
**QUARTERLY COMPLAINTS AND REPRESENTATIONS REPORT
QUARTER 1 2015-16**

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 1st April 2015 through to 30th June 2015.

Introduction

3. New Welsh Government guidance and regulations in relation to social services complaints and representations came into being on 1st August 2014. This guidance replaced "Listening and Learning" which was introduced in 2006. Under "Listening and Learning" there were 3 stages to the consideration of a complaint:
 - a. Stage 1 – Local resolution
 - b. Stage 2 – Formal consideration via an Independent Investigation
 - c. Stage 3 – Independent Panel Hearing
4. The major difference between the previous procedure and the new arrangements is the removal of the Stage 3 panel.
5. The new 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.
6. 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.

7. 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 under the Children Act 1989 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.
8. The Social Services and Wellbeing (Wales) Act 2014 devotes Part 10 to discussion of complaints and this reflects Welsh Government guidance and regulations and the Councils 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

9.

Item	Q4 2014-15	Q1 2015-16
Number open at start of period	22	28
Number received (overall)	47	45
Number received directly from Children and Young People	6	4
Number closed	41	45
Number outstanding at end of period	28	28
% responded to within 17 working days	25 / 41 = 61%	26 / 45** = 58%*

* The remaining 42% were extended with the agreement of the complainant.

** 1 complaint was resolved at Stage 3.

10. 58% (26) of the complaints received were in relation to the social worker or the service received. 9% (4) of the complaints received were in relation to finance. 7% (3) of the complaints received were in relation to contact. 7 of the 45 complaints (16%) received during the quarter related to looked after children compared with 6 in Quarter 4. 20 complaints were received regarding the Child in Need Service compared with 18 in Quarter 4. The number of new complaints regarding the Intake & Assessment Service has remained the same at 11.

11. An example of a complaint received and resolved during the quarter is:

With the help of an advocate a young person complained about the lack of communication and clarity about his future plans. The social worker met with the young person and advocate and provided an understanding of his options, entitlements and future support. The young person was clearer about his future planning and the social worker liaised with others to ensure that everything was in place for him upon leaving care. The young person was assured that a Personal Adviser would be appointed alongside the social worker to work directly with them.

Independent Investigations

12. 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. At 30th June 2015 there were 6 complaints being investigated under Stage 2 of the complaints procedure, of which 1 has the potential to proceed to a Stage 3 Panel meeting as the complaint was made prior to the introduction of the new Welsh Government guidelines.

Stage 3 Review Panels

13. Prior to the end of July 2014 when the Welsh Government introduced new guidelines, complainants were also entitled to ask for a Stage 3 Independent Panel to consider their complaint if they remained unsatisfied at the conclusion of Stage 2. New guidance introduced on 1st August 2014 abolished Stage 3 Panels, and complainants can now seek resolution by complaining to the Ombudsman if they remain unsatisfied at the conclusion of Stage 2. As mentioned in the Quarter 4 report, a Stage 3 Panel was held on 19th March 2015. The Panel addressed 2 complaints from the same family where the issues were similar. The complainants were satisfied with the outcome and measures taken by the Operational Manager and the complaints were closed in Quarter 1.

Themes Emerging During the Quarter

14. While there are no new themes emerging from complaints received during the quarter, Children's Services have continued to receive complaints about communication issues, difficulties in contacting social workers and the manner in which complainants have been treated by social workers. Team Managers

and Operational Managers are aware of all complaints and issues with individual workers are addressed as appropriate.

Update on Progress from Themes Identified in Previous Periods

15. The theme emerging from complaints received during Quarter 4 was around social workers not responding to messages and returning calls. This was discussed with Team Managers at a case management meeting early in Quarter 2 and the need for social workers to respond to messages in a timely manner was emphasized. Any issues with individuals will be dealt with through internal Council procedures.

Summary of Compliments

16. Teams are more readily sharing the compliments they receive from a variety of sources, e.g. service users, professionals etc. All compliments are recorded electronically.

17. 10 compliments were received in Quarter 1 compared with 15 in Quarter 4. 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
I&A	1
CiN	5
LAC	3
Business Support	1

18. An example of a compliment received during the quarter is:

A father who has been very critical of social workers complimented the way in which a principal social worker provided a service to his children and acknowledged the excellent relationship she had developed with his young daughter.

Responses to AM / MP / Councillor Enquiry Letters

19. 9 AM / MP / Councillor enquiry letters were received during the quarter. These included concerns raised by a landlord about the safety of his tenant and two young children following a fire at an adjoining property. A clear process is in place and is managed by the Director of Children's Service PA. During the

PA's absence, issues raised by Members or MPs are dealt with by the Complaints & Access to Records Officer.

Subject Access Requests

20. 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.

21. Children's Services received 21 Subject Access Requests in Quarter 1 2015-16. Work is ongoing between Children's Services and the corporate Improvement and Information Management Team to determine the arrangements for managing this work due to the high level of requests and the capacity required to respond in a timely manner.

22. In addition to this, Children's Services received 28 requests from the Police and 3 requests from Legal Services or other Councils for access to records.

Financial Implications

23. There are no financial implications arising from the report.

Legal Implications

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

RECOMMENDATION

The Committee is recommended to endorse the report.

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16 September 2015

TONY YOUNG
Director of Social Services