



DARLINGTON

Borough Council

Children's Social Care Complaints, Compliments and Comments Annual Report 2020/21

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Introduction

1. Darlington Children's Social Care welcomes complaints, compliments and comments as a way of improving service delivery to children, young people and their families. The purpose of this report is to inform the service users, carers, the public, Council Members and Children's Social Care staff of the effectiveness of the Children's Social Care Complaints, Compliments and Comments Procedure (the Procedure). The report identifies topics and trends in relation to complaints information, makes suggestions for service improvements, where appropriate and identifies areas of organisational learning that have taken place in relation to people, policy and process.

The Law

2. The Council is required by law to have management arrangements in place for considering children's social care representations, including complaints, under the Children Act 1989. National legislative procedures for social care were amended in September 2006 with the introduction of the Children Act 1989 Representation Procedure (England) Regulations 2006 (the Regulations). It is a requirement of the Regulations that the Council publishes an annual report. In addition to the Regulations the Department for Education and Skills produced some comprehensive guidance for local authorities on managing complaints, called 'Getting the Best from Complaints'.
3. Key features of the Regulations include:
 - (a) A requirement for local authorities to appoint a Complaints Manager;
 - (b) A requirement for review panels to be retained by local authorities but with more robust arrangements for constituting and running them; and
 - (c) A 12 month time limit to make complaints.

Complaints and Information Governance Team

4. The Complaints and Information Governance Manager is appointed as the 'Complaints Manager' in accordance with the requirements of the Regulations. The Complaints and Information Governance (CIG) Team is independent of Children's Social Care operational line management. This ensures a high level of independence in the way children's social care complaints are managed within the Council.

Public Information

5. We are committed to making sure that everyone has equal access to all our services, including the Procedure. To help make the Procedure easily accessible we have produced two leaflets (one for children and young people and one for adults) covering all Council services to reflect the single point of access for complainants within the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.

6. Information is available on the Council's website. There is also an electronic form which people can use to make a complaint, pay someone a compliment or pass comment on Council services. People may make a complaint in any format they wish.
7. This can be in writing, by email, via the web, over the phone, in person or by any other reasonable means.
8. The Complaints Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

Children's Services Social Care Complaints Process

Stage 1 – Local Resolution

9. This initial stage allows children's social care managers the opportunity to try and resolve complaints locally, usually within the team being complained about.

Stage 2 – Investigation

10. Stage 2 involves a full and formal investigation. An 'Independent Person' must also be appointed to oversee the investigation and report independently to Children's Social Care Services. Both the Investigating Officer and Independent Person produce reports, which are submitted to a senior manager who writes the final response to the complainant.

Stage 3 – Review Panel

11. A review panel is convened when the complainant is dissatisfied with the Stage 2 response. The panel consists of an independent chairperson and two individuals who are independent of the Council.

The Local Government and Social Care Ombudsman

12. Although complainants can refer complaints at any stage to the Local Government and Social Care Ombudsman (LGSCO) they will not normally investigate until the Council has conducted its own investigation and provided a response.

External Support to the Complaints Process

Advocacy

13. The Council commissions an advocacy service for children and young people who make a complaint. This is an independent service provided by NYAS.

Investigating Officers

14. While the Regulations do not require Investigating Officer's to be independent of the Council, we have signed up to a contract for the provision of Independent Investigating Officers.

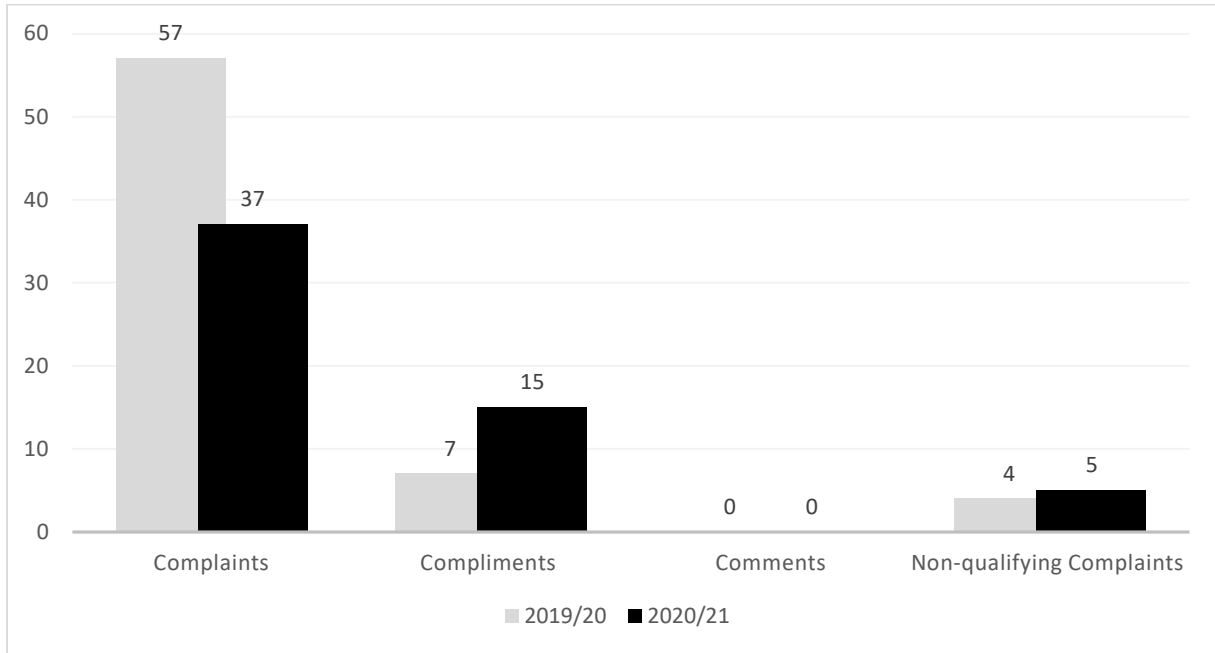
Independent Persons

15. The Council has signed up to a contract for the provision of Independent Persons.

Review Panels

16. The Council has also signed up to a contract for the provision of an Independent Chair and Independent Panellist service.

Total Complaints, Compliments and Comments received



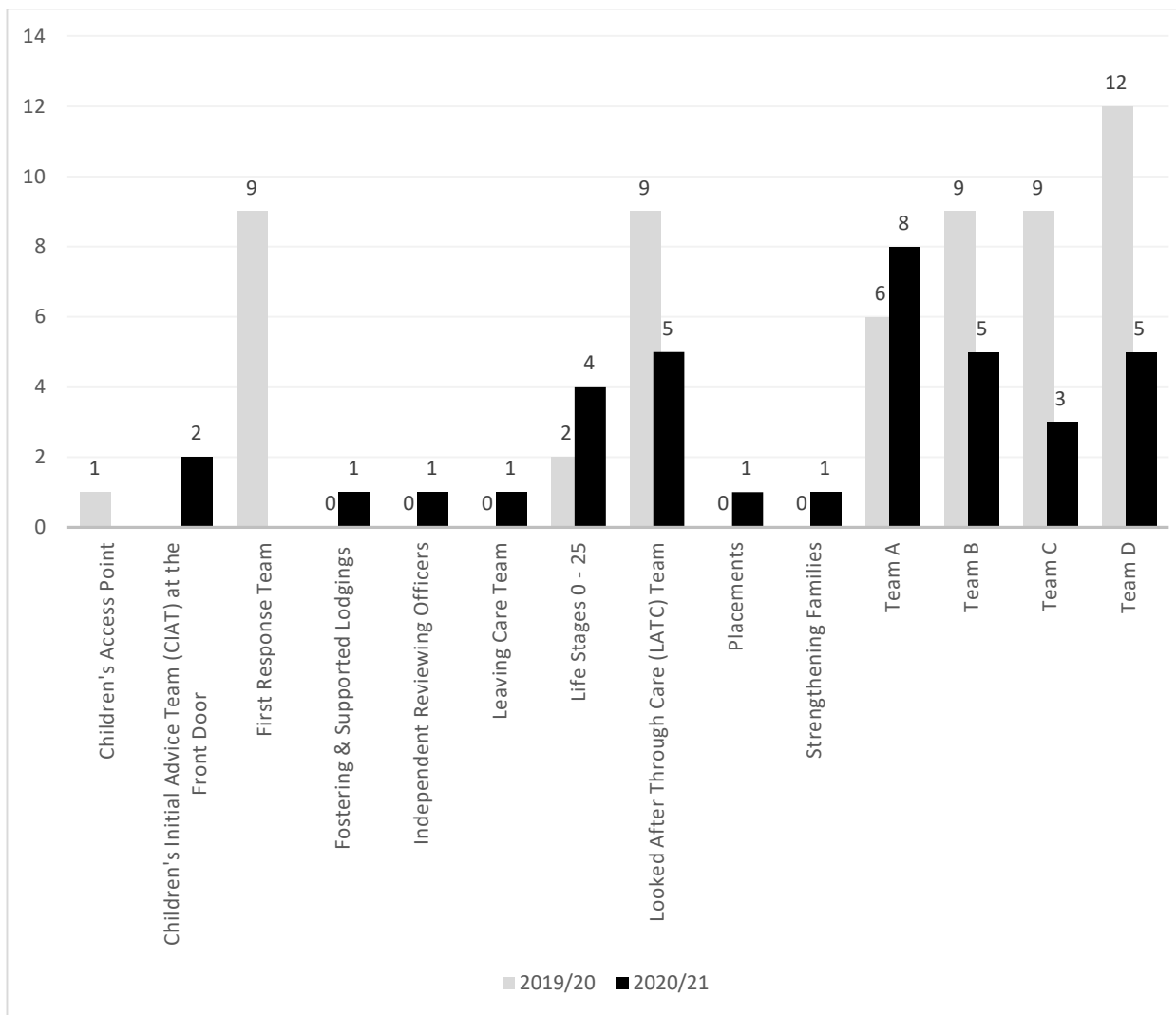
17. The Council received 37, a decrease from 57 during 2019/20.

18. The Council received 15 compliments, an increase from seven during 2019/20.

19. The Council received zero comments, the same as in 2019/20.

20. The Council received five non-qualifying complaints, an increase from four in 2019/20.

Breakdown of Stage 1 Complaints by Service Area/Team

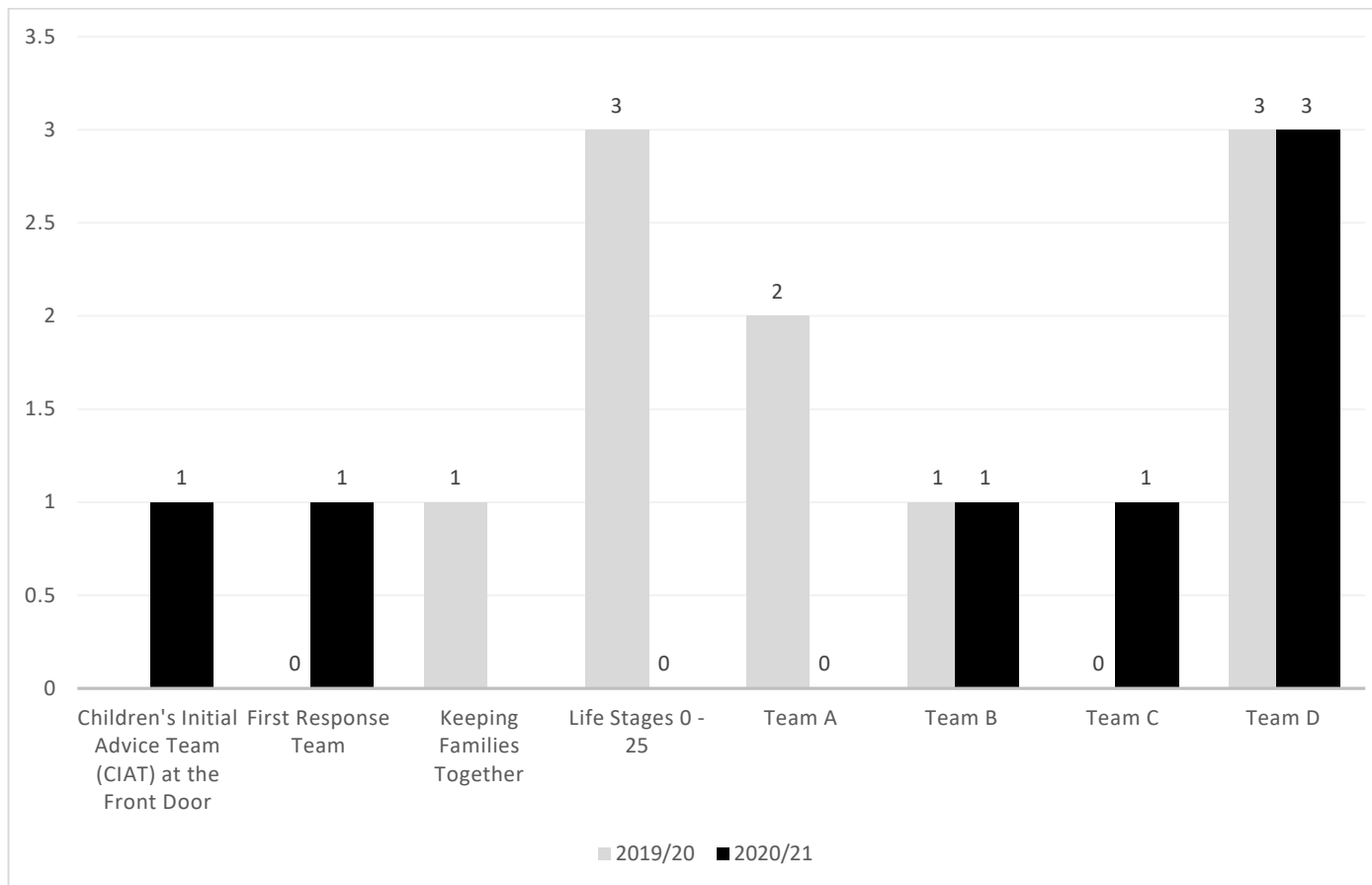


N.B. Those teams that are not listed did not receive any complaints during 2020/21. Comparison data is not available for all teams due to changes in the Council's organisational structure.

21. Children's Initial Advice Team (CIAT) at the Front Door received two complaints, compared to one for Children's Access Point in 2019/20.
22. Life Stages 0 – 25 received four complaints, an increase from two in 2019/20.
23. Looked After Through Care (LATC) Team saw a significant decrease in complaints, five compared to nine in 2019/20.
24. While absorbing the work of the First Response Team through the reconfiguration of the front door, Teams A to D also saw a significant reduction overall in the number of complaints received.

Breakdown of Stage 2 Complaints by Service Area/Team

25. Seven complaints were escalated to Stage 2 during 2020/21, a decrease from 10 in 2019/20.

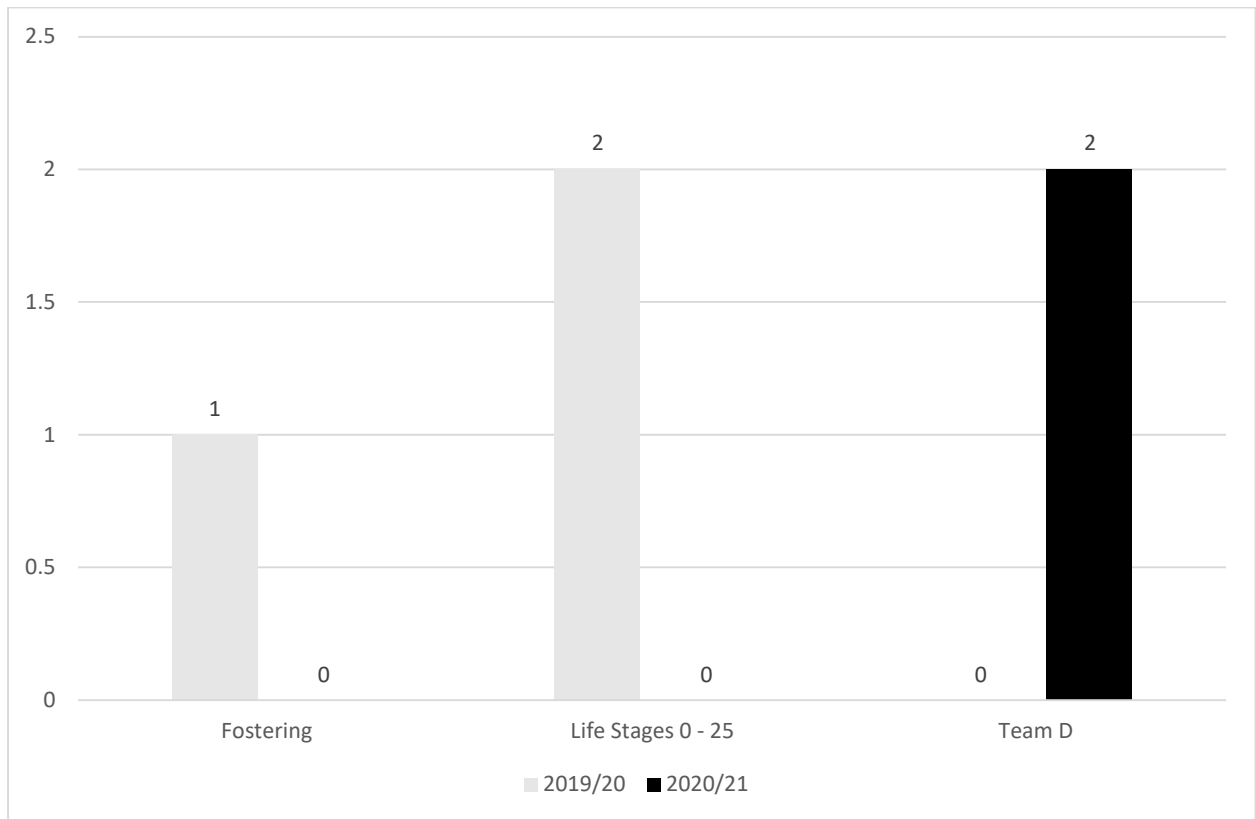


N.B. Those teams that are not listed did not receive any complaints during 2020/21. Comparison data is not available for all teams due to changes in the Council's organisational structure.

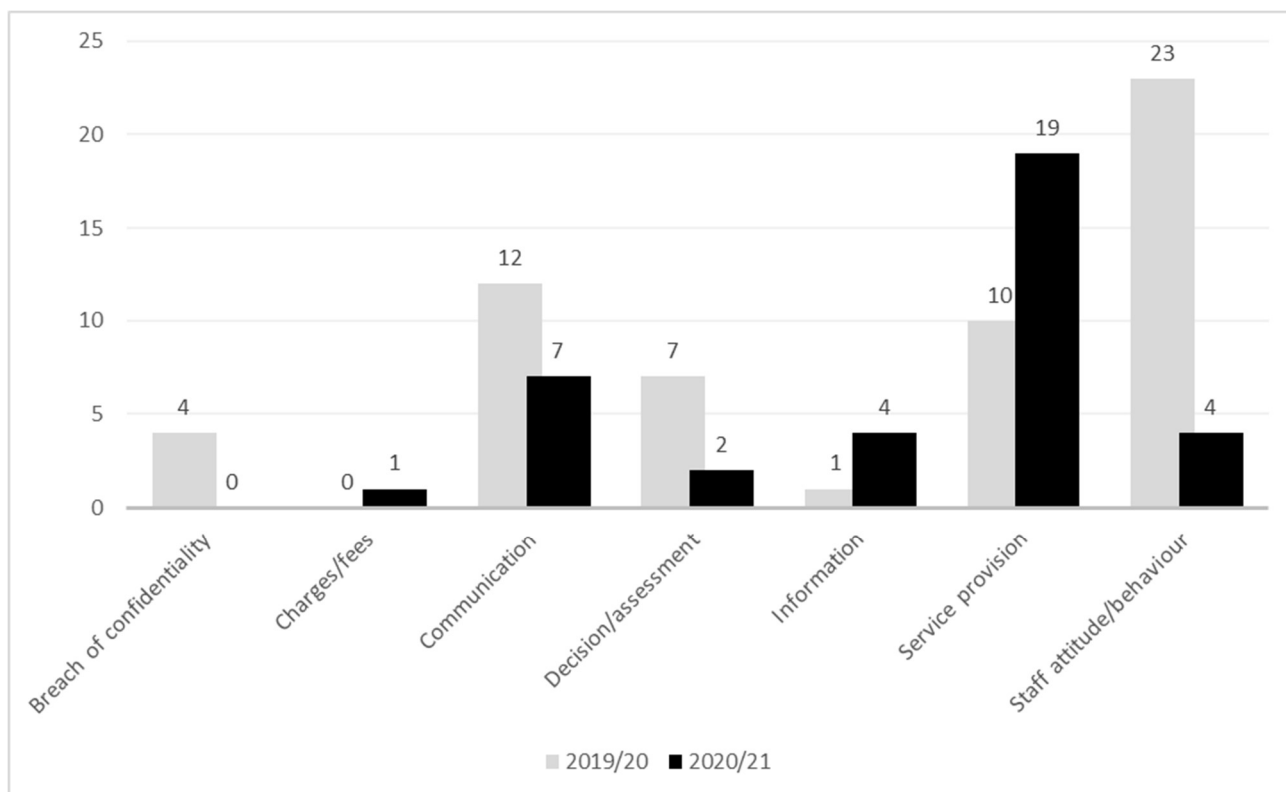
26. Children's Initial Advice Team (CIAT) at the Front Door received one complaint, compared to zero for Children's Access Point in 2019/20.
27. Life Stages 0 – 25 Team saw a decrease from three to zero complaints compared to 2019/20.
28. Team A saw a decrease from two to zero complaints compared to 2019/20.
29. Despite the significant reduction in the overall the number of complaints received by Teams A to D during 2020/21, there was a slight increase in the number that were escalated to Stage 2.

Breakdown of Stage 3 complaints by Service Area/Team

30. Two complaints were escalated to Stage 3 during 2020/21, a decrease from three in 2019/20.



Breakdown of complaints by Issue

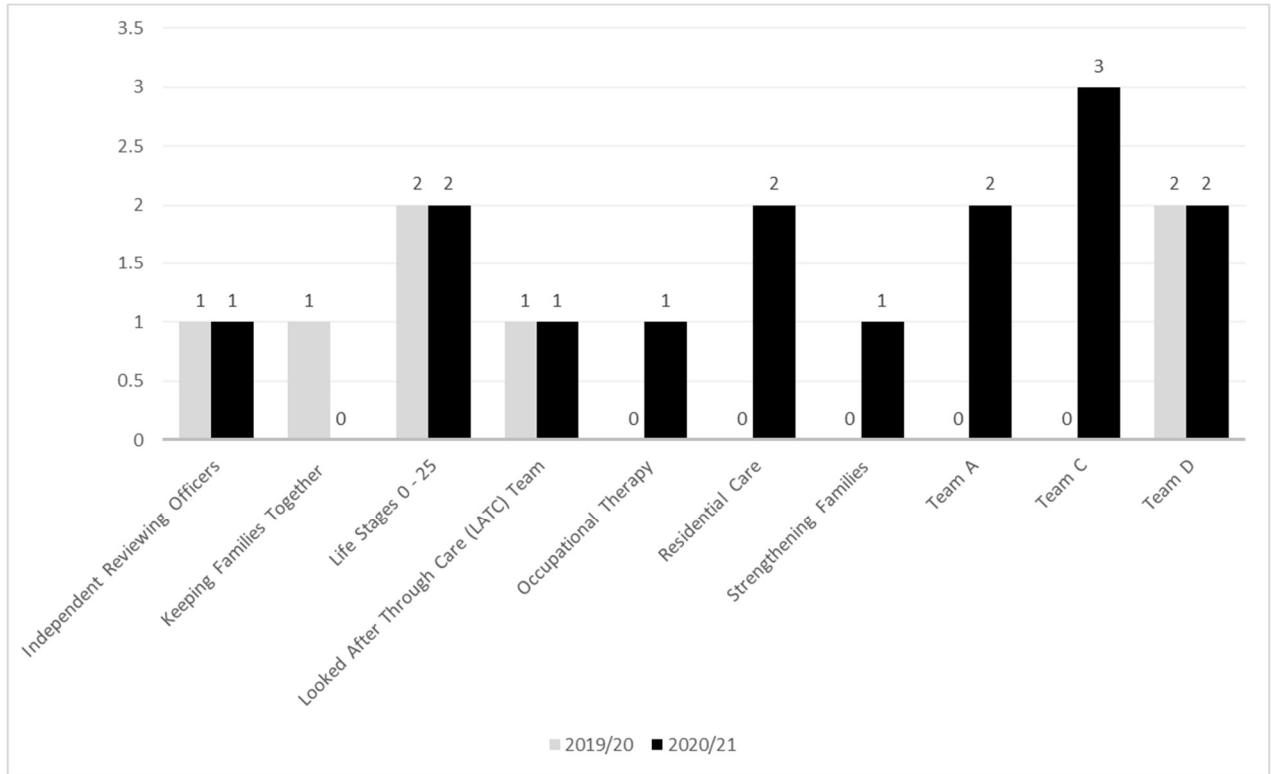


31. Service/provision was the most commonly complained about issue. The Council received 19 complaints about this issue, an increase from 10 in 2019/20.
32. Communication was the second most complained about issue. While that is the case the Council saw a decrease in complaints about communication, seven compared to 12 in 2019/20.
33. The third most complained about issues were staff attitude/behaviour and information. The Council saw a significant decrease in complaints about staff attitude behaviour during 2020/21, receiving only four complaints compared to 23 in 2019/20. The Council saw an increase of three complaints in relation to information.
34. The fourth most complained about issue was the outcome of a decision/assessment. Again the Council saw a decrease in complaints in this area receiving two compared to seven in 2019/20.
35. The least complained about issue was charges/fees. The Council received one complaint about this issue an increase from zero in 2019/20.

Breakdown of Comments by Service Area/Team

36. The Council did not receive any comments during 2020/21, as was the case in 2019/20.

Breakdown of Compliments by Service Area/Team



37. The Council saw an increase in compliments, 15 compared to seven in 2019/20.

Complaint Outcomes

Stage 1 - The below table shows the decisions reached on Stage 1 complaints during 2020/21.

Service Area/Team	Closed With No Response	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Team A	0	0	0	4	2	1	0	7
Team B	0	0	0	1	2	1	1	5
Team C	0	0	0	1	2	0	0	3
Team D	0	0	0	2	2	0	1	5
Leaving Care Team	0	0	0	1	0	0	0	1
Looked After Through Care (LATC) Team	0	0	0	0	4	1	0	5
Safeguarding Team A	0	0	0	0	1	0	1	2
Safeguarding Team B	0	0	0	0	0	0	1	1
Safeguarding Team C	0	0	0	1	0	0	0	1
Safeguarding Team D	0	0	0	2	0	1	0	3
Independent Reviewing Officers	0	0	0	1	0	0	0	1
Strengthening Families	0	0	0	1	0	0	0	1
Children's Initial Advice Team (CIAT) at the Front Door	0	0	0	2	0	0	0	2
Life Stages 0 - 25	0	0	0	1	2	1	0	4
Placements	0	0	0	0	0	1	0	1
Fostering & Supported Lodgings	0	0	0	0	0	1	0	1
Total	0	0	0	17	15	7	4	43

Stage 2 - The below table shows the decisions reached on Stage 2 complaints during 2020/21.

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Team D	0	0	0	1	0	1
Safeguarding Team B	0	0	1	0	0	1
Safeguarding Team D	0	0	3	1	0	4
First Response Team	0	1	0	0	0	1
Keeping Families Together	0	0	0	1	0	1
Total	0	1	4	3	0	8

Stage 3 - The below table shows the decisions reached on Stage 3 complaints during 2020/21.

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Team D	0	0	1	0	0	1
Safeguarding Team D	0	0	1	0	0	1
Total	0	0	2	0	0	2

Local Government and Social Care Ombudsman (LGSCO) Complaints

38. Two complaints were referred to the LGSCO during 2020/21, an increase from one in 2019/20.

39. Two complaints were determined by the LGSCO during 2020/21, compared to one in 2019/20.

Organisational Learning

40. All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints several service improvements were made following complaint investigations during 2020/21. Some examples of these are detailed below.

Placements

41. Following a complaint for Placements the Registered Manager discussed the unhelpful response with staff following a neighbour raising an issue about one of the children in the residential care home with the home.

Team A

42. Following a complaint for Team A the Team Manager addressed communication issue with social worker and reminded them to ensure that parents are informed in a timely manner of any key decisions or changes for their children, especially when they are placed outside of their care.

Team B

43. Following a complaint for Team B the Team Manager raised importance of checking who has PR with a social worker, prior to seeking consent to work with a child.

Team D

44. Following a complaint for Team D the Team Manager reminded social workers to check personal details for families are correct to reduce the likelihood of data breaches and shared the Data Protection Officer's advice for avoiding data breaches.

45. Following another complaint for Team D it was recommended that Darlington Children Services develop procedures and practice guidance to support and guide front line practitioners to put into effect Darlington's Equality Policy.

46. Following a further complaint for Team D it was agreed Children's Social Care should remind staff of the importance of detailing and recording conversations with family members during home visits, which captures the events / details that have been discussed, agreed and any further actions. It would be also beneficial that a recap of such discussions are made with the family members to ensure factual accuracy.

Keeping Families Together

47. Following a complaint for Keeping Families Together it was agreed the strategies in place to reduce the number of changes of social worker for families should continue to be implemented and social workers bringing cases for discussion at Keeping Families Together panel would be required to provide evidence that parents had given informed consent for Keeping Families Together to work with their family.

Looked After Through Care (LATC) Team

48. Following a complaint for LATC all Social workers within the LATC have attended training on relational and restorative practice and will continue to be supported to embed this practice further. Social Workers were also reminded within supervisions and Team Meetings to ensure parents are invited to meetings and consulted in relation to potential changes within a child's placement and education. An email was also sent to all social workers and contact supervising officers to reiterate that any concerns raised by parents are to be accurately recorded in a timely manner on the Local Authorities Liquid Logic database.

Performance against the Children's Social Care Complaints, Compliments and Comments Procedure

49. As a result of COVID-19 the Assistant Director Law and Governance made a [Delegated Decision](#) on 23 March 2020 that gave approval for timescales not to be adhered as a result of services diverting resources to the areas of greatest need.

50. The below performance measures are in relation to those complaints responded to during 2020/21.

Timescales

Stage 1

51. The target for responding to a complaint at Stage 1 is 10 working days, with a possible extension of up to 20 working days if the complaint is complex.

- (a) 53.66% of Stage 1 complaint responses were sent within 10 working days. This was an increase in performance from 33.4% in 2019/20.
- (b) A further 17.07% of Stage 1 complaint responses were sent within 20 working days.
- (c) In total 70.73% of Stage 1 complaint responses were sent within the maximum 20 working day timescale, a decrease in performance from 74.7% in 2019/20.

Stage 2

52. The target for responding to a complaint at Stage 2 is 25 working days, extendable up to a maximum of 65 working days.

- (a) 0% of Stage 2 complaint responses were sent within 25 working days during 2020/21, as was the case in 2019/20.
- (b) 37.5% of Stage 2 complaint responses were sent within the maximum timescale allowed (65 working days), an increase in performance from 10% in 2019/20.
- (c) 62.5% of Stage 2 complaint responses were sent after 65 working days, an increase in performance from 90% in 2019/20.

Stage 3

53. At Stage 3 the Review Panel should be held within 30 working days of the request. 100% of Review Panels were held within 30 working days.

54. The Review Panel should write to the Director within 5 working days of the panel. They did so in 100% of cases.

55. The Director should write to the complainant within 15 working days of receiving the Panel's response. The Director wrote to the complainants within 15 working days in 100% of cases, an increase in performance from 66.66% of cases in 2019/20.

Performance against key performance indicators

56. In relation to children's social care complaints the Council's key performance indicator is the number of maladministration decisions received from the Local Government and Social Care Ombudsman (LGSCO). The Council received one maladministration decision during 2020/21, an increase from zero in 2019/20.

57. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 8 December 2020 and 7 September 2021 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

Further recommendations

58. Children's Services should now continue to work to improve performance against the Stage 1 and Stage 2 timescales for Children's Social Care complaints.