

# Annual Complaints Report Children's Social Care Wandsworth 2020-21



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## 1. Introduction

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- 1.1. This Report is a statutory requirement for Local Authorities to produce annually to report on the complaints and representation activity within Children's social care services.
- 1.2. There is a duty on all local authorities to maintain and operate a complaints procedure for Children's social care services.
- 1.3. 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. Legislation

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- 2.1. There is a legal requirement for the Local Authority to have in place a complaints procedure, in accordance with The Children Act 1989 Representations Procedure (England) Regulations 2006, The Children & Adoption Act 2002 and Children (Leaving Care) Act 2000 and the accompanying guidance, 'Getting the Best from Complaints' (DfES Guidance 2006) for the management of social care complaints.
- 2.2. There is also a legal duty for the Local Authority to have in place advocacy arrangements for children and young people to be able to make their views and comments regarding Children's services and their care. This is in accordance with the Advocacy Regulations 2004.

## 3. Overview of the Children's Complaints Procedure

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- 3.1. 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.
- 3.2. Where the complainant is dissatisfied with the Stage 1 response, they can request a Stage 2 investigation. This year the Local Government and Social Care Ombudsman (LGSO) have confirmed that a complainant has a right to escalate to Stage 2, even if a complaint is upheld at Stage 1. 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<sup>1</sup>. The investigation team

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<sup>1</sup> It is a statutory requirement to commission an Independent Person (IP) to oversee the integrity of a Stage 2 investigation. An IP must not have been employed by the council for a minimum of 2 years. Whilst Council officers from a different management structure to the service complained about, can act as Independent Officer (IO), Wandsworth commission external IOs for this role.

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.

- 3.3. 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.
- 3.4. A complaint is defined as **'an expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response.'**
- 3.5. 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 competent<sup>2</sup>.
- 3.6. 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, Special Guardianship Support and post-adoption support. The following areas tend to be exempt; Early Help, Child Protection, S47 enquiries and conferences, assessments for 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.
- 3.7. Where a service is provided by a contractor on behalf of the Council, a complaint can either be made directly to the 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 Quality Standards team will investigate.
- 3.8. 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.
- 3.9. The department commissions its advocacy provision through 'Coram Voice' to assist children and young people when making a complaint or a representation.

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<sup>2</sup> 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. Children's social care complaints received

- 4.1. The Directorate welcomes all feedback, including complaints and representations about its services. Service users, families and carers are able to provide their views in an open and transparent way and can easily access the complaints procedure.
- 4.2. The Children's Service received 82 statutory complaints in total across all three stages during 2020/21. These are highlighted in **Table 1**. This represents a 34% decrease on the previous year when 124 were processed.
- 4.3. There are factors that could have affected the decrease in the number of complaints. Service users facing additional challenges due to the Covid-19 Pandemic may not have prioritised making a complaint. Additionally, better complaints handling at the point of contact within services may have reduced the number of formal complaints. A key objective for the forthcoming year is to strengthen the presence of the complaints team within the children's directorate which will support insight into complaint trends.
- 4.4. Of these complaints, the vast majority 71% (or 60 complaints<sup>3</sup>) were processed at Stage 1 of the Statutory Complaint's Procedure, 18% (or 15 complaints) were processed at Stage 2 and 9% (or seven complaints were progressed to Stage 3). Six complaints were withdrawn at Stage 1 part-way through the process, mainly due to fast resolution without the need for a formal response. 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.
- 4.5. Overall, the proportion of complaints dealt with at Stage 1 has decreased, whilst the number of complaints at Stage 2 has increased. **Table 2** highlights the spread of complaints across the year. Quarter 2 in 2020/21 saw a significantly higher number of Stage 1 complaints (30) than any other quarter.

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

Stage	2016/17	2017/18	2018/19	2019/20	2020/21 Received	2020/21 Closed comparator
Stage 1	81	107	109	107	60	75
Stage 2	17	15	15	13	15	10
Stage 3	2	5	6	4	7	6
Total	100	127	130	124	82	91

<sup>3</sup> Whilst 60 new Stage 1 complaints were received, in total 75 were closed. This includes 19 Stage 1 complaints received in 2019-20 but not closed until the first quarter of this year and excludes four complaints received this year that will be closed in the first quarter of next year. Any learning from these 19 complaints is included in this report.

**Table 2: Number of Children’s Social Care Complaints received by quarter: 2020-21**

	Q1	Q2	Q3	Q4	Total received
Stage 1	10	30	15	5	60
Stage 2	0	5	5	5	15
Stage 3	1	0	4	2	7
Total <sup>4</sup>	13	35	24	12	82

4.6. 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 82 complaints received this year is a low proportion, given that the department handled 14,347 contacts from partners and agencies of which 3,082 resulted in social care referrals, 2,912 social care assessments were undertaken and 1,037 new Section 47 (Child Protection) enquires were instigated.

## 5. Complaints by service area and teams

5.1. **Table 3** details the breakdown of stage 1 complaints received within the wider service area during the reporting year<sup>5</sup>, not including external provider complaints. Some complaints involved more than one service area.

5.2. Of the 60 Stage 1 complaints received the majority were for the Children In Need Services which received 18 complaints (or 30%). The two service areas in Children Looked After received 17 complaints in total (or 28% of complaints). The Referral and Assessment teams received 13 complaints (22%), the Children with a Disabilities Team received 8 complaints (13%), and the MASH team received four (7%). **Table 4** details how these areas are currently structured within the main service areas.

<sup>4</sup> Stage 2 complaints have been logged in the quarter requested by the complainant. Two complaints from 2019-20 were closed this year and learning has been included in this report. Eight of the 15 Stage 2 complaints requested this year will be closed in the first quarter of 2021-22 and learning included in next year’s report. This means that 10 Stage 2 complaints were closed this year. No Stage 3 Panel’s from last year carried over into this year. One Stage 3 Panel requested this year will take place in the first quarter of 2021-22. This means that six Stage 3 complaints were closed this year in comparison to the seven requested.

<sup>5</sup> Service areas in Children’s Social Care were restructured in February 2021. The service area structure in this report reflects the new structure for ease of reporting.

**Table 3: Stage 1 complaints received by service area 2020/21**

<b>Service Area</b>	<b>Qtr. 1</b>	<b>Qtr. 2</b>	<b>Qtr. 3</b>	<b>Qtr. 4</b>	<b>Total</b>
Children Looked After (Social Work and Future First)	1	7	5	2	<b>15</b>
Children Looked After (Fostering, Placements, Contact and Assessment)	0	2	0	0	<b>2</b>
Family and Communities ( <i>includes Children in Need &amp; Disabilities</i> )	5	12	7	2	<b>26</b>
MASH/Referral & Assessment/Out of Hours	3	9	3	2	<b>17</b>
Youth Offending Service	0	0	0	0	<b>0</b>
<b>Total</b>	<b>9</b>	<b>30</b>	<b>15</b>	<b>6</b>	<b>60</b>

**Table 4: Stage 1 complaints received<sup>6</sup> by teams within service Areas 2020/21**

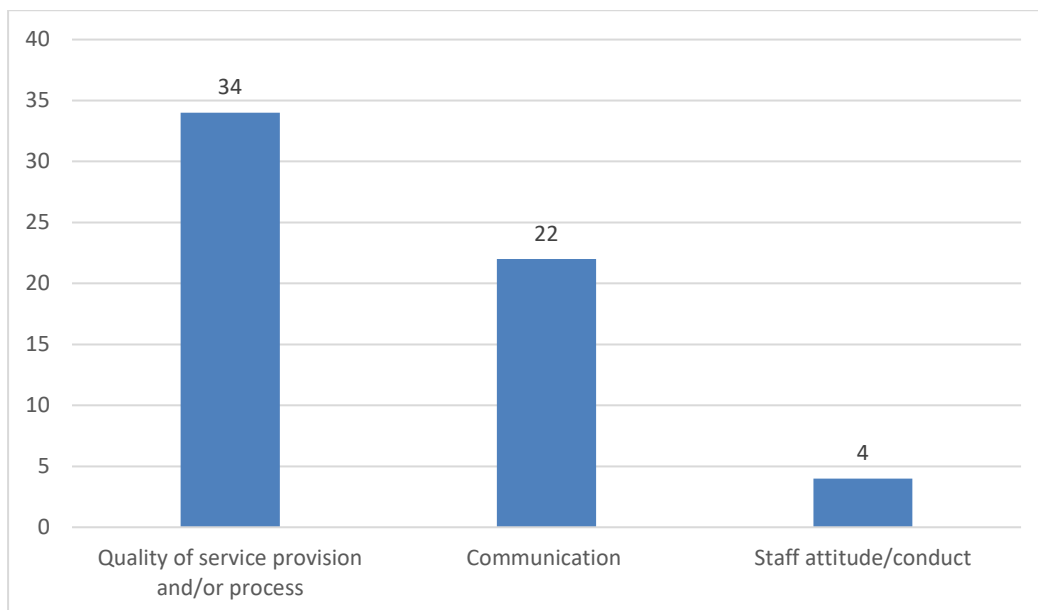
<b>Service Area</b>	<b>Team</b>	<b>Annual Total</b>
Children Looked After (Social Work and Future First)		
	Children Looked After locality areas	9
	Future First	6
Children Looked After (Fostering, PPS, Placements, Contact and Assessment)		
	Post Permanence Support	1
	Edge of Care	1
Family and Communities		
	Children with a Disability	8
	Child in Need locality areas	18
MASH/Referral & Assessment/Out of Hours		
	Referral and Assessment	13
	MASH	4
<b>Total</b>		<b>60</b>

<sup>6</sup> If recording teams against the 75 closed complaints this year, the numbers would be adjusted as; Future First (7), Post Permanence Support (4), Edge of Care (3), Children with a Disability (10), CIN Locality Areas (21), Referral and Assessment (16), MASH (5). Numbers for CLA remain the same (9).

## 6. Complaints by Issue

- 6.1. Complaint issues allow us to understand how services are being perceived and what can be learnt from complaints to improve service provision.
- 6.2. When broken down by type of complaint the most frequently mentioned principle issue was Quality of Service Provision which accounted for 57% (34 complaints) of Stage 1 complaints. This was followed by Communication issues (37% or 22 complaints), and Staff Attitude/Conduct (7% or 4 complaints). These are highlighted in **Chart 1**.
- 6.3. This is consistent with last year which saw a highest number of complaints for Quality of Service Provision and Communication issues. **Table 5** provides details of issue of primary complaint issues of the quarters.
- 6.4. Complaints are regularly reviewed at senior management level with a primary focus on addressing the learning from complaints upheld or partially upheld. Learning from complaints is detailed in **Section 14**.
- 6.5. Some complaints spanned more than one primary category. For example, complaints that raised issues about the quality of services and lack of support, often also raised issues with communication or delays. Complaints about staff conduct cross over into complaints about the quality of communication. For this report, we have selected the main theme of each complaint. Next year we will begin to use our new case management system and primary and secondary complaint issues will be expanded to provide a more detailed analysis.

**Chart 1 – Number of complaints received<sup>7</sup> by principle Issue 2020-21**



<sup>7</sup> If recording primary Issues against the 75 completed Stage 1 complaints this year the numbers would be adjusted to; Quality of Service Provision/process (47), Communication (24) times and Staff Attitude/conduct remains the same (4)



**Table 5: Stage 1 Primary complaint Issues by quarterly period for complaints received**

Issues	Qtr1	Qtr2	Qtr3	Qtr4	Total
Quality of service provision/Process/Assessment	7	17	8	2	34
Communication Issues	2	11	5	4	22
Staff attitude/conduct	0	2	2	0	4
Total	9	30	15	6	60

6.6. Secondary issues are also recorded for each complaint to understand themes and inform learning from complaints. In **Table 6** the most prevalent secondary issues and themes have been broken from the principle complaint issue. Issues raised in complaints made directly by young people are discussed in Section 11 of this report.

**Table 6: Stage 1 Secondary Issues**

Principle Issue	Secondary Issue
Quality of Service Provision and Process	Lack of Support
	Issues with processes and assessments
Communication	Lack of actual communication
	Poor/inaccurate/ communication
Staff attitude/conduct	Unprofessional behaviour

6.7. **Lack of support** (*Quality of Service Provision and Process*) was a prevalent secondary issue and whilst broad, the key themes were perceived by complainants as:

- Not receiving the help needed or expected
- Social workers not attending/cancelling/rushing meetings, and turning up late for appointments
- Several different workers involved, resulting in delayed services and negative experiences
- Placement breakdowns due to lack of support

6.8. **Issues with processes and assessments** (*Quality of Service Provision and Process*) covered a range of board issues such as:

- Unhappiness with the content of assessments
- Unsuitable placements
- Late paperwork for child protection conferences

**6.9. Lack of actual communication** (*Communication*) covered themes such as:

- Not informing or consulting with parents on key issues involving their children, often leading to perceptions that parenting decisions have been undermined
- Lack of information sharing with parents, leading to perceptions of poor involvement
- Arriving at family homes without notification
- A broad sense of not enough contact from professionals

**6.10. Poor/inaccurate/delayed communication** (*Communication*) raised issues such as:

- The quality/content of minutes and social work reports/case notes
- Personal information being shared without consent
- The way in which social workers communicate verbally with young people/family members
- Delays in receiving information

**6.11. Unprofessional behaviour** (*Staff attitude/conduct*), raised issues very similar to those recorded under communication. Issues raised were:

- Perceptions of dismissive behaviour
- Perceptions of rudeness
- Perceptions of a lack compassion

6.12. The primary and secondary issues in Section 6 of this report are taken from the complaints made by parents or carers of young people receiving support. This accounted for 75% (or 45) of Stage 1 complaints this year. Children's services are committed to continuous service improvement and take all feedback seriously. It also recognised that children's social care is an emotive area of work where difficult decisions are made by professionals, sometimes in conflict to the views of the parents, carers or young people making the complaint.

## 7. Complaints at Stage 2

- 7.1. There was an 15% increase (15 complaints<sup>8</sup>) in the number of stage 2 complaints requested and processed, in comparison to the 13 recorded in 2019-20.
- 7.2. Stage 2 complaints related to issues raised mainly by parents or close family members. Two of the 15 complaints received directly from young people escalated to Stage 2 this year. The complaints mirrored what we were told at Stage 1 but more prevalently included concerns such as:

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<sup>8</sup> One Stage 2 complaint is currently on hold. Six Stage 2 complaints escalated from Stage 1 complaints closed in the previous year.

- Lack of inclusivity/engagement/support of parents within social care processes
- Communication including the clarity of communication and the type of language used by social work professionals
- Lack of support
- The accuracy of recording on case notes, reports and minutes
- Delays in providing minutes and reports
- Delays in providing support and assessments
- The actual processes (e.g. child protection planning), perceived failings of the Child Looked After process and support with housing and homelessness
- Delays in completing actual Stage 2 complaints process in line with Statutory timeframes

7.3. Part of the Stage 2 process is to agree a Statement of Complaint with an Independent Officer and Independent Person. The date the Statement is signed commences the start of the 65 working day timescale. Stage 2 investigations are in-depth and multi-faceted. Even when the main aspect of the complaint was not upheld, each of the 15 Stage 2 complaints for this year had at least some issues upheld, and the learning is summarised in Section 14 below.

## 8. Complaints at Stage 3

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- 8.1. This year, seven<sup>9</sup> complaints escalated to a Stage 3 Panel, reviewed by a panel of three independent panel members, following the completion of the Stage 2 investigations. This is an increase on the three complaints recorded at this stage in 2019-20.
- 8.2. The complaints led on from issues raised in Stage 2 complaints, but from the outcomes of Stage 3 Panels it is evident that there is a strong and consistent theme of concerns about the quality of information recorded in assessments, meetings and case notes, ensuring that parents are provided with adequate information and also ensuring that appropriate language is used in documentation.
- 8.3. Many of the concerns raised from these complaints at Stage 3 were upheld and the outcomes and recommendations are included in Section 14 Learning from Complaints.

## 9. Response times

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9.1. This year it has been particularly challenging to complete complaints within prescribed timescales due to their complexities, but also attributed to the Covid-19 Pandemic as officers' time was spent on higher priority work. Throughout this period, the complaints team ensured that complainants were advised of extensions to deadlines and kept informed about the progress of their complaint.

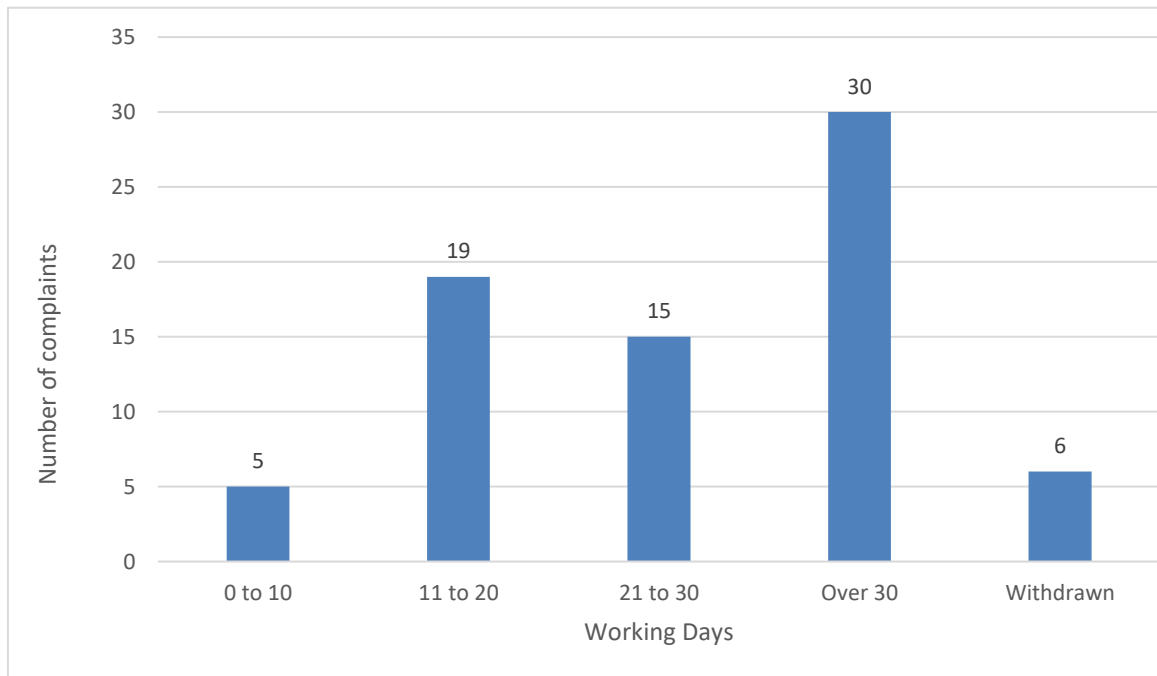
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<sup>9</sup> One Stage 3 complaint did not progress to Panel due to lack of response from the complainant after they made the initial request. One Stage 3 Panel will be held at the start of the next reporting year. Five Stage 3 complaints escalated from Stage 2 complaints closed in the previous year.

9.2. In 2020/21 whilst 60 new Stage 1 complaints were received this year, four of these will be closed in the next financial year. Additionally, 19 complaints from last year were closed in this financial year. This means that 75 Stage 1 complaints were closed in comparison to the 60 Stage 1 Complaints received.

9.3. From these 75 closed complaints, six were withdrawn. Therefore, response times have been measured for 69 complaints closed during the year. 35% of these 69 Stage 1 complaints received a response on time which is shown on **Chart 2**. This is a reduction on the 43% that were closed on time in 2019/20. As we move out of the Covid-19 Pandemic, next year the team will focus on improving the timeliness of responses.

**Chart 2 – Stage 1 response times – complaints completed during 2020-21**



9.4. ‘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.

9.5. Stage 2 complaints have a statutory timescale of 25 to 65 working days. None of the Stage 2 this year received a response within this timescale. Again, this is attributed to the complexity of cases at Stage 2 this year coupled with delays caused by the Covid-19 Pandemic. Whilst this caused delays in adjudication at the end of the process, there were also delays at the start of the process due to virtual working and providing case records electronically to Independent Officers who do not always have the technology to easily receive large, secure electronic files. Ways to overcome these issues are being explored.

- 9.6. Stage 3 panels must be held within 30 working days of the request and Directors reports sent no later than 20<sup>10</sup> working days after the Panel. These timescales were not met for any of the Stage 3 complaints during this reporting period. There can be difficulty organising a panel to ensure everyone is available on the same day and this year the added complexity of responding the Covid-19 Pandemic further impacted on adherence to statutory timescales.
- 9.7. Whilst the majority of Stage 2 and 3 investigations were not completed within statutory timescales this year, the complainant is kept informed of the progress at all times in line with good practice.
- 9.8. Next year a priority for the complaints team is to strengthen processes and presence in the directorates, the complaints team will also work more closely with managers to improve the timeliness of responses at all stages of the Children's Statutory Complaints procedure.

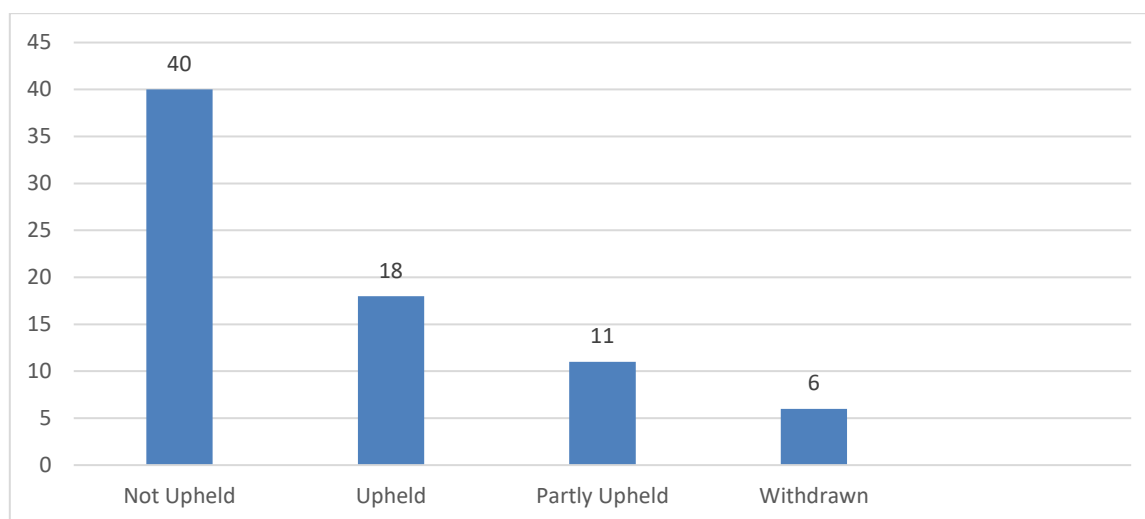
## 10. Complaint Outcomes

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- 10.1. As per response times, whilst 60 new Stage 1 complaints were received, outcomes have been recorded against the 75 complaints closed during the year and calculations exclude six withdrawn complaints. Most complaints (58% or 40 complaints) investigated at Stage 1 were not upheld during 2020-21 as detailed in **Chart 3 below**. While 26% (or 18 complaints) were upheld, and 17% (or 11 complaints partly upheld). This means that 29 complaints had upheld elements. Whilst most complaints were not upheld, complaints with issues upheld or partly upheld still accounted for 42% of Stage 1 complaints.
- 10.2. Complaints that have been upheld at Stage 1 mainly concerned issues with regards to communication. The issue of how service users are communicated with accounted for the majority of the upheld complaints. This ranged from the timeliness of social workers at appointments, to language used with families, and engagement/transparency with parents. Whilst these issues would not have affected the outcome or decisions made with regards to child welfare, it is important not to underestimate the importance of a restorative and timely approach to communication, particularly when dealing with families in distress. Learning from these complaints will be discussed with operational teams to support practice improvement.

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<sup>10</sup> The Panel Chair has 5 working days after the Panel to send a decisions report to the Director. The Director has a further 15 working days to provide this report to the complainant with an accompanying letter explaining the Authorities decisions and reasons and include details of the complainants right to approach the Local Government and Social Care Ombudsman.

**Chart 3: Number of Stage 1 Complaint Outcomes 2020/21**

## 11. Young people's complaints

11.1. Of the 60 stage 1 complaints received for this reporting period, just over three quarters (77% or 46 complaints) of Stage 1 complaints were received on behalf of parents or carers and 14 (or 23%) complaints were received from a child/young person. Of those 14 complaints, nine were made with the support of an advocate. Last year 18% (or 19 complaints out of 107) were made directly by young people.

11.2. Of the complaints received from young people:

- 50% (or 7) were from young males and 7 were from young females
- 93% (or 13) were from young people aged between 17-24, and 1 complaint was received on behalf of a 10-year-old Looked After child via their advocate
- The same number of complaints (13) were from children that are currently, or who have been Looked After, while the remaining complaint was received from a young person on a Child Protection Plan

11.3. Whilst the numbers of formal complaints made by children and young people through the complaints procedure tends to be low as complaints and concerns are usually raised and addressed informally, this year the overall percentage of complaints received by young people has increased. This could be attributed to the complaints procedure being published and accessible to young people and because information on making a complaint is included in packs when young people receive a service.

11.4. Two main themes emerged from complaints received directly from young people during this reporting period. These are summarised as:

- Placement issues: young people have told us that they sometimes feel like their wishes are not considered when decisions about their placements are made (either wanting to stay in their current placement or wanting to move).

We have also been told that a perceived lack of placement planning has resulted in risks of the young people becoming homelessness.

- Communication: young people have told us that they are unhappy when social workers make changes at the last minute, are unable to attend meetings, or do not reply promptly to their messages.

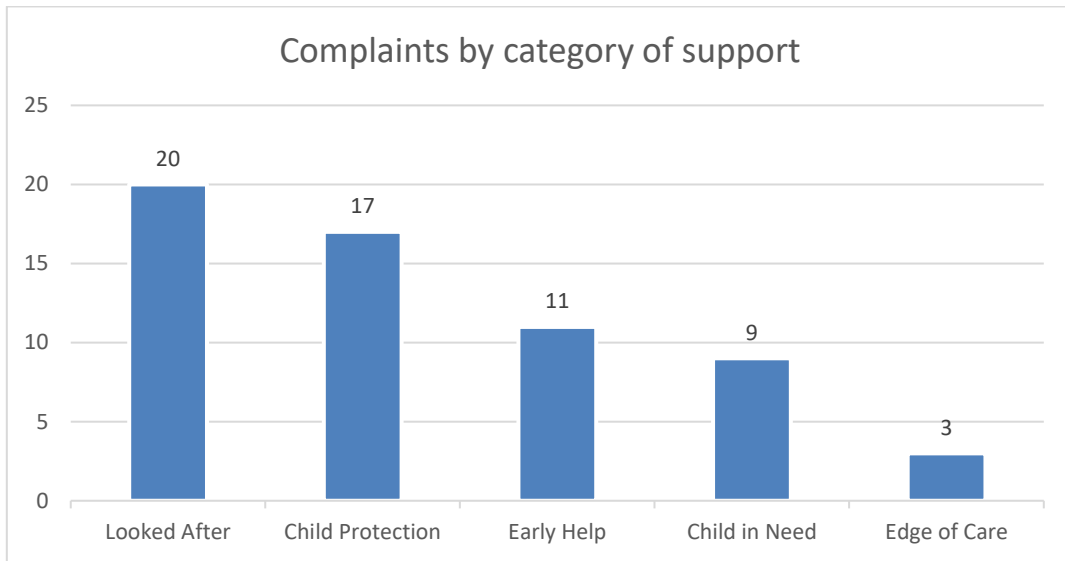
## 12. Complaints by category of support and equalities breakdown

- 12.1 The following section reviews the breakdown of complaints received at all stages 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.
- 12.2 This year 33% (or 20 Stage 1 complaints) were either from or on behalf of Looked after Children. This does not include the 5% (or 3 complaints) from young people at Edge of Care. Over a quarter (28% or 17 complaints) of Stage 1 complaints were from families in Child Protection, 18% (or 11 complaints) from families that were mainly classed as being in acute stress or early/referral stages and 15% (or 9 complaints) were from families in Child in Need. This is highlighted below in **Chart 4**.
- 12.3 At Stage 2, 40% (or six<sup>11</sup> complaints) were about children on child protection plans, 33% (or 5 complaints) were about Looked After children, 20% (or three complaints) were from families in acute stress and 7% (or one complaint) was about a Child In Need.
- 12.4 At Stage 3, the majority (5 complaints) concerned Looked After Children. Only one complaint related to Child Protection and another related to a family in acute stress.
- 12.5 The volume of these complaints should be taken in the context of the overall level of interaction. This year, our internal data tells us that as of 31<sup>st</sup> March 2021 there were 203 children on an open Child Protection plan, 252 open Looked after Children, and 1,008 children on an open Child in Need plan.

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<sup>11</sup> Nine of the Stage 2 complaints were escalations from Stage 1 complaints received in the same year, therefore this categories of support data is duplicated for these complaints. Similarly, two of the Stage 3 complaints were escalations from Stage 2's received this year.

**Chart 4: Stage One complaints received by category of support for the young person**



12.6 Additionally, 18 of the young people who were the subject of a complaint at all Stages were registered as Disabled. Complaints concerning children with a disability accounted for:

- Three complaints from families in Child Protection
- Four complaints from families in Child in Need
- Four complaints either from or on behalf of Looked after Children.
- Seven complaints concerning disabled children were from families either receiving Early Help services or on behalf of young adults with a learning disability.

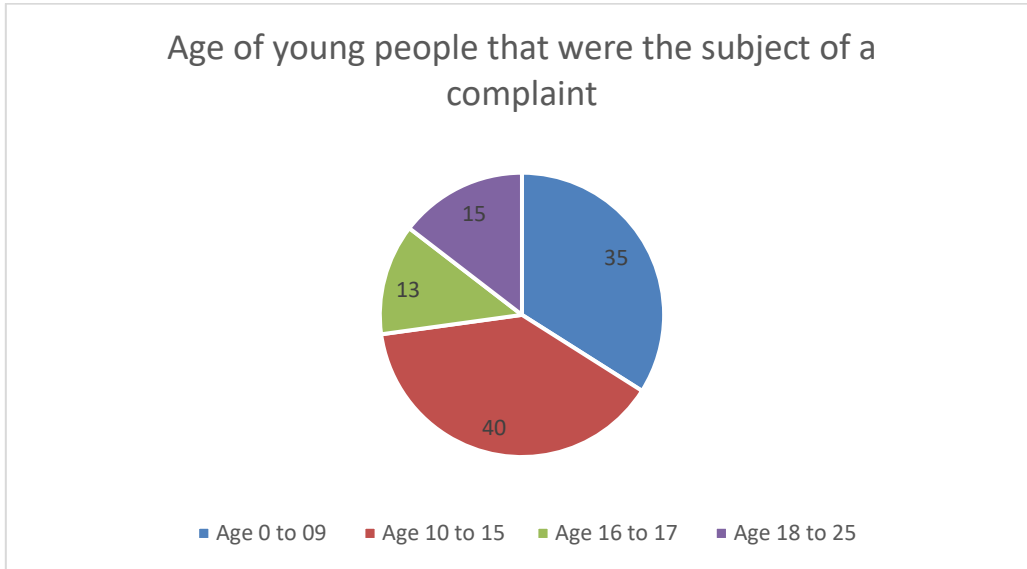
12.7 Most complaints concerned children aged 10 to 16 years (40 children), followed by children between 0-9 years of age (35 children). Whilst less complaints were received for older children, 13 children aged 16-17 were the subject of a complaint and a further 15 were aged 18 to 25. The complaints received directly from children tended to be from older children.

12.8 There is very little difference in complaints split by gender. There were 54 young males compared to 49 young females who were subject of a complaint. This year, all young people identified as either male or female.

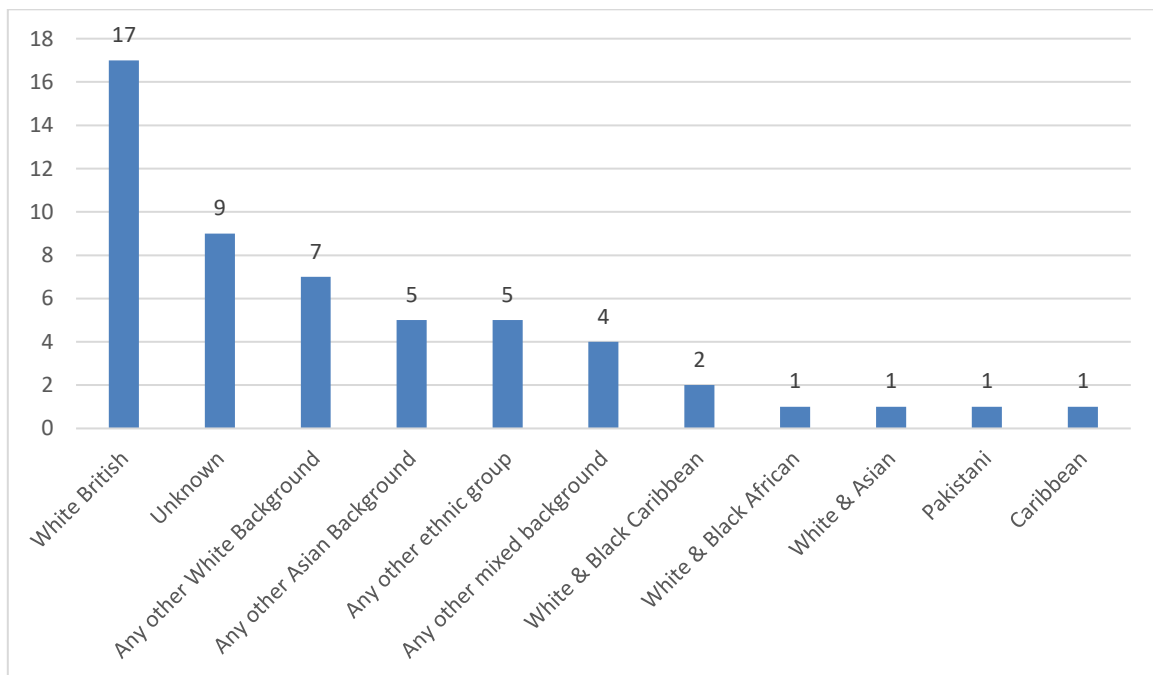


12.9 **Charts 4, 5** below provide equalities data concerning the age and ethnicity of young people that were the subject of a complaint this year<sup>12</sup> .

**Chart 4: Age range of young people subject of a complaint**



**Chart 5: Ethnicity of young people that were the subject of a complaint**



<sup>12</sup> The number of young people that are the subject of a complaint is higher than the 60 Stage 1 complaints, because some complaints concerned multiple siblings within one family and because Stage 2 complaints escalated from Stage 1 complaints closed previous year.

## 13. Corporate complaints

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- 13.1. The complaints team also received 83 new Stage 1 complaints and closed 87 which were processed in accordance with the Council's Corporate complaints procedure. These complaints can cover education, early years, and any non-social care related concern.
- 13.2. In January 2021, the Corporate process changed from a three stage to a two-stage process. This is consistent with the two-stage corporate complaints process in Wandsworth Council. A two-stage process is more effective and customer focused, allowing for quicker resolution of complaints or recourse to the Local Government and Social Care Ombudsman.
- 13.3. 21% (or 18 complaints) escalated and were closed at Stage 2. In Quarters one to three, prior to the process changing, 6% (or 5 of the 83 complaints) escalated to Stage 3 under the previous process.
- 13.4. The 83 Stage 1 complaints represent a 42% decrease on the previous year's total of 144. However, it remains marginally higher than the 82 received in 2018-19. Last year the increase in complaints was accounted for mainly due to the fact that more complaints are being dealt with as corporate rather than statutory, e.g. if the complainant is not a direct recipient of service, does not have parental responsibility, the service falls outside social care statutory parameters.
- 13.5. This year the decrease in corporate complaints mirrors the overall decrease in statutory complaints which could be due to the Covid-19 Pandemic and additional challenges faced by service users which may have detracted from prioritising complaints. It could also reflect that services are becoming more effective at resolving complaints at point of contact.
- 13.6. The issues addressed included pupil services and education welfare, non-eligibility for school transport, delays in the provision of EHCP, school places, and parents or carers involved in children's social care who believe they have been directly disadvantaged by the communication or way information has been provided to them.

## 14. Ombudsman Cases

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- 14.1. 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.
- 14.2. During 2020/21, 11 complaints<sup>13</sup> concerned children's services which is an 38% increase on the 8 received last year – eight were social care matters (compared to

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<sup>13</sup> The Corporate Annual Complaints Report 2020-21 for Wandsworth Council provides a full breakdown of all Ombudsman complaints across all Council services.

four last year), and the remaining three (compared to four last year) were about children's education services. Of these eleven complaints, seven will receive final decisions next year.

14.3. Whilst 11 new complaints were received, eight complaints received final decisions and were closed during the year. One of the seven closed complaints was a case received in the previous year but closed this year. The Ombudsman did not investigate as the concluded the issues were matters for the courts.

14.4. Of the eleven complaints received this year, seven of these complaints are waiting for final decisions which will be received next year. The remaining four complaints did not result in full Ombudsman investigations. The outcome/status for the eleven complaints received were as follows:

#### 14.5. Non-statutory Ombudsman cases

<b>Complaint details</b>	<b>LGSO decision</b>
Complainant unhappy with their child's EHCP plan	Final Decision will be received next year.
A delay in undertaking an EHCP assessment	Final Decision will be received next year.
Parents removed their child on an EHCP plan from school due to alleged bullying and unhappiness that the Council did not support them	LGSO decided not to investigate this complaint following their initial enquiries.

#### 14.6. Statutory Ombudsman cases

<b>Complaint details</b>	<b>Ombudsman decision</b>
A foster carer complained that they had lost income as the Looked After Children's Team had not taken them back to the fostering panel.	Final Decision will be received next year.
A parent complained their daughter has been treated unfairly trying to access social care services.	Final Decision will be received next year.
A care leaver has complained the Council did not protect them when they suffered abuse whilst in care.	Final Decision will be received next year.
A father complained about his unhappiness with the Council's involvement with his family and the outcome of a Stage 3 panel. The Council has independently agreed to re-investigate some of these complaints and consider a remedy for his unhappiness	This is still at enquiry stage but it is unlikely the LGSO will investigate as the Council is currently providing further remedy by offering to re-investigate certain aspects of the complaint, offer £300 for time and trouble due to delays in the statutory complaints process, and

with the faults found in Stage 3, including how the statutory complaint was handled.	commit to review and implement improvements in the social care team.
A complaint was made by a former Looked After child who felt they have suffered neglect, discrimination and support.	LGSO decided not to investigate as there was no good reason for the delays in making the complaint and it would not achieve the outcome desired.
A complaint concerned abuse of children by a foster carer and the actions of the Council at the time.	Final Decision will be received next year.
A complaint was made on behalf of a Looked After child with regards to not receiving a settled placement and their wishes being ignored.	LGSO decided not to investigation following initial enquiries.
Unhappiness with a decision made to refer a child to children's services.	Final Decision will be received next year.

## 15. Learning from complaints

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15.1. 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. Overall, themes and commitments around our learning consist of:

- Using feedback from complaints to strengthen the voice of the children, young people and their families in our plans and decision making
- Be more transparent in the way that we communicate
- Make sure that we record our rationale for decisions clearly so that they can be understood by others

15.2. Below are some of examples of key learning taken at all stages of complaints during 2020-21.

15.3. Stage One complaints are considered local resolution, as timescales are short with the aim of putting things right quickly. From these the following learning has been identified:

- Where upheld in complaints, a commitment was made that social workers would reflect on more creative ways to communicate. Some of this was around frequency of communication, tone and language and inclusion of both parents. This has been particularly prevalent during the Covid-19 Pandemic when face to face communication has been limited.

- With regards to frequency of communication, there was a specific commitment to review the timeline of a case to review how communication could have been improved and more transparent.
- Where complaints have been upheld with regards to the accuracy of information in records, social workers have committed to reflect on their errors to improve the accuracy of recording.
- Managers making decisions on referrals to the MASH where a child has a disability, have been reminded to ensure they consult with the Childrens Disability Service. This is to ensure that correct decisions are made with regards to the thresholds for specialist social care support.

15.4. Stage 2 complaints are investigated independently, over a longer timescale, and at greater depth. Learning from these complaints is as follows:

- The learning from one complaint highlighted the importance of ensuring that families are clear about the support to which they are or are not entitled and how these decisions are reached. In response, new training for practitioners was introduced, focusing on information sharing to assist more thought about how and to whom information is shared.
- Team Managers and staff were reminded of the importance of ensuring that the rights of parents are observed and followed through in relation to procedure. In one example case, the service manager committed to ensuring that the recording of incidents on case records is done promptly. Staff were also supported to write clear and concise letters setting out the reasons to parents and/or carers as to why contact had been stopped and how decisions can be appealed.
- The MASH team committed to ensuring readily accessible information was available and developed a MASH leaflet about gaining consent from parents to share information and how the MASH operates.
- In response to a complaint about a delay of nine months in completing an assessment for a decision to be made about the number of support hours. A review of the service was undertaken to ensure that child and family assessments are carried out in accordance with legislation, policy and procedures.

15.5. Stage 3 complaints review the quality of Stage 2 investigations. From the Stage 3 outcomes this year, a very distinct theme about the quality of records was evident. Learning from complaints is as follows:

- In response to complaints about the accuracy and recording of key documents and case notes, the department have committed to ensure that key meetings are recorded appropriately in case notes, that all recording is kept up to date, and that this is done so consistently.

- In another similar case, a complainant was told that improvements in our case work recording must be made to ensure that they contain clear records of communication.
- A complainant was told that greater care should have been taken to ensure that the wording used in the plan was clear and accurate.
- A commitment was made to update documentation to ensure that dates are clearly shown on the front page, and social workers are reminded of the importance of sharing assessments with families before they are finalised. We will also emphasise the communication options available to them to complete assessments, including Official telephone or video conferencing.
- Similarly, it was upheld that the quality of parenting assessments, plans and reports has been poor, and that adequate information was not sent on that time. As a result, practice has now improved and when parents are notified of legal proceedings, a letter is sent to them advising them of the action to be taken (this letter is known as a Letter Before Proceedings).
- In one case a wider theme emerged about ensuring that the role of the father is not side-lined as a result of social care involvement with a family and ensuring that parents are listened to and that their concerns are investigated and acted upon. The case was used as an opportunity to identify best practice with colleagues in the department to help learn and improve so that professionals respond better to any similar situation in the future.

## 16. Compliments

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- 16.1. Positive feedback regarding staff or service delivery is another way in which the department can learn how well things are going. This year 39 compliments were received about children's service. Notably, a high number were received from schools about social care staff and their support to young people, particularly during the Covid-19 pandemic.
- 16.2. Staff are reminded to report compliments they receive. Examples of compliments received are outlined below:

*"The quality of the relationship between the SW and the family has been excellent. [Sister] considers the SW to be professional, available and supportive. The SW always treats the family with respect. The SW has excellent communication skills, she is always in contact with [Young persons name] and her sister, her mother and [sister]. [Sister] said even her mother had been impressed with the work of the SW".*

**Sister of young person**

*“You guys at the New Level of Life are amazing providing such quality contact for parents and children. Although I am seeking to move forward with my son to a more natural format, I hope children’s services will consider engaging the new level of life for more looked after children giving those children the benefit of such professional and sensitive contact. I hope you don’t mind but I am cc’ing [Names] in so that senior management can consider how brilliant the New Level of Life are and contemplate affording their services to other looked after children as they are truly amazing.”*

**Mother**

*Sorry to hear that your leaving you have been a great support for [young person’s name] and myself from beginning to end thank you for taking the time to help put [young person’s name] into a secure placement he really has changed since being at Southwark and behaving a lot more better I wish you well in your future career.*

**Parent**

*[young person’s name] thanked school, virtual school adviser and his social worker for all the support and for helping him having a better life. He feels settled in his placement, he is enjoying where he is, he is enjoying school and is feeling very grateful. **Comments made by a young person.***

*[Name] told me that she had attended a core group meeting today which was very positive. She said that good progress had been made with the plan and that she felt very supported by professionals. She was particularly complementary about her social worker. She said he had been very helpful, that she felt listened to by him and that he provides a good level of support to her and her family and his involvement had restored her trust in Children's Social Care. **Mother***

*I wanted to take this opportunity to say how much I have valued the work that [name] (and continues to) put into this case. She has been the utmost professional and worked compassionately with the family to get them to where we are now. Throughout this case, I have felt that we were working as a team and have valued her openness, energy and support.*

*I have been really grateful for her help in so many ways – the legionella that we have been dealing with for ever is finally getting resolved, we are able to test staff with agency testers that she has provided and the staff are really encouraged by the vaccine. She is also quick to respond to emails.*

*[Name] has got my son back into Education, where nobody else could, and I will be forever grateful to him. **Mother***

*I assume you are all as over-whelmed as we are, but you have made the lives of disadvantaged families easier. The fact you have supported us, and we are familiar with the system has made this process as easy as it could be. **Headteacher***

*I would like to mention how impressed I am with the communication/emails I have received.*

*I have worked with [Social worker] for around 6 months. I've had lots of social workers, my plan is coming up to 2 years, with covid they couldn't do anything, since [social worker] came in, that has changed. She treats me with respect, I feel listened to **(Mother)***

*[MG] was very positive about [Social worker] "open and honest" and "direct" manner with her and with [young persons name]. She felt that they had an "upfront" relationship that worked well. She also described [Social worker] as supportive and as being respectful of her concerns about Covid risks, for example being thoughtful about virtual visits and using new masks during face to face visits to help her feel more secure. **(Maternal Grandmother)***

*He has such wisdom and is incredibly supportive and always available to discuss any issues. He includes me in any conversation and I really appreciate his work. My young people trust him completely and always comment on how much they like him, which is nice. He is always thinking about what is best for them and how best to communicate this with the young people and the carers. I can have honest conversations with him, and he can also advise how to best present difficult matters. He is always positive and a pleasure to work with and is a great asset to Wandsworth. school*

*Many thanks for your email and support. The service you have provided has been excellent in fact 1st Class. Never have I received such a high degree of service from a local authority.*

*Please never change and continue to be amazing, you're a real ambassador.*

*You guys are amazing providing such quality contact for parents and children.  
Mother*

*Your social work skills are impeccable, and I appreciate all that you have done to ensure [name] is safe. You have given his parents multiple chances to work with you and have not given up on them and the extended family.*

*Responses have been quick, clear and accurate, particularly impressive for an Apprentice.*



## 17. Going forward: the key priorities for 2021/22

- 17.1 Last year saw challenges with regards to staffing capacity and turnover which affected performance around complaint processes and practice. A change programme was put in place and whilst some of these priorities were delayed, in February 2021 a permanent Statutory and Corporate Complaints Manager was appointed and had started by the end of the financial year. Additionally, a permanent Statutory Complaints Officer was appointed and took up post in June 2021.
- 17.2 The Statutory and Corporate Complaints Manager will oversee the following priorities:
- a. **Further stabilising staffing in Complaints.**
  - b. Monitor the **new streamlined 2 Stage Corporate Complaints Process** and in particular support Children's Services who are now directly overseeing corporate complaints for Children's Social Care at Stage 1 through their Executive Hub.
  - c. Introduce the **new case management system (CMS)** across all complaint types which will improve workflow, processes and reporting including insight into and learning from complaints. Whilst this was due to go live in January, the implementation has been delayed. The new go-live for Adult Statutory Complaints in June 2021, followed by Children's Statutory complaints, before being rolled-out to Subject Access Requests, Corporate Complaints and Freedom of Information requests.
  - d. Provide an **enhanced advisory and quality assurance role** including training to teams on good complaints handling. This will also involve strengthened management of complaints at the start of the process, with a focus on early resolution and identifying creative ways to resolve complaints and enhanced quality assurance of the Independent Investigations which take place at Stage 2 and 3 of the Children's Statutory Process. The complaints team will work collaboratively with the Quality Assurance Team within children's services to identify and take forward learning from complaints.
  - e. Strengthening the team's **presence and interaction with Directorates** strategically and operationally with **enhanced quarterly reporting** to identify complaint numbers, trends, themes, and learning.
  - f. **Working in partnership with the Information Governance Team** to triage complaints that raise Data Protection issues such as the Right to Rectification and data breaches, to ensure that, where appropriate, they are addressed through Information Governance processes.
  - g. As we move out of the Pandemic situation and back to business as usual, a key priority next year will be **focus on complaint timescales** at all stages, to improve compliance to statutory complaint regulations and complainant satisfaction with the process.