

CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE

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COMPLAINTS AND COMPLIMENTS ANNUAL REPORT 1 APRIL 2021 TO 31 MARCH 2022

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Summary

The annual report provides information on children's services complaints handled during 2021–2022, and includes the numbers received and the types of issues raised. The report also highlights some examples of the many positive things people have said about the provision of children's services in Medway over the same period, and the service improvements Medway Council has 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 procedures for dealing with complaints relating to complaints from children, young people, and others eligible to make a complaint.
- 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 and Social Care Ombudsman (LGSCO).
- 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 provided 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. This includes complaints about the actions, decisions, or apparent failings of local authority's children's services provision; and to allow any other appropriate person to act on behalf of the child or young person concerned or make their own complaint.
- 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 The guidance defines a complaint 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 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 is an opportunity to improve services.
- 2.5 The local authority should ensure that it responds to the issues raised and outlines the actions taken because of any mistakes made.
- 2.6 Local authorities should make children and young people aware of how they can 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.
- 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. Complaints are a valuable source of feedback for Medway Council; 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 learn from any mistakes.

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. Wherever possible we try to respond within 10 working days, however if the complaint is more complex the guidance allows us to respond within 20 working days. If the person complaining is unhappy with the outcome of their stage 1 complaint, they may request that their complaint is considered at stage 2 of the complaint procedure. Medway Council aims to address, as far as possible, all concerns at this initial stage.
- **Stage 2** – At this stage an 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 Investigating Officer write separate reports. These reports are sent to the Adjudicating Officer, who responds to the complainant in writing, setting out the findings of the stage 20 investigation. The overall statutory timescale to reply to stage 2 complaints is 25-65 working days.
- **Stage 3** – If the complainant remains unhappy with the outcome of the stage 2 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 the robustness of the stage 2 investigation and the conclusions reached. The panel presents its findings to the Director of People, who then writes to the complainant setting out the panel's findings.

3.3 If the complainant is still unhappy after stage 3, they can contact the Local Government and Social Care Ombudsman (LGSCO). The LGSCO will look at how Medway Council dealt with the complaint and consider how reasonable and appropriate our decisions were.

4. The role of the Local Government and Social Care Ombudsman (LGSCO)

4.1 The LGSCO's role is to provide remedies in cases of service failure, which has caused injustice to the complainant. The LGSCO 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 into the position the complainant was in before the maladministration or injustice occurred.

5. Analysis of complaints: 1 April 2021 to 31 March 2022

- 5.1 The following table provides the headline figures for stage 1 complaints:

Stage 1, 2 & 3 complaints for 1 April 2021 to 31 March 2022	No. complaints
Brought forward from 31/03/21	2
Complaints received	26
Complaints closed	25
Complaints withdrawn	2
Open complaints still awaiting response as at 31/03/22	0
Complaints dealt with within 10 working days	17
Complaints dealt with within 20 working days	24
Total number of stage 1 complaints handled in 21-22	28
Stage 2 investigations completed in 2021-2022	4
Ongoing stage 2 investigations	1
Stage 3 Panel	4

- 5.2 The following table provides a monthly breakdown of stage 1 complaints received in the same period.

	April	May	June	Q.1	July	Aug	Sep	Q.2	Oct	Nov	Dec	Q.3	Jan	Feb	Mar	Q4	Total
Complaints cfwd from 2020-2021	2																
No. complaints received	2	2	0	4	4	1	6	11	5	2	0	7	0	3	1	4	26
No. complaints closed	2	2	1	5	2	2	4	8	5	4	1	10	0	1	1	2	25
No. complaints withdrawn	0	1	0	1	1	0	0	0	0	1	0	0	0	0	0	0	2
No. complaints dealt with within 10 days	1	0	1	2	3	0	4	6	4	3	1	8	NA	1	0	1	17
% complaints dealt with in 10 days	50%	0%	100%	40%	100%	0%	100%	75%	80%	75%	80%	80%	NA	1	0	0%	68%
No. complaints dealt with in 20 days	2	2	1	5	2	1	4	7	5	4	1	10	NA	1	2	3	24

	April	May	June	Q.1	July	Aug	Sep	Q.2	Oct	Nov	Dec	Q.3	Jan	Feb	Mar	Q4	Total
% complaints responded to in 20 days	100%	100%	100%	100%	100%	50%	100%	88%	100%	100%	100%	100%	NA	100%	100%	100%	96%
% of complaints acknowledged within 3 days	50%	100%	NA	75%	100%	100%	67%	81%	100%	100%	100%	100%	NA	100%	100%	100%	89%
No. complaints cfwd to next quarter				0				3				0				1	

5.3 The following table shows the number of stage 1 complaints received in each of the last five years:

Year	Volume of complaints
2017-2018	9
2018-2019	114
2019-2020	133
2020-2021	58
2021-2022	26

5.4 The total number of complaints handled in 2021-2022 was 28, there were 26 new complaints and 2 complaints carried forward from 2021-22.

5.5 The following table shows the number of stage 1 complaints received in 2021-2022, by service.

Service Area	Total
CSW Team 1,2,3,4	7
First Response Team	6
Fostering	5
Leaving care team	4
Disability Team 0-25 years	3
Early Help	1
Total	26

5.6 In addition to the above, there was one complaint that an annual letterbox contact with birth parents was delayed. The adoptive parents received an apology and were reassured that the contact arrangements would be reviewed to ensure that the birth parents received support to respond to the annual letter. This complaint was handled by the Head of the Adoption Partnership Southeast.

5.7 Complaints about the Regional Adoption Agency (RAA) or adoption process are governed by a specific agreement.

- Kent County Council, Medway Council and London Borough of Bexley signed up to the RAA joint working protocol in responding to complaints about the Regional Adoption Agency (RAA).
- Each local authority aims passes complaints about the adoption process, and not relating solely to the care of an individual child(ren), to the Kent County Council (KCC) Children's Complaints and Customer Care within two working days of obtaining the complainant's consent to share the complaint with KCC.
- KCC leads on the handling and management of complaints relating to the RAA and, where required, liaises with the Complaints Manager or team of the respective local authority to develop a suitable response.
- The Head of the RAA is responsible for responding to all complaints about the agency and all complaint responses must be approved and signed by the Head of the RAA.

5.8 The following table shows the ethnicity of the children who made a complaint, or a representative who made a complaint on their behalf, or a person in their own right such as a foster carer in 2021-2022.

Ethnicity	No. of complaints received in 2021-22
White / British	21
White Irish	1
Black / Black British	1
Black / Black British / Nigerian	1
Mixed/multiple / White Asian	1
Other ethnic group Arab	1
Total	26

5.9 The following table shows the ethnicity of the children who were recorded in the Child in Need return as having received services in 2021-2022. This includes looked after children and children in need.

Ethnicity	No. of children's service users in 2021-22
Number of recorded white ethnicity	4802
Number of recorded black ethnicity	465
Number of recorded mixed ethnicity	465
Number of recorded Asian ethnicity	208
Missing/refused/not recorded ethnicity	206
Number of recorded other ethnicity	115

5.10 The following table shows the percentage of service users, by ethnicity, who made a complaint during 2021-22.

Ethnicity group	Number of children using services	Number of persons making a complaint	Percentage of service users who made a complaint.
White	4802	22	0.5%
Black	465	2	0.4%

Ethnicity group	Number of children using services	Number of persons making a complaint	Percentage of service users who made a complaint.
Mixed	465	1	0.2%
Other- Arab	115	1	0.9%

6. Responses to Stage 1 Complaints

6.1 Medway Council aims to deal with complaints quickly and comprehensively. Sometimes the council is not able to issue responses to the complainant within 10 working days because the complaint is complicated or may need dialogue across multiple service areas, in which case the timescale is extended to the statutory deadline of 20 working days. Medway Council will always make contact to explain the reason for any delay and confirm when the complainant will receive a response.

6.2 The following table shows the time taken to answer stage 1 complaints in 2021-2022:

Number of days	Within 10	11-20	21-25	Total
Stage 1	17	7	1	25
Percentage	68%	28%	4%	100%

6.3 This table shows the volume of complaints responded to in 20 working days and compares this with performance against previous years. There is a continued improvement in response timeliness, compared to previous years.

	2017-18	2018-19	2019-20	2020-21	2021-2022
No. complaints answered in 20 working days	68	88	116	53	24
% complaints answered within 20 working days	76%	85%	91%	91%	96%

6.4 Outcomes of stage 1 complaints responded to in 2021-2022

Complaint type	Not upheld	Partially Upheld	Upheld	Total
Lack of communication	2	3	5	10
Lack of support	3	2	3	8
Behaviour/attitude of staff	1	0	2	3
Service provided	1	1	1	3
Delays in providing a service/placement	0	1	1	2
Disagreeing with a decision	1	0	0	1
Total	8	7	12	27*

* This number is greater than the 26 complaints responded to 2021-2022 as one complaint can cover several different issues.

6.5 The following table shows the volume and percentage of complaint upheld and compares this with previous years.

Year	No. complaints fully upheld	% complaints fully upheld	No. complaints partially upheld	% complaints partially upheld
2021-22	12	44%	7	25%
2020-21	27	31%	10	12%
2019-20	52	32%	20	12%
2018-19	41	30%	13	9%
2017-18	36	30%	5	4%
2016-17	58	30%	20	10%

6.6 The following table shows how many complaints were upheld about the attitude of the social worker or lack of communication and compares this with previous years.

Year	Complaints upheld	
	Attitude of social worker	Lack of communication
2021-22	2	3
2020-21	6	8
2019-20	13	11
2018-19	7	7
2017-18	6	5
2016-17	8	13

6.7 One complainant made more than one complaint in 2021-2022 compared with two in 2020-2021, six in 2019-2020, six in 2018-19, five in 2017-2018 and nine in 2016-2017

7. Stage 2 investigations

7.1 The following table shows how many complainants were unhappy with their stage 1 response and compares this with previous years.

Year	No. complainants unhappy with stage 1 response	% of complainants unhappy with stage 1 response
2021-22	5	19%
2020-21	17	29%
2019-20	28	21%
2018-19	20	19%
2017-18	17	19%
2016-17	19	16%

7.2 The outcomes for the five complainants who were unhappy with their stage 1 response were as follows:

- Two complainants requested a stage 2 investigation, which commenced in 2021-2022.
- Three complainants were satisfied after a further response to their stage 1 complaint.
- Four stage 2 investigations were completed in 2021-2022.
- One stage 2 investigation was carried over into 2022-2023

7.3 The outcomes of stage 2 investigations were as follows.

- i. A mother complained about the child in need process. She was not clear why her child was on a child in need plan, and it felt like a paper exercise. She did not receive any extra support that was not already in place following the education tribunal. She was told it was because her son was at risk of being socially isolated even though a plan was sorted out following the tribunal to offer support for social activities. The social worker did not sign post her to any appropriate local activities for her child.

She was not told that this was a voluntary service and that she could have refused the service. The social worker did not explain when the child in need plan would end and there was drift in the case. There was no communication with the SEN team about her child's transition to a new school, something the parents were concerned about. There was no final meeting or a goodbye visit.

All her complaints were upheld, and the parents received an apology for the distress they suffered due to the drift in the case and lack of communication.

The learning from this complaint was:

- The child in need process should be fully explained to parents.
- The child in need plan should be multi-agency.
- Better management oversight to ensure child in need cases do not drift.
- Parents need to agree and sign the child in need plan.

All these actions have been put in place.

- ii. Special guardians complained about the confusion as to what allowances are paid to connected carers and the conflicting information provided on the Medway Council website and in the fostering handbook. This was upheld and they received an apology.

They complained about the lack of training offered to connected carers; they were connected carers until the SGO was in place. They complained about a delay in receiving copies of the court orders. They received an apology for the lack of training and an explanation that although the court should have sent out the court orders, Medway Council did have copies that they could have sent them.

They were offered compensation in 2020 in which they refused as they wanted the full fostering allowance for two years after the date

the SGO was made. They accepted the compensation in 2021 following a stage 3 panel.

The actions following this complaint are:

- Medway Council are currently reviewing the information on the website and within the fostering handbook to ensure that the information about the allowance for connected carers is clear and not contradictory.
 - Medway Council will ensure that support social workers signpost connected carers to appropriate resources and voluntary organisations. Medway Council also intends to provide links to a range of resources on the website.
 - Training will be provided about the emotional complexities of looking after children whose parents might be a close relative.
 - The service is reviewing how staff share information with connected carers during the assessment period and at the beginning of the placement.
 - Medway Council is undertaking a review of the documents and policies relating to connected carers. One of the areas that is being reviewed is the initial support and training for connected carers. In future, training will be available before or as soon as they are registered as connected carers.
- iii. Foster carers complained about the lack of support when a long-term placement began to destabilise because the children were having unplanned contact with their mother. Respite care was arranged for the foster carers to have a break as they were stressed by the children's behaviour. Respite was organised and then cancelled because the placement was too close to where their mother lived. The second respite placement was cancelled with very little notice.

The investigators concluded that the lack of respite care had a major impact on the foster carers and led to an unplanned move for the children.

The lessons learnt from this complaint were:

- Referrals for a respite care placement should be detailed and indicate any risk factors, including any geographical area to be avoided.
- Respite care should be well planned, and consideration given to the number of moves this will mean for a child.
- Placement Stability Meetings should outline the expectations of all parties and include contingency planning i.e., ask the "what will happen if ..." question.
- A disruption meeting should have been convened as soon as the children had left the placement. This could have afforded the carers the opportunity to "de-compress" and achieve a

better ending to the events that unfolded and to look at any lessons learned when similar situations arise.

- iv. A care leaver, X, was told by his university that he should return home in March 2020 due to the Covid lockdown. X complained that Medway Council had not offered him alternative accommodation in Medway as his relationships at home were very strained and that he was not supported. This complaint was not upheld as he was offered alternate accommodation and he could have returned to his university accommodation. He was offered the opportunity to use a computer at one of Medway Council's hubs.

His complaint about his difficulties accessing mental health services was partially upheld as his personal advisor did signpost him to relevant mental health services, but it was acknowledged that it would have been difficult to access services due to the pandemic. The Leaving Care Team are looking at ways to improve care leavers access to mental health services. This is not just a Medway issue but an issue right across the country.

An action was to provide training for personal advisors and social workers in the Leaving Care Team. Medway Council will continue to liaise with mental health providers to improve the service offered to care leavers.

8. Stage 3 review panels

- 8.1 Medway Council convened four stage 3 panels in 2021-2022. Two panels were carried over to 2020-2021 due to COVID 19.

9. Local Government and Social Care Ombudsman (LGSCO)

- 9.1 Five complainants referred their complaints to the LGSCO in 2021-2022. One complainant made two referrals to the LGSCO.

- 9.2 The LGSCO closed seven investigations in 2021-2022.

- 9.3 Two investigations were carried over from 2020-2021:

- a. Ms X complained that Medway Council did not provide her with support when she was a child in need and when she left care. Medway Council acknowledged the failure to provide Ms X with support when she left care and paid Ms X a financial remedy to acknowledge the distress it caused her.

Medway Council also agreed to financially support Ms X through her second degree by providing her with a leaving care grant, paying her rent and covering other costs and expenses. The council would have provided this support during Ms X's first degree. The council has also agreed to pay Ms X £3000 to acknowledge the distress it caused her by not providing her with appropriate support previously. These actions were in line with what the LGSCO would usually recommend in these circumstances and the LGSCO concluded that it was unlikely that any further investigation of the complaint would result in a different outcome.

The council has also obtained a £500 grant for private counselling for Ms X. The council is not under a duty to arrange private counselling for Ms X. The council offered to assist her with travel costs of accessing NHS services and offered to refer her to its adult social care services. As it was unlikely that a further investigation would find fault with the council's actions the LGSCO stopped their investigation into this part of Ms X's complaint.

Not Upheld – No Further Action

- b. A foster carer complained that the child protection minutes were inaccurate. The LGSCO concluded that on the evidence currently available, they would not investigate Mrs Z's complaint about Medway Council's children's services team refusing to correct inaccurate information on her fostering record. This is because the Information Commissioner's Office is better placed to consider it.

Not Upheld – No Further Action

9.4 Outcomes of complaints received and completed by the LGSCO in 2021-2022.

- i. Foster carers complained that Medway Council failed to support them adequately as foster carers and wrongly removed children from their care. They also complained about the way their complaint was handled and stated that the financial remedy was inadequate. The Ombudsman found that the criteria for an early referral to the LGSCO was not met. Medway Council agreed to arrange a stage 3 panel.

Upheld – Maladministration and Injustice

- ii. The LGSCO did not investigate a complaint made by a grandmother about the outcome of her assessment as a potential carer for her granddaughter. The LGSCO could not investigate the complaint because it concerned a matter which would be decided in court.

Closed after initial enquires – out of jurisdiction

- iii. A father referred his complaint to the LGSCO. The complainant was dissatisfied with the outcome of a child and family assessment as he believed his child was at risk of sexual abuse. The LGSCO did not investigate the complaint.

Closed after initial enquiries - no further action

- iv. A mother referred her complaint to the LGSCO. The complainant wanted an early referral to the LGSCO, although it did not agree this and said a stage 3 panel should be arranged. Medway Council arranged a panel and the complaint was closed by the LGSCO.

Closed - no further action.

- v. A father complained that Medway Council had failed to properly investigate his concerns about his son's welfare and refused to reopen the case and undertake a new assessment. The LGSCO did not investigate the complaint as there was no evidence of fault on Medway Council's part.

Closed after initial enquiries - out of jurisdiction

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 is not easy to complain
- To be kept in touch with what is happening
- For their issues to be dealt with quickly but thoroughly

10.2 Medway Council commission 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.

10.3 Young Lives Foundation received 136 referrals compared with 80 in 2020-2021.

10.4 The young persons wanted support with the following issues:

- 34 wanted support with housing and accommodation.
- 32 wanted support at a family group conference
- 28 wanted support at meetings
- 17 wanted support regarding their placements
- 11 wanted support during court proceedings
- 11 wanted support regarding contact
- 10 wanted support at child protection conferences
- 6 wanted support with their relationship with their personal advisor
- 6 wanted support regarding their disabilities
- 4 wanted support with their relationship with the social worker
- 4 wanted support with finances
- 2 wanted support regarding immigration
- 2 wanted support making a complaint

11. Complaints from children and young persons

11.1 Five young people made a complaint in 2021-2022 compared with:

- 5 in 2020-2021
- 5 in 2019-2020
- 11 in 2018-2019
- 12 in 2017-2018

11.2 The five complaints and the outcomes are summarised as follows:

- A care leaver complained that Medway Council did not arrange accommodation for when he returned from University to Medway during the pandemic. His complaint was not upheld as he was offered accommodation but changed his mind and stayed with his parents. He could have returned to the university accommodation Medway Council had already paid for.

- A looked after child complained about the delays in deciding when she could return home. She received an apology for delays in arranging an assessment of her mother's parenting.
- An advocate helped a young person, Z, to complain about the way her Joint Housing Assessment for 16–17-year-olds was conducted as it made her feel no one cared about her and were more interested in saying it was not their responsibility. Unfortunately, the housing officer and the social worker were unaware that Z had joined the call and overheard the disagreement as to who was responsible for providing Z with accommodation. She was provided with emergency accommodation but left there after an incident. Z tried on numerous occasions to telephone her social worker before someone rang her back. She went to stay with her family and then moved into suitable accommodation. She received an apology for the distress this caused her.
- A young care leaver, living with a foster carer under the Staying Put Scheme, complained that he did not like the food he was given, that he felt the foster carer did not listen to him and that he had to travel too far to attend college. He wanted to move into a flat of his own. The complaint about the food was resolved by the young person cooking his own food. The foster carer reassured the young person that he was welcome and part of the family. The long trip to college could not be solved and the young person agreed that he could not afford to rent accommodation nearer to his college.
- An advocate supported a young care leaver to complain about the plans for when he turned eighteen. He complained that the "Staying Put" arrangement had not been finalised and was concerned as he would be 18 in six weeks' time. The response was that all the Staying Put arrangements were agreed and the foster carers had agreed with the plan. If he had been informed that the Staying Put arrangements were agreed, he would have been so anxious. This highlights the importance of keeping looked after children informed about the progress of any plans for them after they turn 18.

11.3 These complaints highlight the importance of good communication with young people when they are moving to another placement.

11.4 Looked after children must be kept informed about their plan for the transition from foster care to living independently.

12. Non-statutory complaints

12.1 The Children Act 1989 complaints procedure does not apply when:

- the person wishing to complain does not meet the requirements of "who can complain" and is not acting on behalf of such an individual,
- the issues complained about are older than 12 months
- the complaint is not about any actions or decisions of the local authority complained to, or anybody acting on the local authority's behalf,

- the same complaint has already been dealt with at all three stages of the children's complaint procedure.

12.2 The local authority has discretion in deciding whether to consider complaints where to do so would prejudice any of the following investigations:

- Court proceedings
- Tribunals
- Disciplinary proceedings
- Criminal proceedings
- Standard of Care investigations
- Safeguarding children

12.3 Complaints that do not meet the criteria for a Children Act 1989 complaint are handled as non-statutory complaints and receive a response, if they are still dissatisfied, they can refer their complaint to the LGSCO.

12.4 During 2021-22, 58 complaints were regarded as a non-statutory complaint.

12.5 This table explains the reasons a complaint was taken as a non-statutory complaint.

Issues of concern	Total
Disputes about outcome of child and family assessment	13
Persons who do not have a right to make a complaint under the Children Act 1989 regulations.	12
Court proceedings	7
Separated parents' disputes about their children's contact and residency.	7
Complaining a case was closed	5
Safeguarding concerns	5
Social workers behaviour and attitude	4
Repeat complaint	3
Complaint about a LADO referral	3
Case review re complaint about not being safeguarded as a child	2
Complaint about child being on child protection plan/child in need plan	2
Alleged data breach, referred to the Information Governance Team	1
Issues complained about not related to the child	1
Referred to other services such as school, housing and SEN.	1
Subject Access Request, referred to the Information Governance Team,	1
Resolved in 24 hours	1
Disagreed about a referral	1
Lack of support	1
Total	68

12.6 During 2021-22, 32 complaints were rejected. The following table explains why the complaints were rejected.

Court proceedings	10
Section 7 and 37 reports, letters to the court.	9

Person did not have a right to make a complaint under the Children Act 1989 regulations.	5
Issue was about a school, the police or housing.	3
Disagreeing with a child and family assessment.	3
Disagreeing with a court order	2
Issues complained about were over 12 months ago	1
Subject access request.	1
Child not known to Medway Council.	1
Repeat complaint	1
Issue not about a child.	1
Total	37

***This number is more than the 32 rejected complaints as some complaints were about more than one issue.**

13. Learning from complaints

13.1 The Manager for Social Care Complaints reports on lessons learnt from complaints and compliments in the quarterly reports to the Director of People - Adult and Children's Services, the Deputy Director, and the Heads of Service, and at performance management meetings. The Manager for Social Care Complaints, the Investigating Officer and the Independent Person discuss the outcomes of stage two investigations with the Deputy Director and the relevant Head of Service.

13.2 The Social Care Complaints Manager delivered training to the 0-25 Disability Team.

13.3 The following lessons were learnt:

- Records of child in need meetings should be sent to parents as soon as possible.
- When a child leaves a foster placement, it is important to ensure that there is a record of when the child's savings is handed over to another carer and the amount.
- A staff member sent a text message to a maternal grandmother who shared it with the father, the text was clearly biased towards the mother and supported her not allowing father contact despite child arrangements order and no safeguarding concerns. Staff must take a considered view in respect of what they write in text messages to parents.
- An adoptive mother complained that her daughter had not received her Later Life Letter and Life Story book. She received an apology for the long delay and the Later Life Letter was sent to the adoptive mother. The Life Story Book is not completed.
- Social workers must be clear about the actions that need to be taken before a looked after child on a care order can return home to live with a parent and communicate this very clearly with the looked after child.

- Social workers must carefully read the referral before speaking to a parent, so they do not make inaccurate accusations to the wrong parent of excessive drinking while looking after a child.
- Respite foster carers should be informed of the looked after child's behavioural difficulties.
- One complaint highlighted the importance of explaining safeguarding procedures, the reasons why strategy discussions are held and that checks will be made with other organisations and relevant professionals.
- The need for good communication was highlighted in several complaints and concerns. Interpreters should be arranged through the Community Interpreting Service for anyone who is not fluent in English.
- A mother complained that she was offered extra hours for respite in the school holidays which was later withdrawn. She was not aware that the hours were only for the December school holidays and would be reviewed to assess if her son's behaviour improved. As this was not explained to the mother the hours were re-instated. Again, this highlights the need for good communication.
- A manager phoned a father who had complained about a lack of support with parenting a troubled young person. The manager listened to him and discussed various solutions, such as exploring respite care with the uncle, a referral to the youth service and to a parenting course. This was good practice; social workers should be thinking about all the services that might be available to support parents and children.
- Managers are speaking to complainants and listening to them and asking complainants what resolutions they are seeking. This has resulted in a decrease in requests for stage 2 investigations.

14. Learning from compliments

14.1 Medway Council is proud to receive compliments and thanks from people who are satisfied with Medway Council Children's Services and happy about the way the social workers work with them.

14.2 The Social Care Complaints Manager received and logged 13 compliments about Children's Services in 2021-2022, compared with 22 in 2020-2021 and seven compliments in 2019 -2020.

14.3 Medway Council can learn lessons from compliments about what works well, and which services and practices are effective in achieving positive outcomes for parents and their children.

- A semi-independent accommodation service provider for some of the most vulnerable young people stated: "We have worked with several professionals from Medway Council and enjoyed a good working relationship with managers, social workers and placement officers. However, X has been an exceptionally brilliant social worker who is very

child focused, had an excellent understanding of Z's needs and the support Z needed. X was able to articulate and advocate for Z's needs. The level of commitment demonstrated by X towards meeting the needs of her young person is commendable. Qualified social workers with the dedication and commitment shown by X are rare in my opinion. She is one of the best social workers I have come across in my 16 years of social work career. The way X practices her profession will enhance the lives of many young people and inspire and motivate aspiring social workers of the future."

- A Headteacher sent an email "I want to say what a pleasure it has been to work with S and L recently - both have been incredibly knowledgeable, helpful, supportive and efficient and I cannot speak more highly of the Medway LADO service and the work they do collaboratively with myself and the team at X School for Girls. The expertise of your team puts safeguarding students and staff first and I would like you to please share this with your line manager - what a great team you have!"
- A respite foster carer Y complimented foster carers A and B about the standard of care they provided to a looked after child P. "They are focused on his needs, wishes and feelings. A had also supported Y in preparing for P respite care and in supporting her in arranging activities."
- The FGC coordinator emailed "I just wanted to write a quick email to say what a wonderful experience it has been working social worker D. She has been so professional and dedicated throughout the whole FGC process. Answering emails and phone calls immediately as well as ensuring her families felt included and informed throughout. It was incredibly refreshing, and I look forward to working with her again."
- An IRO emailed "I would like to share some good practice with you. Social worker W has worked exceptionally hard with J having had to 'hit the ground running' when she took over case responsibility. This is a complex case, with contested views on the best way forward for J. W has remained professional and focussed and put in much hard work to keep all relatives, carers, professionals informed and involved in how best to achieve success for J. I was also impressed with W's report for J's Looked After Review, which fully embraced the signs of safety model."
- A grandmother emailed "At different times of my life I was involved with social services, and I have to say I haven't found the allocated social workers very thorough or helpful but then I took on my granddaughters and Medway Social Services took the case. I have to say that I could not have asked for a better social worker. R is a brilliant social worker very thorough, hardworking, kind, and helpful. He would always do his best to help wherever he could. He is very easy to talk to and my two granddaughters like him, it's been a pleasure to work with him and I wish him all the best."
- A special guardian provided feedback about two social workers. She wrote that they answered her queries, listened, and supported her. They supported her more in a short while than other social workers had done for many months.
- A foster carer wrote when she resigned: "I have always felt supported and a valued member of the fostering team. I have enjoyed all the training and support groups over the years. I also loved being part of focus groups and supporting and facilitating training for foster carers and adopters through Medway, which I hope has in some part led to better outcomes for our

babies, children, and young adults. Social workers from the children's team, fostering team, adoption team and disability team have respected my opinions, when I am advocating for my children in my care. I was treated with respect and dignity.”

- Foster carers complimented a social worker who supported them through a difficult period, especially when they did not have their own social worker. They appreciated the positive working relationship they had with the social worker. They said they felt reassured by her support, and always felt able to contact her with their concerns or updated information. They felt they would not have got through the last few weeks if it had not been for the social worker.
- A mother emailed a manager: “I want to let you know how much X, social worker, has helped our family. This has been such a stressful time for Z and the whole family, and the social worker has been such a support, she has been brilliant with Z and has really taken the time to understand and support his needs. X has always put Z’s needs first and I believe that this is the reason that he feels so comfortable with her. I will be pleased when the Child in need plan closes but we genuinely will miss X’s visits and the care and support that she has shown us. Please pass on my sincere thanks to her, she has made such a difference to our lives.”
- A mother emailed “I would like to leave very highly positive feedback for P, social worker. She was amazing, very respectful, and thoughtful. She listened, gave us time, played with the children, helped us so much. You could not ask for a more helpful, caring honest, social worker- the best I have ever had. We are so thankful to her for all the help.”
- A foster carer emailed a manager: “Just a little message to say how very impressed I am with R since she has become K’s social worker. She has always done her utmost to get things sorted ASAP with results and took her time to get to know him. There have been some difficult times in the past few months, and I know I can rely on her to keep in contact with me. It’s reassuring to know that she will be working alongside us.”
- A Headteacher complimented a social worker “for the incredible support she gave that me. She has gone over and above in every aspect of the support she has given me. I knew the first time I met her that she was going to be brilliant. And she has been. She has made sure that I have all the information that I need; she has contacted various people all over the place trying to get answers and she did not give up until she found them. I am extremely grateful to her.”
- A care leaver emailed a compliment about her personal advisor: X has been working with me since January and has helped me with a lot so far from little things to support and guidance with a debt. I have. She gave me confidence to interact more with other professionals in my life. When not understanding issues, she will break it down and explain to me what I have to do with a step-by-step plan in which I need to complete which is much easier for me to deal with. X also gives me opportunities to better myself with sending me links to things she feels are best suited to me to give me the kick I need to get my life in order again, helping me with getting a provisional & putting me onto a nail course so I can get a diploma. She is doing her job very well”

- A care leaver emailed her personal advisor five years after her case was closed “You may not know this but you seriously are an inspirational woman and when I felt like I had nobody, you was always there. You first showed me what it felt like to be generally cared about and for that I’ll be eternally grateful. You literally, saved me. For the woman I am, its partly down to you”
- A social worker received an email from the Manager for Social Care Complaints in respect her an excellent child and family assessment. “The social worker addressed the issue re the ongoing allegations from father very well and explained the impact this could have on the little boy. Perhaps it could be shared as an example of how to address the issues of ongoing acrimonious relationships between parents. There is also learning from this excellent CAF assessment for section seven reports i.e., how to address the issues of parental conflict and continuous blaming of each other. I have learnt from this, and I will address the issues more fully when explaining that I cannot take a complaint about an outcome of a child and family assessment.
- A care leaver emailed her personal advisor’s manager to say “She is truly an angel and a good PA. We need more people like Q working for Medway Council.”
- Three mothers sent cards thanking social workers for their help and support.

15. Risk Management

- 15.1 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 Medway Council provides quality services in a timely way, minimising the possibility of a 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

16. Equalities Data

- 16.1 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 accessible 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.

17. Financial and Legal Implications

17.1 There are no specific legal implications 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 summarised above. Local Authorities must publish an annual report of its consideration of representations under that framework.

17.2 There are no financial implications arising directly from this report.

18. Recommendation

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

Lead Officer Contact:

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