

Annual Complaints Report Children's Social Care Wandsworth 2021-22



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1. Introduction

- 1.1 This report is produced annually as a statutory requirement for the London Borough of Wandsworth: it provides a summary analysis of social care complaints within
- 1.1. There is a duty on all local authorities to maintain and operate a complaints procedure for Children's social care services.
- 1.2. Wandsworth Council's Children's social care complaints are managed within the remit of the Resident Engagement Service. The statutory complaints team currently comprises a Complaints Manager, which is a statutory requirement, supported by two complaints officers. The statutory complaints team sit within the same management structure as the corporate and Ombudsman complaints team.

2. Summary

- 2.1. A key part of an effective complaints system is to highlight areas of learning from complaints to inform ongoing improvement of services. As a directorate, Children's Social Care perform strongly when learning and improving services from complaints. Social Workers also reflected on improving communication, including ensuring that decisions are clearly explained to parents, that the quality of written information in assessments and case records is evidence based and holistic, by taking account of the views of all family members. The Quality Assurance Service reviewed recording policies and guidance for social workers to ensure that there is continuous improvement.
- 2.2. A total of 96 complaints were completed across all three stages. Complaint numbers have remained steady, with an overall increase of 5% on 2020/21, due to a rise in stage 2 complaints. Most complaints were for the Family Safeguarding and supporting Disabled Children Service (which supports Children in Need, Child Protection and Disabled Children) and the Looked After Children's Teams.
- 2.3. 16% of stage 1 complaints were received directly from young people. Four of these escalated to stage 2 and one escalated to stage 3. The majority of these were from care leavers raising concerns about their supported living placements. The remaining 84% of stage 1 complaints were from parents or guardians.
- 2.4. 58% of complaints at stage 1 either upheld or partly upheld issues. Most complaints at stage 2 and 3 upheld or partly upheld issues. The honest and transparent culture of complaints within Wandsworth Children's services recognises when things have gone wrong and seeks valuable opportunities to improve future service delivery.
- 2.5. 56% of stage 1 complaints were sent on time, 12% of stage 2 complaints were sent on time and no stage 3 panels were held on time due to the availability of panel members. 100% of stage 3 responses from the Director were sent on time. Next year the complaints team will be working with Independent Officers to improve the timeliness of stage 2 investigations

- 2.6. Towards the end of the report, examples from compliments remind us of the good quality social work taking place. We have been told that children and young people are supported well as social work is child-focused and outcome driven and that social workers listen and communicate effectively to advocate in the best interests of young people.

3. Legislation

- 3.1. There is a legal requirement for the Local Authority to have in place a complaints procedure, in accordance with Sections 24(D) and 26 of the Children Act 1989 and the Children Act 1989 Representations Procedure (England) Regulations 2006 and the accompanying statutory guidance published by the DfE:, Getting the Best from Complaints: Social Care Complaints and Representations for Children, Young People and Others (01.09.2006) for the management of social care complaints.
- 3.2. There is also a legal duty for the Local Authority to have in place advocacy arrangements for children and care leavers who wish to make representations or complaints regarding Children's services and their care pursuant to the Advocacy Services and Representations Procedure (Children) (Amendment) Regulations 2004. Alongside these Regulations there is statutory guidance entitled Providing Effective Advocacy Services for Children and Young People Making a Complaint under the Children Act 1989.

4. Overview of the Children's Complaints Procedure

- 4.1. The complaints procedure is a three-stage process. The first stage is also known as local resolution stage. At Stage 1, complaints are investigated by the team where the complaint issue arose. In these cases, the Team Manager or Service Manager will usually investigate and respond to the complaint. The timescale for a stage 1 complaint response is 10 working days. However, where the complaint is complex or requires more time, an extension of up to a further 10 working days can be agreed by the Complaints Manager.
- 4.2. Where the complainant is dissatisfied with the stage 1 response, they can request a Stage 2 investigation. This stage requires an independent investigation, and two independent people are appointed by the Complaints Manager for the role of Independent Investigator and Independent Person. The investigation team produce reports which are passed to a senior officer within Children's Services for adjudication and response to the complainant at Stage 2. The statutory timescale for this stage is 25 to 65 working days.
- 4.3. It is a statutory requirement to commission an Independent Person (IP) to oversee the integrity of a stage 2 investigation to ensure it remains child focused. It is good practice to appoint an IP who has not been employed by the council for a minimum

of three years. Wandsworth Richmond commission external officers to undertake this role.

- 4.4. Stage 3 is the final stage of the complaint's procedure. If a complainant remains unhappy following the findings of the Stage 2 investigation, they can request that their complaint is reviewed at Stage 3 by an independent panel. The panel hearing must take place within 30 working days of the request. The panel is made up of three people and the complainant has an opportunity to present their case to the panel alongside the Local Authority. The Chair of the panel will then send their decision to the complainant and the Director of Children's Services within five working days of the panel hearing and the Director must respond to the complainant within 15 working days.
- 4.5. A complaint is defined as ***'an expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response.'***
- 4.6. Complaints can be made by the young person receiving a direct service from Children's Social Care or by a person on their behalf such as an advocate or family member where the service user has provided their written consent if they are Fraser competent¹.
- 4.7. The complaints procedure covers complaints about the Council's actions under Part 3 and some of Parts 4 and 5 of the Children's Act 1989. These are Children in Need, Looked after Children and Care Leavers, Special Guardianship Support and post-adoption support. The following areas tend to be exempt; Early Help, Child Protection, S47 enquiries and conferences, assessments for potential foster carers and adopters, foster carer registration and Section 7 and 37 court reports. The Council may decide to investigate these areas under other procedures, such as the Council's Corporate Complaints Process.
- 4.8. Where a service is provided by a contractor on behalf of the Council, a complaint can either be made directly to the external provider service or to the complaints team at Wandsworth Council. Whilst the complaints team will encourage a provider service to firstly attempt resolution through its own procedures, if this is not possible, the Commissioning and Contract Monitoring team will investigate.
- 4.9. Complaints will be considered if they are made within 12 months of the incident although the Council can apply their discretion to waive this time limit in some instances.
- 4.10. The Complaints Team have the discretion to put on hold a complaint (or certain aspects of a complaint), if there is a concurrent process addressing the same issues, for example, the matter will be discussed in court. Once the concurrent process is complete, a complainant has 12 months to request that their complaint is re-opened.

¹ Fraser competent is a term used to describe a child under 16 who is considered to be of sufficient age and understanding to fully appreciate what is involved in their treatment.

- 4.11. Complaints are counted in the year in which they are responded to or closed. Therefore, 2021-22 complaint figures include complaints that will have been initiated in the previous year but then closed in the reporting year.
- 4.12. Withdrawn complaints are still included in the numbers because the issues raised may still result in changes to how a service is delivered for the person named in the complaint or result in wider practice change. Also, withdrawn complaints still take time and resource from the complaints team and services to record, analyse, and resolve.
- 4.13. The department commissions its advocacy provision through 'Coram Voice' to assist children and young people when making a complaint or a representation. This year the Complaints Manager has contributed to the quarterly contract monitoring meetings led by our Children's Commissioning Team.

5. Approach to learning from complaints/Quality Assurance

- 5.1. Getting The Best from Complaints (5.7.1) requires Local Authorities to monitor the operation and effectiveness of their complaints procedures with quality assurance systems that that feed complaint outcomes into operational delivery.
- 5.2. In summary, this year key learning focused on:
- Using feedback from young people in placements or supported accommodation to ensure that services are improved for others. This includes strengthening Personal Advisor (PA) support to help with tenancy issues, putting in place a housing panel and producing a housing booklet for young people leaving care and providing additional training for social workers on supporting young people accommodated by the local authority.
 - Improving the quality and timeliness of assessments, reports, and case records by being aware of the need for sensitive language, ensuring information is accurate and holistic and that documents are sent to families in time for amendments to be made.
 - Continuously focusing on good communication with young people and families that prioritises timely and clear information, especially so that it is clear why decisions have been made and how processes will be followed.
- 5.3. Complaints are valuable as they provide an opportunity to improve services for the individual and improve practice to prevent the same mistakes from happening. As a service it is critical, we understand where we need to improve. Learnings have been detailed in later sections (sections 6, 7 and 8), so that it can be understood in context against issues and outcomes in complaints.
- 5.4. We have improved our quarterly reporting to include breakdowns of learning from complaints which are fed into Senior Management Team and through the Professional Standards Teams. The Professional Standards team (Quality

Assurance) have used the quarterly reports to produce communications on themes and learnings from complaints which have been sent to operational teams.

- 5.5. This year the complaints team supported a six-month graduate placement who spent their time researching learning from complaints and providing a series of recommendations to enable the complaints team to strengthen practice and link with professional standards teams to ensure learning from complaints feeds directly into service improvement. This is detailed further in **Section 17 Going Forward**.

6. Statutory complaint numbers

- 6.1. The Directorate welcomes all feedback, including complaints and representations about its services. Service users, families and carers can provide their views in an open and transparent way and can easily access the complaints procedure.

Table 1: Number of Children's Social Care complaints by year

Stage	2017/18	2018/19	2019/20	2020/21 Completed	2020/21 Received	2021/22 Completed	2021/22 Received
Stage 1	107	109	107	75	60	68	85
Stage 2	15	15	13	10	15	22	20
Stage 3	5	6	4	6	7	6	9
Total	127	130	124	91	82	96	114

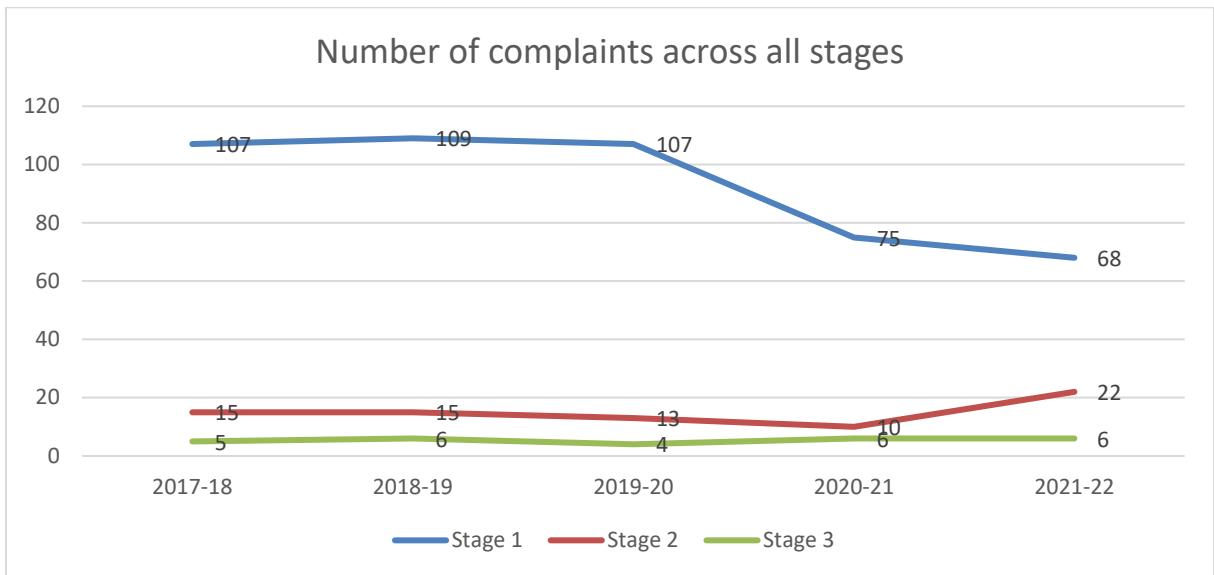
- 6.2. Children's Services completed 96 statutory complaints in total across all three stages during 2021/22. These are highlighted in **Table 1**. This represents a 5% increase on the previous year when 91 were completed. Of these complaints, the vast majority 71% (or 68 complaints²) were completed at stage 1. 23% (or 22 complaints³) were completed at stage 2 and 6% (or six⁴ complaints) progressed and were completed at stage 3.

² Whilst 68 Stage 1 complaints were completed, in total 85 new complaints were received. Four Stage 1 complaints from the previous year (2020-21) were carried over and closed during the first quarter of this year. Seven Stage 1 complaints remain open in Quarter 4 and will be carried over and completed in the first quarter of next year (2022-23).

³ Stage 2 complaints have been logged in the quarter requested by the complainant and closed in the quarter in which the final response was sent. Five Stage 2 complaints were carried over from the previous year (2020-21) and completed this year. 10 Stage 2 complaints remain open in Quarter 4 and will be carried over and completed next year (2022-23).

⁴ Stage 3 complaints have been logged in the quarter requested by the complainant and closed in the quarter in which the final response was sent. Two Stage 3 complaints were carried over from the previous year (2020-21) and completed this year. Two Stage 3 complaints remain open in Quarter 4 and will be carried over and completed next year (2022-23).

Chart 1: Number of Children’s Social Care complaints by year and stage



- 6.3. Overall, the proportion of complaints completed at stage 1 has decreased by 9% this year (seven complaints). Also, six complaints were withdrawn at stage 1 part-way through the process, mainly due to fast resolution and the complainant advising that a written response was no longer necessary.
- 6.4. There appears to be a spike in the number of complaints at stage 2 with an increase of 12 complaints. However, five Stage 2 complaints were withdrawn after the request, meaning 17 received an independent investigation and outcome.
- 6.5. There are factors that could have impacted on the increase in stage 2 complaints. Five stage 2 complaints were carried over from the previous year. Also, a complainant has the automatic right to escalate their complaint if the stage 1 investigation is not on time. 28 stage 1 complaints were sent late (**Section 9 response times**) and this could have impacted on an increase in requests for stage 2.
- 6.6. Discounting the five stage 2 complaints carried over from last year, one quarter (25% or 17) stage 1 complaints completed this year escalated to stage 2.
- 6.7. The number of Stage 3 complaints completed are the same as last year and the numbers have remained consistent over the last four year. It is positive that most stage 2 complaints manage to put things right with only a minority escalating to stage 3. Discounting the two stage 3 complaint that were carried over from last year, 24% (or four) escalated to stage 3 from stage 2 complaints completed this year.

Table 2: Number of Children’s Social Care Complaints Completed by quarter: 2021-22

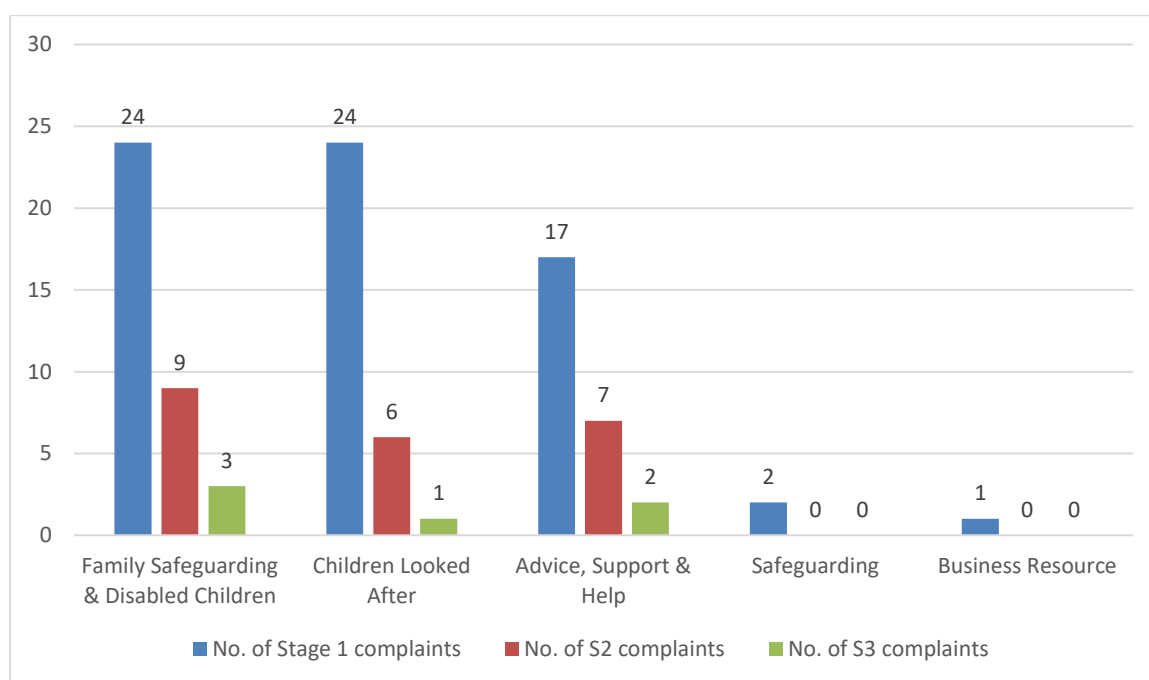
	Q1	Q2	Q3	Q4	Total completed
Stage 1	16	20	10	22	68
Stage 2	5	5	7	5	22
Stage 3	2	2	2	0	6
Total	23	27	19	27	96

- 6.8. The volume of complaints should be set in context by looking at the overall level of contact and interaction Children’s Social Care has with partners, residents and service users. The 68 stage 1 complaints received this year is a low proportion, given that the department handled 17,072⁵ front door contacts from partners, agencies and families of which 2,214 resulted in social care referrals, 1,837 social care assessments were undertaken, and 834 new Section 47 (Child Protection) enquires were instigated.
- 6.9. When looking at the complaint figures in context, it is notable that Wandsworth Children’s Services responded to 221 Member enquiries this year in addition to the formal complaints: across both Education and Children’s Social Care. Member enquiries, either through local MPs or Councillors are another way for residents or service users to give feedback or raise concerns about service provision, some of which could have been considered through complaint processes.
- 6.10. Whilst Member Enquiries can be requests for information or service enquiries, rather than formal complaints, it is important that these figures are considered alongside the number of complaints as managers are also expected to investigate the issues and provide response, often within shorter timescales than those prescribed by complaint processes.

7. Complaints by service area and teams

- 7.1. Of the 68 stage 1 complaints completed, the majority were for the Children Looked After service and the Family Safeguarding and Supporting Disabled Children’s service. Both services completed 24 stage 1 complaints (or 35%) each. The Advice, Support and Help service completed 18 stage 1 complaints (or 26%). Safeguarding Standards completed two complaints (or 3%). Business Support completed one complaint. **Chart 2** illustrates the number of complaints by service area and stage.
- 7.2. At stage 2 and 3, most complaints were completed by the Family Safeguarding and Supporting Disabled Children Services which support Children in Need and Child Protection and Disabled Children.

⁵ Last year’s numbers: 14,347 front door contacts, 3,082 social care referrals, 2,912 social care assessments, 1,037 new Section 47 enquiries

Chart 2: Number of complaints by service area and stage 2021/22

7.3. Broken down by teams within service areas, the teams which completed the highest individual number of stage 1 complaints were Referral and Assessment teams (14 or 21% of all complaints). Future First and the Disabled Childrens Teams both completed 13 complaints (or 19% each of all complaints). This was followed by Children in Need locality teams (11 complaints or 16%) and then Children Looked After teams (nine complaints or 13%).

Table 3: Stage 1 complaints completed by service area and team 2021-22

Service Area	Team	Q1	Q2	Q3	Q4	Total
Children Looked After (CLA)	Future First	3	3	2	5	13
	CLA locality teams	2	3	1	3	9
	SGO ⁶ Assessment & Post Permanency	0	2	0	0	2
Family Safeguarding and Disabled Children's service	Family Safeguarding locality teams (includes Child in Need)	4	1	4	2	11
	Disabled Children	2	6	2	3	13
Advice, Support and Help Service ^{7/}	Referral & Assessment	3	3	0	8	14

⁶ Special Guardianship order

⁷ Multi Agency Safeguarding Hub

	MASH		2	0	0	1	3
Safeguarding Standards Service	Safeguarding		0	1	1	0	2
Business Resource	Business Support		0	1	0	0	1
TOTAL			16	20	10	21	68

7.4. Whilst overall, the number of stage 1 complaints across all services has decreased in the past two years, on an individual service level the proportion of complaints for each area is in line with what we would expect. There is also good practice in the social care teams that aids fast resolution of concerns before they escalate to formal complaints.

7.5. The Children Looked After teams receive a large proportion of complaints due to the nature of their work with parents of Looked After children and these relationships can be emotive due to the power balances, because professionals are making the decisions in the best interests of young people, which often differs to the views of parents/carers. The Children Looked After teams recognise that parents in these situations can feel frustrated and powerless and seek to restore relationships by not ignoring difficult situations and reiterating decisions clearly and sensitively to address issues at an early stage.

7.6. We would expect the Family Safeguarding and Disabled Children's Service to also have a large proportion of complaints as because this service supports families who have been assessed as in need of social care support such as Child in Need (CiN), Child Protection (CP) and disabled children who can also be CiN or CP. Support for disabled children will be long-term support, often until the child has transitioned to adult services. Also, child protection is an emotive area of work, where professional decisions are made to safeguard children, which can conflict with the views of parents and guardians or leave them feeling excluded.

7.7. The culture within Family Safeguarding and Disabled Children's Service is to treat families in a way that professionals would want to be treated themselves. This focus on quality relationships and respect will undoubtedly mean that some issues that could have escalated to complaints, are resolved at a lower level.

7.8. On an individual level, it is unsurprising that the Referral and Assessment teams (part of the Advice, Support and Help service) received the highest number of complaints given that the department completed 2,214 referrals this year. However, the number of formal complaints is still low against the overall level of interaction.

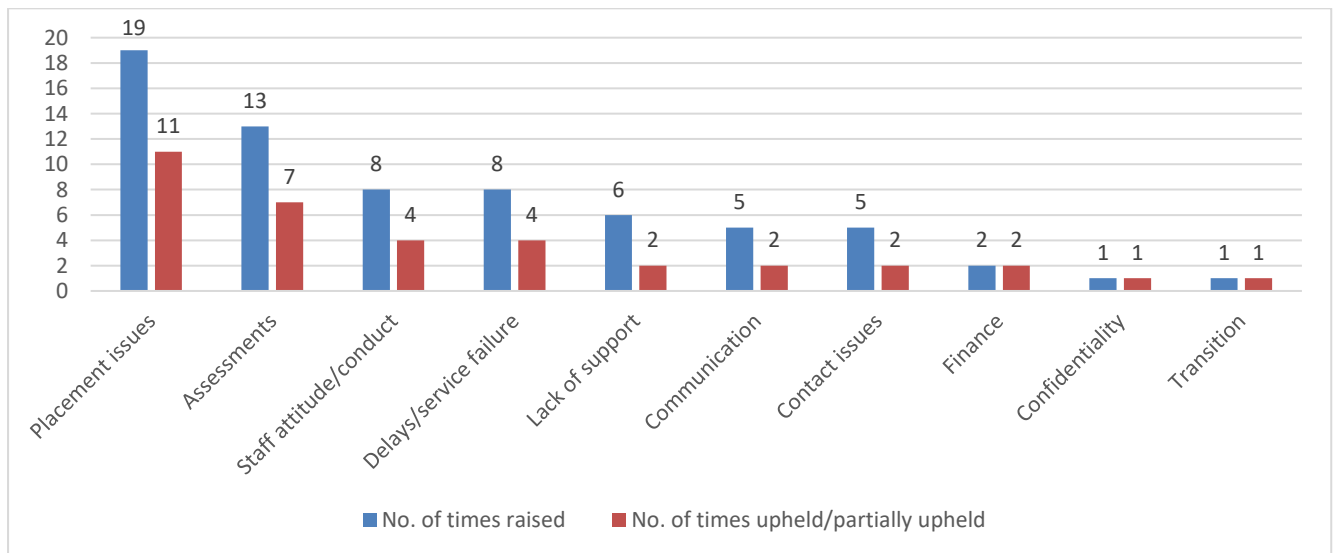
7.9. The practice in the Referral and Assessment teams places a strong emphasis on regular communication with families which means keeping in touch even if there is nothing new to update. This proactive and thoughtful communication reduces complaints as low-level issues are dealt with quickly before they escalate.

8. Complaints by Issue, outcome, and learnings: Stage 1

8.1. Complaint issues allow us to understand how services are being perceived and what can be learnt from complaints to improve service provision. Complaints are regularly reviewed at senior management level with a primary focus on addressing the learning from complaints which are upheld or partially upheld. Most complaints are multi-faceted and therefore raise multiple issues. For example, whilst communication as a principal issue was only recorded five times, most complaints raise communication issues in some way, but this may not be the main motivation to complain. Therefore, each complaint has been reported by its principal issue⁸, which is the overarching theme or trigger of the complaint.

8.2. When broken down, the most frequently raised principal issue at stage 1 was **placement issues/pathway planning** which accounted for 28% (19) of complaints. Then, 19% (or 13 complaints) were about the **quality of social care assessments**. **Staff attitude/conduct** and **delay and/or failures in service/procedures** each accounted for 12% (8) of complaints. **Lack of support** accounted for 9% (6) of complaints. **Communication** and **contact issues** each accounted for 7% (5) of complaints. **Financial issues** were only raised twice (3%) and related to issues with Direct Payments. **Transition** from Children’s to Adult Services and confidentiality were both raised once each. Principal issues and times upheld/partly upheld are highlighted in **Chart 3**.

Chart 3 – Number of complaints received by principal Issue at stage 1 and number of times upheld/partly upheld 2021-22



⁸ Current reporting of one primary issue per complaint will be expanded when Children’s Services complaints moves onto the new case management system Respond which is likely towards the end of the next financial year. As complaints are often multi-faceted rather than raising one single issue, the case management system will enable a way to effectively log and report each single issue raised in a complaint and provide a deeper analysis.

8.3. Complaints that raised **placement issues/pathway planning** were often raised directly by young people (**section 10**) and some were raised by parents/guardians. Whilst these complaints cross over with other complaint issue such as communication, delays, and lack of support, it felt important to categorise these specifically under placement issues to present an accurate picture of the experiences of Looked After children and Care Leavers. Below is a summary of the issues raised within these 19 complaints:

- With regards to Section 20 (S20)⁹ of the Childrens Act, complaints were raised regarding concerns about risks of homelessness due to lack of support and unhappiness with social care decisions about where young people should live, for example, to the family home, residential or foster placements.
- Care Leavers raised issues about financial tenancy problems, for example, not having sufficient funds after bills have been paid, and delays in receiving funds from the local authority.
- Other concerns were about lack of support and eligibility for services when turning 18, not being informed of rights as a Care Leaver, delays in submitting housing applications and allocating personal advisors (PAs)¹⁰, lack of support within placements from PAs and matching concerns with other young people in shared placements.

Learning: Placement issues

- Social workers received additional training on best practice to support children accommodated under S20 of the Children's Act.
- All young people who contact the Leaving Care service after their pathway plan is closed, are now offered a return to service assessment form to assess if new support is required.
- A housing panel has been set up for young people to attend and this provides current information on waiting lists. A housing guide has also been produced for Care Leavers.
- Processes have now been improved around PA support to ensure that young people in placements are suitably matched for example. Staff guidance has now been updated that sets out the importance of PAs having time to read a young person's records, meet other PAs to discuss any current conflicts within the placement, and ensure young people will visit the accommodation before moving in.

8.4. 61% (or 11) of the complaints raising **placement issues/pathway planning** were either upheld or partly upheld.

⁹ Section 20 of the Children's Act allows a child or young person to be accommodated by the Local Authority where there is agreement by those with Parental Responsibility.

¹⁰ Personal Advisors (PAs) are local authority workers offering advice and support to young people leaving care.

8.5. Complaints that raised **the quality of assessments**, either the process, quality or content raised issues about:

- The quality of information in assessments. This ranged from missing information, parents not feeling that their views have been considered within the assessment, unhappiness with the views or opinions of social workers within the assessment and delays in sending assessments and reports in time for parents to either agree amendments or read in time for meetings.
- Decisions within assessments, for example, to progress to child protection, decisions about respite provision, decisions not to progress after initial assessments and in one case, refusal of a Disabled Facilities Grant.

Learning: Quality of Assessments

- Social workers will ensure assessments and reports are sent out in time for parents to agree and suggest amendments.
- Social workers will be aware that language in reports and assessments must be sensitive, clearly explains why decisions have been made and represents the views of both parents/guardians.

8.6. 54% (or seven) of complaints that raised **quality of assessments issues** were either upheld or partly upheld.

8.7. Complaints that raised **staff attitude/conduct** were mainly raised by parents/guardians and a summary of the concerns are below:

- Fathers (who do not live in the family home) perceived that social worker have been biased towards them or not included them fully in social care processes.
- Some complaints were about perceptions of being victimised or a general lack of respect.
- Some complaints about perceived unprofessional behaviour were influenced by communication and a lack of clarity about why decisions are being made, contributed to perceptions of unprofessional behaviour. At times parents/guardians told us that they did not fully understand the reasons for or process behind Section 47¹¹ enquiries.

Learning: Staff attitude/conduct

- Reflection took place about the reasons relationships can break down with families and how power imbalances impact on this.
- It was recognised that fathers should be included in all work with children and families from the outset and views should be sought from both parents at every point.

¹¹ Section 47 of the Children's Act 1989 allows the local authority to make enquiries if it has reasonable cause to suspect a child is suffering or likely to suffer harm

- Social workers will ensure clear explanations are provided to parents/guardians about why their children may need to be seen alone during S47 enquires and how to communicate third party concerns in a way that does not feel intrusive.
- Social workers will reflect on ways that children can feel safe making disclosures without worrying about upsetting their parents.
- Social workers have been reminded to ensure they use 'out of office' notifications when they are absent and ensure that parents/guardians are informed when social workers are absent and unavailable for meetings.

8.8. 50% (or four complaints) that raised **staff attitude/conduct** were either upheld or partly upheld.

8.9. Complaints that raised **delays or failures in service/procedure** were about issues raised by parents, often around their expectations of the level of service that should be provided. Issues raised were:

- Not meeting expectations for how frequently LAC reviews should be held, not providing special transport to school for a disabled child, not providing expected levels of services to protect children, perceptions that social workers have not followed processes during Section 37 procedures¹², expecting a higher level of carers support and delays in allocating social workers.

8.10. 50% (or four) complaints that raised **delays or failures in service/procedure** were upheld. The social care teams recognised and apologised where perceptions had fallen short of expectations, however, most complaints in this category about professional decisions in following procedures were not upheld.

8.11. Complaints that raised **lack of support** were broadly about expectations not being met with regards to the level of support that parents felt they should receive. Issues included social workers turning up to meetings unprepared and having little knowledge of the case, social workers not following up on commitments, a perceived lack of understanding of the parent's circumstances and not agreeing requests for additional support.

8.12. 33% (or two) of complaints that raised **lack of support** were either upheld or partly upheld. Whilst there were no specific remedies, where two complaints were upheld, apologies and explanations were provided.

8.13. Complaints that primarily raised issues of **communication** were about a perceived lack of transparency or clarity on how decisions have been reached and failing to respond to communication in a timely way. Most of the learning for communication was picked up in other complaints, as communication was not the overarching theme. However, learning from these complaints continuously highlights that

¹² Section 37 of the 1989 Childrens Act empowers the court to give direction to local authorities to conduct investigations into the circumstances of a child.

Wandsworth Childrens Services are taking reflecting on practice seriously and continuously seek to improve all types of communication and interactions with families and young people.

8.14. Two complaints raising **communication** were upheld.

8.15. Complaints that raised issues about **contact** were from parents of children living under local authority care arrangements and raised concerns about disagreements with decisions about contact arrangements, social work teams not arranging contact arrangements as agreed in the child's care plan, wanting children to return home and from fathers, a feeling that they had not been equally involved in arrangements.

8.16. Two complaints were partly upheld, although this was in terms of acknowledging that communication could have been better rather than upholding professional decisions around contact arrangements.

Table 4: Stage 1 Primary complaint Issues by quarterly period for complaints completed

Issues	Qtr1	Qtr2	Qtr3	Qtr4	Total
Placement issues/pathway planning	3	5	3	6	17
Assessment: Quality and/or process	4	1	1	3	9
Lack of support	2	3	2	2	9
Staff attitude/conduct	3	0	0	5	8
Delays/failure in service or procedures	0	3	0	4	7
Communication issues	3	2	1	0	6
Contact with looked after children	1	2	1	1	5
Disputing professional decisions	0	1	1	1	3
Financial issues	0	1	1	0	2
Confidentiality	0	1	0	0	1
Transition	0	1	0	0	1
Total	16	20	10	22	68

6.18 As demonstrated in chart 4 and table 5 below, at stage 1, partly upheld and upheld complaints accounted for 29% each. Combined, this is 58% of complaints from which

Wandsworth Children’s Services have identified opportunities to apologise and improve services.

Chart 4: Outcome by % Stage 1 complaints

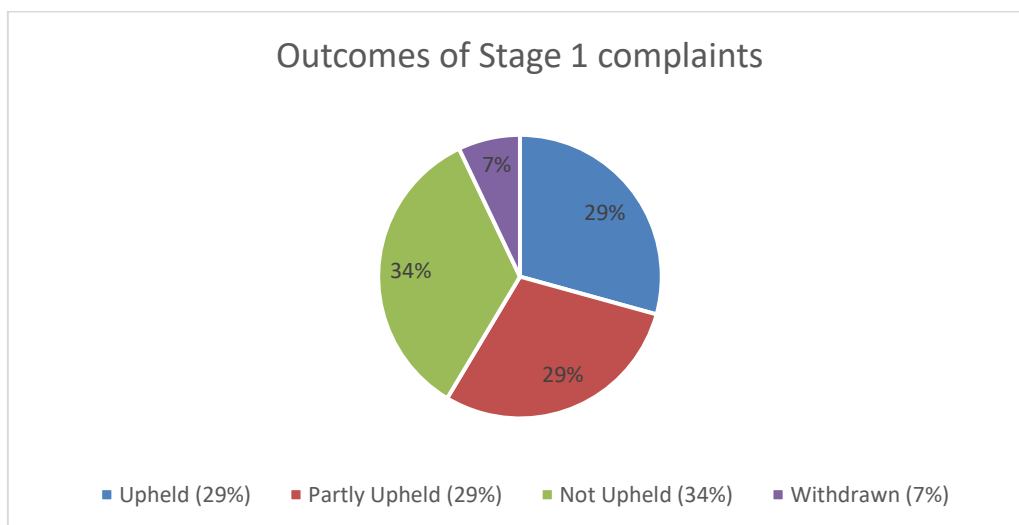


Table 5: Stage 1 Complaint Outcomes 2021/22

Outcome	Total number	Percentage (out of 68)
Upheld	20	29%
Partly Upheld	20	29%
Not Upheld	23	34%
Withdrawn	5	7%

9. Complaints by issue, outcomes, and leanings: Stage 2

- 9.1. Just over a quarter of complaints (27% or 17) that were completed at stage 1 during this financial year, escalated to stage 2. In total 22 were received but five were withdrawn.
- 9.2. Stage 2 complaints were mainly raised by parents or guardians; two of the complaints were directly from young people with the help of an advocate.
- 9.3. At the start of the stage 2 process a statement of complaint is agreed with an Independent Officer and Independent Person. The date the statement is signed commences the start of the 65 working day timescale. As stage 2 investigations are detailed and cover multiple issues, it is to be expected that most complaints are partly upheld. Therefore, it is difficult to determine one principal theme from stage 2 complaints.
- 9.4. The two complaints from young people both raised concerns about **placement issues** about not feeling involved in a placement move (the young person was

able to attend their Looked After Review to present their wishes and feelings) and another did not feel supported following a bereavement. Two complaints from parents were about their children’s placement arrangements and the level of support.

Learnings: Placement issues

- Every member of the social work team attended Mental First Aid training and mental health and trauma was added to the PA training programme.
- Some young people in semi-independent living will receive mentors as early as possible, who will support them through to aftercare.
- An electronic system for monitoring the status of housing applications had already been implemented at the time of the complaint and housing colleagues are now invited to key meetings to strengthen partnership working.

9.5. A significant theme from stage 2 complaints was the **quality of information in reports, assessments, and minutes**, and the timeliness of receiving these documents. Sometimes this was an unhappiness with professional views, or that the concerns of parents/guardians had not been fully documented. Also, issues were raised about social care records being incomplete.

Learnings: Quality of information in reports, assessments and minutes

- Commitments were made to ensure assessments are rigorous, fully document all concerns, basic information is correct, language is sensitive and that all assessments, reports and minutes are sent to families on time so that inaccuracies can be rectified.
- Social workers were reminded to spend sufficient time with parents, even if their children do not live with them, to ensure their views are understood. This was particularly in a response to a father who felt he had not been included.
- A practice learning review process has been undertaken by the Quality Assurance service which has reviewed records to gain an understanding of the quality of practice in relation to record keeping. The areas for improvement were fed back to social workers and regular reviews on recording policies and guidance will take place to ensure continuous improvement.

9.6. **Communication** was raised in relation to delays and the clarity of information, but often the learning was picked up under more specific issues such as the quality of information in records and placement issues.

9.7. Stage 2 complaints also raised themes about **lack of support**. Examples are perceptions that social workers have failed to act to in line with care plans or challenged partner organisations when care falls across services. Delays in social work allocation have added to these perceptions.

Learning: lack of support

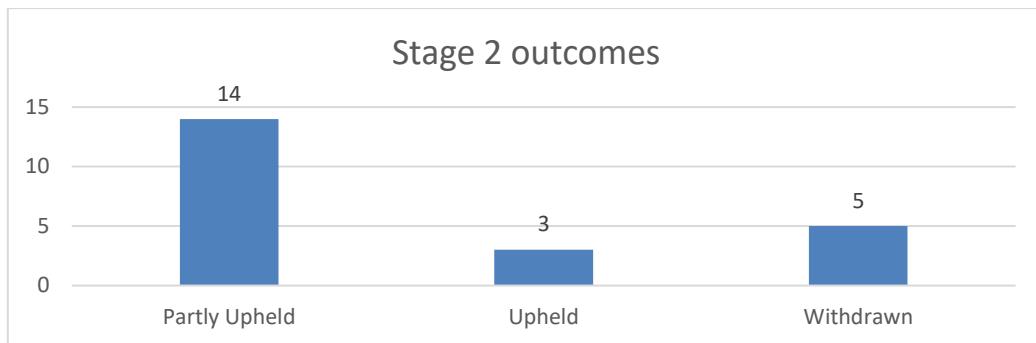
- Social workers will adopt a more robust approach to challenge other professionals in partner organisations but also manage the expectations of parents by setting out the limitations of their roles. Social workers will escalate to managers at an early stage if they need advice on processes, they are not familiar with (for example education).

9.8. Some complaints raised concerns about **delays/failures in process or procedure.**

Learning: delays/failures in process or procedure.

- A practice note was sent to social workers reminding them of the importance of always speaking to a child during S47 investigations to ensure investigations are fully informed.

Chart 5: Stage 2 outcomes 2021/22



10. Complaints by issue, outcomes, and learnings: Stage 3

10.1. This year a quarter of complaints completed at stage 2 escalated to stage 3 (24% or 4 complaints). Additionally, a further two stage 3 complaints completed in the first quarter, were carried over from last year; in total six were completed.

10.2. One stage 3 complaint was made directly by a young person with the help of an advocate. The complaint from the young person was about a disagreement with how they had been portrayed in their social work records due to allegations against them. The other five complaints made by parents or guardians and were about lack of support, the quality of information and assessments, communication, confidentiality and contact arrangements.

Learning: Quality of assessments

10.3. Learning mirrored stage 2; workers now share assessments with parents at an early stage so that they have time to make amendments and were reminded of the importance of accurate note taking and ensure case files are up to date.

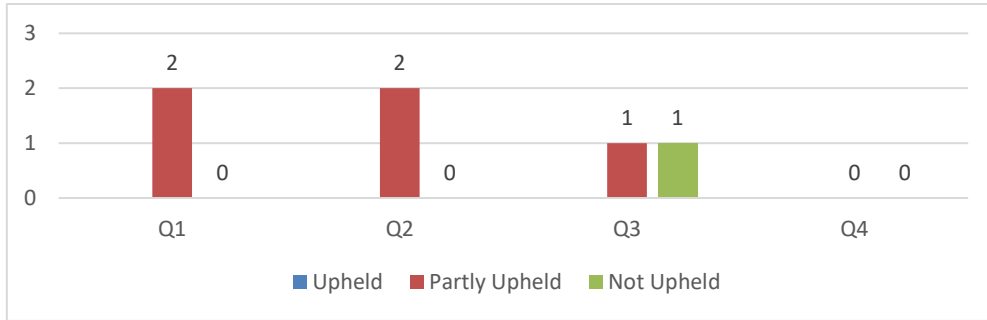
10.4. To improve the timeliness of producing assessments, social workers were reminded to use all communication tools available, via video/telephone if there are no safeguarding concerns.

10.5. A review of the process for commissioning external parenting and psychological assessments was undertaken. To ensure that future externally commissioned assessments are of a high quality, legal planning meetings are now chaired by the Deputy Director or Head of Service to ensure strong oversight around the instruction of experts and where assessments do not meet expectations.

Learning: Contact arrangements

10.6. The department reviewed risk assessments for contact arrangements to clarify criteria and aid future decision making. This will ensure greater transparency and help parents understand why decisions have been made which may prevent them seeing their child.

Chart 6: Stage 3 outcomes 2021/22

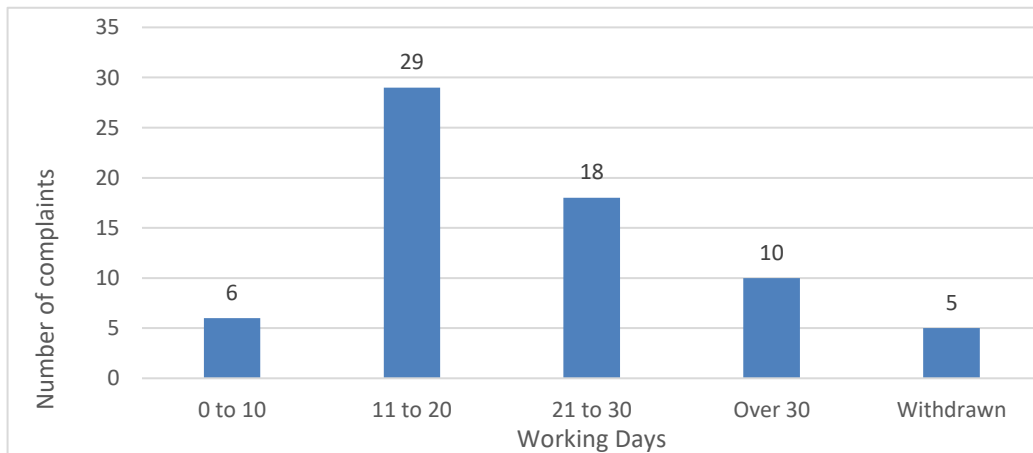


11. Response times

Stage 1

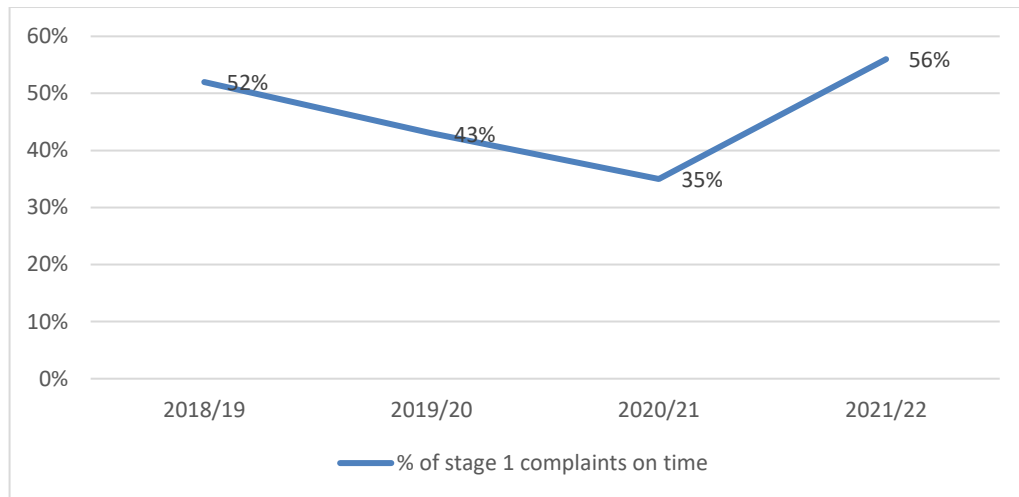
10.1 From the 68 completed stage 1 complaints, five were withdrawn. Therefore, timescales to measure stage 1 complaints 'on time' have excluded these complaints.

Chart 7 – Stage 1 response times – complaints completed during 2021-22



- 11.1. 'On time' means complaints that received a response within 20 working days. Stage 1 complaints should be investigated and completed within a timescale of 10 working days. This can be extended up to 20 working days for more complex complaints or in other instances where an extension is agreed by the Complaints Manager.

Chart 9 % of stage 1 complaints on time 2018/19 – 2021/22



- 11.2. 56% (or 35) of stage 1 complaints received a response on time which is shown on **Chart 8**. This is an improvement on the 35% completed on time in 2020-21 and 43% in 2019-20. This improved performance could be attributed to moving out of the Pandemic situation, which meant that often complaint responses were delayed whilst services were responding to more urgent priorities. Also, with a fully permanent and stable staffing team, the Complaints Team has enhanced its support to the Children’s Directorate by producing high quality bi-weekly complaint tracker reports and reliable system to remind managers of complaint deadlines.

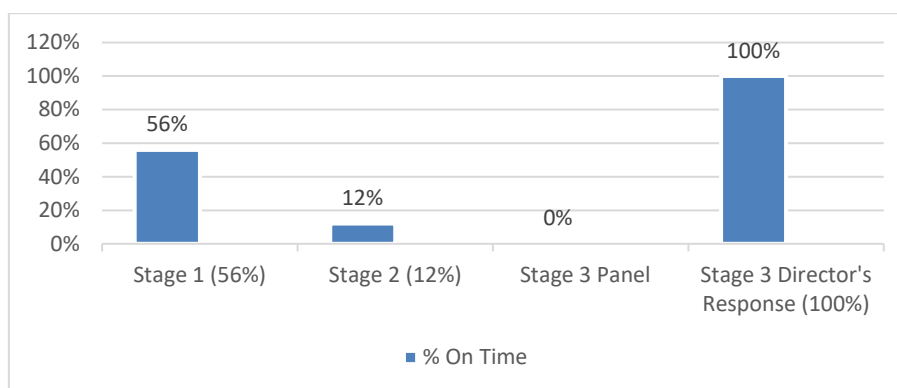
Stage 2

- 11.3. Stage 2 complaints have a statutory timescale of 25 to 65 working days. Excluding the five withdrawn complaints, only two of the 17 stage 2 complaints completed this year received a response within this timescale which, excluding the five withdrawn complaints, is 12%.
- 11.4. Whilst the number of stage 2 complaints responded to on time is low with only 12% of stage 2 complaints received a response on time. Performance declined during the Covid-19 Pandemic, coupled with unstable staffing and management in the statutory complaints team. We fully acknowledge that the Local Government and Social Care Ombudsman (LGSCO) has criticised the way that stage 2 complaints have been handled during this period. However, we are now seeing a consistent improvement in performance due to the various measures that have been put in places. In response, the Complaints Team undertook a proactive review of the stage 2 process and put actions in place to improve performance where delays were caused by our internal processes.

- 11.5. By working in collaboration with the Business Resource service we now ensure that electronic social care records are provided to Independent Officers (IOs) within 10 working days of the statement of complaint being agreed. Previously this was a drawn-out activity which caused delays at the start of the investigation, especially as we were forced to quickly move to a complete reliance on electronic records due to the Covid-19 Pandemic.
- 11.6. We have also placed a huge emphasis on our communication both with IOs and complainants and proactively track the progress of investigations. We now provide clear timescales to IOs at the start of the investigation and request investigation reports back at least 15 working days before the 65 working day deadline to allow sufficient time to complete the adjudication. The Complaints team are also exploring options for increasing the availability, monitoring and quality of IO's. Over the next 12 months this is anticipated to have a significant impact on stage two response times.
- 11.7. Whilst we are now satisfied that the Complaints Team are managing the process well (and complaints about the management of the complaint are no longer received), delays still occur due to the actual investigation process such as interviewing staff, particularly those who have left the local authority, and delays due to the availability of IOs.
- 11.8. These delays sometimes means that adjudications are not started until after the 65 deadline has passed, and we are appreciative that Heads of Service prioritise completing their adjudications with a very short turnaround. This has resulted in a reduction of the length of time investigations run over the 65 working day timescale. Two of the 17 completed stage 2 complaints were on time, six were no more than 10 days late, two were no more than 30 days late and seven were over 30 days later. We expect to see this performance improve next year as we now focus our attention on external factors impacting on investigation delays.

Stage 3

- 11.9. Stage 3 panels must be held within 30 working days of the request and the Panel report sent to the complainant within five working days of the Panel. The Director's response should be sent no later than 15 working days after the Panel report is received. This year no stage 3 panels were held on time. However, the Director's report, which is sent within 15 working days of the Panel report being received, achieved 100% compliance.
- 11.10. As per stage 2 complaints, external factors are the primary cause of delays in completing Stage 3 panels within the prescribed 30-day timescale. This is mainly due to the availability of independent panel members and at time, complainants.

Chart 8: Percentage of complaints completed on time at all stages

12. Young people's complaints

- 12.1. Of the 68 stage 1 complaints received for this reporting period, just over three quarters (76% or 52 complaints) of Stage 1 complaints were received on behalf of parents or carers. The remaining 16 (or 24%) complaints were received directly from a child/young person. This is a slight increase on the 14 complaints directly from young people last year (2020-21) and slightly lower than the previous year (2019-20) where 19 complaints were made by young people.
- 12.2. Additionally, four of the stage 2 complaints and one stage 3 complaint were from young people that had raised complaints at stage 1.
- 12.3. Of the complaints received from young people:
- 31% (or five) were from young males and 69%% (or 11) were from young females
 - 88% (or 14) were from young people aged between 17-24, and two complaints were received from children aged 14-17
 - 81% (or 13) of complaints were from Care Leavers. 13% (or two) were from Children Looked After. One complaint was from a Child in Need.
- 12.4 The number of complaints directly from young people is expected to be low. Often when concerns are raised directly by young people, professionals supporting them are proactive in having conversations to resolve concerns before the matter becomes a formal complaint. Mostly complaints directly from young people are from Looked After children or Care Leavers.
- 12.5 While complaints directly from children and young people are generally low, the complaints process and role of the Complaints Team is to ensure that each complaint investigation is child-focused, and any outcomes or learning inform service improvement.
- 12.6 Another factor is that the complaints process may not also lend itself well to the way that young people like to raise complaints as it is lengthy, formal, and less technological, for

example, young people often prefer to use social media to communicate and provide feedback.

- 12.7 Despite these challenges, the Complaints Team are always keen to receive complaints from children and young people directly. If it is considered that a complaint is best made from a children or young person, we aim to work directly with them and always offer advocacy support. Over the next year, the Complaints Team will be considering new ways of working with services to engage with children and young people, ensuring they are aware of the complaints process and find it easily accessible.
- 12.8 The main themes emerging from complaints received directly from young people during this reporting period is placement issues. These were summarised in **Section 6** of the report.

13. Complaints by category of support and equalities breakdown

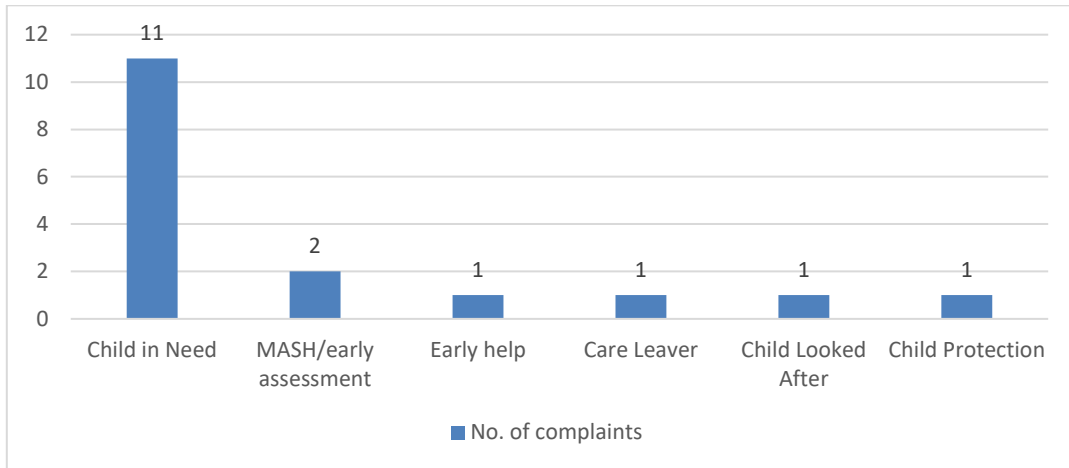
- 13.1 The following section reviews the breakdown of complaints completed at stage 1 by the category of support that the young people have received. The section will then go onto review the breakdown of equalities data of these young people.

Table 6: number of stage 1 complaints completed by category of support 2021/22

Category of support	No. of complaints	%
Children Looked After	16	24%
Care Leavers	15	22%
Children in Need	14	20%
Child Protection	12	18%
MASH/referral and assessment stage	11	16%
Total	68	100%

- 13.2 **Table 6** above demonstrates the number of completed stage 1 complaints split by category of support. Whilst most complaints concerned Looked After Children or Care Leavers, the numbers are fairly level across all types of support.
- 13.3 The volume of these complaints should be taken in the context of the overall level of interaction as of 31st March 2022 there were 162 children on an open Child Protection plan, 241 open Looked after Children, and 905 children in need (including open assessments).
- 13.4 Additionally, 17 of the young people who were the subject of a complaint at all stages were registered as disabled. Complaints concerning children with a disability across areas of support are shown in chart 10 below.

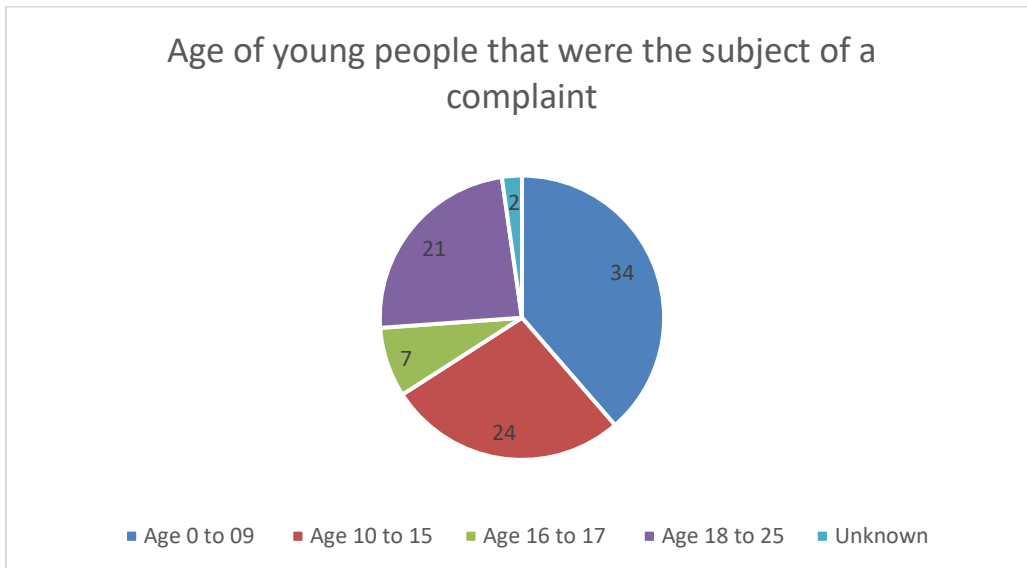
Chart 10: Number of disabled children subject of a complaint by category of support 2021/22



13.5 Whilst 68 stage 1 complaints were completed, some complaints concerned families with multiple children, therefore the total number of children for which equalities data is recorded against in the charts below is 88.

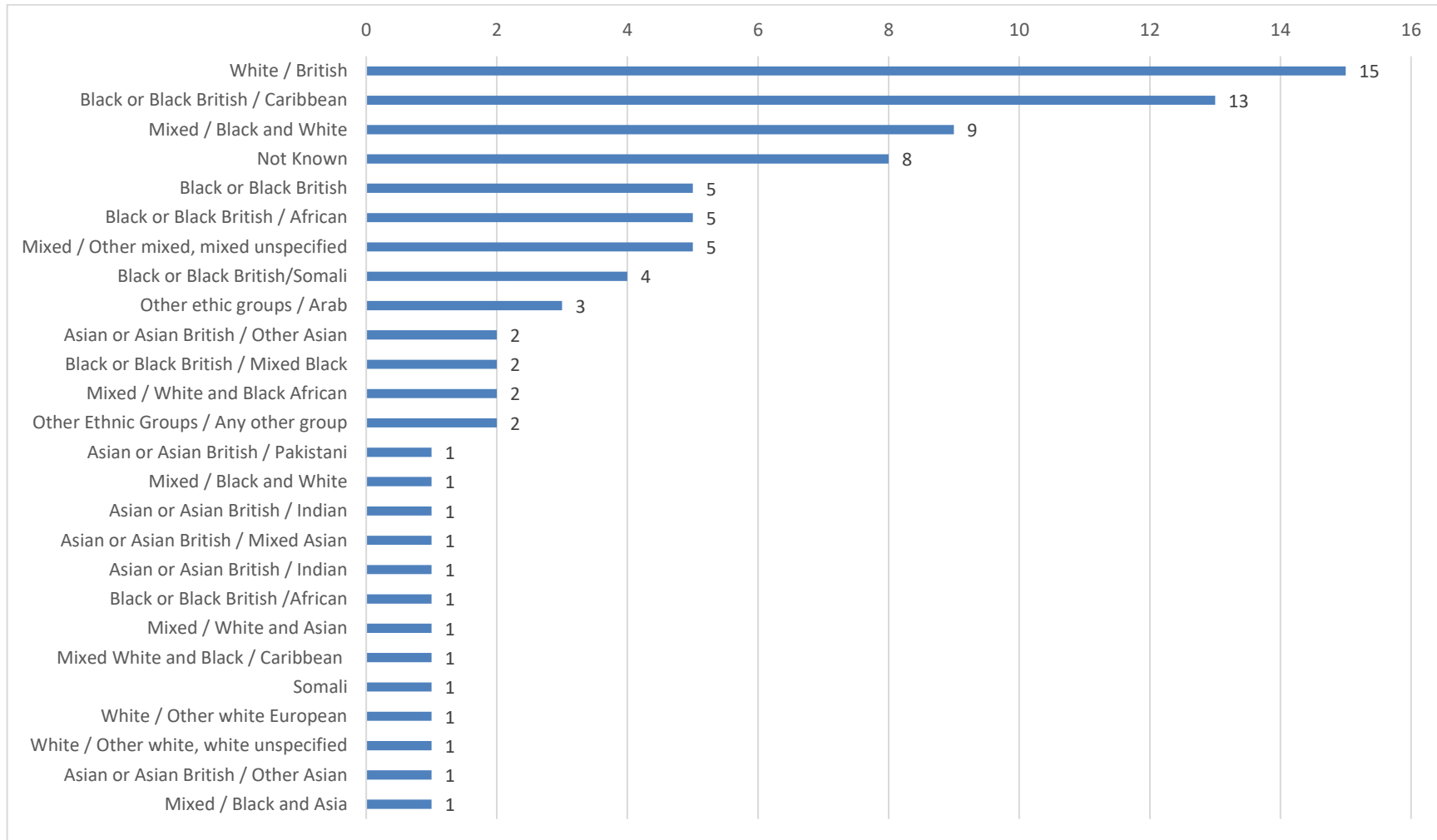
13.6 Chart 11 below sets out the age range of children and young people subject of a complaint. Most complaints concerned children aged 0 to 9 years (34 children), followed by children between 10-15 years of age (24 children). Whilst less complaints were received concerning older children, 21 young people aged 18-25 were the subject of a complaint and a further seven were aged 16 to 17. The complaints received directly from children tended to be from older children. The age of two of the children concerned in complaints were unknown.

Chart 11: Age range of the 88 young people subject of a complaint



13.7 There was very little difference in complaints split by gender. There were 42 from both young females and 44 from young males. Two of the children the complaints concerned genders were unknown.

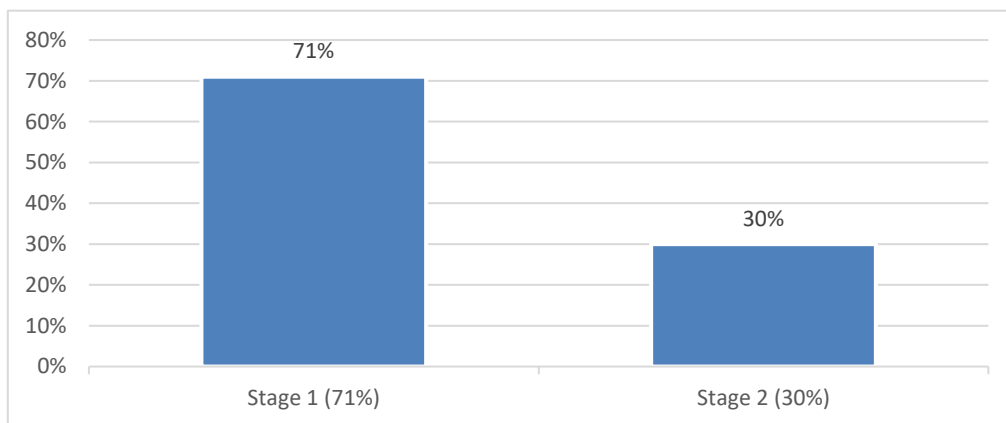
Chart 12: Ethnicity of the 88 young people that were the subject of a complaint



14 Corporate complaints

- 14.1 This report provides a brief overview of Corporate Complaints closed by Children’s Services and includes numbers for both social care and education. Detailed reporting on Corporate Complaints is within Richmond Council’s Corporate Complaints Report 2021-22.
- 14.2 Children’s Services completed 42 stage 1 corporate complaints. 22 were for Education, 11 were for Children’s Social Care¹³, three were for Early Help, and six were for Business Resources. This is a 48% decrease on the 87 stage 1 complaints closed last year.
- 14.3 40% of stage 1 corporate complaints (17 complaints¹⁴) escalated to stage 2 of the corporate complaints process. 10 stage 2 complaints were for Education, five were for Children’s Social Care, two were for Early Help. Last year the Corporate Complaints process changed from three stages to two and therefore a comparison on stage 2 complaints completed last year has not been provided as it is not an accurate representation.
- 14.4 71% (or 30 complaints) of stage 1 complaints were sent out on time, which is 20 working days. 35% (or 6 complaints) of stage 2 complaints were sent out on time, which is 15 working days.

Chart 12: Number of stage 1 and 2 corporate complaints completed on time



¹³ Some parts of the 1988 Children’s Act are excluded from the Children’s Statutory Complaint Regulations. Sometimes the Complaints Team assess that it is correct to investigate these through the Council’s own Corporate Complaints Procedure. Also, sometimes parents or adults without parental responsibility, make complaints about how the actions of Children’s Social Care have impacted them personally. These complaints, which are not child centred, are investigated through the non-statutory complaints route.

¹⁴ Stage 2 complaints are counted separately as they involve a full review of the stage 1 investigation and follow different timescales.

15 Ombudsman Cases

- 15.1 This report provides a brief overview of Local Government and Social Care Ombudsman (LGSCO) closed by Children's Services. Detailed reporting on Corporate and Ombudsman Complaints across all services is within Wandsworth Council's Corporate Complaints Report 2021-22.
- 15.2 A complainant has the right to refer their complaint to the Local Government and Social Care Ombudsman (LGSO) at any time. Generally, the Ombudsman will seek to ensure that the Local Authority has been provided with the opportunity to first respond to the complaint in accordance with the Council's own statutory complaints process.
- 15.3 During 2021/22, 11 Ombudsman enquiries/investigations were completed for children's services which is a 38% increase on the 8 completed last year. Six of these were for statutory children's social care services and five were for education/SEND¹⁵.
- 15.4 For Children's Social Care, fault was found on five occasions (from 11 enquires/investigations). For SEND services, fault was found in two cases (from five enquiries/investigations). The outcome/status for the eleven complaints received were as follows:
- 15.5 **Non-statutory Ombudsman cases (Education)**

Table 6: Ombudsman enquiries/investigations and outcomes: Education

Service Area	Details and LGSO decision
SEND	No finding. Complaint about subject access request, outside of jurisdiction.
SEND	Fault due to delays in EHCP process. Ombudsman satisfied that the Council had already provided suitable remedy by making significant improvements and offering a financial payment.
SEND	No finding as the complaint had been through an EHCP panel to challenge the decision not to undertake an EHCP assessment.
SEND	The Ombudsman did not investigate as they could not add to the Council's investigation and findings.
SEND	Fault in failing to complete an EHCP assessment and poor communication. £500 financial remedy.

¹⁵ Special Educational Needs and Disability (SEND). A child or young person who has special educational needs and/or a disability and needs special health and education support.

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15.6 Statutory Ombudsman cases (Social Care)

Table 7: Ombudsman enquiries/investigations and outcomes: Social Care

Complaint details	Ombudsman decision
Children Looked After	No finding. Complaint was out of time. About a mother's disagreement with professional decisions about her Looked After child.
Children in Need	Fault with regards to process of conducting a family assessment and assessing risk and delays in the complaints process. £1,000 financial remedy offered.
LADO ¹⁶	Unable to investigate a complaint about LADO safeguarding enquiries as the information could prejudice court proceedings.
Children Looked After	Fault in the way the Council progressed an adoption assessment. £2000 financial remedy provided.
Disabled Children's team	Delays in progressing respite services which caused significant injustice to the family. £2750 financial remedy provided.
Children In Need	The LGSCO did not investigate this complaint from a parent about the involvement of children's social care with their family as they could not add to the Council's investigation and findings.
LADO	The LGSCO would not investigate the complaint as it related to internal school matters and would not lead to a different outcome.
Children Looked After	Fault found in relation to how the Council supported a fostering placement. £150 financial remedy.
Children in Need	Fault with regards to delays actioning requests for support and carrying out an assessment and delays in the

¹⁶ Local Authority Designated Officer (LADO). Responsible for coordinating the response to concerns that an adult who works with children may have caused them or could cause them harm.

Complaint details	Ombudsman decision
	complaints process. £600 for distress time and trouble.
LADO	The LGSCO would not investigate the complaint about how the LADO investigated safeguarding concerns about an individual working with children, as it was unlikely this would lead to a worthwhile outcome
Child in Need	The LGSCO would not investigate this complaint about the quality of a child safety assessment as they related to matters discussed in court and an investigation would not lead to a worthwhile outcome.

16 Compliments

16.1 Positive feedback regarding staff or service delivery is another way in which the department can learn how well things are going. Compliments remind us of the excellent practice within services and reinforce that the promises made to learn from complaints are sincere. Staff are reminded to report compliments they receive so we can record as much positive feedback as possible to evidence the commitment to good social care practice.

16.2 Examples of compliments received from both service users and partner organisations are outlined below:

- *“Thank you very much for all your work on this case, and for this update. I have already heard from the family who are very pleased indeed”.*
- *“I felt that they were exemplary in managing a complex case and I wanted to highlight how passionate and effective they were in advocating for this young man both in and out of Court. It’s not often we get praised at Court or within our work”.*
- *“I want to express how grateful my son and I are for the support and help you have given us. Once they spoke to me, they made me feel so relaxed and I felt that I could open up and be totally honest. They were always a good listener, non-judgemental and put me at ease. I really do feel that without their support and constant encouragement, I do not think my recovery and confidence as a parent would have been such a smooth journey. Your service is invaluable”.*

- *“I wanted to let you know that they have been extremely helpful in sorting out the issues that we raised. People often don’t praise enough, and I feel that they have gone over and beyond to get things sorted out between us by email and phone”.*
- *“I’m really impressed with your management of my child’s case. I feel reassured they are in safe hands so a personal thanks from a loving mum”.*
- *“I wanted to offer our congratulations on your superb launch event yesterday! It was so professionally executed, and the passion and excitement for Family Safeguarding in Wandsworth was palpable”.*
- *“We share their words of admiration for the work you have done and continue to do. You captured our pride in the family safeguarding journey perfectly”.*
- *“I just wanted to say I really enjoy working with you. There is no messing around, you are creative, and your communication is excellent”.*
- *“It really helps me when professionals work with me. I appreciate we work from different perspectives but our aim and focus is always about the child”.*
- *“Thankfully, I have had great support from the post permanence team. They have attended numerous meetings and do not hesitate to challenge professionals when needed. They have the best interests of the child first and foremost and will remind other professionals of that”.*
- *“On every occasion I have found them to be responsive and conscientious. They are someone I can work with, and they have a committed drive to bring about desirable results”.*
- *“I would like to thank you for all your support and guidance. It was so valuable”.*

17 Going forward: the key priorities for 2022/23

- 15.1 During, 2021-22 the Complaints Service achieved a fully permanent staffing team. Vulnerabilities were particularly on the statutory part of the service which impacted on operational delivery and the quality of complaints management. Now, for the first time in several years, permanent staffing has been established across the whole service. We are delighted to have received excellent feedback from senior management and Directors about the enhanced quality of support and management of the statutory complaints team.

- 15.2 Whilst we are aware that over the last year, we have still been managing some of the complaints that were affected during the period of instability in the complaints team (and valuable learning has come from them), all these cases are now closed. We are pleased to have received excellent feedback from senior management reinforcing how we have strengthened our support to Wandsworth Children's Services and alongside this, accelerated our service development.
- 15.3 To improve the process of managing complaints and to ensure this improved performance continues into next year we have:
- Re-established our processes to ensure that all investigating managers have templates and guidance (both generic and case specific) to guide them through the complaint investigations.
 - Offer quality assurance of all stage 1 complaint responses and guidance throughout the investigation.
 - At stage 2, enhanced our quality assurance of statement of complaints and independent reports to ensure they are compliant with the remit of complaint regulations and value for money.
- 15.4 Our focus is also to improve stage 2 timescales¹⁷ to comply with the 65 working day timescale. We are satisfied that internal process issues that have previously caused delays (such as delays in providing electronic social care records) have been mitigated against. Next year we will be undertaking a review with our independent officers to understand the factors that cause delays in their investigation process and how this can be improved to ensure we are fulfilling our statutory obligations to people making a complaint.
- 15.5 The Complaints Team were fortunate to have a graduate placement for six months. They undertook a research project on learning from complaints. As part of this, they interviewed other local authorities about their approach to learning from complaints and produced a paper with recommendations that we will be taking forward over the next year. This includes quarterly targeted meetings with the Heads of Service to better analyse themes and learning from complaints and identify issues at an earlier stage, and work with quality assurance/professional standards teams to ensure learning from complaints feeds directly into the work they are doing to improve processes and procedures. These meetings have been set up for next year.
- 15.6 We have developed a training package which focuses on good complaints handling and improving complaint investigations at stage 1 of the statutory process. The focus of the training is to avoid escalation with a focus on restoring relationships with parents/guardians and young people who complain. In the first quarter of next year, we will be delivering this training to operational managers in Wandsworth Children's Services. This training will now be available on an ongoing basis.

¹⁷ Stage 3 timescales are often out of our control and dependent on the availability of a limited number of Independent Officers. However, all Director's reports are sent on time; 20 working days after the panel is held.

- 15.7 The new case management system Respond is now fully operational for Adult Statutory complaints. Following this, the system will be rolled out to children's statutory complaints, and we are planning for this phase of the project to commence toward the end of next year.