
**QUARTERLY COMPLAINTS AND REPRESENTATIONS REPORT
QUARTER 1 2016-17**

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 2016 through to 30th June 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	Q1 2016-17
Number open at start of period	31
Number received (overall)	24
Number received directly from children and young people	1
Number closed	20
Number outstanding at end of period	35
% acknowledged within 2 working days	16 / 24 = 67%
% concluded within 15 working days of acknowledgement	4 / 20 = 20%

9. During this quarter the number of complaints received by Children's Services has reduced to 24 (from 32 in Quarter 4 2015-16).
 - a. 46% (11) of the complaints received were in relation to the Social Worker or the service received. 8% (2) of the complaints received were in relation to communication / confidentiality. The remaining 46% (11) of complaints were in relation to other issues including decision making, contact, finance and placement.
 - b. 5 complaints were received about the Intake & Assessment Service, compared with 11 in Quarter 4. 14 complaints were received regarding the Child in Need Service compared with 9 in Quarter 4; 3 complaints were received about the Looked After Children Service compared with 8 in Quarter 4; one of which was received from a care leaver. The remaining 2 complaints were in relation to the Personal Adviser Service

and the Safeguarding Unit.

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

The grandmother of a looked after child contacted the Complaints Officer in relation to issues regarding contact with the child. Grandmother reported that despite repeated telephone calls to the social worker she had not had a response and that she and her son (the child's father) had not seen the child. Grandmother stated that a recent contact session was cancelled and that they were anxious to see the child to give birthday gifts. Grandmother had taken time off work to attend.

In response the social worker contacted grandmother and explained that contact had not taken place as father had previously missed a number of contact sessions, and repeated attempts to contact father had failed because his contact details had changed. Attempts were made to speak to father via his legal representation but his solicitor had tried and failed.

Grandmother was informed that Children's Services were not aware that she would be attending the cancelled contact session which is why she was not informed of its cancellation. Apologies were given and the date and time of the next contact session was provided with an explanation that Children's Services are not in a position to set up sole contact for grandmother, and that dates for her son's contact sessions has been forwarded to his solicitor. The social worker arranged for a colleague to collect a card and present from grandmother to pass to her grandchild.

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 March 2016 there were 8 complaints open at Stage 2, one of which was resolved during Quarter 1.

13. 1 new Stage 2 investigation was initiated during the quarter, so at 30th June 2016 there were 8 complaints being investigated under Stage 2 of the complaints procedure.

Ombudsman Investigations

14. There was Ombudsman activity in relation to 3 complaints during the quarter:

- a. One response from the Ombudsman was received that included recommendations - Children's Services are in the process of responding to these.
- b. The Ombudsman considered information provided by Children's Services and determined that they would not be investigating one complaint.
- c. The Ombudsman are liaising with Children's Services although not actively investigating one complaint.

Learning from Complaints

15. Stage 2 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.

16. In response to the number of complaints currently being investigated under Stage 2, or for which there has been Ombudsman activity during the quarter, the Children's Services complaints process was considered by the Director and the Directorate Management Team. It was agreed that the Directorate would explore the opportunity to commission an independent external review.

Themes Emerging During the Quarter

17. Quarterly complaints reports are shared with managers so any emerging themes can be considered and actions can be taken to improve practice.

18. The previously noted issue of social workers not returning calls re-emerged during the quarter. The message continues to be reinforced and senior managers will follow up on any individual issues that are brought to their attention. In addition, 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.

Update on Progress from Themes Identified in Previous Periods

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

20. Two themes that have previously emerged are social workers not returning calls and father involvement in assessments.

21. Please see paragraph 18 above regarding social workers returning calls.

22. In relation to father involvement in assessments, this theme has not re-emerged, and is not expected to as a result of the following:

- a. Senior managers have more of an oversight into casework (e.g. by chairing the Legal Surgery) and challenge practice where it is considered that both parents have not been consulted.
- b. In preparation for the implementation of the Signs of Safety approach (which maps out a safety network for children considered to be at risk), social workers routinely consider every relationship linked to the child and this will include both parents and extended family.
- c. The re-introduction of Family Group Conferences in April 2016 reinforces the whole family approach as they also involve both parents and extended family.

Early Resolution

23. 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 4 examples of this during Quarter 1.

Summary of Compliments

24. 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.

25. 9 compliments were received in Quarter 3 compared with 13 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	2
CiN	6
Looked After Children	0
Other	1 (Fostering)

26. Example of a compliment received during the quarter:

Children's Services were contacted by a member of staff from another local authority who commented "I would like to take this opportunity to sincerely thank you for the way you managed this case, you are one of the most professional social workers I have been lucky enough to work with and you made my job very easy".

Responses to AM / MP / Councillor Enquiry Letters

27. 19 AM / MP / Councillor enquiry letters were received by Children's Services during the quarter. An example of these enquiries is in response to a funding cut for use of the Scope bus to take children to the day centre at Sully.

Subject Access Requests

28. 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.

29. Children's Services undertook the following activity in relation to Subject Access Requests in Quarter 1 2016-17:

- a. 4 were responded to on time.
- b. 4 were completed outside of the statutory time frame.
- c. 1 was closed because no identification was received.
- d. 1 was in process at the end of the quarter.

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

- a. 23 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.
- b. 9 requests from other Councils, CAFCASS and the Central Authority for access to records under Section 35 of the Freedom of Information Act. These requests relate to cases in legal proceedings.

Financial Implications

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

Legal Implications

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

RECOMMENDATION

33. The Committee is recommended to:

- i. To endorse the report.

TONY YOUNG
Director of Social Services

18th August 2016