

London Borough Barking and Dagenham Social Care and Education Annual Report for Complaints

1st April 2018 -31st March 2019

Childrens Services

81 Stage 1 Complaints Closed
3 Stage 2 Investigations Commenced
0 Stage 3 Reviews Undertaken
2 Ombudsman Investigations Undertaken
7 Compliments
58 Members & MP's Casework

Adults Services

54 Stage 1 Complaints Closed
5 Ombudsman Investigations Undertaken
18 Compliments
130 Members Casework

Education Services

18 Stage 1 Corporate Complaints
5 Compliments
71 Members Casework

Children's Services

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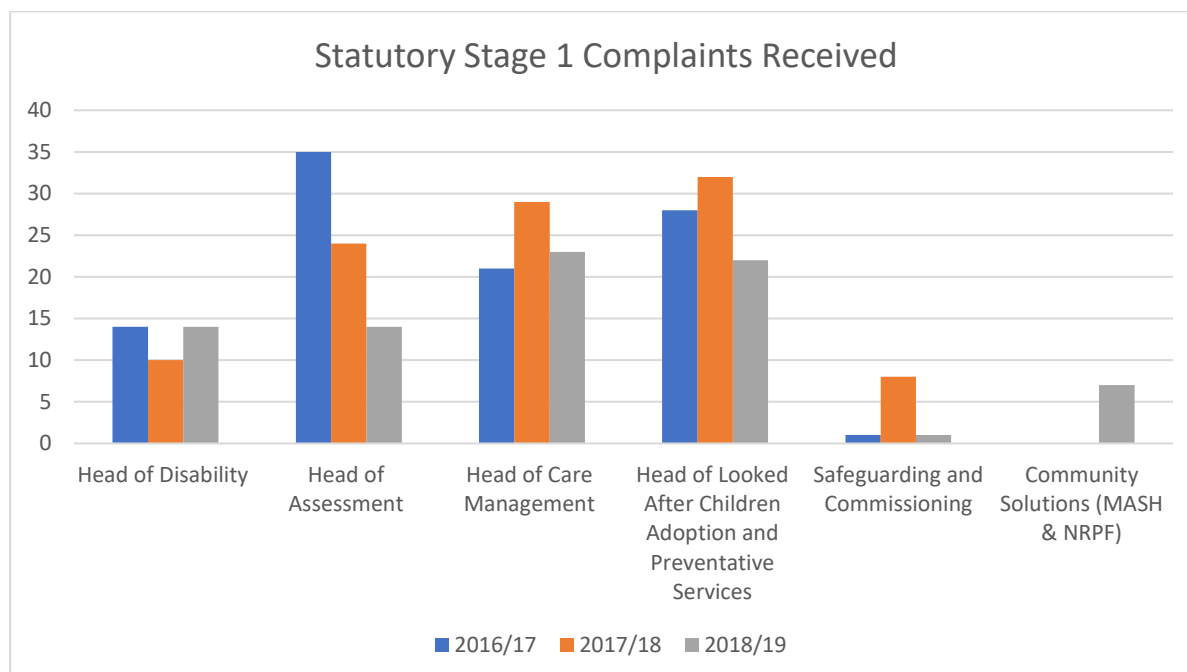
Adult's Social Care

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Education

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Stage 1 Complaints Received		
Children's Services	2018/19	2017/18
Head of Disability	14	10
Head of Assessment	14	24
Head of Care Management	23	29
Head of Looked After Children, Adoption and Preventative Services	22	32
Safeguarding and Commissioning	1	8
Community Solutions (MASH & NRPF)	7	N/A
Total	81	103



Timeliness of dealing with statutory social care complaints

In 2018/19 78% (63 of 81) of complaints were answered within 20 working days which is a decrease on the 2017/18 figure of 86%. As noted, performance is again slipping in Children's Social Care and as such reports will be shared with Senior Managers on a quarterly basis to monitor and maintain improvement in this area. The Team will also be holding regular surgeries with Operational Managers to support improved timeliness.

Volume of Statutory Social Care Complaints

There is a noted decrease in the volume of complaints which have been received in Children's Social Care. It is hoped that this can be attributed to our service users being more aware of reason for interventions and better communication with our social workers as the relational practice framework is embedded. It is believed that the cause of some of this decrease can also be noted as down to the work which is undertaken by our in-house advocate. The advocate works with children directly to raise concerns they may have about how their cases are progressing. The work which is undertaken by our advocate provides to the young person a chance to be

heard and feel valued.

Quality of Statutory Social Care Complaints

We uphold a large volume of complaints which are investigated in children's social care. This has a positive impact on the number of cases which require further intervention through the complaints process. As a Local Authority we are self-aware on where we can improve and can communicate this to the service users. As we move forward the focus remains in children's social care complaints is to investigate with the family and provide information which can be used to clarify as to why interventions are taking place and improve their experience which is often difficult and confusing.

Concerns and Outcomes of Complaints

Nature of Stage One Children's Services Complaint	2018/19	
Challenge to Assessment Outcome	8	10%
Challenge to Conference Outcome	0	0%
Challenge to Section 17 Support	5	6%
Challenge to Savings	0	0%
Challenge to Support Provided	13	16%
Contact Worker Issues	0	0%
Delays in Service/Minutes	5	6%
Foster Carer Issues	1	1%
Inaccurate Recording	1	1%
Other Service Failure Cause	2	2%
Poor Communication	46	57%

Outcome	2018/19	
Upheld	60	74%
Partly Upheld	15	19%
Not Upheld	6	7%
Resolved Upon Receipt	0	0%

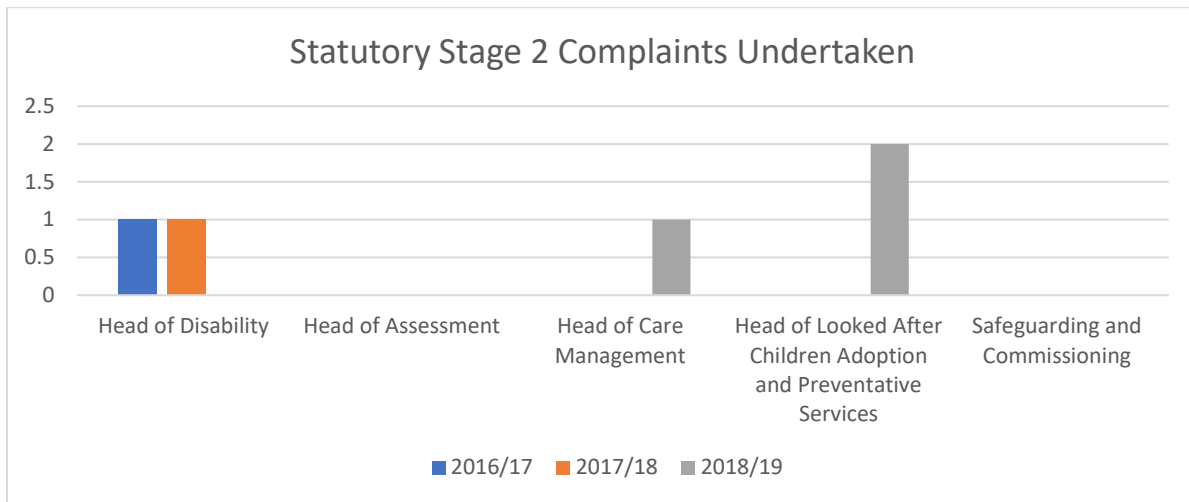
Learning and Service Development

At the end of every investigation, it is expected that the Investigating Officer should be able to identify service improvements resulting from the complaint. These should then be shared with all staff at team meetings. A summary of the noted service improvements resulting from the complaints are:

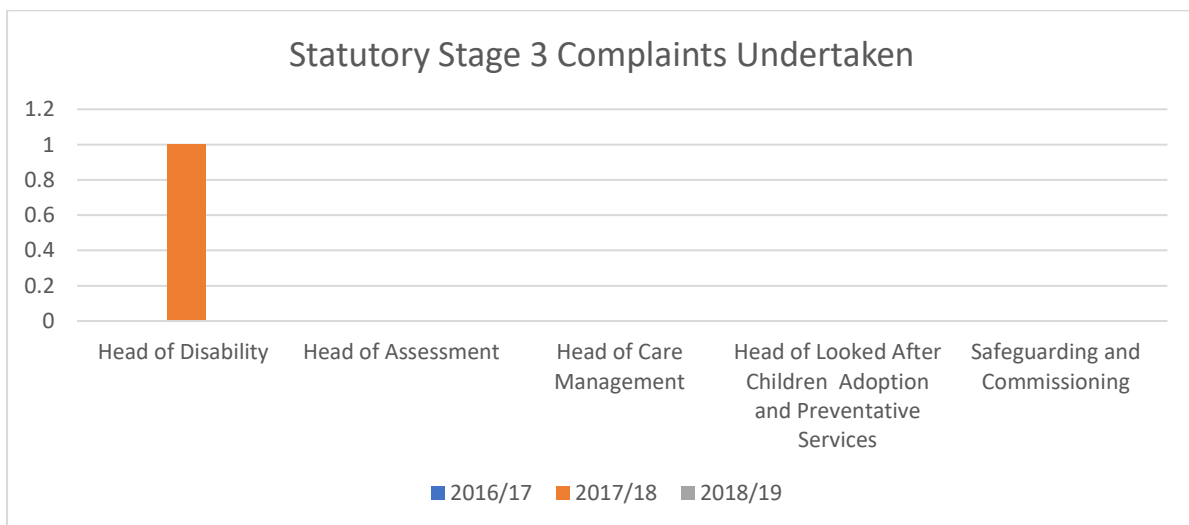
- It is clear that year on year that poor communication is the main cause for complaint when dealing with Children's Social Care. Social Workers and Team Managers are reminded of the importance of maintaining clear and regular communication with those cases which are allocated.
- When working with families, decision making should be clear and clearly explained and followed through by the Social Workers. Decisions should also be monitored through the use of supervision.

- Social Workers at initial meetings should always ensure that parents and children are aware of how to contact should they have a concern which needs addressing. These concerns should be noted on case file so that any further allocated social workers are aware of the issues which have been raised.
- All allocated workers to ensure that case notes are kept updated when visits have occurred, and decisions made. Poor case recording impacts on the ability to not only produce comprehensive investigation responses but places the Local Authority at the risk of more complaints and could potentially impact on Child Protection and Court Cases.
- The role of the Children's Rights Advocate to be explained to Children in Care so that they can utilise the internal services provided by the Local Authority.
- It is important that families/children feel comfortable in making complaints to the Local Authority and should not fear that this will adversely affect the work which is being undertaken.
- Children's wishes, and feelings should be kept updated and clearly communicated to families in terms of contact. Contact schedules should be at the earliest opportunity finalized and disseminated to families.

Stage 2 Complaints Commenced		
Children's Services	2018/19	2017/18
Head of Disability	0	1
Head of Assessment	0	0
Head of Care Management	1	0
Head of Looked After Children, Adoption and Preventative Services	2	0
Safeguarding and Commissioning	0	0
Total	3	1



Stage 3 Reviews Undertaken		
Children's Services	2018/19	2017/18
Head of Disability	0	1
Head of Assessment	0	0
Head of Care Management	0	0
Head of Looked After Children, Adoption and Preventative Services	0	0
Safeguarding and Commissioning	0	0
Total	0	1



Recommendations for Stage 2 and 3 Complaints Undertaken

In 2018/19 the Local Authority undertook 3 Stage 2 investigations none of these investigations have progressed to Stage 3.

Of the 3 Stage 2's undertaken 2 have been completed and recommendations have been made and shared with the complainants. The 1 remaining complaint is still within the initial stages and will be ongoing for some time due to the complex nature of the complaint which is being raised.

Concerns raised within the Stage 2 centered around the practice of the Social Workers and the communication the families were experiencing from the teams in question.

Stage 2 Recommendations

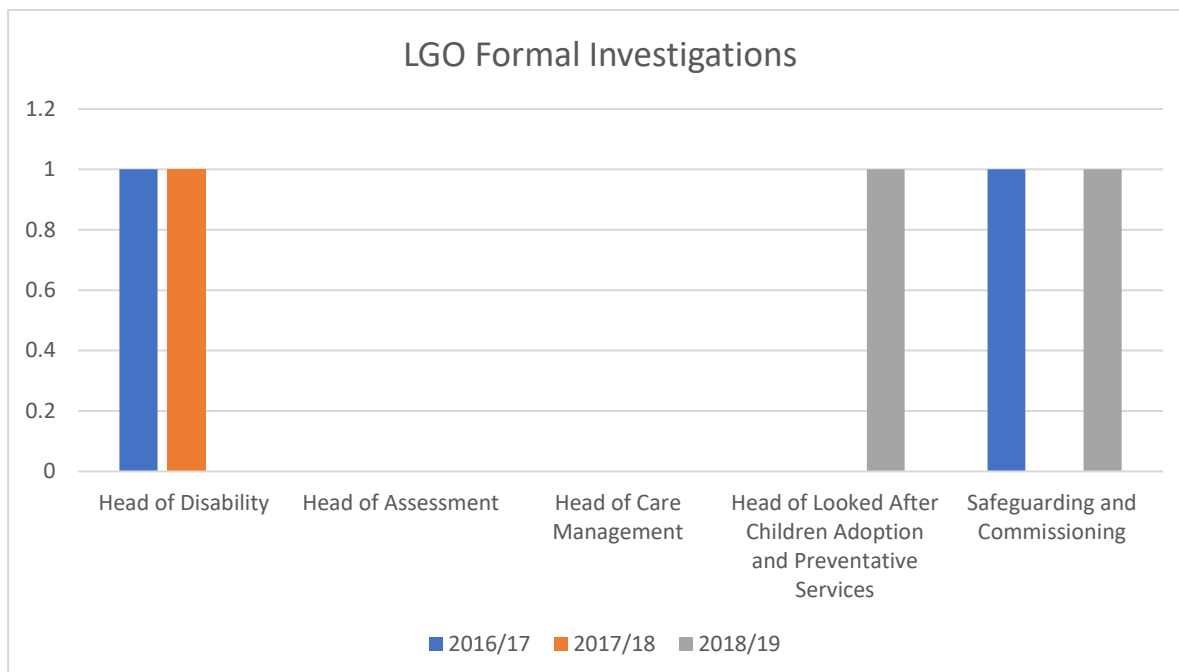
Within the Stage 2 Reports the independent investigators fully upheld 3 complaints, 3 were partially upheld and 7 were not upheld. The investigation reports provided an insight into not only how the Local Authority could improve the services which are offered to families and young people, they also provided advice to the specific complainants about how best to manage their communication with the Local Authority.

Some of the recommendations which were put forward by the investigators and agreed by the Local Authority include the following;

- That the Learn 2 Live Team improves its arrangements for providing young people with a list of essential items when they move to a new property.
- That the Local Authority reviews systems whether the systems, currently in place for establishing how much money is in each young person's leaving care grant.
- The Adjudicating Officer reviews the contact centre used for parental contact to establish if this remains a suitable venue, if a further venue can be identified and used for such sessions.

There are further recommendations made but as these remain case specific it is not felt that they should be included within the annual report to be published.

Local Government & Social Care Ombudsman		
Children's Services	2018/19	2017/18
Head of Disability	0	1
Head of Assessment	0	0
Head of Care Management	0	0
Head of Looked After Children, Adoption and Preventative Services	1	0
Safeguarding and Commissioning	1	0
Total	2	1



Recommendations from Local Government Ombudsman

The Local Government Ombudsman only undertook 2 formal investigations into the actions by the Local Authority. The complaint in relation to Safeguarding and Commissioning remains ongoing.

The investigation in relation to the Head of Looked After Children Adoption and Preventative Services after consideration the Local Government Ombudsman found no fault with the actions of the Local Authority

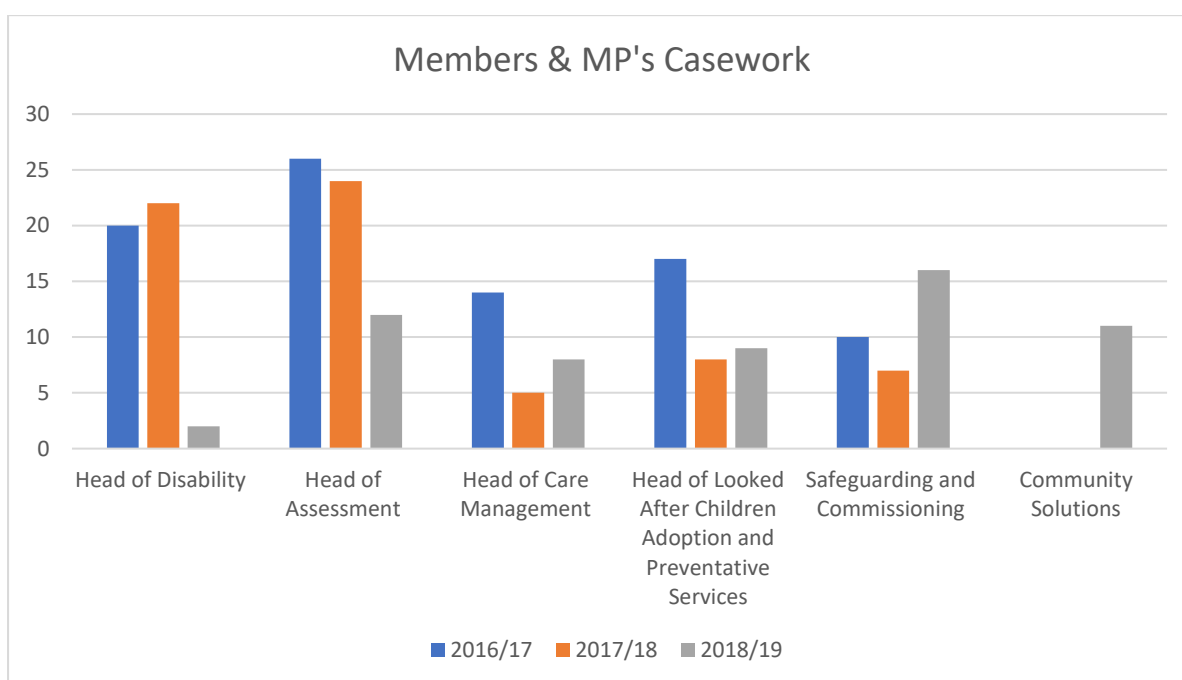
Compliments Received		
Children's Services	2018/19	2017/18
Head of Disability	0	1
Head of Assessment	0	2
Head of Care Management	6	4
Head of Looked After Children, Adoption and Preventative Services	1	11
Safeguarding and Commissioning	0	0
Total	7	18

Excerpts from some of the compliments received include:

- You say it how it is you've helped me whilst I was having trouble when internet was down, sorted through school application with me, persisted with helping me and my son getting a nice safe home that isn't known to Mr X, you've even helped us with a grant. Last but not least you don't make me uncomfortable. Thank you. Plz forward this to your manager coz I ain't got her address, but your help should not go unnoted. From my heart thanx.
- Finally, I just wanted to put in writing what I have said to you on the phone a couple of times about how hard O has worked on this case and what an impressive witness she made ' and all in the face of the horrendous vitriol and racism she had been receiving from the family. Other parties' advocates have also complimented her to me for her commitment to the children and how well she gave evidence.
- I just wanted to alert you to the high standard of work that S is doing. I have had the pleasure of working with her on a couple of cases and she has also filled in for other workers on duty. She has always come prepared, has a great work ethic and is always on time, despite using public transport!

The Director of Care and Support has a process in place to receive all compliments about practitioner practice across the child's journey. Weekly compliments are received from school, parents, carers, Judges, Legal Services and internally from Managers and the Principal Social Worker. Next reporting period will reflect the actual level of compliments received.

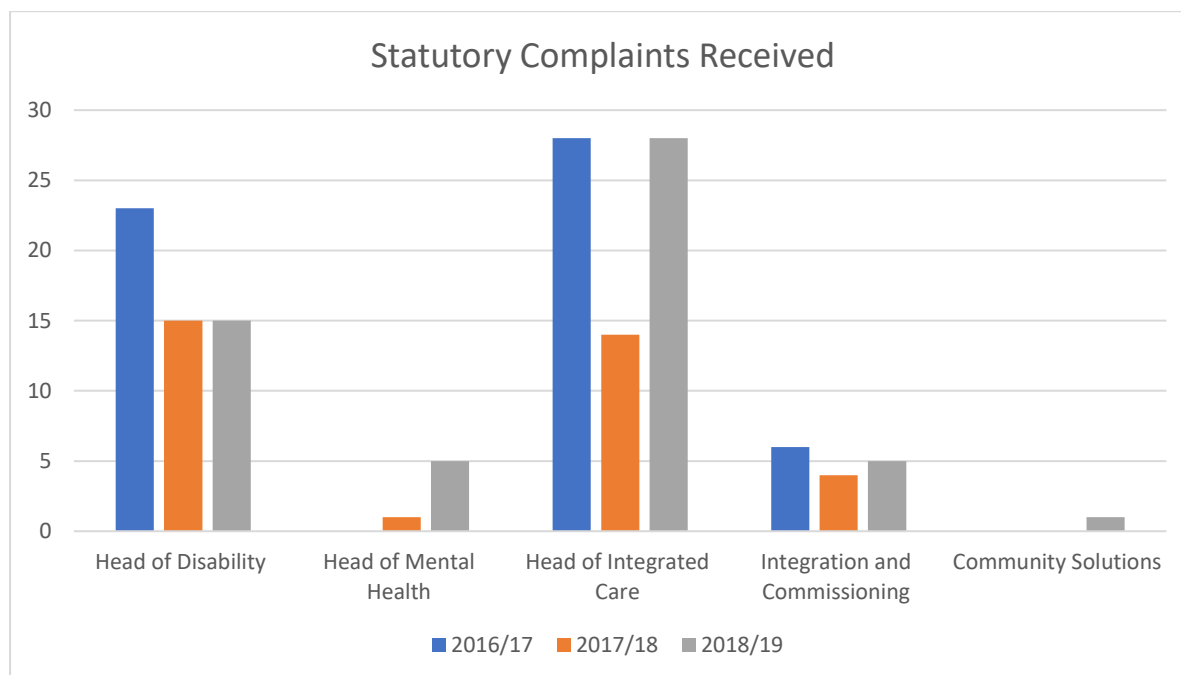
Members & MP's Casework		
Children's Services	2018/19	2017/18
Head of Disability	2	22
Head of Assessment	12	24
Head of Care Management	8	5
Head of Looked After Children, Adoption and Preventative Services	9	8
Safeguarding and Commissioning	16	7
Community Solutions	11	N/A
Total	58	66



Timeliness of dealing with Members & MP's Casework

In 2018/19 95% (55 of 58) of Members & MP's Casework were responded to within the 10 working days. This is an increase from 2017/18 in which 89% (59 out of 66) of Members & MP's Casework were answered within 10 working days. Children's Social Care has shown improvement in the response times for Members and now fall within the corporate target of 90%.

Stage 1 Complaints Received		
Adults Services	2018/19	2017/18
Head of Disability	15	15
Head of Mental Health	5	1
Head of Integrated Care	28	14
Integration and Commissioning	5	4
Community Solutions	1	N/A
Total	54	34



Timeliness of dealing with statutory social care complaints

In 2018/19 83% (45 out of 54) of complaints were answered within 20 working days which is a decrease on the 2017/18 figure of 97%. Not only is this a significant decrease, this is also below the corporate set target of 90%. The Feedback Team will continue working with the relevant service managers to ensure compliance is met moving forward.

Volume of Statutory Social Care Complaints

From information contained in the report we can clearly see an increase in the number of complaints which have been received in service. In a year there is a reported increase of 20 Cases. This can be seen as positive because it clearly shows the residents are confident to raise concerns with the Local Authority which allows us to rectify any concerns. It also provides the Local Authority greater perspective into how we can improve the services offered.

Quality of Statutory Social Care Complaints

We continue to strive as a service to improve the quality of the investigations and

responses which are provided to our residents. You can see from the number of investigations not upheld, in conjunction with the Local Government Ombudsman approaches that as a Local Authority we seriously consider and investigate complaints fully.

Concerns and Outcomes of Complaints

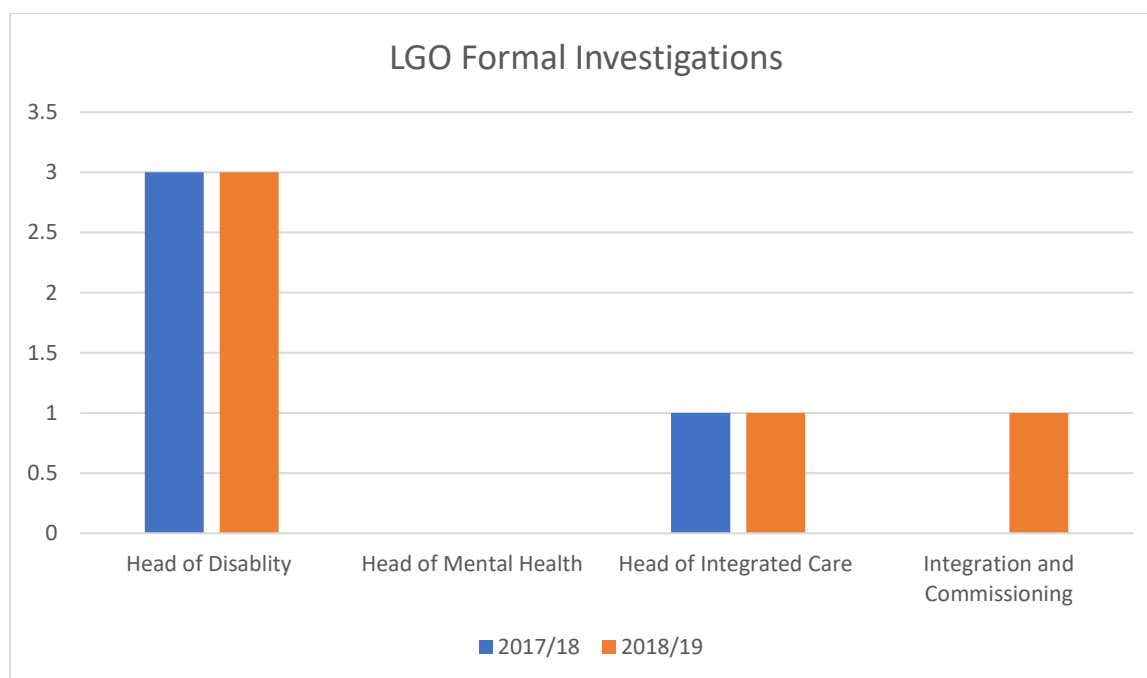
Nature of Statutory Adult Services Complaint		2018/19	
Delay In Communication	5	9%	
Delays In Service	8	15%	
Disagree with Charge Received	0	0%	
Dissatisfied with Financial Support Offered	0	0%	
Failure to do something	9	17%	
Inadequate Services Provided by a Third Party	2	4%	
Inappropriate Behavior	1	2%	
Incorrect Information or advice given	4	7%	
Not to the quality or standard expected	11	20%	
Poor Communication	14	26%	
Outcome	2018/19		
Upheld	8	15%	
Partly Upheld	17	31%	
Not Upheld	29	54%	

Learning and Service Development

At the end of every investigation, it is expected that the Investigating Officer should be able to identify service improvements resulting from the complaint. These should then be shared with all staff at team meetings. A summary of the noted service improvements resulting from the complaints are:

- Services need to ensure that timely carers assessments are offered to ensure that carers feel supported in their role by the Local Authority.
- Communication with families and services users needs to improve. A large portion of complaints received relate to poor communication. Allocated workers need to ensure that responsibility is taken to update the necessary people.
- When delays are expected to occur, it is important that service users and families are fully aware and are kept informed.
- Once the package of re-ablement has been completed clients should be re-allocated in a timely way so that the financial assessments can be undertaken to prevent clients having to excessively contribute to their care packages.
- Communication to be improved with families of those who have vulnerabilities including learning disabilities so that they are aware of the work being undertaken.

Local Government & Social Care Ombudsman		
Adults Services	2018/19	2017/18
Head of Disability	3	3
Head of Mental Health	0	0
Head of Integrated Care	1	1
Integration and Commissioning	1	0
Total	5	4



LGO Recommendations

At the time of writing this report not all Local Government Ombudsman cases had resulted in a final decision. The complexities of Local Government Ombudsman cases often mean they remain at the investigating stage for a lengthy period of time.

Whilst the Local Government Ombudsman were investigating a case a decision was taken to take this to report. Below is a summary of reasons as to why the case was investigated and for the full report you can follow this link

<https://www.lgo.org.uk/information-centre/news/2019/apr/london-council-and-care-home-amend-policies-after-giving-confusing-information-about-fees>

A complainant approached the Local Government Ombudsman to ask them to investigate the handling of payments with a provider of residential care. During their investigation, the Ombudsman used their discretion to also focus the investigation on the way in which the Council makes payments for residential care.

The matter principally concerns the practice of the Council making payment to the residential care home for only the Council's contribution, and expecting the care home to pursue the service user contribution directly with them. The LGO holds, and has set out clearly, that this is contrary to the Care Act guidance. There were also related

issues about the approach taken when third parties contribute to the cost of an individual's care, and some deficiencies in the care planning process in this instance.

The resulting report finds fault on the part of the Council, and that this had caused injustice to the complainant. There are a number of councils operating similar processes, and the Ombudsman has therefore chosen to issue a report in the public interest detailing the outcome of this complaint.

As a result, the Council has repaid the complainant the third-party top-ups that have been made, and half of the contributions of the service user. In the longer term, this has substantial implications for the way the Council currently undertakes its social care finance processes, and the necessary changes are being made to the systems and processes around how payments are made for residential care. It has also prompted a thorough look across all social care finance processes. The following link contains the report which prepared and provided to Assembly on this matter. <https://modgov.lbbd.gov.uk/Internet/documents/s130912/Report.pdf>

Further Recommendations from remaining cases investigated;

- The council offered £200 to reflect Mr B's avoidable distress and inconvenience at missed visits. That is an appropriate remedy for Mr B. In addition, I also recommend a payment of £200 to Mr A to reflect his and his family's avoidable distress and an apology.
- The Council and care provider will within a month review the visit arrangements with Mr A and take all reasonable steps to agree a way forward.
- Pay Miss X £600 in recognition of the distress and inconvenience she suffered due to its delay in providing aids and adaptations.
- Carry out a new assessment of Miss X's needs within one month of the date of my decision.

Compliments		
Adults Services	2018/19	2017/18
Head of Disability	7	4
Head of Mental Health	3	0
Head of Integrated Care	8	2
Integration and Commissioning	0	0
Total	18	6

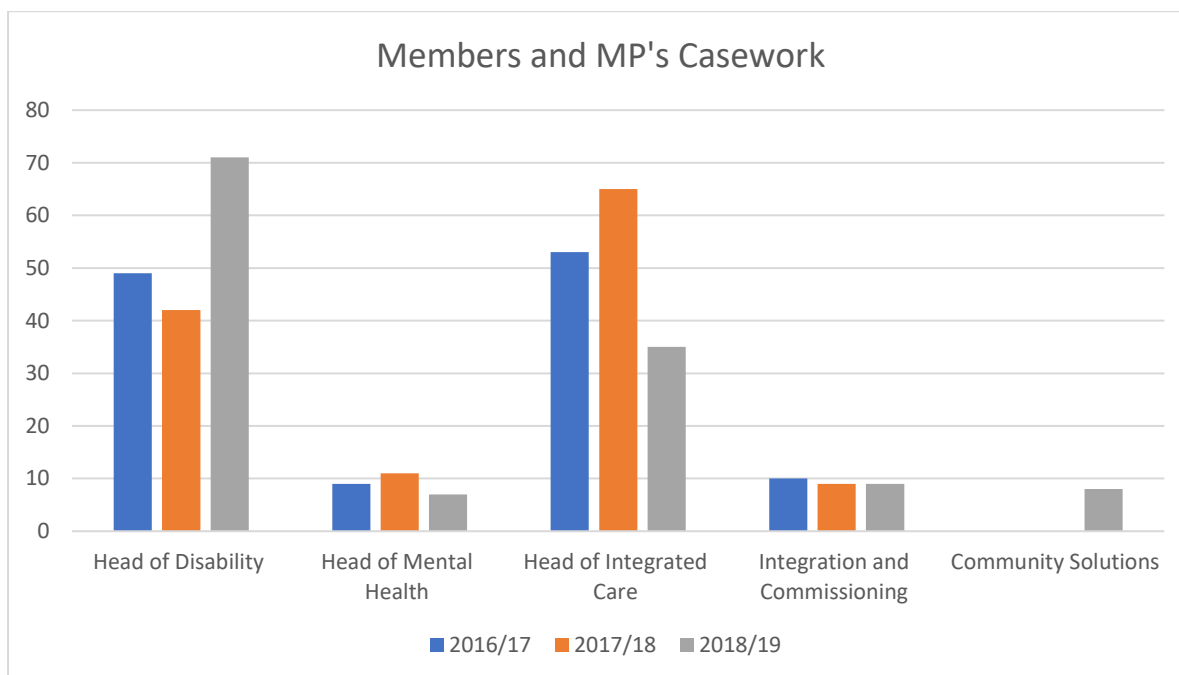
Volume of compliments received

When dealing with residents' positive feedback is appreciated as it is insight into services which are performing above and beyond. It is noted that we have received an increase of 12 compliments which show enhanced engagement from our residents.

Excerpts from some of the compliments received include:

- What a great social worker S is and how much he has made a difference since becoming my Brother's social worker earlier this year! He has sorted out a great care team which has made a lot of difference and obviously makes him more stable in the long run it very rare to see these days someone who is very dedicated to their job especially when a lot of cut backs and pressures are in place!
- I would like to pass my thanks on to my social worker as during my visit she not only put me at ease but made the whole process very dignified. The process seemed so much easier when she was undertaking the work with me.
- I would like to thank-you for all your help you really do go above and beyond in your job. (Not everyone does) Thank-you and helps me to stay positive and feel very supportive. I am very grateful, and I know my mum is too.

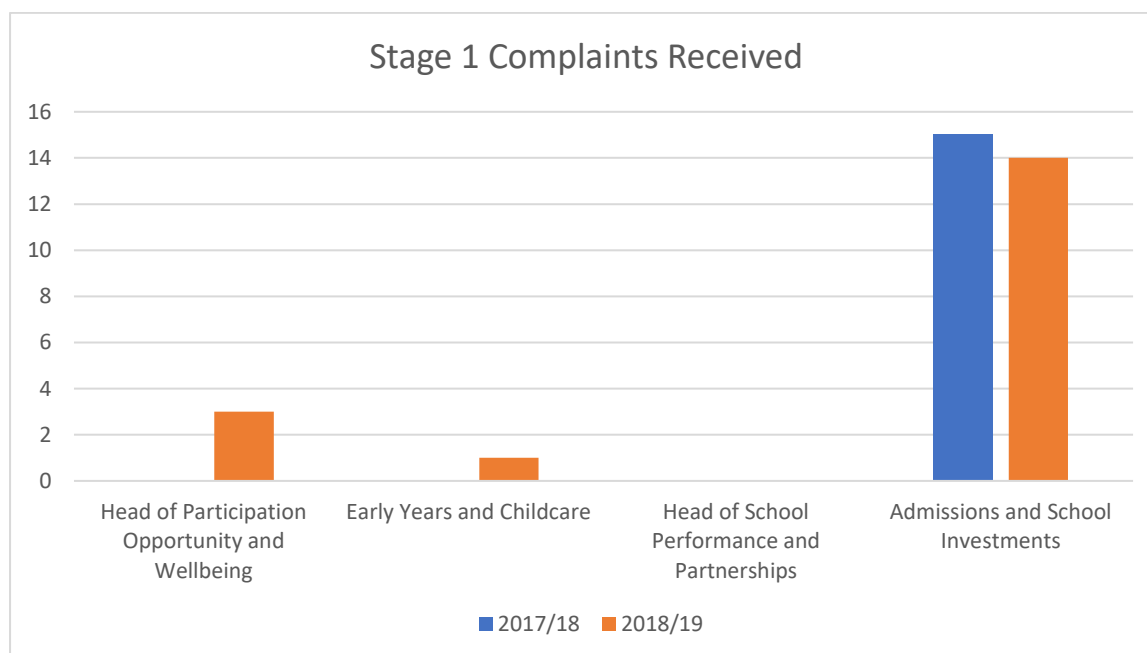
Members Casework		
Adults Services	2018/19	2017/18
Head of Disability	71	42
Head of Mental Health	7	11
Head of Integrated Care	35	65
Integration and Commissioning	9	9
Community Solutions	8	N/A
Total	130	127



Timeliness of dealing with Members & MP's Casework

In 2018/19 85% (111 of 130) of Members & MP's Casework were responded to within the 10 working days. This is a decrease from 2017/18 in which 90% (114 out of 127) of Members & MP's Casework were answered within 10 working days. Adult Social Care is falling below the corporate target of 90%. Performance will be monitored through management meetings and monthly corporate performance meetings.

Stage 1 Corporate Complaints Received		
Education Services	2018/19	2017/18
Head of Participation Opportunity and Wellbeing	3	0
Early Years and Childcare	1	0
Head of School Performance and Partnerships	0	0
Admissions and School Investments	14	15
Total	18	15



Timeliness of dealing with corporate complaints

In 2018/19 78% (14 out of 18) of complaints were answered within 20 working days, which is a slight increase on 2017/18 figure of 73%. The Feedback Team continue working with the relevant managers in order to reach the corporate target of 90%.

Nature of Statutory Education Complaint	2018/19	
Delay in service	3	17%
Disagree with policy or procedure	0	0%
Failure to deliver a service	1	6%
Failure to do something	5	28%
No communication received	4	22%
Not to the quality or standard expected	2	11%
Other communication cause	3	17%

Outcome	2018/19	
Upheld	9	
Partly Upheld	3	
Not Upheld	6	

Learning and Service Development

It is difficult to provide learning and service development for Education complaints as the majority are around children not being provided the school place which the parents have requested. These complaints are difficult to learn from as school allocations are taken via a set process and this is not something that the Local Authority are able to address. When reviewing those complaints which have been upheld we have found the following;

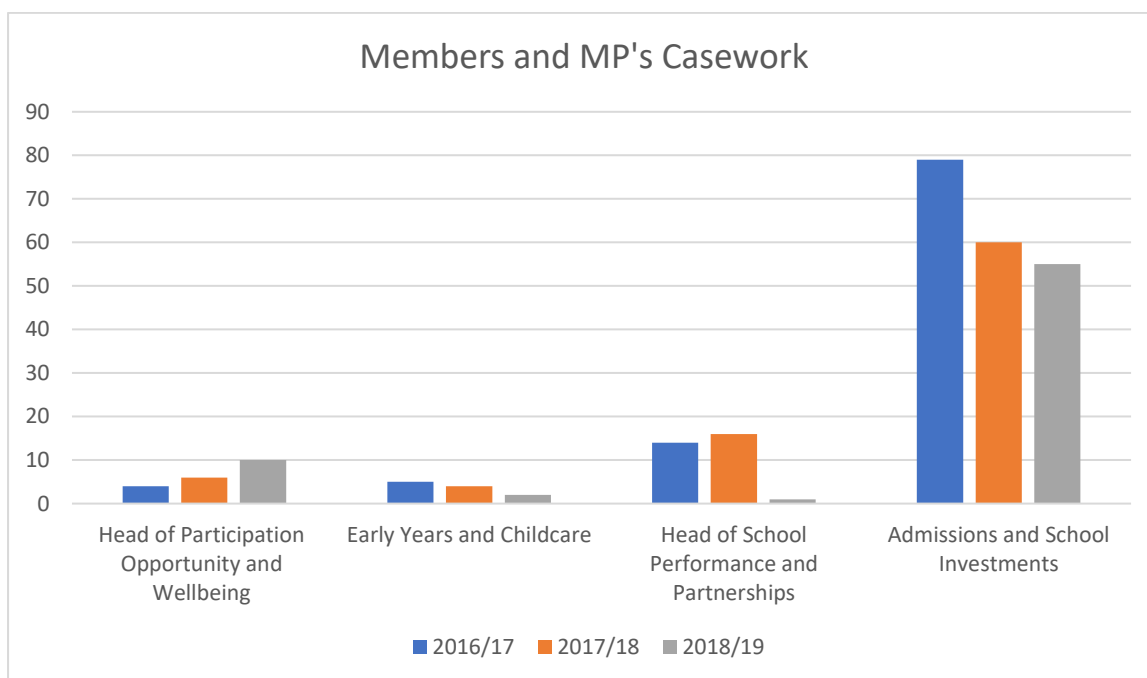
- The communication between teams in the Council could be improved when it comes to dealing with school applications whereby there is also possible Education Health Care Team involvement.

Compliments		
Education Services	2018/19	2017/18
Head of Participation Opportunity and Wellbeing	5	0
Early Years and Childcare	0	2
Head of School Performance and Partnerships	0	1
Admissions and School Investments	0	0
Total	5	3

Excerpts from some of the compliments received include:

- Your response time is excellent. The communication and advice are second to none. It has moved forward so much from the difficulties that were experienced last year. The system works, there is a clear process and a solid follow up.
- I also want to say a big thank you to SW, who treated me and my daughter with kindness and respect during all the time I had contact with her. When SW called me, she arranged an appointment at her earliest convenient to meet with myself at East Brook. During my telephone conversation with SW before meeting her in person, she listened to me and she had genuine concern for my daughter's wellbeing, which also gave me hope that the situation we were in could potentially change.

Members Casework		
Education Services	2018/19	2017/18
Head of Participation Opportunity and Wellbeing	10	6
Early Years and Childcare	2	4
Head of School Performance and Partnerships	1	16
Admissions and School Investments	55	60
Total	71	86



Timeliness of dealing with Members & MP's Casework

In 2018/19 93% (66 of 71) of Members & MP's Casework were responded to within the 10 working days. This is a decrease from 2017/18 in which 98% (84 out of 86) of Members & MP's Casework were answered within 10 working days. Despite the decrease in reported performance in this area the Education Service are still meeting the corporate target of 90%.