
**QUARTERLY COMPLAINTS AND REPRESENTATIONS REPORT
QUARTER 2 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 2 Report covers complaints and representations from 1st July 2016 through to 30th September 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	Q2 2016-17
Number open at start of period	34
Number received (overall)	42
Number received directly from children and young people	6
Number closed	22
Number outstanding at end of period	51
% acknowledged within 2 working days	38 / 42 = 90%
% concluded within 15 working days of acknowledgement	5 / 22 = 23%

9. During this quarter the number of complaints received by Children's Services has increased to 42 (from 24 in Quarter 1 2016-17).
 - a. 38% (16) of the complaints received were in relation to the Social Worker or the service received. 19% (8) of the complaints received were in relation to contact. 14% (6) of the complaints received were in relation to communication / confidentiality. 12% (5) of the complaints received were in relation to finance. The remaining 17% (7) of complaints were in relation to other issues including decision making, delay, foster carer and placement. There has, in addition, been a single complaint alleging racism whereby a complainant felt that they had been discriminated against in relation to decision making and how he has been ignored / misrepresented by social workers over the period of time that Children's Services have been involved with the family.

- b. 5 complaints were received about the Intake & Assessment Service, which is no change from Quarter 1. 17 complaints were received regarding the Child in Need Service (1 from a young person) compared with 14 in Quarter 1; 12 complaints were received about the Looked After Children Service (4 complaints from 5 looked after children; including 2 brothers making a joint complaint) compared with 3 in Quarter 1. The remaining 8 complaints were in relation to the Safeguarding Unit, Family Intervention Support Service, Personal Adviser Service (1 of which was received from a care leaver) and the Multi Agency Safeguarding Hub (MASH).

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

Children's Services received a complaint from a paternal grandmother who provided signed consent from the children's parents agreeing that information could be shared with her.

The grandmother was unhappy about how previous requests for help for her grandson had been managed stating that the social worker had been unprofessional in his handling of the case. The complaint gave examples of matters that the grandmother was unhappy about.

At the time of the complaint the Local Authority had placed the matter before the Court so Children's Services were limited in what could be considered as a complaint because the issues should be considered as part of the Court proceedings. Investigation demonstrated that many of the issues raised were inaccurate, likely because the complainant was not party to matters first hand or to the proceedings.

The response letter confirmed that it was difficult to reconcile the complainant's version of events with that recorded in Children's Services files and confirmed that the children would remain with their maternal grandparents until the conclusion of care proceedings.

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 30th June 2016 there were 8 complaints open at Stage 2, 1 of which was resolved during Quarter 2.

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

Ombudsman Investigations

14. There was Ombudsman activity in relation to 5 complaints during the quarter, of which 2 remain live:

- a. The Ombudsman considered information provided by Children's Services and determined that they would not be investigating 2 complaints.
- b. The Ombudsman liaised with Children's Services to assess one complaint and this has been resolved without investigation.
- c. The Ombudsman is liaising with Children's Services in relation to one complaint.
- d. Children's Services are finalising their response to recommendations received from the Ombudsman in relation to one complaint in Quarter 1.

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.

Themes Emerging During the Quarter

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

17. Despite being primarily about other issues, many of the complaints received refer include an element of issues about communication difficulties.

Update on Progress from Themes Identified in Previous Periods

18. The previously noted issue of social workers not returning calls re-emerged during Quarter 1. A strong message regarding the importance of returning calls has been issued by senior managers who will follow up on any individual issues that are brought to their attention. As noted in Quarter 1, 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.
19. Another theme that has previously emerged is father involvement in assessments. As noted in Quarter 1, 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

20. 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 2.

Review of Complaints in Social Services

21. An external independent review of the arrangements for receiving, managing and resolving complaints in Social Services as a whole has been commissioned. This commission in part stems from learning that has arisen as a result of complaints made in relation to Children's Services at Stage 1 and Stage 2 during the last 12

months. The thematic issues identified above with particular reference to those identified in paragraphs 17 and 18 will be considered as part of the independent review.

Summary of Compliments

22. 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.

23. 9 compliments were received in Quarter 2, which is no change from Quarter 1. 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
Targeted Services	5
Specialist Services	1
Other	3 (CareFirst and Performance)

24. Example of a compliment received during the quarter:

A mother with 4 children contacted the Family Intervention and Support Services Team to give thanks and appreciation for the support and direct work undertaken by a staff member over a period of 3 months. The mother felt more able to impose boundaries for her children and said she could not have achieved this without the support worker's help. The children were prevented from being looked after as the risks decreased.

Responses to AM / MP / Councillor Enquiry Letters

25. 6 AM / MP / Councillor enquiry letters were received by Children's Services during the quarter. An example of these enquiries is a father seeking contact with his two children following care proceedings.

Subject Access Requests

26. 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.

27. Children's Services undertook the following activity in relation to Subject Access Requests in Quarter 2 2016-17:

- a. 4 were responded to on time.
- b. 0 were completed outside of the statutory time frame.
- c. 0 was closed because no identification was received.
- d. 7 new requests were in process at the end of the quarter.

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

- a. 26 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, 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

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

Legal Implications

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

RECOMMENDATION

The Committee is recommended to endorse the report.

TONY YOUNG
Director of Social Services

3rd November 2016