

Portfolio/ Partner	Complaint
LGSCO	
<p>Children's - SEND/Social care - ref 20012533 (PUBLIC REPORT)</p>	<p>Mrs B complained the Council failed to provide appropriate support to meet her daughter's (Ms C's) care and support needs following problems with her care provider. The Council delayed completing a safeguarding investigation into concerns about the care provision, and victim blamed Ms C in the outcome of the safeguarding investigation. The Council produced an action plan which it failed to follow, which further compounded the distress to Mrs B and Ms C and allowed poor service to continue for many years. Because of the problems with care services, and lack of appropriate support, Ms C could not attend college due to her anxiety and depression. The Council failed to properly review her Education, Health and Care plan between 2016 and 2021. It did not provide her with education from September 2017 to 2021, as it failed to consider alternative provision.</p>
<p>Children's - Children & Families - ref 21 007 520</p>	<p>Mr S complained the Council did not suitably consider his concerns about the care his daughter was receiving when in care and did not recognise the impact of the issues he raised.</p>
<p>Children's - Children & Families ref 22 005 513</p>	<p>Miss X complained about the Council's decision to refer her to the Local Authority Designated Officer after it received a safeguarding referral.</p>

Date of Ombudsman Decision	Ombudsman Finding/Investigation Outcome
24/05/2022	<p>The LGSCO was pleased to see the Council had accepted its failings in this case, had apologised, and is reviewing and changing its procedures. Overall the LGSCO found the Council failed Ms C with her social care and educational support for a prolonged period, and this was at a time when she was feeling particularly vulnerable and transitioning to adulthood.</p>
30/06/2022	<p>The LGSCO found fault with the Council for failing to consider suitable recommendations during the stage three review of his complaint which caused Mr S and Child P significant injustice and meant the Council did not fully address Mr S's concerns.</p>
26/08/2022	<p>LGSCO did not investigate the complaint because they were satisfied with the action the Council agreed to take to remedy the outstanding injustice. The Council's complaint response to Miss X, had already accepted that the decision to refer her to the LADO was flawed and the threshold for a LADO investigation was not met. The response apologised to Miss X for failing to follow the correct procedures and the impact that had on her emotional wellbeing and further reassured her that it had since strengthened its LADO arrangements.</p>

Agreed Remedy/Service Improvements

Council required to formally consider LGSCO public report and report back to LGSCO on action taken within 3 months.

In addition to action already taken the LGSCO has recommended the Council:

- refund £605.12 which Ms C wrongly paid towards her care support, plus interest on this amount based on the retail price index;
- pay both Mrs B and Ms C £1,500 each to recognise their distress, and the time and trouble Mrs B has had trying to get the Council to put things right over many years;
- pay Ms C £500 a month for every month where the Council failed to provide her with education, from September 2017 until the current provision was put in place;
- consider any discretion to provide educational support to Ms C beyond the age of 25, to support her completing any course she is undertaking. Write to Ms C to explain what it has decided in terms of post-25 support and its reasoning. If the Council cannot provide this from its education budget, perhaps it can from its adult social care budget; and
- provide us with evidence of the actions it has taken to improve its services following the learning from this complaint.

The Council agreed (within 4 weeks) to write to Mr S and Child P and apologise for the fault identified and pay Child P £500 in recognition of the distress caused to them by the failure to provide support and pay Mr S £300 in recognition of the distress caused to him and the time and trouble taken to pursue the complaint.

The Council further agreed (within 12 weeks) to: a) review how stage three review panels make recommendations and ensure there are actions to address upheld complaints; b) share the LGSCO's final decision with the stage three panel; c) review whether further visits were recorded that did not take place, and audit other cases where the social worker may have populated visits. If the Council finds that other visits were recorded, it should consider whether a referral to the appropriate regulatory body is necessary. The Council should tell the Ombudsman of the result of this audit and d) review how and when it communicates with parents about health concerns and developments for children, and consider providing further training to staff in this area.

The Council agreed to pay Miss X £300 for the avoidable distress caused by its actions to remedy the outstanding injustice.

Remedy implementation detail and learning outcomes

30/08/2022 - LGSCO's report considered at Resources and Strategy Committee - covering report provides update on progress made to improve transitions to adulthood for children and young people.

including increased investment and reshaping of services which will enable the Preparation for Adulthood team to focus on pro-actively working with young people aged 14-18 years to promote autonomy and independence; and the introduction of a new tool called a 247 to enable families, young people, professions (across children's and adults) and non-social care professionals such as teachers, to have a shared approach to understanding and tracking goals and aspirations.

04/10/2022 - Evidence of financial payments shared with LGSCO (Ms C £1,500 and 48 months at £500 = £25,500 in total) and payments made to Mrs B (£1,500 and £605.12 = £2105.12) plus an additional RPI uplift payment of £70.

04/10/2022 - Background correspondence shared with LGSCO confirming Ms C now enrolled as an adult learner with Lifelong learning and will receive all necessary support to help her maintain engagement for as long as required.

13/07/2022 - £300 Payment made to Mr S

20/07/2022 - £500 Payment made to child P

25/08/2022 - Letter of apology issued.

16/09/2022 - Evidence shared a) that Complaints Manager will be incorporating a standard prompt/reminder to panel members at the pre-meeting to ensure that if they decide to 'uphold' any points of complaints they also consider any resulting impact/injustice and reach a view on whether further additional remedy is appropriate/should be recommended. This information has also been shared with Panel Members; b) that LGSCO final decision had been shared with Panel members; and d) that communication issue was raised in a Children & Families Fieldwork Senior Management Team Meeting on 28th June 2022 and minuted action agreed for Service Managers to share learning/issue reminder with Senior Fieldwork Managers and Social Workers.

22/09/2022 - c) Outcome of audit shared with LGSCO - explaining social worker has not deliberately tried to mislead anyone- visiting approach adjusted during covid lockdown but there should have been more oversight by manager - no evidence to suggest that this has happened on any other of SW's cases.

16/09/2022 - £300 payment raised via cheque and posted.

Ombudsman compliance outcome
02/11/2022 - LGSCO issued compliance outcome " <i>remedy complete and satisfied</i> ".
26/09/2022 - LGSCO issued compliance outcome " <i>remedy complete and satisfied</i> ".
11/10/2022 - LGSCO issued compliance outcome " <i>remedy complete and satisfied</i> ".