

CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE

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COMPLAINTS AND COMPLIMENTS ANNUAL REPORT APRIL 2015 TO MARCH 2016

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Summary

The annual report provides information on children's social care complaints handled during 2015–2016, and includes the numbers received and the types of issues raised. It also highlights some examples of the many positive things people have said about the provision of children's social care in Medway over the same period, and the service improvements we have made as a result.

1. Budget and Policy Framework

- 1.1 The Children Act 1989 Representations Procedure (England) Regulations 2006 requires local authorities to have in place procedures for dealing with complaints relating to children's social care complaints from children, young people and others.
- 1.2 There is a further statutory requirement to produce and publish an annual report specifying the number of complaints received, the number of complaints which the Council decided were well-founded, and the number of complaints that the Council has been informed have been referred to the Local Government Ombudsman (LGO).
- 1.3 In accordance with the council's constitution, paragraph 21.2 (b) of the Overview and Scrutiny rules (chapter 4), this committee is responsible for the review and scrutiny of children's services.

2. Background

- 2.1 The Children Act 1989 defines the representations procedure as being for representations, including complaints, made by children and young people. It also applies to parents, foster carers and other adults making a complaint about services to a child or young person.
- 2.2 The Children Act 1989 Representations Procedure (England) Regulations 2006 and the statutory guidance "Getting the Best from Complaints" describes a procedure for a child or young person who is likely to want to make representations, including complaints, about the actions, decisions or apparent failings of a local authority's children's social services provision; and to allow any other appropriate person to act on behalf of the child or young person concerned or make a complaint in their own right.
- 2.3 The guidance is also about making sure that vulnerable children and young people get the help they need, when they need it, however large or small their complaint.
- 2.4 A complaint is defined in the guidance as an expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response. Children and young people often express complaints as 'problems not being sorted out'. A common theme amongst children and young people is the need for complaints procedures to be both timely and effective: complaints procedures should 'get it sorted' straight away. The focus of the complaints process should be on getting the best for both individuals and services; every complaint should be seen as an opportunity to improve services.
- 2.5 The local authority should ensure that it responds to the issues raised, setting out what action should be taken. Local authorities should make children and young people aware of how they may make representations to the local authority and that they do not have to be complaints. The child or young person has the same right to advocacy whether the representation is a complaint or not. When the representation is a concern but not a complaint and the local authority fails to respond to the child or young person's satisfaction, they will then be entitled to make a complaint at Stage 1 about this failure.
- 2.6 Section 26(3) and section 24D of the Children Act, 1989 and section 3(1) of the Adoption and Children Act, 2002 require the responsible authority to consider representations including complaints made to it by:
 - any child or young person (or a parent or someone who has parental responsibility) who is being looked after by the local authority or is not looked after by them but is in need;
 - any local authority foster carer (including those caring for children placed through independent fostering agencies);
 - children leaving care;
 - Special Guardians; a child or young person (or parent of theirs) to whom a Special Guardian order is in force;
 - any person who has applied for an assessment under section 14F(3) or (4);
 - any child or young person who may be adopted, their parents and guardians;
 - persons wishing to adopt a child;

- any other person whom arrangements for the provision of adoption services extend;
- adopted persons, their parents, natural parents and former guardians;
- and such other person as the local authority consider have a sufficient interest in the child or young person's welfare to warrant his/her representations being considered by them.

2.7 Where a complaint is received from a representative acting on behalf of a child or young person, the local authority should normally confirm, where possible, that the child or young person is happy for this to happen and that the response to the complaint reflects his or her view.

2.8 Good complaint handling matters because it is an important way of ensuring that service users and customers receive the service they are entitled to expect. They are a valuable source of feedback for the organisation; they provide an audit trail and can be an early warning of failures in service delivery.

3. Managing Complaints

3.1 Medway Council's complaint arrangements focus on achieving the best possible outcomes for those making a complaint. The aim is to give the service user answers or an explanation to help them to understand what happened and, where appropriate, an apology and a commitment to change the way things are done. The objective is to provide reassurance that when a complaint is upheld the errors made will not be replicated either to them, or to anyone else, and that the Council will take action to ensure this.

3.2 The statutory complaints procedure has three stages.

- **Stage 1** – Any new complaint is first considered by staff at the point of service delivery with the aim of putting right any problem or mistake that may have occurred. Some complaints are complex and an advocate or interpreter may be required to make sure we understand all the aspects and in these cases it may take longer for us to respond. Wherever possible we try to respond within 10 working days, however if the complaint is more complex then the guidance allows us to respond within 20 working days. If the person complaining is unhappy with the outcome at this stage they may request that their complaint is considered at stage two of the complaints procedure. We aim to address, as far as possible, all concerns at this initial stage.
- **Stage 2** – At this stage an Independent Investigating Officer, who has not previously been involved in the case, and an Independent Person, who does not work for the council, undertake an investigation into the complaint. Both the Independent Person and the Independent Investigating Officer write separate reports, which are sent to the Assistant Director, Children's Social Care, who writes to the complainant, setting out the findings of the stage two investigation. The overall statutory timescale to reply to stage two complaints is 25-65 working days.
- **Stage 3** – If the complainant remains unhappy with the outcome of the stage two investigation they can request that their complaint is reviewed by a review panel. The panel consists of three independent people, who do not work for the council and who have not previously been involved in the complaint. The

panel looks at how the complaint was handled and the conclusions reached. The panel presents its findings to the Director of Children and Adults Services, who then writes to the complainant setting out the panel's findings.

3.3 The statutory timescales for the stage three process are:

- Review Panel is required to meet within 30 working days of a complainant's request to go to stage three.
- The panel is required to produce its findings within 5 working days of the meeting
- The Director of Children and Adults Services is required to write to the complainant within 15 working days of receiving the panel's decision.

3.4 If the complainant is still unhappy after stage three, they can contact the Local Government Ombudsman (LGO). The LGO will look at how we have dealt with the complaint and consider how reasonable and appropriate our decisions were.

4. The role of the Role of the Local Government Ombudsman

4.1 The Local Government Ombudsman's role is to provide redress in cases of service failure, which has caused injustice to the public and seeks to resolve cases informally where it can, determining the reasonableness of decisions of bodies being complained about. It is a free service to the complainant.

4.2 The Local Government Ombudsman's recommendations aim to put complainants back in the position they were in before the maladministration occurred.

5. Complaint Analysis: 1 April 2015 to 31 March 2016

5.1 The headline figures for Stage 1 complaints:

Complaints brought forward from 2014-2015	28
Complaints received	157
Complaints closed	159
Number of complaints withdrawn	2
Complaints dealt with within 10 days	33
Open complaints still waiting for a response (at 31.3.16)	24

5.2 Monthly breakdown of Stage 1 complaints received from 01/04/15 to 31/03/16

	April	May	June	Q.1	July	Aug	Sep	Q.2	Oct	Nov	Dec	Q.3	Jan	Feb	Mar	Q4	Total
Complaints carried over from 2014-2015	28																
Total complaints received	13	11	13	37	13	10	18	41	14	9	13	36	15	23	5	43	157
Total complaints closed	14	15	8	37	10	15	18	43	8	15	6	29	6	28	16	50	159
Total number of complaints withdrawn	0	0	1	1	1	0	0	1	0	0	0	0	0	0	0	0	2
Total complaints dealt with within 10 days	2	7	4	13	2	2	3	7	1	2	4	7	1	4	1	6	33
% of complaints dealt with within 10 days	14%	47%	50%	35%	20%	13%	17%	16%	13%	13%	67%	24%	17%	14%	6%	12%	21%
% of complaints acknowledged within 3 days	100%	100%	100%	100%	100%	80%	83%	88%	86%	89%	77%	84%	80%	96%	100%	92%	90%
Total number of complaints not responded to at end of the quarter				28				25				31				24	

5.3 The total number of new complaints for 2015-2016 was 157, an increase of 24 (18%) when compared with the previous year. In 2014-15 we received 133 complaints, a 10% increase from the 121 complaints received in 2013-2014. In 2012-13 82 new complaints were received.

5.4 Some of the increase in the number of complaints will be accounted for by the improved publicity on the council's website, the new children's complaints leaflets and greater awareness of all staff in children's services about ensuring that children and young people, and their parents, are aware of how to complain.

5.5 The total number of complaints handled in 2015-2016 was 185; this consisted of the 157 new complaints and 28 complaints carried forward from 2014-15.

5.6 There were 28 complaints carried over to 2015-2016 as compared with 24 which were carried over to 2016-2017.

5.7 Nine complaints were received from looked after children and care leavers, as compared with ten in 2014-2015, fifteen complaints in 2013-2014, ten in 2012-13 and five in 2011-2012. Children's services have taken several actions to ensure that children know how to complain and to ensure that they are referred to the advocacy service to support them in making a complaint. One complaint was received from a child in need.

- 5.8 Seven complaints were received from foster carers; five of these were from connected carers.
- 5.9 Three complaints were received from adoptive parents and three from relatives who had applied for special guardianship.
- 5.10 There were 134 complaints received from parents and concerned relatives.
- 5.11 A head teacher made a complaint on behalf of a family.
- 5.12 Twenty complainants (12.5%) were unhappy with their stage one response; six of these resulted in a stage two investigation. This compares with four stage two investigations undertaken in 2014-2015, two in 2013-14, one in 2012-13 and two in 2011-2012.
- 5.13 Seventeen complainants made more than one complaint, compared with seven in 2014-2015.
- Nine complainants made two complaints
 - Four complainants made three complaints
 - Three complainants made four complaints
 - One complainant made six complaints.
- The Children's Services Management Team have agreed that if a complainant continues to complain then a manager will arrange to see the complainant to try to resolve the issues that are causing them to complain.

5.14 Number of new stage 1 complaints received in 2015-2016, by service

Service	No. of Complaints
Assessment and Duty	47
Looked After Children and Proceedings	54
Disabled Children (0-25)	8
Child Protection & Child n Need	45
Fostering	2
Adoption	2
Independent Reviewing Service	4
Partnership and Commissioning	1
TOTAL	163*

*This number is greater than the 157 complaints received in 2015-2016 as one complaint can involve more than one team.

- 5.15 In 2015-2016 the number of complaints involving the Independent Reviewing Team decreased from seven received in 2014-2015 to four received this year. Complaints involving the Children's Assessment and Duty Team increased from 38 received in 2014-2014 to 47 received this year. It is difficult to compare the figures for the Child in Need/ Child Protection Team and the Looked After/ Proceedings Team as the teams re-organised in 2014-2015. However there was an overall increase in complaints in 2015-2016, apart from complaints received from Looked after Children which decreased.
- 5.16 Children, young people and their parents and carers accessed the complaints procedure in several different ways:
- 60 complaints were sent to the social care complaints manager by e-mail
 - 33 complainants came into Gun Wharf to see the social care complaints manager; one was visited at home as she had a disability
 - 28 complainants posted a letter to the social care complaints manager
 - 18 complaints phoned the social care complaints manager
 - 12 complaints e-mailed via Lagan.
 - 1 complainant phoned the social care complaints manager and also sent in an e-mail
 - 1 complainant completed the complaints form on the council's website
 - 1 complainant texted a complaint to the social care complaints manger

5.17 Ethnicity of complainants

Asian/British Indian	5
Black/ Black British/Caribbean	6
White/Any Other White Background	33
White/British	81
Information not held	32
Total	157

5.18 Outcomes of complaints responded to at stage one

Complaint type	Not Upheld	Partially Upheld	Upheld	Total
Behaviour/attitude of staff	31	1	9	41
Behaviour of an independent reviewing officer	2	0	0	2
Lack of support	7	1	5	13
Contact arrangements	7	2	5	14
Delays in assessments/court report	5	0	4	9
Delays in making decisions	0	2	0	2
Delays in providing a service	0	0	1	1
Not providing a service	12	0	2	14
Complaints about a service	8	1	3	12
Social worker not visiting as per procedures	0	0	3	3
Foster carer not receiving correct payment.	0	1	0	1
Looked after child not receiving savings from pocket money/ leaving care grant.	3	0	0	3
Complaints about foster carers	1	0	0	1
Lack of communication	18	2	18	38
Lack of information	0	0	1	1
Disagreeing with an assessment	13	2	0	15
Disagreeing with a decision	17	2	0	19
Incorrect information in a report or an assessment	3	0	6	9
Number of changes of social worker	2	0	2	4
Request to change social worker	12	0	2	14
Breach of confidentiality	4	0	4	8
Fathers not included in an assessment	0	0	3	3
Excluded from meetings	5	0	0	5
Total	150	14	68	232

*The totals below differ from the total number of 157 complaints as complainants may have more than one issue they wish to complain about.

5.19 There were 68 (29%) complaint issues which were upheld and 14 (6%) which were partially upheld. This compares with 67 (36%) upheld and 45 (24%) partially upheld in 2014-2015. 5.20 There were 41 complaints about the

attitude and behaviour of social workers compared with thirty in 2014-2015. However only nine of these complaints were upheld and one partially upheld as compared with ten upheld and eight partially upheld in 2014-2015.

5.20 There were 18 complaints about a lack of communication which upheld and two partially upheld as compared with 20 upheld and two partially upheld in 2014-2015.

6. Timeliness of Responses to Stage One Complaints

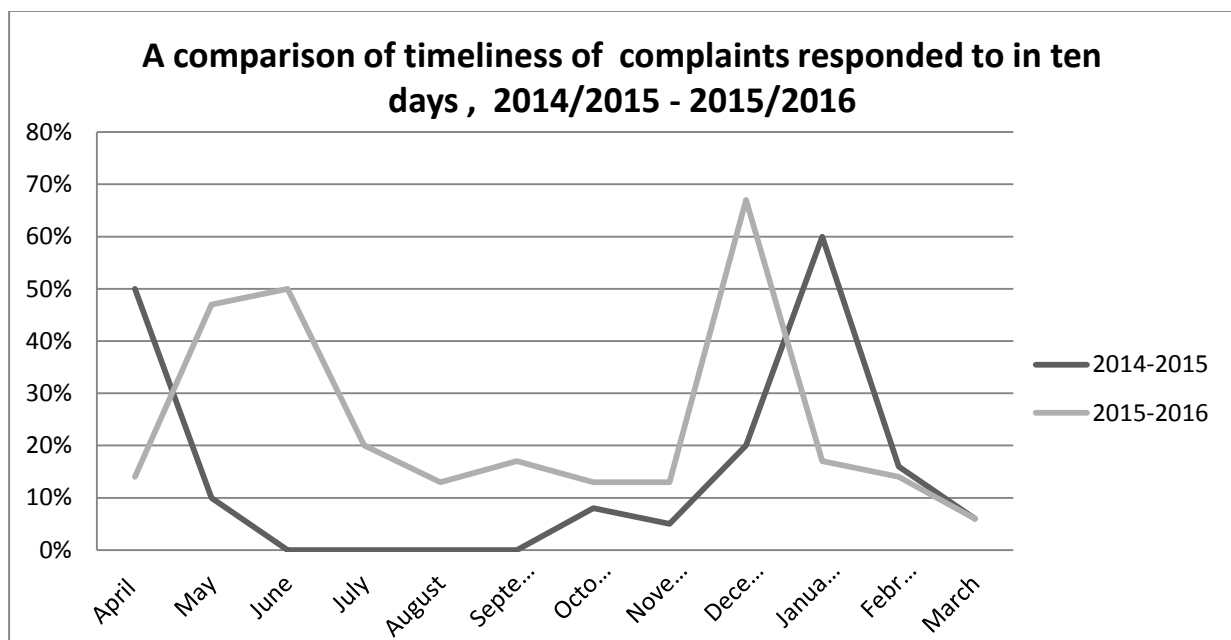
6.1 The statutory timescales in working days for the procedures are set out in paragraph 3.2 above.

6.2 The Council aims to deal with complaints as quickly and as comprehensively as possible. Sometimes the Council is not able to issue responses to the complainant within the statutory timescale of ten working days because the complaint is complicated or may need dialogue across multiple service areas. Service users have advised the Council that the most important thing to them is to be kept informed about what is happening and to receive a comprehensive response. Therefore the Council always makes contact to explain the reason for the delay and confirm when they will receive a response.

6.3 Time taken to answer stage one complaints in 2015-2016.

Reply sent	Within 10 days	11 to 20 days	21 to 25 days	26 to 65 days	More than 65 days	Total
Stage 1	33	44	11	36	35	159
Percentage	21%	29%	7%	22%	21%	100%

6.4 In the last quarter the teams worked hard to respond to outstanding complaints. This resulted in a reduced percentage of complaints responded to within ten working days in the last quarter of 2015-2016.



6.5 Comparison of number of complaints responded to in 20 days.

	2013-2014	2014-2015	2015-2016
Number of complaints answered in 20 working days	71	41	77
Percentage of complaints responded to in 20 working days	63%	35%	50%

- 6.6 Stage one investigations should be completed within ten working days; however the timescale can be extended to twenty working days for more complex complaints. There has been an improvement in the number of complaints responded to within 20 working days in 2015-2016 compared with last year and on a higher volume.

7. Stage two investigations

7.1 Six stage two investigations were concluded in 2015-2016.

- i. A paternal grandmother complained about the way her grandson was removed from her care after the police placed him with her under police protection. The stage two investigation concluded that although there is a very tight timeline of 72 hours to make decisions no attempts were made to trace the child's father to obtain his views as to where the child should live while assessments were carried out. The mother would only agree to Child B being looked after if he went to live with her parents. Arrangements were made for the maternal grandfather to fetch Child B without informing the paternal grandmother. There was no time to prepare Child B for the move which took place at dinner time. There was very poor communication with the paternal grandmother, who was B's carer at the time.

The lessons to be learnt in this case were:

- The importance of ensuring that non-resident fathers' views are taken into account
 - Children are well prepared for any changes in their placement.
 - Managers must ensure that social workers understand the reasons for making a decision and are able to explain this to the parents.
- ii. Child B's father complained about sixteen issues, mainly about the social worker being defensive, a lack of communication, that contact with his son had not been arranged and that he was not kept informed about the plans for his son. He disagreed with the assessment of his parenting skills. The stage two investigation found that there was poor practice and poor communication with the father. Nine issues were upheld, one was partially upheld and six were not upheld.

The lessons learnt were:

- Non resident fathers must be kept informed about the plans for their children.
 - There should be a looked after review to make the decision that a child is no longer looked after and to develop a child in need plan.
 - Both parents should receive copies of any reports or written agreements concerning their child.
- iii. A grandfather, Mr Z, acting on behalf of his daughter-in-law, complained about the attitude of the social worker. He also complained that the social worker forgot her ID badge, the child's name was incorrect in the assessment and he did not agree with most of the child and family assessment. Five out of twenty complaint issues were upheld, namely the social worker left her ID badge at home, the father's ethnicity was not recorded in the child and family assessment, the date of the child's heart surgery was incorrect, one twin was wrongly called by his twin's name. The lesson to be learnt from this stage two investigation is that social workers must ensure that all personal information is correct in Framework-i and in all assessments. The grandfather and the parents were still dissatisfied with the outcome of the stage two investigation and requested that a stage three panel should review their complaint.
- iv. A father, who had initiated divorce proceedings, complained that he was not listened to, that the child and family assessment was very biased towards his wife. He complained that the social worker had recorded in the child and family assessment that he had been charged with an offence against his wife when in fact his wife withdrew the allegation. He also complained about the delay in answering his stage one complaint. The findings were that five of his complaints were upheld, four were partially upheld. The lessons learnt are that social workers need to be clear when they are reporting factual evidence or someone else's opinion. This is particularly important when there is an acrimonious relationship between the parents. This information was provided by the wife and was factually incorrect. The father was offered compensation for the unacceptable delay in answering his stage one complaint and for the distress he suffered as a result of the incorrect statement.
- v. A mother, Mrs D, complained about the attitude and behaviour of the social worker and disagreed with her analysis of the risks to the children. There were concerns about sexual abuse between the two eldest sons and between the one son and the seven year old daughter. The mother complained that the social worker bullied her son causing him anxiety, that there was a lack of communication, that the social worker lied about numerous issues, that the social worker had a vendetta against the mother and that there were no grounds to initiate the care proceedings. Out of fourteen complaints two were upheld. The one complaint that was upheld was a serious one as the initial statement to court stated that the mother was sexually abused by her father Mr C, who is her adoptive father. In fact it was her birth father who sexually abused her. This information was corrected in court and Mr C received an apology in court and in writing from Medway Council. If checks had been made with the police this mistake would not have occurred. Mrs D was not happy with the outcome of the stage two investigation and requested that a stage three panel reviewed her complaint.

- vi. Grandparents, who had looked after their granddaughter for 30 months and their grandson for eighteen months, complained about the length of time they had to wait for the payment of a connected carers maintenance grant and about the long delay in assessing them as connected carers. They also complained about lack of clarity about the role of a connected carer due to the delay in allocating a fostering social worker. They were very distressed that the long permanent plan for their granddaughter was changed from living with them under a special guardianship order to returning to live with her father. The stage two investigation found that there were unacceptable delays in paying the grandparents and in assessing them as connected carers. There was a delay in allocating a fostering social worker. Eight complaints were upheld, five partially upheld and thirteen were not upheld. Since this complaint more social workers have been appointed to the fostering team. The team has improved the way they provide information to connected carers. The grandparents received an apology and Medway Council agreed to pay for their consultation with a solicitor. Following the final hearing at the court the grandparents were awarded Special Guardianship for both children.

8. Stage three review panels

- 8.1 Two complainants requested a stage three panel in 2015 -2016 compared with one the previous year.
- 8.2 Following the review panel in respect of Mrs. D's complaints the outcome of the panel was that the social worker did not offer Mrs. D appropriate advice and this complaint was upheld by the panel. The Director of Children and Adult Services apologised to Mrs. D about the incorrect information in a statement to court and for the delays in commencing court proceedings. There is now a robust system in place to ensure that delays in issuing court proceedings will not happen again.
- 8.3 The review panel in respect of Mr. Z concluded that the social worker did not give the parents sufficient explanations about the assessment process and the child protection conference. It was the view of the panel that more attention could have been paid to the mother's fear of losing the children. It should have been explained to her that the child protection conference could not make a decision to remove her children. The definitive stages involved in such a significant action had not been clarified with them. The Director of Children's and Adults Services apologised to the parents for any distress they had experienced and offered to reimburse their travel costs to meetings.

9. LOCAL GOVERNMENT OMBUDSMAN

- 9.1 There were six referrals to the Local Government Ombudsman between 1 April 2015 and 31 March 2016.
- 9.2 The outcomes of these referrals are as follows:
- Three referrals were referred back to Medway Council to complete the children's complaint procedures.
 - One complaint was out of timescale and not accepted by the Local Ombudsman.

- One complaint is still being investigated.
- The other complaint was from an adoptive couple who were unhappy with the information they were given about the child they chose to adopt. The adoptive placement broke down when it became clear that the child might have a life long disability. The Local Government Ombudsman upheld their complaint .This decision was based on the premise that had the parents been informed that the contact supervisor thought the child might be autistic, they would not have adopted the child. Medway Council apologised to the couple, stating that social workers had not realised the significance of the information as all professionals believed that the child’s behaviour during contact with his mother was a symptom of trauma. The couple were offered compensation for the expenses they had incurred in looking after the child. However the couple chose to make a claim against Medway Council.

10. LISTENING TO CHILDREN

10.1 Looked after children have told us what they want:

- To tell their story once
- For us to listen and take seriously what they say
- Understanding that it’s not easy to complain
- To be kept in touch with what is happening
- Their issues to be dealt with quickly but thoroughly

10.2 Medway Council commissions an advocacy service from Young Lives Foundation (YLF), which provides a service to assist children and young people in making complaints or to resolve concerns that they might have. During 2015-2016 two looked after children were supported to make a complaint by an advocate from the YLF.

10.3 The YLF has a team of nine experienced advocates based across Kent and Medway who are supported by an advocacy officer and advocacy manager. The model of the service and location of advocates allows advocates to support Medway local authority young people quickly and effectively wherever they are located across the county. YLF has access to telephone interpreters allowing the increasing population of young people who do not speak English as a first language to access the service and the YLF’s Freephone number was launched at the end of March 2016, allowing young people to contact the service from any landline or mobile number without incurring a charge.

10.4 Summary of Advocacy Activity

Total number of young people accessing the advocacy service	74
New advocacy referrals	68
Advocacy cases concluded	58

10.5 The number of referrals received by YLF increased in 2015-2016, with three times the number of young people referred in the last quarter compared to the first quarter. The promotion of the service to professionals working with young

people involved in the Child Protection process and Family Group Conference service has partly attributed to this increase.

10.6 Advocates have worked with some particularly vulnerable young people and have been able to achieve some very positive outcomes for individuals, such as young people moving to a placement of their preference, having the correct leaving care support reinstated and being able to express truthfully how they feel about family life in child protection conferences.

10.7 Of the young people referred to the advocacy service 76% were aged 15 years and younger, 18% were aged 16-18 and 6% were over 19 years old.

10.8 The following are examples of successful outcomes for young people:

- A young person was referred to the service for support at a Family Group Conference. The advocate met with the young person prior to the conference to discuss their wishes and feelings, and agree the level of support they would like from the advocate on the day of the conference. The young person expressed that they were worried and emotional about the meeting so the advocate agreed a plan of action, and advised the young person that they could take breaks at any time to help cope throughout the conference. Although the conference was emotional for the young person, having an independent voice in the process was beneficial to the young person who asserted their wishes and feelings and also came to understand why they were being 'cared for'. The young person felt empowered that their wishes and feelings were central to the Family Plan, and developed a greater understanding of the practicalities and considerations for the family and social services.
- A young person was referred to the service by the allocated social worker who had concerns that the young person was not able to express their wishes and feelings to social services due to the relationship between professionals and the family. An advocate was allocated to visit the young person face to face to build a rapport. The young person advised the advocate that they were feeling very unhappy at home and gave details of some events which were a safeguarding concern. The advocate raised a safeguarding concern to the social worker to ensure that all information had been noted and recorded and appropriate action could be taken. The young person's circumstances deteriorated very quickly and on one occasion the young person told the advocate they would not return home. The advocate raised the issues on behalf of the young person with social services and waited several hours into the evening with the distressed young person whilst a social worker made her way to collect the young person to be taken to an emergency placement. The young person went on to be transferred to a safe and appropriate placement which reduced the anxieties of the young person and attempts to self-harm. The advocate continued to stay in contact with the young person despite moving a considerable distance from their home and informed the social worker of the issues the young person needed support with. The young person was encouraged by the advocate to self-advocate and communicate directly with the social worker. The young person slowly became less reliant on the support of the advocate and the case was subsequently closed, with the

young person aware that the service is available should they need it in the future.

10.9 Issues complained about and outcomes of Looked After Children's complaints

- One complaint was from a looked after child who complained that his social worker had not arranged contact with his relatives and his friend. He complained that his social worker did not visit often enough and she didn't respond to his foster carer's e-mails. The outcome was that the social worker had visited within the statutory timeframe but the young person wanted more frequent visits. It was agreed that the social worker would agree the frequency of the visits with the young person. Contact has now been arranged with the young person's father and with his friend.
- A seventeen year old looked after child complained that he was let down by children's social care. He stated that he did not receive any help when he was "put out" by his mother. He left the Medway area as he wanted to get away from the wrong people. When he returned to Medway he was put in a hostel for adults who were "junkies and drunks". He was placed in foster care after the hostel was set on fire. He said he wanted to remain in foster care after he turned 18 years old in April 2015 as he wanted to go to college. His YOT (Youth Offending Team) worker also sent a supporting letter stating how well he was doing and how he would benefit from remaining in foster care. The outcome of this complaint was that the young person is still accommodated with foster carers and he is attending college.
- One complaint was from a young person who was looked after and who had not kept in touch with Medway Council. She complained that she had not received a leaving care allowance. The response was that she would now be assessed for a leaving care grant.
- A young person, who had been in care and is now at university, complained that she had not been offered financial support to visit her foster carers every week. She also complained that her financial support while she is at university was reduced because she had a part time job. The response agreed to pay for her to stay with the foster carers one weekend a month, but did not agree to change the amount that was paid to her to support her at university as she had part time employment. It was agreed that this would be reviewed if she stopped working.
- A care leaver complained about a lack of communication from his social worker who failed to return his telephone calls. He complained that he was homeless and that he had not received his money from his independent savings account. This complaint was not upheld as the social worker had made every effort to contact the care leaver. The social worker had offered him solutions to his housing problem, these solutions were rejected. The care leaver did not have any savings in an ISA account.
- A looked after child complained, through his advocate, that he was moved out of a placement where he was happy. He wanted to move back to the previous placement which Medway Council was no longer commissioning. He wanted to go to stage two as he was not happy that he could not return to the previous placement. The outcome was that the young person settled

in his new placement and withdrew his request for a stage two investigation. The advocate played a very helpful role in explaining why he had been moved from the previous placement.

- A looked after child was supported by an advocate to make a complaint. The young person complained about the lack of communication about his change of foster placement after the foster carers gave 28 days notice terminating the placement. He was confused about whether or not he would move as services had been put in to try to stabilise the placement. He was concerned that his savings would be lost. The complaint was upheld as he should have been kept informed by the foster carers and the social worker about the plan to try to work with the foster carers to enable him to remain in the placement. He was reassured that his savings were in an ISA.

10.10 Complaint from a child in need

- A young person, who was on a child protection plan, complained that her previous social worker was great but her present social worker did not visit her every two weeks and when she did visit she only stayed for five to ten minutes and she was not helpful. The young person received an apology as she had not been visited every two weeks. She was also allocated a new social worker.

11. COMPLIMENTS

11.1 The Council is proud to receive compliments and thanks from people who are satisfied with Council services and happy about the way in which the Council works with them. Six compliments about children's social care were received in 2015-2016 from service users, seven from Independent Reviewing Officers, two from solicitors, one from a judge and one from a health visitor. Two other compliments were from Medway Council staff members. Lessons can be learnt from what works well as they provide feedback as to which services and practices are effective.

11.2 Compliments about social workers from services users

- A mother e-mailed the following compliment:
"Just wanted to say that I have never gotten along with social workers but my daughter's social worker is a brilliant social worker and has really made me look beyond the stigma of social workers. I have a good working relationship with her and have a much brighter future with her. She is always pleasant and very positive so thank you for assigning me to her I could not thank the person who did anymore. Train other social workers up the same as her."
- A care leaver e-mailed her social worker:
"Hope you all very well?! I'd thought I'd share with you that I'm going to be a mummy very soon to a gorgeous little boy. I'm due 29th July, scary but also very exciting. I'm so happy in my new relationship and now expecting my first child with someone I know is going to look after us and loves us very much. I changed my life for the better and become the person I've always wanted to be. And partly that is down to yourself and the team as

well and I truly am thankful for that. Take care and maybe when little one is here could catch up with you all one day”

- A text from a care leaver to the social worker:
“Just thought I should message you and apologise for what I turned into last year. The past year M’s been helping me find myself again and the past week I’ve come back and started getting all my memories back. I know all you ever done was try and help me, when you was discharging me from social services I felt like the only person I had was you and I didn’t have nobody. You was a mum to me, treated me like nobody else ever, the only person I couldn’t push away or give up on me and when u got made to discharge me I see that as betrayal, and I understand that must have been horrible. I just wanted you to know I have a connection with you I don’t feel with anybody else so thank you.”
- A grandmother complimented a social worker stating “I wish to express my sincere thanks and gratitude for all that has been achieved by the team since social worker and independent reviewing officer took over T’s case.
- Two children in a foster placement told the Looked after Nurse that they felt very well supported by their social worker. The foster carer also said that she was the best social worker ever and that she was always there for the boys and had their best interests at heart.
- A looked after child said the social worker “is alright, she had done lots for me”.
- Parents trusted the social worker; she was open with them and was the only social worker they had ever managed to work with.

11.3 Compliments about social workers from Independent Reviewing Officers

Independent Reviewing Officers compliments to social workers as follows:

- Remaining child focused
- Good communication with the IRO and family
- Good transition planning from one placement to another.
- Good direct work with the child to ascertain his wishes.
- Sensitive to a child’s needs and listened to her views
- Going above and beyond her duty to safeguard a child
- High standard of practice
- Thoughtful and reflective practice
- Built up trust with parents to achieve positive changes
- Comprehensive and child focused reports
- The social worker worked hard with parents to help them understand the local authority’s concerns and make changes.
- Social worker’s report was comprehensive and made good use of research

11.4 Compliments from other professionals

- A solicitor complimented a social worker on her excellent evidence in court and said that her practice is extremely good.
- A solicitor praised a social worker for her statement which was of an exceptionally high standard. She completed her statement very quickly and was very professional.
- A Judge and all parties were full of praise for a social worker in respect of how he had driven the case forward. The Judge said he was a “breath of fresh air.” The Medway Council solicitor thanked him for all his hard work and hands on proactive case management. She said his praise was well earned.
- A health visitor thanked and commended a social worker for all her hard work with a family. She kept all the agencies informed and updated at all times which they greatly appreciated.

11.5 Compliment about a social worker from a foster carer

- A foster carer stated that she was so appreciative of the attention to detail by the social worker, her swift responses to questions, and child centred focus work. The paperwork was sent out quickly, and the children said they have had a very positive experience of working with A.

11.6 Compliment about a social worker from the Agency Decision Maker

- The Agency Decision Maker commented on the good quality of a Child’s Permanence Record which was the social worker’s first effort. “Really well done, and made my decision much easier, given the clarity and detail in the report”.

11.7 Compliments about Family Workers

- At the Medway Domestic Abuse Forum it was mentioned by several partners that attend the One Stop Shop what a great support the family support worker is and they praised her knowledge and experience in assisting the women that attend the One Stop Shop.
- A social worker e-mailed a family support worker’s manager:
“I just wanted to say that I have been working with E on a case I have assessed and took to conference today, E has been extremely helpful throughout the assessment period and without her prompt responses and masses of information and really great working together ethic the assessment would not have been turned over in 10 working days and on a plan. She has been excellent and I wanted her hard work to be acknowledged as praise and thanks is often forgotten about in our busy jobs.
- A parent sent a card to a family worker stating that L was very thoughtful and that they do not know what they would have done without her.

12. LEARNING FROM COMPLAINTS AND COMPLIMENTS

- 12.1 Lessons learnt from stage two investigations are reported in the quarterly reports to the Director of Adult and Children's Services as well as to the Deputy Assistant Director and to the Heads of Service. Issues from complaints are also discussed at the quality assurance meetings and action plans are developed to address the issues. The action plan is monitored by the quality assurance manager and social care complaints manager.
- 12.2 The Complaints Manager for Social Care ran four workshops for social workers and their managers to look at the lessons learnt from complaints particularly involving non resident fathers in assessments and keeping them informed about their child's plans, accuracy of information in assessments and building positive relations with children and their parents.
- 12.3 Following four complaints from connected carers the connected carer's policy was reviewed and resources increased in the fostering service to ensure that assessments were completed within the statutory timescale.
- 12.4 Lessons have been learnt about the importance of involving looked after children in any changes of placement and in allowing time to prepare for a move.
- 12.5 Looked after children have told us how much they appreciate having a social worker who relates positively to them. Parents have also confirmed how much a social worker helped them make positive changes. The workshops have looked at the importance of building good positive relations with children and young people as well as their parents. Some parents have complained that some social workers attitudes hinder building up a positive and effective relationship.
- 12.6 Four complaints about a breach of confidentiality were upheld. These complaints include disclosing a mother's address to a father, putting her at risk of physical abuse. A father complained that he received a child and family assessment about another family. A mother complained that she received confidential information via an insecure e-mail address. Information was sent to the wrong address. Workshops have stressed the importance of keeping confidential information safe and secure. Following these complaints it was recommended that all social workers must attend training on the Data Protection Act.
- 12.7 Ofsted inspected the services for children in need of help and protection, children looked after and care leavers in September and October 2015. Ofsted reported that "Learning from complaints is well embedded and senior managers take careful account of young people's views". (November 2015)

13. MANAGEMENT REPORTING

13.1 Improving Complaints Management

In managing complaints we are guided by the following principles of good complaint handling:

- Getting it right first time
- Providing clear information about how to complain
- Providing support to the complainant
- Being customer focused
- Listening to customers
- Being open and accountable
- Acting fairly and proportionately
- Recording complaints
- Responding in a timely way
- Putting things right if a mistake was made
- Learning from complaints and seeking continuous improvement

13.2 A qualified social worker was appointed, in April 2013, as the Complaints Manager for Social Care in the Customer Relations Team. She risk assesses the children's complaints and undertakes the role of independent officer in most stage two investigations.

13.3 Quarterly reports were presented to the Children and Adults Directorate Management Team and to the Deputy and Assistant Directors' management teams throughout 2015-16. The Complaints Manager for Social Care also attends the Quality Assurance and Performance Groups which look at what is working well, concerns and what needs to happen in respect of complaints.

13.4 Information on how to make a children's social care complaint has been updated on the Medway Council website.

- The children's leaflet explains the various ways a young person can make a complaint. The social care complaints manager is ensuring that children's social care teams are aware of how complaints can be made, by including the information in the induction pack for social workers, through ongoing communication at children's social care team meetings as well raising awareness with other teams such as Customer Contact.
- All complainants receive a letter acknowledging their complaint and explaining how to contact the social care complaints manager. When an advocate has sent in a complaint on behalf of a child or young person, the letter of acknowledgement is sent to the advocate. The advocates are aware that they need to ask the child or the young person making the complaint if they want a copy of any correspondence that is sent to the advocate.
- The Customer Relations Team chases up all complaints that have not been replied to within ten days.

- 13.5 Training on complaint handling was provided in 2015-2016 for all team managers. The social care manager will continue to ensure that children's social care teams are aware of how children and their carers can complain.

14. Risk Management

- 14.1 Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community.

Risk	Description	Action to avoid or mitigate risk
Not handling complaints properly and more importantly not learning from complaints could put a child at risk.	Good complaint handling, including the identification of improvement opportunities from complaints received, helps ensure that the services are provided in a complete and timely way, minimising the possibility of a vulnerable child being put at risk.	Improved management and control of complaint procedures, learning from complaint analysis, helps to identify and minimise potential risk or impact of risk to children

15. Equalities Data

- 15.1 The Council is committed to achieving equality of opportunity, access and outcomes for all, through the delivery and commissioning of high-quality services that are accessible, fair and mainstreaming equality and diversity across all service delivery activities. All new services commissioned are subject to a diversity impact assessment that compels service providers to think carefully about its target audience and demonstrate how it intends to serve their needs. This gives the Council a better measure of the impact the services are having on the community.
- 15.2 Our service users come from many different ethnic backgrounds and many have disabilities. We will refer all looked after children to the advocacy service. If a complainant is not able to send in a written complaint we will see the complainant at a venue that is convenient and assessable for them. We will organise a translator if required. We actively look at ways of improving equality and diversity monitoring to ensure we are providing services fairly to service users who come from different ethnic groups and religious backgrounds, and to understand which groups need more help to be able to tell us their views and concerns.

16. Financial and Legal issues

- 16.1 There are no specific legal issues arising from this report. The statutory framework for the handling of representations (including complaints) under the Children Act 1989, the Children Act 1989 Representations Procedure (England) Regulations 2006 and Statutory Guidance is summarized above.

Local authorities must publish an annual report of its consideration of representations under that framework.

16.2 There are no financial issues arising directly from this report.

17. Recommendations

17.1 This report is presented for Members' information and comment.

Background papers:

None

Appendices:

None

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