
**QUARTERLY COMPLAINTS AND REPRESENTATIONS REPORT
QUARTER 4 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 4 Report covers complaints and representations from 1st January 2016 through to 31st March 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 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.

7. The Social Services and Wellbeing (Wales) Act 2014 devotes Part 10 to 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

8.

Item	Q4 2015-16
Number open at start of period	25
Number received (overall)	30
Number received directly from children and young people	2
Number closed	12
Number outstanding at end of period	43
% acknowledged within 2 working days	26 / 30 = 87%
% concluded within 15 working days of acknowledgement	3 / 12 = 25%

9. During this quarter Children's Services has seen a reduction in the number of complaints received (34 to 30).
 - a. 63% (19) of the complaints received were in relation to the Social Worker or the service received. 13% (4) of the complaints received were in relation to communication / confidentiality. The remaining 23% (7) of complaints were in relation to other issues including decision making, contact, finance and placement.
 - b. 11 complaints were received about the Intake & Assessment Service, compared with 7 in Quarter 3. 8 complaints were received regarding the Child in Need Service compared with 11 in Quarter 3; 1 of which was received from a child in need. 8 complaints were received about the Looked After Children Service compared with 10 in Quarter 3. The

remaining 2 complaints were in relation to the Personal Adviser Service and Protection of Vulnerable Adults.

10. An example of a complaint resolved during the quarter is:

An MP contacted the Directorate on behalf of adoptive parents who were in desperate need of help to cope with the challenging behaviour presented by their daughter. They were concerned about the possibility that their daughter may need to be taken into the care of the local authority if they did not receive support such as respite and appropriate education arrangements.

The complaint was investigated and the Directorate were able to confirm that targeted work was being currently being undertaken and that there were plans for the young person to be transferred into our Child In Need Team with the emphasis on longer term intervention.

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 31st December 2015 there were 5 complaints open at Stage 2. These are still ongoing at the end of Quarter 4

13. 3 new Stage 2 investigations were initiated during the quarter so at 31st March 2016 there were 8 complaints being investigated under Stage 2 of the complaints procedure.

Learning from Complaints

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

Ombudsman Investigations

15. Following on from a previous Ombudsman investigation, a referral for Child Practice Review was not accepted, however an Independent Management

Review has been undertaken and the report is being finalised. The Public Service Ombudsman is currently investigating one complaint and liaising with Children’s Services in relation to two other complaints.

Themes Emerging During the Quarter

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

Update on Progress from Themes Identified in Previous Periods

17. No new themes emerging from complaints were identified during Quarter 3.

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 are no examples of this during Quarter 4.

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. 9 compliments were received in Quarter 4 compared with 13 in Quarter 3. 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	4
LAC	0
Other	4

21. Example of a compliment received during the quarter:

Children's Services were contacted by a solicitor asking for their gratitude and praise to be passed on to Senior Management for the quality of the social work undertaken by RE (social worker) in a particular case. It was noted that the social worker presented her evidence in a clear, concise and reasoned manner which was no doubt appreciated by the Court.

Responses to AM / MP / Councillor Enquiry Letters

22. 11 AM / MP / Councillor enquiry letters were received by Children's Services during the quarter. An example of these enquiries is representation from a foster carer to keep in contact with a child that they had fostered from birth.

Subject Access Requests

23. 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.

24. Children's Services received 12 Subject Access Requests in Quarter 4 2015-16, of which:

- a. 2 were responded to on time.
- b. 3 were completed outside of the statutory time frame.
- c. 1 was closed because no fee was received.
- d. 2 are on hold awaiting receipt of identification / fee.
- e. 4 are in process.

25. Work has been undertaken by 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. The pilot arrangement for this work to be managed corporately has been successful and the arrangement has

been made permanent.

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

- a. 2 Subject Access Requests that related to more than one Directorate; both were responded to on time.
- b. 28 requests from the Police under Section 29 of the Freedom of Information Act. These requests relate to the prevention or detection of crime, or the apprehension or prosecution of crime.
- c. 10 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

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.

TONY YOUNG
Director of Social Services
18 May 2016