



## Mayor and Cabinet

### **Report Title: LGSCO public report into complaint about Children's Social Care - recommendations, actions and learning**

**Date:** 14 July 2021

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** All wards

**Contributors:** Executive Director, Children and Young People; Director of Children's Social Care; Head of Corporate Parenting; Interim Head of Quality and Improvement; Complaints and Information Manager, Children and Young People

### **Outline and recommendations**

The purpose of this report is to summarise the contents of a published report by the Local Government and Social Care Ombudsman (LGSCO) concerning London Borough of Lewisham Children's Social Care, and to provide evidence of improvements to services since the time of events complained about.

Recommendations are:

- i) To note the contents of the report, and the action plan (appendix 2) denoting improvements to services and current practice.

### **Timeline of engagement and decision-making**

This report was reviewed by the Executive Management Team (EMT) on 23 June 2021.

## **1. Summary**

- 1.1. This report provides an overview of the content of the report by the LGSCO, published by his office on 22 June 2021. It sets out the main issues of the complaint, how it was handled, improvements in services that are already in place since the events complained about.

- 1.2. The LGSCO report is attached at **Appendix 1**
- 1.3. The recommendations and Children and Young People's response (the 'action plan') is attached at **Appendix 2**
- 1.4. It is recognised that at the time of events that were the subject of the complaints, Children's Social Care services did not consistently meet required standards. However, since 2018, when the complaint was made, there have been improvements to services as a whole and specifically to those mentioned in the report.

## 2. Recommendations

- 2.1. To note the contents of the report (Appendix 1)
- 2.2. To note the responses to LGSCO recommendations, set out in the action plan (Appendix 2)

## 3. Policy Context

- 3.1 The learning from this complaint, coupled with the associated action plan (appendix 2) contribute to the following key priority outcome of Lewisham's Corporate Strategy: Giving children and young people the best start in life. It specifically helps deliver against the following commitments:

- We will improve our children's social care services to provide support for families at the earliest opportunity.
- We will ensure that the children in our care are safe and supported to achieve the very best in life.
- We will work tirelessly with our partners to keep Lewisham's children and young people safe from exploitation, violence and serious youth crime.
- We will monitor the services we provide for children and young people to ensure they deliver the best outcomes and best value.
- We will ensure that families from our BAME communities have equal access to care and support.
- We will work with our partners to ensure that young people transitioning into adulthood achieve the best possible outcomes in relation to education, work, healthy lives and strong community connections.

## 4. Background

- 4.1. The report concerns a young person (Miss X), known to Lewisham Children's Social Care since 2001, initially as a Child in Need, then as a Child Looked After and currently a Care Leaver.
- 4.2. Miss X made a complaint to the Council in August 2018. It related to historical practice and events between 2010 and 2018. The complaints were about a range of issues, summarised as follows:
  - i) dissatisfaction that she had, over a period of years, made allegations about her treatment whilst in care, from foster carers and whilst in residential placements, which had not been taken seriously or investigated properly;
  - ii) she had not been informed of the outcome of these allegations;
  - iii) following breakdown of placement, she had not been properly safeguarded and moved to new accommodation in a timely way; and
  - iv) dissatisfaction with the level of support she received as a care leaver.
- 4.3. The complaint was considered at Stage 1 and Stage 2 of the Children Act complaints procedure. The Stage 2 response to the complainant, following investigation by an independent Investigating Officer and the statutory appointed Independent Person, was

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severely delayed, which resulted in Miss X complaining to the LGSCO.

4.4. The Ombudsman commenced his investigation in July 2020.

## 5. Key issues

5.1. As a result of his investigation, the LGSCO found serious fault, which he described as follows:

- i) Failure to tell Miss X the outcomes of LADO referrals following incidents she
- ii) reported in 2013 and 2015;
- iii) Failure to provide the LGSCO with information about the outcome of the LADO investigation about Miss X's foster carers;
- iv) Failure to complete a standards of care review and child protection enquiries following allegations made about Miss X's foster carers;
- v) Failing as Miss X's corporate parent to keep her safe, provide her the minimum of 'good enough' parenting and prevent her being exposed to further significant harm while placed in care;
- vi) Impeding the investigation into Miss X's Stage two statutory complaints;
- vii) Failing to act on the recommendations made by the stage two IO and IP; and, not offering an appropriate remedy for the significant injustice caused for the faults identified by the Stage two complaint investigation and the significant delay in completing Stage two of the complaints procedure.
- viii) Failure to have sufficient regard for Miss X's human rights.  
(LGSCO report, Page 12, para. 70)

### The LGSCO recommendations were as follows:

5.2. Apologise in writing to Miss X for the impact of the faults identified in the Stage 2 complaint investigation and its handling of her complaints.

5.3. Pay Miss X £7,500 for:

- avoidable distress caused by the Council's faults identified in the Stage 2 complaint investigation;
- the avoidable harm Miss X suffered as a vulnerable young person in the Council's care;
- avoidable delay in completion of the stage two complaint;
- time and trouble in bringing complaints to the LGSCO to get the outcome of LADO investigations; and
- outrage given the significant and serious nature of the faults and impact on Miss X.

5.4. Provide Miss X with the outcome of the LADO investigation into her former foster carers, together with details of any other action taken following Miss X's allegations relating to the foster carers' continued approval and child protection enquiries (where these issues relate directly to Miss X).

5.5. Review its approach to information sharing in the statutory complaints procedure and within our investigations.

5.6. Provide the LGSCO with an action plan detailing how and when it intends to complete the recommendations made in the Investigating Officer's Stage two complaint report. The Investigating Officer recommendations are set out in **Appendix 2**.

5.7. The Council must provide a final response to the LGSCO by 28 July 2021.

5.8. The Children's Directorate accepts the findings of the LGSCO, acknowledging that historically there were a number of shortcomings in the quality of services being

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delivered. Practice improvements identified through Lewisham’s own internal reviewing mechanisms and reinforced by external Ofsted inspections in 2018 and 2019, resulted in a comprehensive plan being put in place to drive up standards. The latest annual self assessment and performance information evidences that the trajectory of improvement is positive across the service. We have addressed the issues raised in this complaint and we are confident that with all the additional management oversight that is now in place, errors of this nature should not be repeated. We have apologised unreservedly to Miss X.

## **6. Financial implications**

6.1. The financial implications arising from the LGSCO report are a compensation payment of £7,500 to Miss X.

## **7. Legal implications**

7.1. There are no legal implications arising from the LGSCO report.

## **8. Equalities implication**

8.1. There are no equalities implications arising from the LGSCO report.

## **9. Climate change and environmental implications**

9.1. There are no climate change or environmental implications.

## **10. Crime and disorder implications**

10.1. There are no crime and disorder implications.

## **11. Health and wellbeing implications**

11.1. There are not health and wellbeing implications.

## **12. Background papers**

12.1. There are no background papers

## **13. Glossary**

<b>Term</b>	<b>Definition</b>
LGSCO	Local Government and Social Care Ombudsman

## **14. Report authors and contact**

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## **15. Appendices**

- 15.1. Appendix 1: Report by the Local Government and Social Care Ombudsman.  
Investigation into a complaint against London Borough of Lewisham (reference number 19014855)
- 15.2. Appendix 2: LGSCO recommendations and action plan.

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