

COUNCIL :

28 JANUARY 2016

**REPORT OF DIRECTOR OF GOVERNANCE & LEGAL
SERVICES**

**The Role of Elected Members in Safeguarding Children and Vulnerable
Adults**

Reason for this Report

1. An Independent Review was commissioned by the Chief Executive to look into processes relating to child protection case work and the role of members in dealing with parents' complaints and acting as advocate in child protection proceedings. This followed concerns raised by an elected member about safeguarding practice within Children's Services in relation to a small number of cases.
2. The Review made a number of recommendations. They included requesting the Standards and Ethics Committee to consider the role of elected members in relation to social services casework and their role as advocates for service users. This should lead to a written protocol being devised and adopted by the whole Council.

Background

4. The scope of the Independent Review was to examine the particular cases that had caused concern. The Review was also asked to look at the role of elected members in social services case work and their use as advocates; and the extent to which the overall system and processes applied in dealing with members' concerns are consistent with normal practice.
5. Rhonwyn Dobbing, an experienced former member of the Care and Social Services Inspectorate Wales carried out the Review which reported in July 2015.

Independent Review Conclusions

6. The Review made a number of conclusions as detailed below:
 - Social workers are amongst the most scrutinised profession; especially within children's services with a high number of performance indicators, regulated and inspected services and external scrutiny by, for example, CSSIW and the court process. In addition to this, Cardiff Council has introduced an improvement programme which includes children's

services. This not only demonstrates its commitment to improving services but recognises that some service improvement is required. There are processes in place to monitor and review not only performance but the quality of services. These are not the actions of a council seeking to “cover up” mistakes.

- Children’s Services deal with a considerable volume of open cases. At the end of May 2015 there were 2,442 open cases, comprising of 1,515 children in need cases, 293 children on the child protection register and 634 looked after children. Furthermore, in 2014-15 there were an average number of 2,363 contacts a month resulting in 1409 initial assessments. The pressures on individual workers and managers are significant.
 - The legal and statutory framework under which the service operates is complex. Mistakes will occur and service users will sometimes feel victims of the process rather than helped by it. Complaints are inevitable and it is therefore important that there is a robust process in place to deal with them. Councillor A has identified concerns and these have or are being investigated but it is not appropriate to relate mistakes in a few cases to overall systematic failure. In making a judgement about the service it is critical to take a strategic overall view taking account of a number of measures.
7. The Review also confirmed that the individual cases raised as causing concern have all now been scrutinised by an independent complaints officer overseen by an independent person as required by statutory guidance.
8. The Review recognised that it is the responsibility of every elected member to raise concerns about individual cases and there are processes in place to address these. It is not appropriate or responsible to try and effect change via social media and the press. To do so creates distrust, fear and tensions which do not lead to an open debate. Good practice is delivered by competent, confident well trained social workers who work in a learning organisation which not only celebrates good practice but is not afraid to address any failings and to learn from mistakes. Ms Dobbing reported that in her conversations held with all parties, she had found that “this is a shared aim and vision for the future of Children’s Service in Cardiff and the challenge for all is to ensure a high quality service is in place”

Member Protocol

9. On 22nd September 2015, the Standards and Ethics Committee considered a draft Protocol addressing the matters recommended by the Independent Review and heard evidence from the Director of Social Services.
10. The Committee made various observations and agreed that the following changes should be made to the draft Protocol:

- To make clear that Members should immediately report any concerns they may have about potential harm to vulnerable children or adults
 - To clarify the advice regarding Members acting as formal Advocates for service users
 - To explain that a timescale for a full response will be given within 10 days, if a full response is not possible within that time
 - To confirm that information is protected as 'personal data' if the individual is identifiable, even if the individual is not explicitly named.
11. A revised draft Protocol, incorporating these amendments was agreed by the Standards and Ethics Committee on the 15 December 2015. All Members were sent a copy in December inviting further comment before submitting it to Council for approval.

Legal Implications

12. The Council's Constitution requires the Standards and Ethics Committee to report to the Council on the content of its Ethical Code and to update the Code as appropriate with additional guidance.

Financial Implications

13. There are no financial implications arising from this report

Recommendation

The Council adopt the Member Protocol in relation to Children and Vulnerable Adults as set out at Annex A.

Marie Rosenthal
Director of Governance & Legal Services
20 January 2016

Annex:

Annex A: Member Protocol in relation to children and vulnerable adults