
**QUARTERLY COMPLAINTS AND REPRESENTATIONS REPORT
QUARTER 4 2018-19**

Reason for the Report

1. The Committee's terms of reference state that it will receive Children's Services Complaints reports.
2. This Quarter 4 report covers complaints and representations from 1st January 2019 through to 31st March 2019.

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	Q1 2019-20
Number open at start of period (01/01/2019)	17
Number received (qtr. 4)	56
TOTAL complaints	73
Number received directly from children and young people	10
Number closed	68
Number outstanding at end of period (31.03.2019)	5
% acknowledged within 2 working days	100%
% concluded within 15 working days of acknowledgement	80%

9. During this quarter the number of complaints received by Children's Services was 56, an increase from Q2 and Q3.
 - a. Of the 56 complaints received, 77% (43) of the complaints received were in relation to the Social Worker or the service received, an increase from Q3. There were 9% (5) issues relating to placements and 5% (3) regarding a lack of communication, 5% (3) were regarding contact, a slight decrease from Q3. 3.5% (2) were about decision making.
 - b. 10 complaints were received regarding the Intake & Assessment Service, which is a slight increase from Quarter 3. 15 complaints were received regarding the Child in Need Service, a slight decrease from Q3. There were 5 complaints regarding the PA service, 2 for

Safeguarding and 18 complaints were received regarding the Looked after Children Service compared with 10 in Quarter 3. The remaining 6 complaints relate to other issues.

Examples of complaints concluded during the quarter are:

A complaint where we were able to put things right

A young person who was previously looked after was represented by his Advocate because items were lost when the youngster moved from the placement. This complaint was resolved with an apology and compensation for the full amount of the worth of the items.

A complaint where we had no case to answer

Parents were unhappy that their children were placed with alternative relatives because they were said not to be safe with the parents. The police made this decision late at night so the complaint was redirected to the police. The allocated social worker spoke to the parents throughout the assessment process and the children returned home with a safety plan in place to minimise any future risk.

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.

11.1 Stage 2 complaint was resolved during Quarter 4.

12.3 Stage 2 complaints were initiated during Quarter 4.

Ombudsman Investigations

13. There was one Ombudsman activity in relation complaints during this quarter.

The complaint was managed under Stage 1 of the complaints procedure and was closed during this quarter.

Learning from Complaints

14. Action Plans are initiated after each Stage 2 investigation to ensure that the recommendations are implemented, lessons are learned and themes recognised. Issues about staff conduct are sent to an Operational Manager to consider.

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. Outside of this avenue the Complaints Manager can highlight issues to an Operational Manager (as above).
16. During this quarter there was a large increase to 10 complaints from Advocacy on behalf of children and young people, who contacted Childrens Services to discuss new complaints or complex issues. NYAS has a new initiative whereby all children are automatically offered an advocate. The Active Offer has been beneficial for children and young people who have representation and support and the increase in complaints is positive as the children are having their voice heard and more likely to complain if they are unhappy in any way.

Update on Progress from Themes Identified in Previous Periods

17. Previous issues include difficulties in communication/telephone calls not being returned. Operational Managers were made aware of these and Team Managers raised this with social workers included in their team.

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. During this quarter there were 26 enquiries, the issues in these were brought to the attention of the relevant Team or Operational Managers who acted promptly to address the issues raised to the satisfaction of the individual. This prevented 26 complaints being formally opened as stage 1 complaints, resolving the issue at the earliest opportunity.

Summary of Compliments

19. 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.

20. 24 compliments were received in Quarter 4. A breakdown of compliments by teams is provided below. This will help Children's Services build upon positive work and can assist in identifying improvements

Team	No. of Compliments
Targeted Services	18
Specialist Services	4
Other	2

Example of a compliment received during the quarter:

21. A Judge provided positive feedback relating to a social workers court conduct and "careful work" whilst recognising the "lovely" relationship which was formed with the children included in the family.

Summary for Quarter 4

22. As at the 31st March 2019, the service were working with 2,717 children and young people and of these:

- a. In total, we received 56 complaints, of which, 18 related to Looked after Children (32%). 10 were directly from the young person, a large increase from Q3.
- b. In total we received 24 compliments.

Responses to AM / MP / Councillor Enquiry Letters

23. 14 AM / MP / Councillor Enquiry letters were received by Children's Services during the quarter, a decrease on Q3. An example of an enquiry are issues relating to contact of LAC children.

Subject Access Requests

24. 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.

25. Children's Services undertook the following activity in relation to Subject Access Requests in Quarter 4, 2018/2019:

- a. 156 SARs were received and responded to on time, this compares to 112 received in Q3.
- b. 0 were completed outside of the statutory time frame.
- c. 0 requests were withdrawn
- d. There are no new requests in process at the time of writing.

26. Of these:

- a. 52 requests from the Probation Service asking if there are children living in a household with individuals who have been bailed or will be etc. and wanting background information
- b. There were 44 requests from different Council's Children's Services Departments
- c. 12 requests were received directly from prisons
- d. 31 requests were enquiries from the Education Department
- e. There were 4 Freedom of Information requests
- f. 1 request was from a Guardian Ad Litem and 1 in regard to a DBS check
- g. 11 requests came directly from the Home Office

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.

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20th June 2019