

# Enfield Council

## Children's Social Care Statutory Complaints Annual Report 2021 - 2022

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***Suitable for publication***

## **Executive Summary**

### Introduction

Between 1<sup>st</sup> April 2021 and 31<sup>st</sup> March 2022, Enfield Council supported 6,033 children and their families. We also supported 396 looked after children and 305 care leavers.

### Findings

During that period, the organisation received 38 Stage 1 complaints for Children's Social Care. Two of which were investigated at Stage 2. There were no Stage 3 nor Ombudsman referrals during this period.

The complaint volumes reduced slightly compared to previous years. Child Protection and Vulnerable Children service received the highest volume of Stage 1 complaints. In terms of response timeframe performance unfortunately the two Stage 2 complaints were not responded to within the required timescales.

Complaints were primarily regarding service quality such as assessments and disagreeing with outcomes, lack of support and case handling concerns.

### Learning & Improvements

In terms of learning, there were delays when monitoring progress and handling escalations from first to second stages resulting in significant response delays. There were also opportunities to improve response quality and case recording.

This learning has informed improvement actions which are now underway. These actions are designed to improve response timeframes and case handling quality as well as reduce service and complaint procedure related delays.

## 1. Introduction

The purpose of this report is to provide an overview of complaints made about Enfield Council's Children's Social Care services during 2021/22 as required by law. The report provides information about all statutory complaints made during the 12-month period between 1<sup>st</sup> April 2021 and 31<sup>st</sup> March 2022.

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

The Children's Act 1989 Representation Procedure (England) Regulations 2006 requires all local authorities to maintain a formal complaint handling process for children's social care. This 3-stage process is designed to ensure concerns raised by children, young people, their parents or carers are resolved swiftly, and learning informs future service provision.

### 2.1 What is a complaint?

It is helpful to be clear on what constitutes a complaint. The guidance "Getting the best from Complaints" produced by the Department for Education and Skills provides advice to local authorities on implementing the Children's Act 1989 complaints procedure for children and young people. It defines a complaint as follows:

*"A complaint may be generally defined as an expression of dissatisfaction or disquiet in relation to an individual child or young person, which requires a response"*

### 2.2 Who can make a complaint?

Section 26(3) and section 24D of the Children's Act 1989, and section 3(1) of the Adoption and Children's Act 2002 requires local authorities to consider complaints made by:

- Any child or young person (or their parent or someone who has parental responsibility for them) who is being looked after by the local authority or is not looked after by them but is in need
- Any local authority foster carer (including those caring for children placed through independent fostering agencies)
- Children leaving care
- Special guardians
- A child or young person (or parent) to whom a Special Guardianship order is in force
- Any person who has applied for an assessment under section 14F (3) or (4)
- Any child or young person who may be adopted, their parents and guardians
- Persons wishing to adopt a child
- Any other person whom arrangements for the provision of adoption services extend
- Adopted persons, their parents, natural parents and former guardians

- Such other person as the local authority considers has sufficient interest in the child or young person's welfare to warrant their representation being considered by them.

### 2.3 The complaints process

**Stage 1 – Local Resolution:** This is the most important stage of the process. Our aim is to resolve as many complaints as possible through quality and timely responses, reducing the need for further stages. Service managers provide a written response to complainants within 10 working days. This can be extended to 20 working days if the complaint involves complex matters, or to allow for appointing an advocate where a vulnerable person is involved.

**Stage 2 – Independent Investigation:** When the complainant is dissatisfied with the Stage 1 response, they can request a Stage 2 investigation. The investigation is conducted by an external investigating officer with an independent person who oversees the fairness and transparency of the investigation process. The findings from the investigation and any recommendations are set out in a report which is then adjudicated by the Director of Children's Services. The timescales for responding to a complaint at stage 2 is 25 working days, with an extension of up to 65 working days for complex cases.

**Stage 3 – Independent Review Panel:** This is the concluding stage of the Council's complaints procedure when the complainant remains dissatisfied with the responses at Stages 1 & 2. The Council is required to establish an independent Complaints Review Panel. The hearing should take place within 30 working days of the request and is made up of three people, all independent to the local authority. The complainant has the opportunity to present their case to the panel alongside the Council. The Chair of the Panel communicates the panel's decision to the complainant and 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.

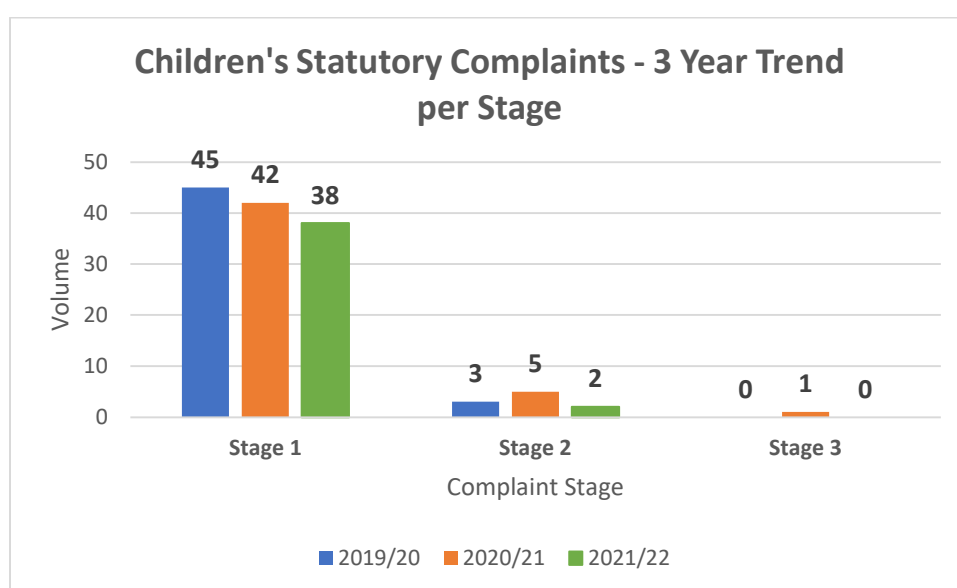
**Local Government and Social Care Ombudsman:** If the complainant is not satisfied with the outcome of the Independent Review Panel, they have the right to take their complaint to the Local Government and Social Care Ombudsman (LGSCO). The LGSCO is an independent organisation empowered to review or investigate where it appears that the Council's own investigations have not resolved the complaint or have not been handled appropriately. Complainants can refer their complaints to the LGSCO at any time, although the Ombudsman normally refers the complaint back to the Council if it has not been considered under the staged process outlined above.

### 3. Complaints

To put some context to the volume of complaints received in 2021/22, Children’s Social Care received 27,788 MASH (multi agency safeguarding hub) contacts and completed 4,302 Child & Family Assessments. As of 31 March 2022, the Council had 627 open children in need cases and 333 children were subject of a child protection plan. There were 396 looked after children and the Council had 305 care leavers aged between 18-25 in receipt of services.

#### 3.1 Overview

During 2021/22, Enfield Council received a total of 38 Stage 1 Children’s Social Care statutory complaints. This is almost a 10% decrease in volume compared to the previous year.



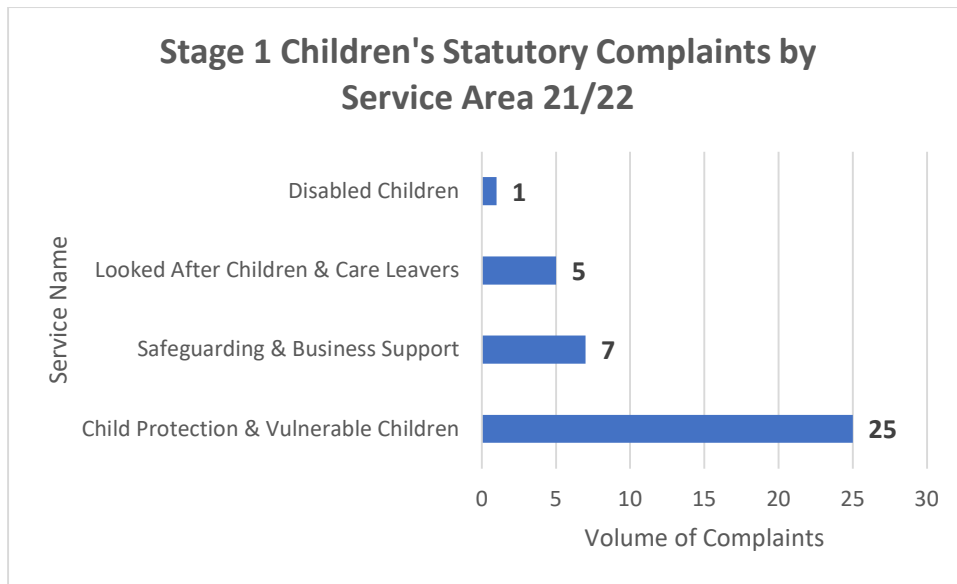
There were 10 Stage 2 escalation requests, 2 of which proceeded to investigation.

There were no Stage 3 complaints requested or held during this period.

The large number of complaints resolved at Stage 1 reflects the time and effort put in at this stage to address the complaint without the need for escalation to Stage 2. The emphasis of the complaints process is to reach a resolution. Efforts made to resolve complaints at Stage 1 focus on ensuring the complainant understands the response they have received and what outcome can be realistically achieved.

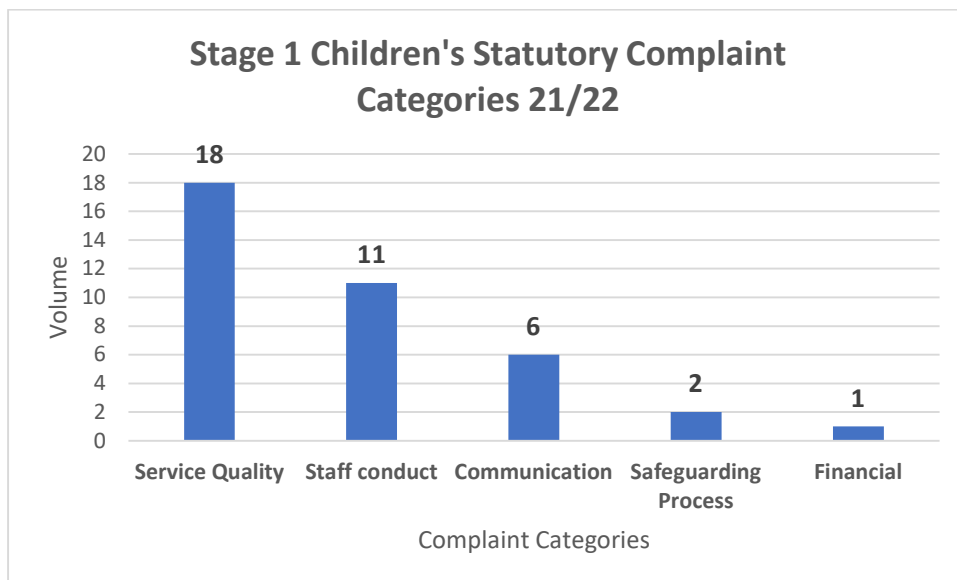
#### 3.2 Complaints by Service Area

The following graph provides a breakdown of complaints per service area.



The largest volume of Stage 1 complaints related to Child Protection & Vulnerable Children services (25).

### 3.3 Nature of Complaints



Service quality received the highest number of complaints at Stage 1 during 2021/22 (18), followed by staff conduct (11) and communication (6).

Service quality complaints included:

- Assessment quality concerns and disagreement with outcomes
- Lack of support
- Case handling

Staff conduct complaints featured lack of communication from social workers, unfair treatment and poor interactions with parents.

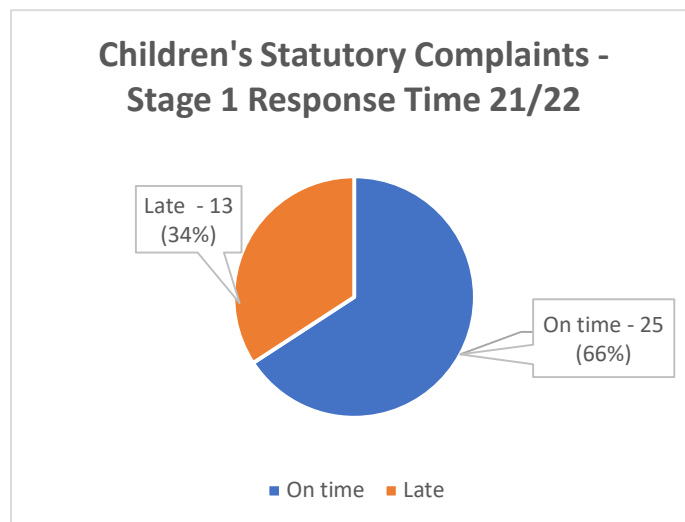
Complaints requested changes in social workers, removal of child protection plans, better communication and further investigations.

### 3.4 Outcome of Complaints

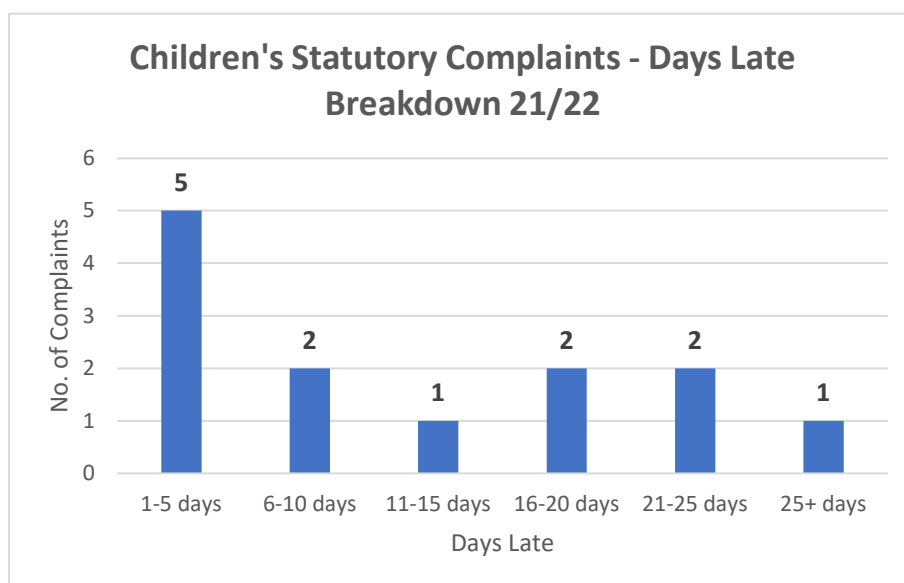
Upon receiving notification that complainants wished to escalate their Stage 1 to Stage 2 complaints, further discussions resulted in 2 investigated further. The remaining were withdrawn due to court proceedings, new complaints created, or the issues satisfactorily addressed.

### 3.5 Complaints Response Timescales

Out of the 38 Stage 1 complaints, 66% (25) were responded to on time.



Of the 13 late responses, many were 1-5 days late.





For Stage 2, unfortunately the responses were not provided within the response timeframe targets. This was due to resource issues in the central complaints handling team and challenges securing external investigators due to lack of availability.

The Stage 2 investigations resulted in 69% not upheld; 23% partly upheld and 8% upheld.

### 3.6 Ombudsman Complaints

There were no statutory complaints escalated to the Local Government and Social Care Ombudsman in 2021/22. However, the Ombudsman did refer a complaint to Enfield Council which began the statutory process in 2018/19 as Stage 3 had not been undertaken. Although requests to escalate the complaint from one stage to another stage were delayed, Enfield Council did not act swiftly on progressing these. There is now a clear process in place for managing complainant communications to ensure oversight and timely responses.

## 4. **Learning & Actions**

### 4.1 Learning

**Delays in monitoring progress:** there was evidence of drift regarding a child's protection plan. Core group meetings were delayed and engagement with parents was not always easy during lockdown periods.

**Delays in considering and investigating Stage 2 escalations:** there were delays in reviewing and investigation Stage 2 complaints due to resource challenges in the centralised complaints team and lack of available external investigators.

**Quality of response:** there were instances where the quality of response could be improved. For example, ensuring all answers are provided in writing regardless of verbal any response provided to the complainant and clearly explaining the restrictions imposed by General Data Protection Regulations (GDPR) and the extent to which this dictates information disclosed.

**Case recordings:** there were instances where case recording was not up to expected standards. Work is already underway to improve the quality and consistency of recordings on children's records. The service will also ensure that all assessment records are culturally sensitive, correctly recording the ethnicity of each parent and the child's cultural identity as seen by both the parents and the child.

## 4.2 Improvement Actions

### **Reducing Delays:**

- The service has implemented changes to improve the timeliness of core group meetings including introducing monthly performance reporting that highlights issues to managers and senior manager to improve oversight and practice
- Improvements are being made to the internal handling process, resourcing, progress reporting & oversight and implementation of a new case management system to support timely responses in the future. These improvements will be in place by December 2022.
- Additional external investigators have been identified, increasing the level of investigation resourcing available to the local authority.

### **Improving Response Quality:**

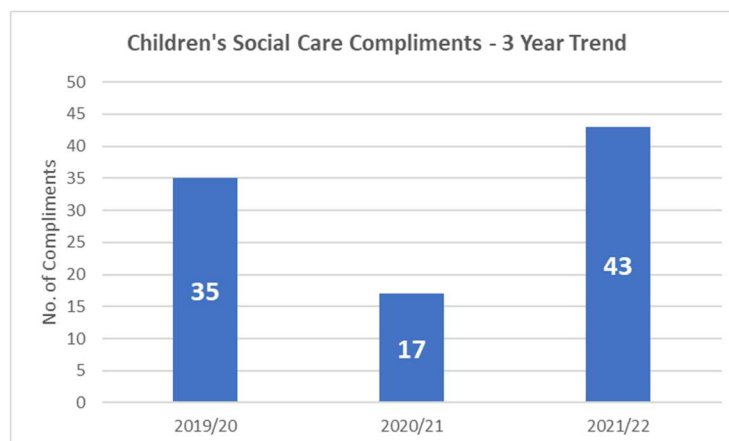
- Sharing learning with managers responding to complaints to ensure consistent response quality, particularly when explaining complicated regulations and their impact on the information we can provide the complainant. Learning from 2021/22 has been shared with staff and this is an ongoing action.

### **Improving Case Recording Quality:**

- Work is underway to ensure that case recordings in the future are balanced and objective. The service will also ensure that all assessment records are culturally sensitive, correctly recording the ethnicity of each parent and cultural identity of the child as seen by both the parents and the child. This work is ongoing throughout 2022/23.

## **5. Compliments**

During 2021-2022, 43 compliments were logged centrally which is an increase of 26 from the previous year. The below graph provides the latest 3-year trend.



Managers are encouraged to log the compliments they receive as learnings are derived from positive feedback as well as negative.

A significant majority of compliments logged during 2021/22 were regarding staff members (86%), and the remainder regarding the service received.

Below are some examples of compliments received:

*“Just to let you know that this past year working with X has been amazing. She is so attentive and always there to answer calls and explain situations. I cannot begin to express my joy at having her as my SSW. I want to take this opportunity to say a big thank you to her and to you for assigning me to her in your absence. It’s been so much joy.”*

*“This morning at 6.00am a foster carer and very good friend of mine called from the hospital as one of her children needed an operation. The carer could not get hold of anyone from SS as did the doctors to have consent to operate. I decided to email X as she will always reply ASAP as this child needed to be operated at 8.00am. Just as I thought X replied and called the carer and gave consent for the operation to go ahead. I just want to say that X is a big asset to the fostering team and I feel she deserves so much as she goes above and beyond for us carers and it really should be recognised. X is a massive asset and I feel all of the carers that work with her feel the same.”*

*“I just wanted to say I think it was impressive how you shared the children’s wishes and feelings using your direct work with them today. I have not seen that in a LAC review before and it was lovely to have the children’s wishes included in the way that you did and helped keep the focus on them.”*

*“The reason I’m writing you this email is both Y and the foster carer wanted to compliment X on the work that she’s done with since she’s been Y’s social worker. They wanted me to tell you that X has been very supportive, professional and focused and help to get Y prepared for independence. We know that social work can be an undervalued profession. It’s only later on down the line and sometimes many years later that the young people value the input from the social worker at the beginning of their lives.”*

*“I want to thank you for all your hard work on the case. It was great to see the Judge recognise a strong care plan put together without drift or delay and give praise for this action in his final judgement.”*

*“Would just like to leave an amazing compliment to X, she has been such a great support to me and my children, always listen to what I had to say and great advice on how to deal with the situation. Also she has also helped my family into a better routine and structure, so thank you.”*

## **6. Conclusion**

During 2021/22, 6,033 children and families were supported by Children's Social Care. Given this and the complex nature of this work, the number of complaints received are relatively low. Stage 1 & 2 volumes have reduced, and no Ombudsman referrals were made during this period. In terms of response time performance, improvements to Stage 2 escalations are now underway.

Service quality remains the primary reason for Stage 1 complaints. Although complainants have cited poor staff conduct, praise for social workers featured heavily in compliments received which increased compared to the previous year.

This year's complaints learning demonstrates the need to improve response and record quality in addition to reducing delays. In terms of overall process management, actions are underway to strengthen the oversight, monitoring and handling of cases moving from first to second and third stages to reduce referral delays and improve response times.