



Managing care

Learning from mistakes and challenges

Rissa de la Paz

Learning from mistakes and challenges – The Waterhouse Inquiry: A foundation to build on. Learning from mistakes is a major challenge for social care managers. How can lessons from the past lead to positive change? In this section we look at experiences from children's residential care. Here the impetus for change has often come from media attention when things go wrong and a public Inquiry is called. One of the most widely reported enquiries has been into the abuse of children in care in Wales. The proceedings were chaired by Sir Ronald Waterhouse.

Ronald Waterhouse

The real trigger for establishing the Inquiry were complaints that abuse had occurred and hadn't been properly investigated, also of course that the complaints system was wholly inadequate. Our findings about that were that the complaints were basically accurate. There had been wide scale sexual abuse and other physical abuse in North Wales, as I believe in virtually every part of the country. Children were very reluctant to complain and when they did complain, their complaints were often virtually dismissed, because they were asked 'do you want to make a formal complaint?' and warned about the consequence, they would probably be moved to another home, and all the dire consequences that could flow from that. As we were sitting, investigations were being started or continuing in many parts of the country. And my firm belief is that the errors that occurred in North Wales were being repeated elsewhere, not necessarily everywhere, but in many other places.

Rissa de la Paz

Having listened to the evidence what were Sir Ronald's personal reflections at the end of the tribunal.

Ronald Waterhouse

I felt a great sense of betrayal, not a personal betrayal but that society had betrayed large numbers of these children. They were let down badly, not only by the failure to stop abuse but also the lack of care planning, the quality of care provided and the lack of training for life after care. We need to spend money and time improving the system, and it will certainly be in our interest because they will form a significant part of the future adult population.

Rissa de la Paz

Alerting authorities to the dangers of poor practice demands honesty and courage. The Waterhouse Inquiry was the outcome of a whistle blower's extraordinary commitment.

Alison Taylor

Whistle blowers are really necessary to the health of society aren't they? I mean they're the people who put themselves beyond the pale and open their mouths and make waves.

Rissa de la Paz

Alison Taylor was working as Deputy Head of an Assessment Centre in Gwyneth when she began to realise something was amiss. But revealing the truth came at a personal price. She was disbelieved at first, suspended and eventually lost her job. She reflects on the signs that aroused her disquiet.

Alison Taylor

I had children coming into the unit I was running who'd previously been in an assessment centre, and sooner or later some of them started, will start sort of discussing what's happened

to them in previous care situations, and really it wasn't very long before they started making allegations really about what was going on at the assessment centre, and what it amounted to was not only a culture of abuse but a culture of neglect. And I tried over a period of quite a long time in fact, I tried to raise these issues with management. I suppose I made a nuisance of myself and it didn't get me anywhere and then things were getting worse, and because the children knew what I was doing, because word travels. I mean it's only a small area really, children started telling me more and more then parents started telling me more and in the end I had discussions with one of the local councillors. He was sufficiently disturbed to take it to the police, and that was why the first police investigation started in 1986. The single trigger was when a boy died, not because he'd been abused physically in that sense, but he died because he'd been neglected. He should have been in care and he'd been taken out of the children's home and put into a sort of bed-sit type place, and within a matter of weeks he was dead from neglect and a drugs overdose. And that to me was, that was kind of the last straw because his death was the end result of what we as social workers were doing.

Rissa de la Paz

It was clear that there were crucial lessons to be learned from the Inquiry.

Ronald Waterhouse

The fact is that a great deal has to be done both in relation to child complaints and whistle blowers to instil an entirely different culture within the care system. But the other less obvious part of our Inquiry was to go into the system of care generally, and the administration that was conducting it. And I must say that I personally as a lay man, was very surprised by the many shortcomings and the fact that so much needed to be done not only in dealing with children in children's homes, but also in the supervision of foster care, and above all in preparing children for discharge from care and giving them support afterwards.

Rissa de la Paz

The Waterhouse Inquiry resulted in a wide ranging set of recommendations, including those dealing with complaint systems. It also led to the appointment of a children's commissioner in Wales. Peter Clark holds the post.

Peter Clark

The new powers for the Children's Commissioner are actually very wide indeed. In terms of their breadths I have a right to comment on any matter that affects any child in Wales. I also have a general power to give advice and guidance to individual children and young people, and if there are cases which have a more widespread application I can actually take those through the courts, sort of test cases. I have the power to act at level of policy and practice, and I am extremely independent and therefore these powers apply also to the National Assembly itself and everything that it does. And I think it's a really good idea to have an independent champion for children in every part of the United Kingdom, and I will certainly welcome it, if it does.

Rissa de la Paz

In his role Clark has had the opportunity to listen to the concerns of young people.

Peter Clark

Interestingly if I look at the issue that young people have brought to me most, they revolve around the single word, 'respect'. And I'm consistently being told by the children and young people of Wales that they feel both directly and implicitly that they're not respected by adults and that they get that message both directly and verbally but also through a whole range of other ways which we perhaps aren't conscious and aware of.

Rissa de la Paz

This spells a clear message for front line managers of children's services.

Peter Clark

One of the key things that I want to see them to begin to do differently is actually to dialogue with the children and to involve them. And wherever possible to involve them in a participatory way, in as much decision making as they can. Not only do I think that will help

get rid of this idea among young people that they're not respected, I think it will actually improve the practice of the managers in lots of ways. I also understand that lots of people, me included, are quite frightened sometimes of doing that, because we're genuinely in way opening ourselves to our power of being challenged and questioned. And so I think I want to also see in place supportive mechanisms that will help and encourage front line managers to take that challenge on without feeling threatened to a point where they get defensive about it. And that's a real message that I'd like to give to every front line manager. Don't be afraid of the children.

Rissa de la Paz

Clark sees the establishment of his post as evidence of a re-appraisal of the relationship between care staff and the children.

Peter Clark

If managers and staff are in dialogue of this sort with children and young people, there's a general opening the window, letting the air into the relationship, such that there's more likely to be communication when things do start to go wrong. Also, I think what managers do need to realise is that actually these young people are one of the biggest creative resources they've got at their disposal.

Rissa de la Paz

So much for an innovative strategy to improve children's services. To what extent have the lessons of Waterhouse actually filtered down to grass roots level. Ian Winter, Corporate Director of Social Care and Health at Northamptonshire County Council.

Ian Winter

Well the Waterhouse Inquiry is I think incredibly important, but runs the risk of being lost. It runs the risk in being lost because people will say, ah we've had all this before, we've got yet more recommendations and, don't know the total would add up to some hundred and fifty or sixty recommendations, too much for us to take in, too much for us to comprehend, too much for us to unravel. So we'll write an action plan and we'll get it ticked off by committee members, or something. The real impact of Waterhouse I think is that it deals with real people in real services, and is clear and unequivocal about those issues. I don't think that it creates a climate of fear, suspicion or despair. I think some people may choose to read it that way and obviously many, many people suffered, as clear through the Waterhouse Inquiry and report, many people suffered. But I don't think it feeds that view of the world, in that sense the Waterhouse Inquiry would I think be the foundation on which we could build, not a stick to beat us with.

Rissa de la Paz

Given such a sound foundation what are the potential barriers to building on its strengths?

Ian Winter

Perhaps the most difficult is to create an environment in which challenge and uncertainty and mistakes are tolerated and worked with. We've got this belief I think that staff or even managers for that matter, always know what to do, are always in control of themselves, always in command of their feelings. That's nonsense, how can they be, confronted by some of the behaviours. They're not gonna like all the young people they work with, not gonna like all the staff they work with either, not like all the managers they have to work for. This is reality of the world, and staff are working in a microcosm. You know they're getting up and seeing people at six o'clock in the morning when usually that's a very private matter for many people, or they're seeing people at eleven o'clock at night and all those sorts of things which normally are very private. And suddenly you're exposed to all of that in this environment, and them, the young people as well.

And so it seems to me that what a manager and staff have to do is create some kind of climate and environment in which it's okay, it's accepted to say, don't know, don't understand, don't agree, haven't worked that out. And that really can range from what I might call the ordinary, to the really quite intense, sometimes difficult, when we're confronted by behaviours, when we're confronted by young people that we don't like. I'm going to dare to say, when

we're confronted by young people that we do like, that we find attractive, that we warm to, for whatever reason. We're human, the same as everybody else. And if we deny that humanity, if we deny the fact that staff are human in the job they're doing, then I think we're denying something important about what they need to bring to the job on the one hand, but also what they're trying to tackle and work with on the other.

Rissa de la Paz

In this section, we look at how lessons from the past have influenced current policy and practice in children's services. We shall be hearing from staff in Leicester City Social Services. Their procedures were rigorously reviewed after another public Inquiry.

Kim Derry Bromley

As a result of Beck and the Kirkwood Inquiry, Warner followed within a year with a set of recommendations and Leicestershire, as it was then, implemented almost fully the Warner recommendations.

Rissa de la Paz

Kim Derry Bromley, Assistant Director of the new Leicester City Authority, summarised the impact of different enquiries on local services for children.

Kim Derry Bromley

Now Waterhouse following a number of years later as a result of, obviously incidents in Wales, meant that it consolidated practice. It consolidated on some of the measures that Leicestershire and then obviously Leicester, had inherited. And so therefore it reinforced practice and it reinforced management practice.

Rissa de la Paz

Barbara, a children's home manager, describes the procedures that have been put into place to ensure that the likelihood of mistakes is minimised.

Barbara Merrell

We do a risk assessment. We ensure that you have regular supervision of your staff, there's a cascading down process to that and even the ancillary staff are involved in supervision as frequently as possible. That way you get a continuum of information flowing, which does help to recognise areas which could become problems that previously wouldn't have been identified. We hold weekly senior social worker meetings, which is where the information will be shared again, if deemed needed, because you have to recognise that within supervision there is areas of confidentiality, that in areas of anything that is going to turn into an allegation then it's not confidential, we all have a duty to discuss these quite up front. And I hope I've tried to put that into this environment.

Rissa de la Paz

Apart from an overhaul of structures, Barbara argues that a culture of openness and transparency has to be encouraged.

Barbara Merrell

You have to be open, you have to be honest, you have to look at what the lessons are that have been learnt. You don't have to be frightened by them, you have to use them as best you can to provide a better service for children. But I think throughout history really, it's very difficult for anyone to, what they consider 'inform' on their colleagues. And that's where you have a problem. So you have to be very child centered, you have to make sure that your staff recognise the worth of the job that they're doing, you have to ensure you have an ongoing training system that raises standards, that makes people think, 'gosh, that wasn't very well done, I need to challenge it, because this is what I was told yesterday as a good way of doing it.' And it's trying to get that thinking through.

Rissa de la Paz

It's also important for children's services to create links with the local community.

Barbara Merrell

We've done a lot of work with, for example the police, where in my home I have the police coming in regular, not to arrest the children but to have a cup of tea and a meal, because the children need to recognise that the police are there to protect as well as deal with any other side of it, which has been quite important. Another area that we've had is the local residents groups, they were fraught. Obviously when you invite your local community to come and voice their concerns, there aren't many people who want a local authority children's home as their next door neighbour, and they usually have a huge list of complaints, which is quite acceptable. You have to be brave enough to face that because again, if you're going to look at the safety of children, they have to be able to know their local community, they've got to have the avenues of being able to say to people, this is not right, social workers, police officers, school teachers are not the people they're going to talk to. It might be somebody else's mum who they have confidence in, somebody else's dad they have confidence in, and if we're going to be open and really want to achieve this, then we're going to welcome setting up these things.

Rissa de la Paz

What characteristics would this new culture have? Martin, another children's home manager, is convinced that it springs from staff having an ownership of what goes on in the unit.

Martin Douggan

It's an open culture, it's an honest culture where people understand that if they do step out of line then they will be challenged, they will be challenged by their peers, they'll be challenged by the management. It's about being clear with the staff that there's a process in place for them to go through where they won't feel that there's come back on them for whistle blowing, I mean ultimately that's what it comes down to. They need to be able to pull each other up and say, you've overstepped that mark again. A culture where people feel they can make mistakes, they'll be challenged but that challenge is appropriate, which does not leave them feeling vulnerable, isolated, accused or maligned. It's difficult to establish but it can be done.

Rissa de la Paz

What's more, vigilance is needed when the seeds for poor practice can be sown in subtle ways.

Martin Douggan

It's very easy to lapse into poor practice in residential care and there are very, very small things that make a difference, and that is about the language round about young people. It's perhaps round about how you dress, how you present, whether you come in to work appearing enthusiastic and dynamic or come in appearing lethargic and not interested. They're the very small things, but they're the things which make a huge difference if you allow that culture to develop, then it's about an escalation that happens from there on. I previously worked in a unit where it was common for staff to bring their washing in to do their washing in the unit at night time in the unit, which led on to people perhaps taking the soap powder home, and when that culture starts to establish, this petty breaking of the rules if you like, or exploiting the service, it just opens a door for that exploitation to become bigger.

Rissa de la Paz

Mike, also a manager, sums up how the Leicestershire Inquiry and those that followed has shaped the direction of services for children looked after by the local authority.

Mike Evans

The main areas it has an impact on us on would be one, staffing in terms of recruitment and supporting staff in our service. The recruitment process is now extremely rigorous, hopefully it's aiming at actually preventing abusers entering the system at the point of recruitment. We also have our own staff care policy which is aimed at actually supporting staff who experience stress at work, and that'll look at things like welfare approach to looking after their needs. And one of the other big areas which involve staffing is the whistle blowing procedures which were introduced quite a few years ago now, and when staff come into the service they're made quite aware that there are procedures in place where if they have concerns about colleagues, managers or anybody within the service, they can pass that on to managers at a higher level to investigate independently of their line management structure if necessary. And

I think those present quite a lot of good safeguards actually in terms of staffing side in the homes.

Rissa de la Paz

A forward looking approach by the council has also led to the continuing development of the children's rights service and improved access to independent services.

Mike Evans

This allows young people if they have concerns or worries about being looked after in residential care, can now make complaints or representations to an independent service, to actually take up their complaints and act as advocates on their behalf. All the young people in the homes have their own telephone, which is independent of the staff's phone, and most of the homes now actually have free access to the actual independent complaints sector such as Childline, the Children's Right Service, so young people don't even have to pay for using their phone card to actually access those services, they just a press a button on the phone and the phone call goes straight through, very much like a taxi service at a hospital or a night club. So that's something that's very helpful.

Rissa de la Paz

Collaboration with other agencies is another practice to be encouraged.

Mike Evans

We expect other staff or other agencies to visit the homes on a regular basis to make sure the young people are being looked after appropriately, for example field social workers, or independent advocates. For example at my home we have Mencap quite involved with the home and they are sending independent volunteers, well again, it'll be another voice on behalf of the young people.

Rissa de la Paz

Training initiatives are designed not only for social work staff but for the entire team at the children's home.

Mike Evans

In the home where I work we have a broad, it's a multidisciplinary team, and the team is composed of social work staff and senior social workers, waking night staff who are staff who are dedicated to staying awake all through the night to ensure the young people are safe and are secure and are settled at night. We also have what we call other support staff who are daytime support staff. They are domestic staff and also a cook, and they're all seen as part of the whole team. So again the way we actually support them staff, they also have regular supervision, they also have their own support staff meetings as well, so if they have concerns about the way the social work staff are looking after young people, they have an independent means of actually addressing those concerns.

Rissa de la Paz

Another challenge is to find ways of professionalising the workforce in residential care itself.

Mike Evans

Historically, residential care has been seen as the Cinderella part of the social profession. Our workforce has been largely unqualified, had less training opportunities than field work counterparts, and that's something that the government and certainly our own service are looking at addressing at the moment. And the NVQ awards are ways of actually addressing that shortfall which we've had historically.

Rissa de la Paz

There are also practical ways in which front line managers can support the care staff at the home.

Mike Evans

One of the other major ways we support the staff within our homes is we have an on call duty system of managers to the children's homes. For example an emergency admission at three

o'clock in the morning, we may have an inexperienced member of staff on duty dealing with the emergency duty team and they're not sure whether to admit a child or not, and that is a managerial decision clearly and, I've been rung at three o'clock in the morning and you have to make a decision for the staff because that is the procedure, that is where delegated tasks lie, and that is a way clearly where we do support our staff, that we have that commitment in terms of being available for staff twenty four hours a day. Staff feel that there is a managerial presence, there's somebody at the end of a phone, or perhaps a manager can come into a home out of hours then to actually help deal with the crisis there and there. And I think that's a very important way that staff feel that they're reassured that people are there listening to them, and hearing what they have to say.

Rissa de la Paz

Taking complaints forward. In this section, we examine how complaints can provide the basis for improving a service. Julie is Principle Officer for children's services at Leicester City Council. She's responsible for dealing with investigations and complaints in these services. She believes that service users should be able to lodge a complaint, be confident that it's followed through and have matters put right.

Julie Jordan

I don't see complaints processes and procedures as red tape, it's right that there are mechanisms in place to accept complaints. It's right that they're written down and followed through and looked into independently, and I think that the public would want us, to know that that's what we are doing, given the number of enquiries that have happened over the years. And I think the confidence in the people who we are looking after, the parents and carers and the public, is such that we should be open to scrutiny. I think there are times when complaints are made that we haven't always got it right, and we need to accept that, and therefore when complaints happen, when recommendations are made to improve practice, that we make sure that they are followed through and let the people who've made the complaint in the first place know that we have put something in place and put it right.

Paul Doussay

Complaints officer. Can I help you? Oh yes, ok, can you tell me a little bit more about it?

Rissa de la Paz

Paul is a complaints officer at the Council. He outlines the procedures that take place once a complaint is received.

Paul Doussay

Once a complaint is actually received within my unit, we enter it on to a database and that is then tracked through the system so at any one point in time I know how many complaints we've received, and at what stage those complaints are at, which might also involve me speaking with managers of the service that are investigating complaints, to ensure that they're keeping complainants informed of the process and giving them some indication as to when their complaint will be resolved. So throughout the process there is this monitoring role. The process does have a feed into the planning mechanism that social services have, and through having all the complaints logged we're also able to produce an annual report which is a statutory requirement, that we produce a report each year.

Rissa de la Paz

Depending upon the nature and seriousness of the complaint there are clear stages that staff like Paul, work through.

Paul Doussay

I receive complaints direct from complainants at Stage 1 or Stage 2 of the procedures, and I'll actually ask managers within the service to look at the issues and try and resolve the complaint at the closest point to service delivery. Failing that we would actually invoke the formal stage of the complaints procedure, which is formally known as Stage 2, where we'd appoint an independent person. The service that we provide to complainants works because it's easy to understand and it's easy to access.

Rissa de la Paz

Julie argues that the poor experiences she and her colleagues hear about can become the basis for monitoring and improving the service.

Julie Jordan

I think it's very important to look at the history, and learn the lessons from other organisations, other authorities and other enquiries, and continually to check and re-check what those recommendations were and how they're being put into action and what effectiveness they're having or not. There is no room for complacency. The service of residential care and foster care must be seen to be open to scrutiny. I would like to think that our service does do that by the different levels of people who are involved in the visiting of children and children's homes, right from family members to elected members who have the decision making and the authority. It is really important in this kind of service to have an holistic overview, so that we aren't just dealing with individual complaints, that we are using the information that we gain from all the complainants to try to prevent incidences happening that would mean another major inquiry.

Rissa de la Paz

Crucial to this is setting out clear guidelines for young people about the procedures for making a complaint.

Julie Jordan

When young people first come into care they have what is called a children's rights pack and in that pack they will have lots of information about their rights and their responsibilities, how they can make a complaint, what a complaint is, who they can complain to, what will happen when they complain, and if they're not satisfied with the outcome of that complaint what they can do about that then. Also there it will be explained to the young person by a member of staff who is their key worker, a main person who is a carer for them, that they are there for them and the other staff if they wish to make a complaint. A lot of young people's complaints do come through from staff actually rather than young people directly to anybody outside.

Rissa de la Paz

How can staff be best equipped to deal with complaints that may be made about the service?

Julie Jordan

I think it's very difficult for staff sometimes when they're coming in to work and they've done their very best for the young people and it's demanding and complex work. And at the end of the day then they might have an allegation or a complaint made against them. What we like to do is right from the outset of appointing staff, is to explain to them in their induction, as well as the everyday areas of their work that they need to understand about looking after children, about the legal processes, about meetings for young people and the care workers responsibilities, etc.

Rissa de la Paz

Finally, what are the sorts of outcomes they aim for in delivering this service?

Paul Doussay

It enables users to have their concerns taken on board, taken seriously and that actual visible changes would result, as a result of the complaint. One important element would be that all outcomes are communicated to the complainants, and at the problem solving stage, that attempts are made to resolve the complaint without having a formal investigation, and that primarily the whole of the procedure is embodied in having lessons learnt as a result, that things can change for the better.