
**QUARTERLY COMPLAINTS AND REPRESENTATIONS REPORT
QUARTER 3 2016-17**

Reason for the Report

1. The Committee's terms of reference state that it will receive Children's Services Complaints reports.
2. This Quarter 3 report covers complaints and representations from 1st October 2016 through to 31st December 2016.

Introduction

3. The current Welsh Government guidance and regulations in relation to social services complaints and representations came into being on 1st August 2014.
4. The procedure places the emphasis on the initial local resolution stage – Stage 1 - with complainants being offered a discussion to resolve the matter. The second formal stage (Stage 2) provides for independent investigation. If the outcome of Stage 2 does not satisfy the complainant s/he has recourse to the Public Services Ombudsman for Wales.
5. Citizens making complaints have a right to be listened to properly and have their concerns resolved quickly and effectively. Children's Services emphasis is on listening to concerns and using this learning to improve services for everyone who uses them.
6. Complaints should be handled in such a way that the complainant is the focus, not the process, and that the particular circumstances of the complainant are taken into account (including their age or disability). Where the complaint relates to a looked after child, a child in need or a care leaver the local authority has a duty to provide an advocate as required. All children or young people who make complaints are offered a meeting and all children and families will receive a written response to the

concerns they have raised.

7. The Social Services and Wellbeing (Wales) Act 2014 devotes Part 10 to complaints and this reflects Welsh Government guidance and regulations and Council procedures. The Council is mindful that the Act will further promote people's rights and collaborative working will be actively encouraged.

Summary of Complaints Activity During the Period

8.

Item	Q3 2016-17
Number open at start of period	50
Number received (overall)	41
Number received directly from children and young people	8
Number closed	64
Number outstanding at end of period	27
% acknowledged within 2 working days	36 / 41 = 88%
% concluded within 15 working days of acknowledgement	23 / 64 = 36%

9. During this quarter the number of complaints received by Children's Services has remained stable at 41 (42 in Quarter 2 2016-17).
 - a. 76% (31) of the complaints received were in relation to the Social Worker or the service received. 12% (5) of the complaints received were in relation to finance. 5% (2) of the complaints received were in relation to contact. The remaining 7% (3) of complaints were in relation to other issues including decision making and foster carer.
 - b. 6 complaints were received about the Intake & Assessment Service, which is stable from 5 in Quarter 2. 19 complaints were received regarding the Child in Need Service (2 from young people) compared with 17 in Quarter 1; 12 complaints were received about the Looked After Children Service (6 complaints from looked after children / care leavers) compared with 12 in Quarter 2. The remaining 4 complaints were in relation to the Multi-Agency Safeguarding Hub, Fostering, the Personal Adviser Service and the

Protection of Vulnerable Adults.

10. Example of complaints concluded during the quarter are:

A complaint where we were able to put things right

An advocate assisted in a complaint on behalf of a young person who felt that support and communication from the Personal Adviser Service were lacking. The young person raised issues about the accommodation he was in, that the Personal Adviser (PA) had not visited him following an incident of distress, rent arrears which he has to pay back and the lack of responses to telephone calls and emails left for the PA.

A meeting with the young person took place in which apologies were given for the lack of responses and reassurance was given that improvements would be made. It was agreed that if the arrears could not be overturned, Children's Services would meet the cost as it was clear that a lack of liaison with the Housing Department had caused the overpayment. It was agreed that the PA Service would discuss this with Housing and highlight the young person's desire to move from his current accommodation and offer support with this. Further issues became apparent during the meeting and financial assistance was provided on the same day as the young person had no telephone or cash for gas and electricity.

A complaint where we had no case to answer

A relative of a person serving a prison sentence wrote expressing the view that her relative should be receiving contact with the children at the prison as well as regular updates about them and photographs.

A response letter was issued advising the relative that due to Data Protection, Children's Services could not respond to the complaint. Advice was given that the person should seek legal advice to pursue physical or postal contact.

Stage 2 Independent Investigations

11. If complainants remain unsatisfied at the conclusion of the informal Stage 1, they are entitled to seek a formal Independent Investigation under Stage 2 of the procedure.

12. At 30th September 2016 there were 7 complaints open at Stage 2, 4 of which were resolved during Quarter 3.

13. 3 new Stage 2 investigations were initiated during the quarter, so at 31st December 2016 there were 6 complaints being investigated under Stage 2 of the complaints procedure.

Ombudsman Investigations

14. There was Ombudsman activity in relation to 2 complaints during the quarter, of which 1 remains live:

- a. Children's Services are finalising their response to recommendations received from the Ombudsman in relation to one complaint in Quarter 1.
- b. The Ombudsman liaised with Children's Services to assess one complaint and it was agreed that a Stage 2 investigation would be undertaken.

Learning from Complaints

15. Stage 2 reports undertaken by Independent Investigators and reports from the Ombudsman include recommendations if required. In response, an Action Plan is initiated to ensure that the recommendations are implemented and lessons are learned.

Themes Emerging During the Quarter

16. Quarterly complaints reports are shared with managers so any emerging themes can be considered and actions can be taken to improve practice.

17. No patterns emerged from the complaints received during the quarter that suggest there are any new thematic issues that need to be addressed.

Update on Progress from Themes Identified in Previous Periods

18. The previously noted issue of social workers not returning calls continues to be the cause of, or an element of, complaints received. The strong message regarding the importance of returning calls continues to be reiterated by senior managers who follow up individual issues that are brought to their attention. As noted in Quarter 1,

the new agile / mobile working arrangements have provided social workers with more flexibility and the right kit to enable them to respond to messages in a more timely way. In addition to this we have revised how messages are sent to social workers so we have a system that is auditable. This will be implemented in Quarter 4.

19. Another theme that has previously emerged is father's involvement in assessments. As noted in Quarter 1, this theme has not re-emerged, and is not expected to as a result of the following:

- a. Senior managers have more of an oversight into casework (e.g. by chairing the Legal Surgery) and challenge practice where it is considered that both parents have not been consulted.
- b. In preparation for the implementation of the Signs of Safety approach (which maps out a safety network for children considered to be at risk), social workers routinely consider every relationship linked to the child and this will include both parents and extended family.
- c. The re-introduction of Family Group Conferences in April 2016 reinforces the whole family approach as they also involve both parents and extended family.

Early Resolution

20. Children's Services place an emphasis on resolving issues at the earliest possible opportunity, and where these concerns are dealt with immediately they are not opened as a formal complaint. On these occasions, the issues are brought to the attention of relevant Team or Operational Managers who acted promptly to address the issues raised to the satisfaction of the individual. There is 1 example of this during Quarter 3.

Review of Complaints in Social Services

21. An external independent review of the arrangements for receiving, managing and resolving complaints in Social Services as a whole has been undertaken and the recommendations are currently being considered by the Directorate Management Team. This commission in part stems from learning that has arisen as a result of complaints made in relation to Children's Services at Stage 1 and Stage 2 during the last 12 months.

Summary of Compliments

22. Teams are more readily sharing the compliments they receive from a variety of sources, e.g. service users and professionals, although it is recognised that further work is required to ensure that all compliments are captured and reported.

23. 9 compliments were received in Quarter 3, which is the same as in Quarter 2. A breakdown of compliments by team is provided below. This will help Children's Services build upon positive work and could identify improvements.

Team	No. of Compliments
Targeted Services	7
Specialist Services	1
Other	1

24. Example of a compliment received during the quarter:

During the quarter, the following feedback was received from a young person about her Family Support Worker:

"... is really helping my dad- she's making so many things better".

"Me and my dad used to stay in a lot but she told him that I need to be active and now we go out all the time to do stuff and we do cookingme and dad".

"He's so much fun now, I watch English TV if I want to, we go out ... honestly ... I never used to like staying with him much but now I do. I want to stay with my dad. Can I stay with him?"

"I love her, she is so much fun".

"When is she coming to see me again? Can you ask her to come soon?"

Responses to AM / MP / Councillor Enquiry Letters

25. 11 AM / MP / Councillor enquiry letters were received by Children's Services during the quarter. An example of these enquiries is from a gentleman requesting assistance in relation to delays in building works to his property for his paralysed son.

Subject Access Requests

26. A Subject Access Request is a request from an individual to see a copy of the information an organisation holds about them, or their children. These requests should be responded to within 40 calendar days of receipt. Some types of personal

data are exempt from the right of subject access and so cannot be obtained by making such a request. On receipt of the request work is undertaken to ensure that individuals are only provided with information that they are entitled to receive.

27. Children's Services undertook the following activity in relation to Subject Access Requests in Quarter 3 2016-17:

- a. 6 were responded to on time.
- b. 3 were completed outside of the statutory time frame.
- c. 1 was closed because no identification was received.
- d. 1 new request is are in process at the time of writing.

28. In addition to this, Children's Services received:

- a. 32 requests from the Police under the 2013 Protocol and Good Practice Model re: Disclosure of information in cases of alleged child abuse and linked criminal and care directions.
- b. 15 requests from other Councils, solicitors and Insurance for access to records under Section 35 of the Freedom of Information Act. These requests relate to cases in legal proceedings.

Financial Implications

29. There are no direct financial implications arising from the report.

Legal Implications

30. There are no legal implications arising from this report.

RECOMMENDATION

31. The Committee is recommended to:

- i. To endorse the report.

TONY YOUNG
Director of Social Services

24th February 2017