including by IROs.

Adoption

Following a complaint for Adoption it was agreed the Council would ensure that where any aspect of Special Guardianship Support Plans requires it to delegate the provision of support services to another Local Authority or Agent then such a support plan will be fully compliant with Regulations 3, 4 and 5 of the Special Guardianship Regulations 2005 (Amended) when submitted to the Court prior to disposal.

Children's Access Point

Following a complaint for CAP it was agreed the Council would always ensure fathers have the opportunity to be involved in assessments/parenting programmes.

Children's Safeguarding Unit

Following a complaint for the Children's Safeguarding Unit the Council agreed to ensure processes are in place to notify individuals when appointments cannot be kept and the relevant Social Worker is unable to make contact.

Early Help Social Work & Edge of Care 5 - 19

Following a complaint for Early Help Social Work & Edge of Care 5 – 19 it was agreed the Council would consider mandatory FASD training for officers that may be involved in undertaking early help work and that the most appropriately trained and experienced officers are allocated to these specific cases.

Independent Chair Family Placement

Following a complaint about a Special Guardianship Order (SGO) payment it was recommended the Council update its guidance and a financial system be put in place to calculate the money owed. It was also agreed the Council would ensure clear guidance and written confirmation is given to Special Guardians prior to approving the plan.

Looked After Through Care (LATC)

Following a complaint for LATC it was agreed the Council would ensure Social Workers within the team are keeping parents up to date regarding their children's welfare with basic details should the children not wish for their parents to attend their Looked After Review or have detailed information shared with them. It was also agreed the Council would ensure Social Workers within the team keep the best interests of the children and young people a priority, so they feel supported and empowered.

Safeguarding Team A

Following a complaint for Safeguarding Team A it was agreed the Council would improve case recording

Safeguarding Team D

Following a complaint for Safeguarding Team D it was agreed the Council would ensure requests to take a looked after child out of school in term time would be referred to the Director of Children's Services, as the decision maker, and the decision appropriately communicated to the family and properly recorded. It was also agreed the Council would review the authorisation budget levels in respect of Team Managers, to determine whether they are set at a realistic authorisation level.

Furthermore, it was agreed the Council would ensure Team Managers appraise themselves of case records and assessments within supervision sessions with Social Workers, to ensure that procedures are followed by Social Workers and that decision making is transparent, consistent and appropriate to the level of authority the Social Worker and Team Manager hold.

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 2018/19.

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.

- 47.5% of Stage 1 complaint responses were sent out within 10 working days. This was a significant increase in performance from 12.5% in 2017/18.
- A further 10.2% of Stage 1 complaint responses were sent out within 20 working days.
- In total 62.7% of Stage 1 complaint responses were sent out within the maximum 20 working day timescale, an increase from 42.9% in 2017/18.

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 responses were sent out within 25 working days during 2018/19, a decrease from 7.7% in 2017/18.
- 33.3% of complaints were responded to within the maximum timescale allowed (65 working days), an increase from 15.4% in 2017/18.
- 66.7% were responded to after 65 working days, a reduction from 84.6% in 2017/18.

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 100% of cases, an increase from 66.7% of cases in 2017/18.

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 one maladministration decision during 2018/19, a decrease from two in 2017/18.

Full details of those complaints determined by the LGSCO are included in the Cabinet reports of 11 December 2018 and 19 September 2019 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

Further recommendations

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