

# Enfield Council

## Children's Social Care Annual Statutory Complaints Report 2022 - 2023

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## **Executive Summary**

### Introduction

Between 1<sup>st</sup> April 2022 and 31<sup>st</sup> March 2023, Enfield Council supported 419 looked after children and 305 care leavers.

### Findings

During that period, the organisation received 29 Stage 1 complaints for Children's Social Care. Two of which were investigated at Stage 2. One Stage 3 panel took place. Five Ombudsman referrals were made during this period; none of these were investigated by the Ombudsman.

The complaint volumes decreased from previous years, the 21-22 volume having been 44 stage 1 complaints. Looked After Children and Child Protection Services received the highest volume of Stage 1 complaints. Response timeframe performance requires further improvement, particularly relating to Stage 2 and above escalations, of which none of the responses were provided on time.

Complaints were primarily regarding service quality such as the handling of assessments and disagreeing with outcomes, and general 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 2022/23 under the statutory complaints process as required by law. The report provides information about all statutory complaints made during the 12-month period between 1<sup>st</sup> April 2022 and 31<sup>st</sup> March 2023.

## 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 complaints.

**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.

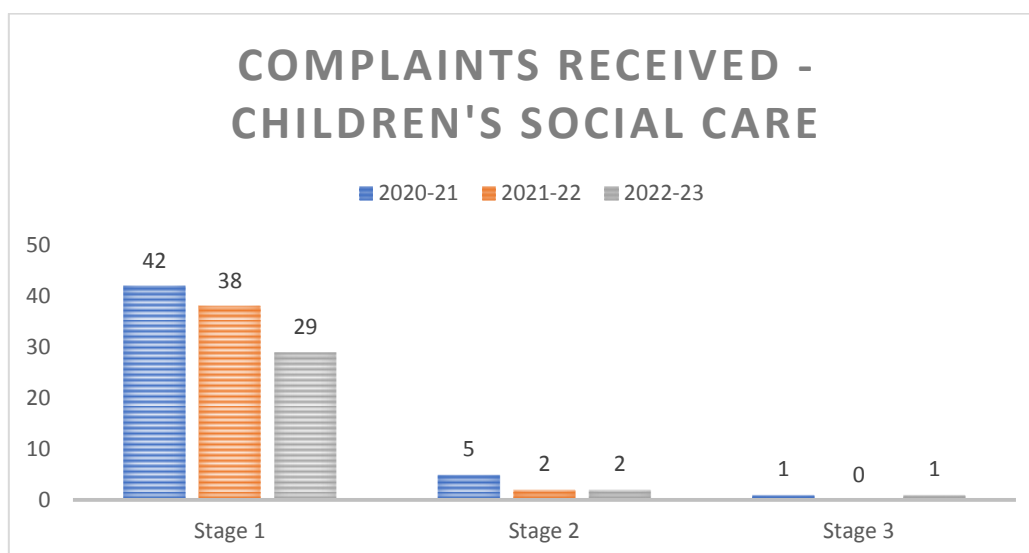
**Local Government and Social Care Ombudsman:** If the complainant is not satisfied with the outcome of the Independent Review Panel, they have the right to take their complaint to the Local Government and Social Care Ombudsman (LGSCO). The LGSCO is an independent organisation empowered to review or 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 2022/23, Children’s Social Care received 22,250 MASH (multi agency safeguarding hub) contacts and completed 5175 Child & Family Assessments. As of 31 March 2022, the Council had 680 supported children in need and 321 children were subject of a child protection plan. There were 419 looked after children and the Council had 305 care leavers aged between 18-25 in receipt of services.

#### 3.1 Overview

During 2022/23, Enfield Council received a total of 29 Stage 1 Children’s Social Care statutory complaints. This is almost a 10% decrease in volume compared to the previous year.



There were three Stage 2 escalation requests; two of which proceeded to investigation. Including the existing Stage 2 requests from 2020/21 where investigations were ongoing, there were five Stage 2 requests reviewed in total, and four investigated.

There was one Stage 3 complaint held during this period.

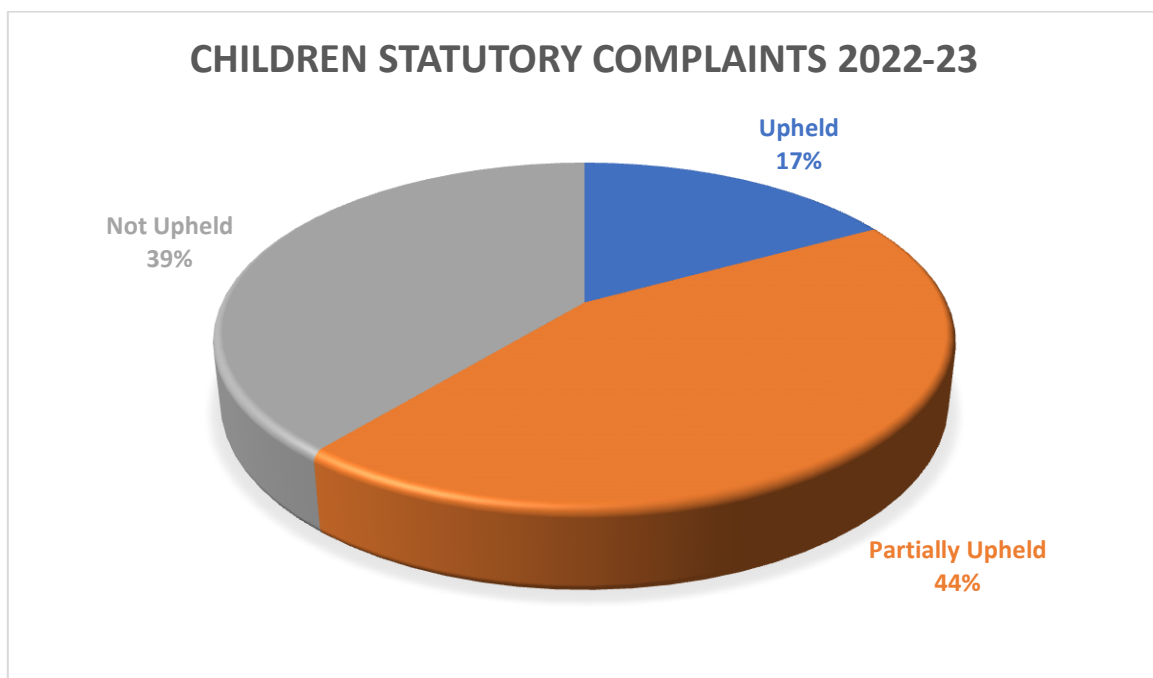
The large number of complaints resolved at Stage 1 reflects the time and effort put in at this stage to address the complaint without the need for escalation to Stage 2. The emphasis of the complaints process is to reach a resolution. Efforts made to resolve complaints at Stage 1 focus on ensuring the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

The trend in decreasing complaints overall also represents the result of increased focus on avoiding complaints by maintaining excellent service at the first point of service contact and engagement.

### 3.2 Outcome of Complaints and theme learning

Following investigation of complaints, the Council classifies its complaint responses as either upheld, partially upheld, or not upheld.

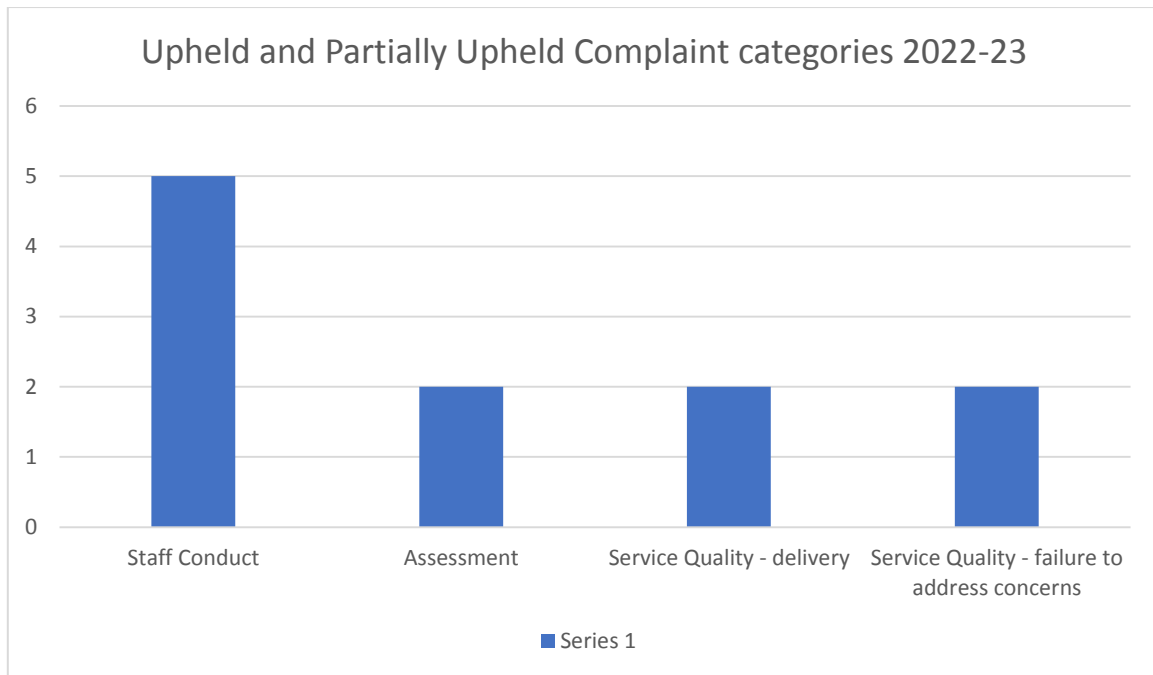
The breakdown of Children’s statutory complaints was as follows:



It is, therefore, observable that 61% of complaints had at least some aspects upheld. The Council considers it essential not only to rectify those instances, but to ensure the Council identifies any themes and trends to ensure future issues do not arise for other customers, in accordance with the Council’s values of continuous improvement.

The ability to monitor the level of upheld complaints is a function of new case software introduced within the year, and thus comparison to previous years is not included.

The theme behind the upheld complaints is set out below. The actions the Council intends to take to enhance organisational performance in these areas is set out in section 4.



### 3.5 Complaints Response Timescales

Out of the 29 Stage 1 complaints, 79% (23) were responded to on time. This is a substantial improvement over the previous year's figure of 66%, although the Council seeks to improve still further.

For Stage 2, no responses were provided on time nor in line with the response timeframe targets. This was due to resource issues in both the central complaints handling team and service area, as well as challenges securing external investigators due to lack of availability. Additionally, investigations were impacted by key staff subject to the complaint having left the Council. This was also an issue in the previous year.

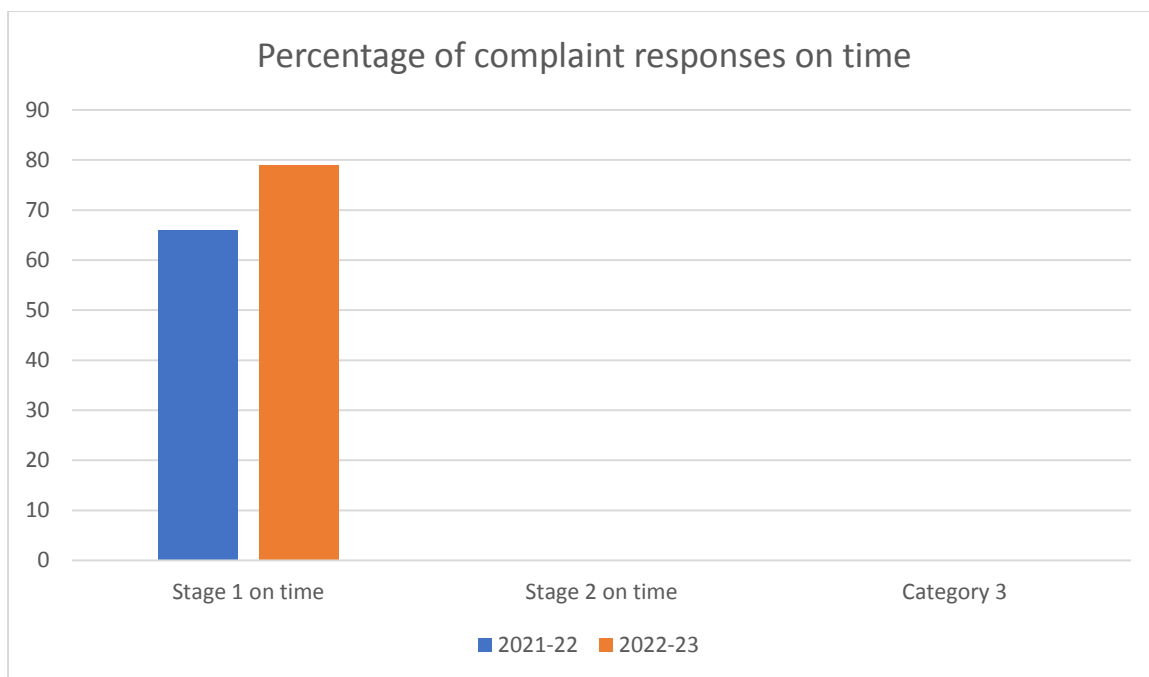
The stage 3 panel that took place was originally scheduled within the statutory timeframe, but had to be rearranged due to late unavailability of key participants. The panel took place 3 – 4 weeks after the statutory deadline.

Actions proposed in the previous year's report to improve timeliness of responses, were as follows:

*“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.”*

The improvements were implemented, along with greater resilience within the central complaints team, and these have resulted in the stage 1 response improvements.





### 3.6 Ombudsman Complaints

There were five statutory complaints escalated to the Local Government and Social Care Ombudsman in 2022/23. However, the Ombudsman did not investigate any of these complaints. As such, there were no recommended actions for the Council and there is no timeline performance data, as the Council was not required to respond to any requests.

## 4. **Learning & Actions**

### 4.1 Learning

**Explaining processes effectively to customers:** many of the complaints regarding staff conduct concerned the manner in which the purpose of Council processes, including assessment and investigations, were explained to customers, in particular more sensitive areas of questioning which the Council may be required to undertake, but which are highly emotive for parents.

**Delays in considering and investigating Stage 2 escalations:** there have continued to be delays in reviewing and investigation of Stage 2 complaints due to resource challenges in the centralised complaints team and lack of available external investigators. The Council has improved the resource allocated to statutory complaints, and has done work to expand its list of prospective investigators; on two

recent investigations, investigators have been appointed more promptly than previously.

**Quality of response:** there were instances where the quality of response could be improved. Some responses were lengthy and while they addressed all the points of the complaint, they were not entirely clear at first which points were being upheld or not upheld. Some responses included substantive detail which may not have been required to answer the core issue of the complaint.

**Turnover of social workers for children and families:** many complaints noted turnover of social workers, and considered this to have affected the quality of the care to the child and the ease of experience for parents in getting their child's needs met. This is within the context of a national social worker shortage across local government.

## 4.2 Improvement Actions

### **Reducing Stage 2 Delays:**

- The Complaints team will expand training and skills in handling statutory complaints for additional officers to further improve resilience and available resource.
- The Council has expanded its list of available external investigators, allowing more prompt appointment of investigators.
- Required information will be escalated to senior officers promptly to ensure access to appropriate information for investigators.

### **Improving Response Quality:**

- Quarterly reports to senior management take place, where learning and quality issues can be addressed. We have run training sessions on responses in the year, and the Complaints team will arrange further training in the coming year.

### **Communications with customers:**

- We will disseminate through team managers, feedback to social workers to emphasise the importance of assuring that all parents are clearly aware of why the authority follows particular processes or approaches, and why these assist in ensuring the child receives the best possible support.

### **Turnover of social workers for children and families:**

- While it must be noted that this is within the context of national recruitment issues facing local government, the Council fully realises the important role that social worker relationships with families plays in ensuring a sense of stability and reliability in support. We will re-emphasise this to officers and

work to ensure that turnover for individual children and families is minimised as much as possible.

## 5. Compliments

During 2021-2022, 23 compliments were logged centrally. This is lower than the previous year but remains above 2020-21. The below graph provides the latest 4 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 2022/23 were regarding staff members and the remainder regarding the service received.

Below are some examples of compliments received:

*“I know that you may feel that you are just doing your job, but you have made a massive impact in our household with your approach in your support for X. I cannot thank you enough.”*

*“I just wanted to let you know how much I appreciate you & everything you’ve done. For all the support & help you’ve given not only to me but to my mum as well. I’ve previously had social workers and never gotten along with them but from the first day you became my social worker you’ve done nothing but better my situation.”*

*“I thought I would share some feedback on the partnership from X after my meeting with her yesterday. We met to do some prep for red quadrant, and she stated that across the 5 boroughs that she works in, she believes Enfield’s Partnership to work cohesively together. She stated that the team have been friendly in welcoming her and working together which she observes within the Exec meetings. She also stated that we are child focussed and that the partnership tend to always attend meetings willing to share information and provide solutions to barriers.”*

*“I would like to say that I am very pleased with the Service that I have received and is continuing to receive from the strengthening Families Team (SFT) Enfield Youth Justice Service. X to whom is my family Coach and a very proficient advocate is extraordinarily helpful, the service that she offers is excellent. I have never met anyone like her, she is the most understanding, kind, compassionate, helpful and caring person any one could ever meet.”*

*“X was saying how much she appreciates the way her social worker managed to arrange family respite for the children. She is really enjoying having one child at a time. I had a sense this gesture has really made a big difference to X who is a very nurturing foster carer.*

## **6. Conclusion**

During 2022/23, stage 1 complaint volumes have reduced, and no Ombudsman investigations were made during this period. In terms of response time performance, stage 1 times have significantly improved, and improvements to stage 2 escalations are now underway.

Staff conduct and service quality are the primary reason for stage 1 complaints. However, praise for social workers also featured heavily in compliments received during the year. This indicates the importance of the worker to the family, and Enfield remains committed to an approach which builds effective relationships between the authority’s social workers and families and children receiving support.

This year’s complaints learning demonstrates the need to improve response and record quality?? in addition to reducing delays at later stages of the complaints process. In terms of overall process management, actions are underway to strengthen the oversight, monitoring and handling of complaints moving from first to second and third stages to reduce referral delays and improve response times and resolutions for supported children and their families.