



## CHILDREN & LEARNING OVERVIEW & SCRUTINY COMMITTEE – 27 SEPTEMBER 2018

<b>Subject Heading:</b>	Children's Services Annual Complaints Report 2017-18
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<b>Policy context:</b>	An annual report is required as part of the remit of the Children Act 1989 Representations Procedure (England) Regulations 2006'
<b>Financial summary:</b>	There are no financial implications as this report is for information purposes and is required as part of the statutory complaints regulations

### The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

### SUMMARY

The Children's Services Complaints Annual report for 2017-18, attached as Appendix 1 provides information about the numbers and types of complaints handled by the Children's Service during 2017-18, as well as Members' correspondence. It is a requirement under the Children Act 1989 Representations Procedure (England) Regulations 2006 that the complaints annual report be published. Education falls under the responsibility of Children's Services and the Education Services Complaints Annual report for 2017-18 is attached as Appendix 2.

**RECOMMENDATIONS**

1. That Members note the contents of the attached reports and the continued efforts made by the service to learn from complaints and enable young people to engage with the complaints process.
2. That Members note the recommendations identified from complaints and continued monitoring of these to ensure that actions are implemented to evidence service improvements.
3. That Members note the positive feedback to services received through compliments, highlighting good practice.

**REPORT DETAIL**

1. The number of Stage 1 complaints decreased slightly in 2017-18 by 2% from 92 in 2016-17 to 90 in 2017-18 with a drop in Ombudsman enquiries also from 6 in 2016-17 to 3 in 2017-18. Complaints made directly by young people increased from 15 in 2016-17 to 18 in 2017-18 and has increased steadily over the last three years. However enquiries have risen from 43 in 2016-17 to 50 in 2017-18 and are not included in figures in the report. There was one escalation from Stage 1 to Stage 2 and no Stage 3 Reviews during 2017-18
2. Complaints received by the Intervention & Support Services has decreased by 19% from 69 in 2016-17 to 56 in 2017-18, however received the highest number of complaints across teams, with Triage/MASH & Assessment being the next highest. This is reflective of the type of complaints received from parents around the unwelcomed intervention by Social Workers and decisions made regarding their children.
3. Linked to the intervention by Social Workers is the main reason for complaint, 'level of service', and the second highest 'lack of communication'. These related to parents' perceptions of a Social Worker's role and their expectations of support to them. Interventions and support would be focussed on the child(ren), although looking at the family as a whole. However, some related to late or non-receipt of information for meetings, not being kept updated or challenging information within assessments. Children's Services continue to provide briefing and training sessions on engaging with children and families through their systemic approach.

There were 42 complaints upheld and 39 not upheld in 2017-18, with 8 withdrawn and one 'no further action'. Of those upheld, the main outcome was 'apology given' and next highest 'explanation/information given' where

clarification of processes or explanations were not provided as to why a course of action was taken. This highlighted particular themes regarding fathers not feeling included in decisions about their children where parents were separated, initial child protection enquiries and recording of information. The importance of follow up work with families and continued communication is being reinforced to staff in particular ensuring smooth handover of cases where there is a change of Social Worker. Audit processes have been put in place to ensure reports for Court are quality assured and signed off by Team Manager. The introduction of briefing/training sessions 'Obsessions with Assessments' will also lead to improved recording and quality of assessments.

4. Complaints received from young people related to the level of support, particularly when leaving care. The Cocoon has provided an informal venue for meetings with young people to discuss their concerns in a positive way resulting in five of the 18 complaints received being withdrawn.
5. Response times need to be improved and cause for the delay needs to be identified. Although it is notable that complaints are complex, involving very emotive situations, they need to be investigated thoroughly. This has resulted in a reduction of complaints being escalated, however efforts need to be made to ensure they comply to the statutory timeframe.
6. No expenditure was incurred for 2017-18, however the costs for the Stage 2 investigation in 2017-18 will be incurred in 2018-19 expenditure.
7. Monitoring information relates to all children within a family where a complaint is made. There were increases across ages 6-9, 10-14 and 15-17, with male children being the highest amongst all age ranges except 18+. The majority of children had no disability across all age groups, with two children having a sensory disability. 'White British' is the highest reflecting the demographics of the borough. 'No religion' or 'not recorded' is the highest and recording may improve with the implementation of the new Children's Services social care system.
8. Member enquiries have increased from 61 in 2016-17 to 63 in 2017-18 with 62% being responded to within timescale.
9. The number of compliments is low with 10 being received in 2017-18 from 16 in 2016-17, with Adoption receiving the highest number (3). Staff will need to be reminded to send compliments to the Complaints & Information Team to be logged.
10. Children's Services have strived forward with their vision for children and young people, with openness to learning and making improvements. This was reflected in the recent Ofsted inspection in which inspectors found improvements across all service areas.

11. Education complaints have reduced by 67% in 2017-18 from 18 in 2016-17 to 6 and enquiries relating to schools, academies or colleges have dropped by 30% from 60 in 2016-17 to 42 in 2017-18. There were no Ombudsman enquiries in 2017-18.
12. Those enquiries reported against service areas, related to complaints referred on to the relevant education provision, and Education & Schools received the highest number of these enquiries (26).
13. 'Level of service' and 'safeguarding' were main reasons for complaint against a school/academy or college mainly relating to parents concerns about how a school/academy or college dealt with bullying. Complaints against the service i.e. Education complaints were mainly around 'staff attitude or incompetence' and related to parents being unhappy about school attendance letters resulting in fines.
14. Of the six Education complaints received, four were 'not upheld', one was 'upheld' and one 'partially upheld'. The majority of enquiries, resulted in either 'information given' or being 'referred' to the relevant school/academy or college.
15. Education's response times in 2017-18 were 100% showing an improvement from 72% in 2016-17. Although member enquiry response times were slightly down in 2017-18 at 82% compared to 84% in 2016-17.
16. Compliments received are very low, and efforts will need to be made to encourage staff to send these for logging, with only four being recorded for 2017-18.

## **IMPLICATIONS AND RISKS**

### **Financial implications and risks:**

There is a Complaints & Information Team within the Adult Services Directorate. This team addresses complaints received across Adults and Childrens Services and manages associated resource implications, which are funded from within overall service budgets.

There are no new financial implications or risks arising from this report, which is for information purposes. It should be noted however that any material increase in investigations following on from complaints could result in additional costs to the authority, which is being managed as part of the overall financial management responsibilities of the service.

**Legal implications and risks:**

There are no apparent legal implications from noting this Report. The complaints process is governed by the Children Act 1989 Representations Procedure (England) Regulations 2006.

**Human Resources implications and risks:**

The Children's Services department have identified actions to be followed through with the qualified workforce to ensure that the learning from the complaints received is firmly embedded into the training and supervision of social work staff and also addressed through the Council's Performance Development Review (PDR) process

**Equalities implications and risks:**

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment. The missing categories not reported within the 2017-18 report will be reported on in future reports.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.