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**QUARTERLY COMPLAINTS AND REPRESENTATIONS REPORT  
QUARTER 1 2018-19**

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**Reason for the Report**

1. The Committee's terms of reference state that it will receive Children's Services Complaints reports.
2. This Quarter 1 report covers complaints and representations from 1<sup>st</sup> April 2018 through to 30<sup>th</sup> June 2018.

**Introduction**

3. The current Welsh Government guidance and regulations in relation to social services complaints and representations came into being on 1<sup>st</sup> August 2014.
4. The procedure places the emphasis on the initial local resolution stage – Stage One - with complainants being offered a discussion to resolve the matter. The second formal stage (Stage Two) provides for independent investigation. If the outcome of Stage Two 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**

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Item	Q1 2018/19
Number open at start of period	22
Number received (overall)	52
Number received directly from children and young people	4
Number closed	63
Number outstanding at end of period	11
% acknowledged within 2 working days	47/52 = 90%
% concluded within 15 working days of acknowledgement	41/63 = 65%

9. During this quarter, the number of complaints received by Children’s Services has seen an increase in complaints to 52 (41 in Quarter 4, 2017-18).

- a. 25% (13) of the complaints received were in relation to the Social Worker or the service received. There were no complaints in relation to finance. 15% (8) of the complaints received were in relation to contact. The remaining 60% (31) of complaints were in relation to other issues including decision-making.
- b. 8 complaints were received about the Intake & Assessment Service, which is an increase from 7 in Quarter 4 (17-18). 22 complaints were received regarding the Child in Need Service (4 from young people) which compared with 18 in Quarter 4 (17-18); 14 complaints were received about the Looked After Children Service compared with 11 in Quarter 4 (17-18). In relation to Child Health & Disability Services there were 2 complaints. The remaining complaints weren’t in relation to a specific team or were handled via the councils corporate complaints procedure.

Examples of complaints concluded during the quarter are:

***A complaint where we were able to put things right***

We received a complaint from a Foster Carer who has been fostering a sibling group for several years. It was advised that they take out special guardianship of the children to prevent them being adopted, this happened two years ago. It was agreed that the Child in Need team would remain involved as the parent of the children was volatile and contact needed to be supervised by two people, the parent then moved very close to the Foster Carer which left them feeling vulnerable. Another part of the complaint was that the Carer had not received any reviews of their carer's allowance for some time, one of the children had reached an age where the allowance should have gone up but this had not happened, the Carer was struggling to look after the growing children on the allowance that she was receiving.

The Carer was given advice and support on how to deal with the parent should they meet. A full review of the Carer's allowance was undertaken. The outcome of this was that the allowance was increased and payments were backdated.

***A complaint where we had no case to answer***

We received a complaint from a parent that called MASH to make a referral their child disclosed that they had been punched by a step parent. The parent was complaining as they had been told that the referral would not be put on the child's file and that the police should be called for the incident to be put on the child's records.

On looking into this we discovered that the referral had been placed on the child's file and was being looked into by social services. We called the parent to advise this and we gave appropriate advice on reporting child protection issues. The parent was apologetic and believes the wrong number was called in the first instance and withdrew the complaint.

**Stage 2 Independent Investigations**

10. 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.

11. There were 3 Stage Two complaints resolved during Quarter 1. Investigations continue in relation to the other cases.
12. There were 2 new Stage Two investigations initiated during Quarter 1 (18-19) which remained open at 30<sup>th</sup> June 2018.

### **Ombudsman Investigations**

13. The Ombudsman was not investigating any complaints during the quarter.

### **Learning from Complaints**

14. Stage Two 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**

15. Quarterly complaints reports are shared with managers so any emerging themes can be considered and actions can be taken to improve practice.
16. The only patterns that emerged related to complaints that were in court proceedings so we were unable to answer the complaint. No other patterns emerged that suggest there are any new thematic issues that need to be addressed.

### **Update on Progress from Themes Identified in Previous Periods**

17. 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. 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 and this will continue to be monitored to seek an improvement in this area. This remains an issue and continues to be monitored.

## Early Resolution

18. 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 were a number of examples of this during Quarter 1.
19. The low number of Stage Two investigations comparable to the total number of complaints received is a result of the proactive work that takes place to ensure that complainants are routinely offered initial meetings to conclude their complaint.

## Review of Complaints in Social Services

20. The social services complaints team and the corporate complaints team are now co-located and work is taking place to introduce a case management system to improve the processes. Additional, weekly monitoring reports are presented to the Director of Social Service's management team to monitor compliance and identify and address any emerging issues.

## Summary of Compliments

21. There were 46 compliments received in Quarter 1, which is an increase from 22 in Quarter 4 (17-18). A breakdown of compliments by team is provided below. This will help Children's Services build upon positive work and could identify improvements.

<b>Team</b>	<b>No. of Compliments</b>
Targeted Services	23
Specialist Services	1
Other	22

### Example of a compliment received during the quarter:

'Thank you so much for everything you have done for me X and my children I really respect you XX (Social worker) and I hope one day I can show you a new me as I know I can do it I'm just not in the right place at the moment, I feel really emotional and sad that you are going to be leaving our case I know this is what must happen as the children are going to be officially adopted, I wish I could stay in touch with you as you really have been there for me whenever I needed you thank you for everything take care love X'

## **Summary for Quarter 1**

22. As at the 30<sup>th</sup> June 2018, the service were working with 2,643 (2,787 in Q4) children and young people and of these:

- a. In total, we received 52 complaints (2%), of which, 14 related to Looked after Children (0.5%). 4 were directly from the young person.
- b. One of the complaints was from a young person who was living in a residential home, he wanted to be moved into a foster home as he didn't feel that the residential placement was working for him.
- c. In total, we received 46 compliments (1.7%).

## **Responses to AM / MP / Councillor Enquiry Letters**

23. 17 AM / MP / Councillor Enquiry letters were received by Children's Services during the quarter. An example of these enquiries was financial assistance for respite care.

## **Individual Rights (Previously Subject Access Requests)**

24. Individual Rights - Access 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 30 calendar days of receipt. Erasure and Rectification requests can now be made and are dealt with in the same way. Some types of personal data are exempt from Individual Rights 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.

25. Children's Services undertook the following activity in relation to Individual Rights in Quarter 1 2018-19:

- a. 3 requests were received, all were responded to on time and within the statutory time frame.
- b. We achieved 100% compliance (30 day deadline)

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

- a. 47 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, a decrease from 57 in quarter 4 (17-18).
- b. 196 requests were processed in relation to access to requests from other Councils, Probation, Solicitors or Insurance, an increase from 142 in Quarter 4 and 83 in Quarter 3 (17-18).

### **Financial Implications**

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

### **Legal Implications**

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

### **RECOMMENDATION**

29. The Committee is recommended to:

- i. To endorse the report.

**Irfan Alam**  
**Assistant Director Children's Services**