



City of Westminster

Family Services

Children's Social Care Annual Complaints Report

1 April 2017 to 31 March 2018

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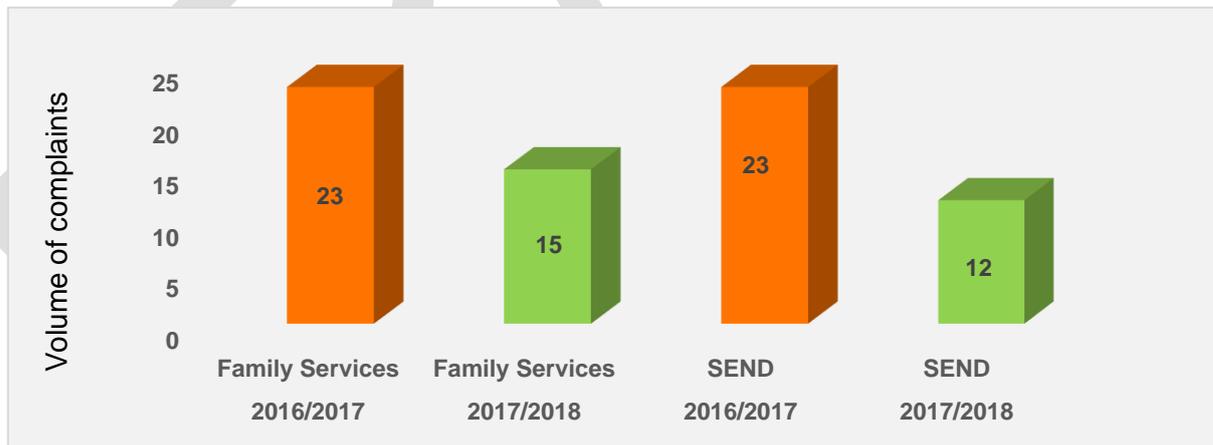
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1. EXECUTIVE SUMMARY

- 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 complaints and representations procedure; should be presented to staff, the relevant management committee and be made available to the regulator and the general public.
- 1.2 This report provides information about complaints and compliments made between 1 April 2017 and 31 March 2018. It highlights how Children's Services has performed against statutory timescales and the service improvements that have been made as a result of listening and responding to complaints. It also outlines objectives for 2018/2019.
- 1.3 From April 2017 to March 2018 the Customer Relationship Team ('the Team') dealt with 15 complaints about Family Services, of which 3 were non-statutory complaints.
- 1.4 It is important to highlight that Practitioners and Managers have demonstrated commitment to and success in resolving complaints at first point of contact and this is evidenced in the Team receiving fewer complaints about Family Services.
- 1.5 When formal complaints are made, Services have engaged well with the Customer Relationship Team to produce a letter which is well-balanced in its tone and an opportunity to meet with a Manager or Head of Service is offered which has led to better resolution for the service user.
- 1.6 There were 12 complaints about SEND in 2017/2018 in comparison with 23 in 2016/2017. Appendix 2 provides a full overview of the reasons residents had cause to complain and remedial action taken.



- 1.7 The Duty and Assessment received 26% of the total number of complaints, representing the highest proportion across service areas. Localities and Early Intervention and Looked After Children and Specialist Services have seen a decline in the number of complaints by 50% and 71% respectively.
- 1.8 Of the 15 complaints about Family Services, only 2 of these have been upheld or partly upheld, which represents 33% of the total volume. Recording a complaint as 'not upheld' suggests that there were no failings in practice, process or service delivery on these cases. However, from experience, in at least 50% of complaints, Services apologise for communication failures or

for a delay in doing something. In these instances, given the opportunity for improvement, the outcome should be recorded as partly upheld or upheld.

- 1.9 Whilst there was some emphasis on building staff knowledge on how outcomes are recorded and lessons learnt applied in 2017/2018, in the following year more staff training on how to identify the difference between improvement opportunities and failings; and how these translate to recorded outcome will be given to existing and new staff.
- 1.10 Towards the latter end of 2017/18, there has been recruitment of a permanent management structure, which in the future, is anticipated to bring clarity and consistency in all elements of the complaints lifecycle.

2 COMPLAINTS PROCEDURES

- 2.1 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.
- 2.2 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.
- 2.3 The complaints procedure has three stages and has a strong emphasis on resolving complaints quickly and informally.

Stage 1 – Local Resolution

- 2.4 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

- 2.5 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

- 2.6 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.
- 2.7 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.

Non statutory complaints

- 2.8 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 for an allocated worker to return calls which is dissatisfaction with the service provided.
- 2.9 The Council has a 2 stage complaints procedure for these types of complaints. It encourages residents to speak directly to the person involved to help resolve the issue. Thereafter, at Stage 1 of the procedure if the complaint is about an officer, the complaint will be investigated by the Team Manger. If the resident remains unhappy, the Complaints Manager will look investigate the complaint.
- 2.10 Each stage 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.

Advocacy

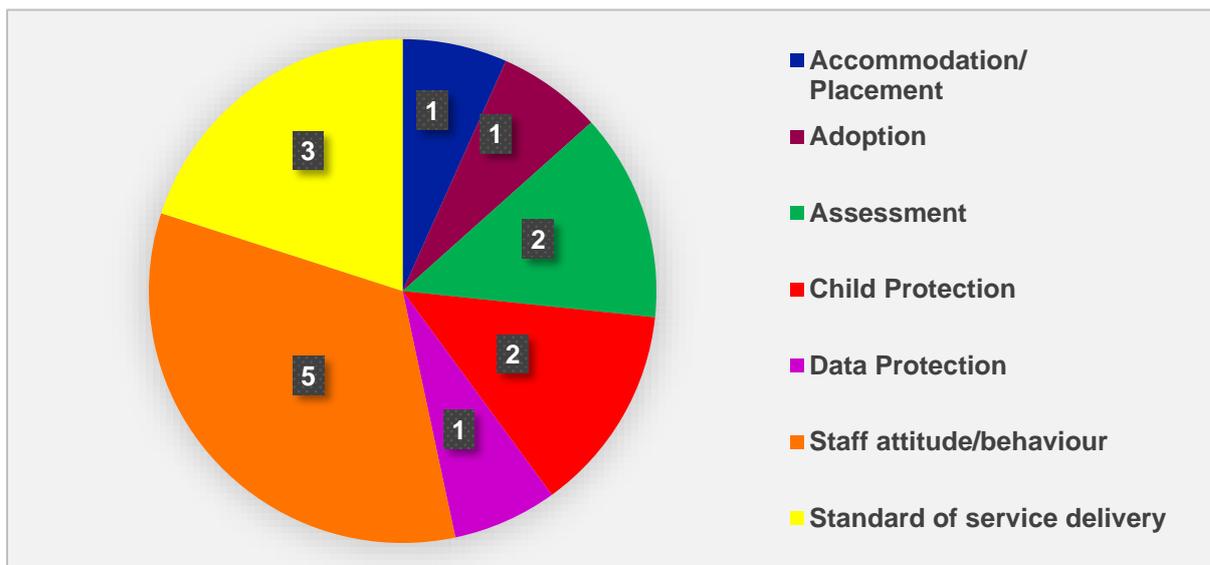
- 2.11 We observe best practice, in line with 'Getting the best from complaints'. The Team provide children and young people with information about advocacy services and offer them help to obtain an advocate. Advocacy can be provided by friends, relatives, advocacy groups or legal representatives.

Local Government and Social Care Ombudsman

- 2.12 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 complaints process.

3. PERFORMANCE OVERVIEW

- 3.1 This section of the report provides an overview of complaints activity across Family Services. As a backdrop, it is important to note that the Team has not had a consistent or stable workforce (including in its management) in the preceding 12-18 months, this has resulted in a differing approach in how complaints are categorised and how outcomes are recorded. This is an area of focus for the coming 12 months.
- 3.2 From April 2017 to March 2018 the Team recorded 15 complaints about Family Services, of which 8 were non-statutory.
- 3.3 The chart below shows the distribution of these complaints and the category that they were recorded under.



- 3.4 There has been a small increase in the number of complaints about adoption, assessments and child protection. There has only been 1 complaint in relation accommodation/placement, compared with 5 and 3 respectively during 2016/2017. In comparison there were no complaints about contact/communication compared to 3 in 2016/2017. Most significantly, complaints regarding staff attitude/behaviour have reduced by 63% since 2016/2017.

Outcome of complaints

Stage 1

- 3.5 Of the 15 complaints, 2 were upheld or partly upheld. In these cases, the Department offered apologies as in both cases it was identified that information was not communicated clearly or at the time of the event.

Stage 2 and 3

- 3.6 Of the 15 Stage 1 complaints that were received in 2017/18, 3 complaints were accepted at Stage 2. 1 was not upheld and the other two are open and being investigated with a view to being concluded by the end of June 2018.

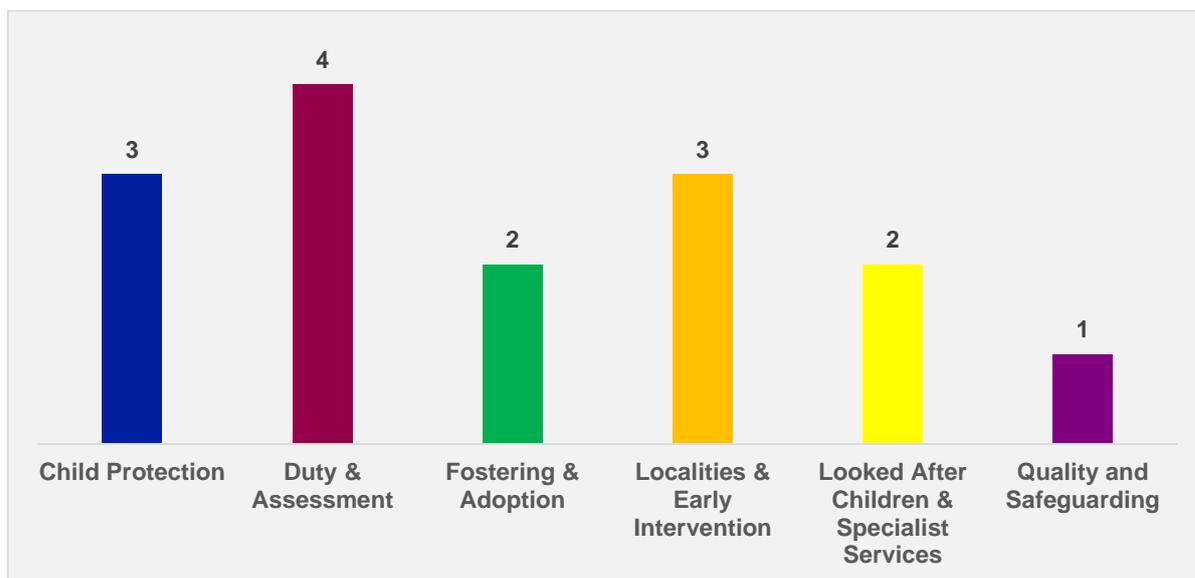
Local Government and Social Care Ombudsman

- 3.7 If the complainant is not satisfied with the outcome of their complaint, they have the right to take their complaint to the LGSCO.
- 3.8 The Ombudsman's published report is due in July 2018 and will confirm the total number of enquiries and decisions taken.

4. SERVICE LEVEL ANALYSIS

- 4.1 Before presenting the distribution of complaints at service level, it is important to explain that complaints regarding services vary in nature and a number of the issues complained about span across different categories. For example, one complainant may be unhappy about the quality or frequency of communication and also the content of a Family Assessment. The complaint will be categorised by the theme which forms the majority of the complaint.

4.2 With the exception of the Children with Disabilities Team who had no complaints, below is the distribution and volume of complaints against Service Areas within Family Services.



4.3 Most teams have seen a decline in the number of complaints received. Child Protection and Duty & Assessment teams have had similar volumes of complaints whilst Localities & Early Intervention and the Looked After Children & Specialist Services have seen 83% and 71% less complaints since 2016/2017.

4.4 The Fostering & Adoption Team has received 2 complaints in 2017/2018 compared to none in the previous year. It is difficult to provide accurate and meaningful analysis for the cause of this increase due to the low numbers.

Service Level Performance

4.5 3 complaints regarding Child Protection were received during 2017/2018. The cause for complaint is detailed below:

| Complaint description | Number |
|------------------------------|----------|
| Assessment | 2 |
| Staff attitude and behaviour | 1 |
| Total | 3 |

4.6 The Duty and Assessment Team received 4 complaints and the reason for the complaint is shown below:

| Complaint description | Number |
|------------------------------|----------|
| Standard of service delivery | 1 |
| Staff attitude and behaviour | 3 |
| Total | 4 |

4.7 Fostering & Adoption Team had 2 complaints, one was relating to staff attitude/behaviour and the other about inappropriate action taken

4.8 Localities and Early Intervention received 3 complaints

| Complaint description | Number |
|------------------------------|----------|
| Standard of service delivery | 2 |
| Staff attitude and behaviour | 1 |
| Total | 3 |

- 4.9 Of the 2 complaints received regarding Looked After Children and Specialist Services, 1 related to an accommodation and placement issue, the other to child protection procedures.
- 4.10 There was 1 complaint about Quality Assurance and Safeguarding in relation to the failure to notice a school pupil had left the school premises during school hours.

5. REPRESENTATIONS

- 5.1 In addition to formal statutory complaints, the Team can receive requests for clarity on policies, guidance or working practice, which require a formal response from the Council. Whilst these are not recorded by category, the Team received 6 representations in 2017/2018.

6. COMPLIMENTS

- 6.1 Children's Services welcomes compliments from its users. Compliments are a reflection of customers receiving a positive and helpful service. They act as an indicator of good practices to embed in casework and give staff encouragement to continue delivering service of the highest standard.
- 6.2 During 2017/2018, 21 compliments were sent to the Customer Relationship Team. A list of the compliments about Family Services is detailed in Appendix 1 and those for SEND teams in Appendix 2.

| Team | Number |
|----------------------------------|-----------|
| Special Educational Needs | 15 |
| Looked After Children | 2 |
| Children with Disabilities | 2 |
| Travel Care and Support Team | 1 |
| London Asylum Seekers Consortium | 1 |
| Total | 21 |

In addition to these compliments, during Practice week in March 2018 the Senior Leadership Team made contact with current service users. Below is some anonymous positive feedback received across different service areas which is a direct reflection of the positive impact that staff have had on the families they are/have worked with.

- *"Not what I was expecting and didn't really know what to expect but it was more than expected. I'm very thankful. I know she was just doing her job but it was the way she treated me – she didn't have to do that. Right down to waiting for me to go and buy juice and even offering to go and get juice for me. I am so thankful."*
- *"If I have any problem he tries to help. If you need anything, or are worried about anything he tries to help me."*
- *"She was very interested in me, keeps in regular contact and cared about us. She has taken the time to get to know us as a family and has been responsive to our requests for support."*

7. RESPONSE TIMES

- 7.1 During this reporting year, Children's Services responded to 83% of Stage 1 complaints within the specified timescales, compared with 74% in 2016/17.
- 7.2 Whilst there has been some improvement in overall response rate since 2016/2017, this has been limited due to a period of significant challenges, due in the main to staff secondments to support the Grenfell Tower response from June 2017.
- 7.3 The table below summarise the number of complaints responded to at Stage 1 of the procedure and demonstrates how compliance has improved since 2015/2016.

Stage 1

| Response | 2017/18 | 2016/17 |
|------------------------------|------------|------------|
| Within 10 days | 7 | 11 |
| Between 10 and 20 days | 5 | 6 |
| Outside of timescale | 3 | 6 |
| Total | 15 | 23 |
| Overall response rate | 80% | 74% |

Stage 2 and 3

- 7.4 3 complaints were escalated to Stage 2 of which 2 remain under investigation but within timescale and 1 is overdue, caused by a delay in the investigation.

Improving Response Rates

- 7.5 Significant work had been undertaken by the Team to clear a backlog of unresolved cases which comprised of over 30 overdue Subject Access Requests, 300 Disclosure Requests and 5 overdue Stage 2 complaints across the Tri-Borough. Since December 2017, there has been a commitment to address inconsistent performance regarding timeliness and quality of responses; and to recruit staff to ensure that compliance with timescales improves.

8. LEARNING AND ACTION TAKEN FROM COMPLAINTS

- 8.1 Learning from complaints is an important part of the ethos in Children's Services. Managers responding to complaints are encouraged to identify any shortcomings within the service and to inform the resident of any actions which will be taken to prevent recurrence as part of their response.
- 8.2 What seems to have been successful this year is the emphasis placed on building and maintaining relationships with the people we work with, into the complaints process. Every complaint is now responded to with an offer of a face-to-face meeting with a Manager or Head of Service.
- 8.3 Following previous feedback, if a written response is required Services consult with the Customer Relationship Team to produce a communication which is not defensive in tone and has a therapeutic component. This approach has seen matters de-escalate earlier, complainants more often feeling listened to and acknowledged than they have done before.

- 8.4 There has also been a focus on identifying learning from complaints that have not been upheld. For example, there is an opportunity to improve the information we provide about our services, particularly about the different ways that people receive information and the importance of still offering leaflets rather than relying on electronic communication.
- 8.5 On completion of Stage 2 investigations, the Customer Relationship Team liaise with the relevant Heads of Service to ensure that recommendations resulting from the investigations are implemented, that learning is recorded and complainants are updated where necessary. The same process is followed for any recommendations that arise from Stage Three Review Panels. In addition, the Director of Family Services offers to meet with any Stage 2/3 complainant if their complaint is upheld or partially upheld.
- 8.6 There was one service level change made as a result of a complaint.

| Recommendation from complaint | Service level response |
|---|---|
| Internal procedures put into place to ensure data breach does not occur and the management of any future breaches are better handled. | Internal procedures put into place, data protection and breach training and better management of informing customers of data breaches and what action is being taken. |

9. PLANNED DEVELOPMENTS FOR 2018/19

- 9.1 The main priorities for the Customer Relationship Team over the next 12 months are as follows:
1. To transition the contracted workforce into a permanent one, enabling a more consistent and stable workforce which has a positive impact on the customer complaint journey.
 2. To provide training and development to the permanent workforce which will lead to increased knowledge and consistency in the recording and categorisation of complaints. This will be done through:
 - *Case discussions*
 - *Peer led mentoring*
 - *Performance management through completion of monthly case audits*
 3. To increase the customer focus of the team and ensure a consistent approach to how enquiries are categorised and outcomes are recorded so that reports are more meaningful and reflective of the complaints received.
 4. To improve compliance with timescales in responding to complaints, by
 - *Drafting responses and meeting with Team or Service Manager to finalise complaint response letters*
 5. To develop stronger and more effective working relationships with social workers, managers and senior staff by attending Team meetings and delivering practical workshops that are tailored to the Localities to help improve complaint responses.
 6. Collating information, investigating complaints and having discussions to improve the quality of responses which will be achieved by
 - working collaboratively with the relevant Team to draft responses which are thorough, robust and well-balanced

- attending resolution meetings to provide an impartial view and ensure these are focused on practical ways to improve relationships and practice
- identifying service or customer-led improvement opportunities and making recommendations to address these

7. To continue to promote the complaints service across the department by

- *Attending Director and Head of Service meetings regularly to discuss volumes and trends*
- *Providing advice on complaints to Locality teams when working across sites*
- *build stronger working partnerships to ensure engagement with the complaints process*

8. To identify areas of strength and development and record these so that they can be shared with the Service and Quality Assurance team with the aim of influencing changes that meet the needs of service users.

9. To ensure service improvement using the recommendations agreed from Stage 2 and Stage 3 complaints and evidence how this has contributed to changes in practice by:

- *Meeting regularly with the Quality Assurance Manager to discuss learning and improvement opportunities*
- *Reviewing recommendations and working with Teams to ensure case specific and service-wide commitments to change in approach, practice or process is completed and improves service delivery*

APPENDIX 1 – COMPLIMENTS FOR FAMILY SERVICES

Between April 2017 and March 2018, Family Services received 4 compliments.

“It has been a pleasure for us at Earthsea to work in partnership with Westminster, and rest assured that you have set a high standard for our experiences of Local Authorities. Please accept our sincere gratitude for your professionalism and expertise throughout our journey together, and here's hoping we get the opportunity to work with Westminster again at some point in the future.”

“Dear V, thank you very much for everything you have done for me. I don't know what I'd do without you. You have changed my life and helped me get through everything.”

“That man's a legend! He's the only person in this building who is liked by all of my family and we'd be really sad if he was to leave. He also went on to say how he thought P was 'on my level' and how friendly he was. Well done P! Keep up the good work!!”

“This is A P S, one of your young person with Westminster City Council. First of all, this is from the depth of my heart thank you so much for supporting me and making me able to handle situations.

I really do appreciate for the support from you guys. Really and especially thanks to F, she is one of the best ever social workers. I love my social worker. I can say today what I am is only because of F and their support.”

Appendix 2 – SPECIAL EDUCATIONAL NEEDS and DISABILITIES

1. SUMMARY of COMPLAINTS

- 1.1 Between April 2017 and March 2018, the team received 12 complaints regarding the Council's Special Educational Needs and Disabilities Team.
- 1.2 67% of complaints were responded to within 10 working days as specified in the Council's complaints procedure.
- 1.3 Of the 15 complaints received, only 1 was accepted at Stage 2 before April 2018, thus 83% of them were resolved at Stage 1.
- 1.4 The table below shows that a delay in delivering a service represented 33% of complaints

| Cause of complaint | Number |
|---|-----------|
| Delay in delivering a service/making a decision | 4 |
| Incorrect/Unreasonable decision | 3 |
| Failure/Refusal in delivering a service or decision | 2 |
| Poor/Lack of customer care | 1 |
| Information unclear/Lack of quality | 2 |
| Total | 12 |

- 1.5 1 of the 12 corporate complaints received escalated to Stage 2. This complaint is in relation to a delay in transitioning to an EHC Plan and the child's needs not being appropriately assessed.
- 1.6 Of the 12 complaints, 42% were either upheld or partly upheld which shows that the Service accepted that failings had been identified.
- 1.7 Delays in delivering a service or making a decision were predominantly attributed to a delay in finalising an EHC Plan or completing an Annual Review on time. Complaints about an unreasonable decision often referred to the Local Authority not placing enough weight on the child's needs when making a decision.
- 1.8 The SEND service has accepted that there were opportunities for improvement and has recruited more permanent staff to support families. This has had a positive effect on completing an EHCP on time and also helped to respond to complaints on time. It also recognises that timely decisions need to be made in consultation with social care and health care teams.

2. COMPLIMENTS

- 2.1 From April 2017 to March 2018, the team received 15 compliments regarding SEND staff and services. This shows that 20% more compliments are received compared to the number of complaints.

| Category | Number |
|-------------------------------------|-----------|
| Efficient organisation/management | 4 |
| Quality of support | 4 |
| Quality of overall service | 3 |
| Quality of communication/engagement | 2 |
| General satisfaction | 2 |
| Total | 15 |

2.2 A number of compliments particularly about the quality of service are presented below

“T is a perfect match for (T)! He's very personable, charismatic, extremely skilled in his unique teaching approach and method... He also uses emails to communicate, save, send exerts from his class with (T) for her to consolidate, develop her understanding of content used. Thank you soooOOOOOOooooo much for funding this amazing musical experience for (T).”

“J has recently taken on the role as our SEN Key Worker after a period of some months with a vacant position, during which time we could not make contact with anyone on the SEN team, resulting in frustration for school staff and parents, and concerns about the provision being provided for vulnerable children. Since J has taken on the role she has worked hard to ‘pick up the pieces’, addressing the backlog of issues and helping us to move forwards. Most importantly she has communicated at every stage with school and parents, which is the biggest issue. This has been much appreciated and I want to congratulate you on a great addition to the team. I hope this becomes a permanent appointment as I feel she is an asset to the SEN Department and has been very effective.”

“I have just spoken with a parent, Ms A, and she wanted me to know how very helpful and responsive you had been recently, following her significant concern regarding OT for her son. She repeated several times that she very much appreciated you responding to her call, sorting the issue out, and calling her back twice when you said you would. Thank you for this excellent example of customer care”.

“We are so pleased for J and his family. Thank you for all the support ... this wouldn't have happened without your persistence (J), thank you for not giving up!”

“Dear J, I just wanted to send you an email to thank you so much for arranging the meeting today & for your support in the rewriting of the draft EHCP to accurately reflect J's needs. It was lovely to meet you & I look forward to hearing from you in the coming weeks once the panel meeting has taken place”