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**QUARTERLY COMPLAINTS AND REPRESENTATIONS REPORT  
QUARTER 1 2017-18**

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**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 1<sup>st</sup> April 2017 through to 30<sup>th</sup> June 2017.

**Introduction**

3. The current Welsh Government guidance and regulations in relation to social services complaints and representations came into being on 1<sup>st</sup> 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 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 Council 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 2017-18
Number open at start of period	16
Number received (overall)	36
Number received directly from children and young people	1
Number closed	23
Number outstanding at end of period	13
% acknowledged within 2 working days	29 / 36 = 80%*
% concluded within 15 working days of acknowledgement	12 / 23 = 52%

\*The directorate does not accept that 80% acknowledgement is satisfactory and will investigate to seek an improvement in this area.

9. During this quarter the number of complaints received by Children's Services has seen a reduction in complaints to 20 (24 in Quarter 1, 2016-17).
  - a. 80% (16) of the complaints received were in relation to the Social Worker or the service received. 10% (2) of the complaints received were in relation to finance. 5% (1) of the complaints received were in relation to contact. The remaining 5% (1) of complaints were in relation to other issues including decision making and foster carer.
  - b. 8 complaints were received about the Intake & Assessment Service, which is a slight increase from 5 in Quarter 1 (16-17). 5 complaints were received regarding the Child in Need Service (1 from young people) a reduction compared with 14 in Quarter 1 (16-17); 6 complaints were received about the Looked After Children Service compared with 3 in

Quarter 1 (16-17). The remaining 1 complaint was in relation to Fostering

Example of complaints concluded during the quarter are:

***A complaint where we were able to put things right***

*A citizen received social work involvement due to concerns raised about the children by a concerned person. The Intake and Assessment Team visited and shared what concerns were raised. Intervention centred on ensuring the parent was effective in keeping the children safe. A Written Agreement was drawn up by the social worker and parent and some 3 months later concerns were no longer evident and involvement ceased.*

*Following involvement the parent telephoned to complain that she never received a copy of the Written Agreement and said she had not received notification that a social worker would no longer be involved.*

*The responsible Team Manager made immediate telephone contact to apologise for the lack of communication and explained that the risks included in the initial referral were no longer identified therefore involvement was no longer necessary. The complainant had not received a letter informing of closure because the social worker was absent from work.*

*A letter was written to the parent to confirm what had been shared in the telephone discussion and a copy of the Written Agreement enclosed which resolved the complaint to the citizen's satisfaction.*

***A complaint where we had no case to answer***

*A complainant had raised the same issues in previous quarters. Similar to previous themes, a relative of a person serving a prison sentence wrote expressing the view that her relative should be receiving contact with the children at the prison as well as regular updates about them and photographs.*

*A response letter was issued advising the relative that due to Data Protection, Children's Services could not respond to the complaint. Advice was given that the person should seek legal advice to pursue physical or postal contact.*

## **Stage 2 Independent Investigations**

10. 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.
11. At 31<sup>st</sup> March 2017 there were 5 complaints open at Stage 2, 3 of which were resolved during Quarter 1.
12. 1 new Stage 2 investigation was initiated during the quarter, so at 30<sup>th</sup> June 2017 there were 3 complaints being investigated under Stage 2 of the complaints procedure.

## **Ombudsman Investigations**

13. There was Ombudsman activity in relation to 3 complaints during the quarter, of which 1 remains live:
  - a. Children's Services are finalising their response to recommendations received from the Ombudsman in relation to one complaint in Quarter 1.
  - b. The Ombudsman liaised with Children's Services to assess one complaint and it was agreed that a Stage 2 investigation would be undertaken.

## **Learning from Complaints**

14. 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**

15. Quarterly complaints reports are shared with managers so any emerging themes can be considered and actions can be taken to improve practice.
16. The only patterns that emerged related to complaints which were in court proceedings so we were unable to answer the complaint. No other patterns emerged that suggest there are any new thematic issues that need to be addressed.

## **Update on Progress from Themes Identified in Previous Periods**

17. The previously noted issue of social workers not returning calls continues to be the cause of, or an element of, complaints received. The strong message regarding the importance of returning calls continues to be reiterated by senior managers who follow up individual issues that are brought to their attention. 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 and this will continue to be monitored to seek an improvement in this area.
18. As a result of the following, there is an improved oversight and overall a reduction in the number of complaints being received
- 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 reinforces the whole family approach as they also involve both parents and extended family.

## **Early Resolution**

19. 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 were 2 examples of this during Quarter 1

## **Review of Complaints in Social Services**

20. An external independent review of the arrangements for receiving, managing and resolving complaints in Social Services was completed in January 2017 and the recommendations were accepted by the Directorate Management Team. This will result in a combined social services complaints unit for both Adults and Children's

complaints and work will be underway during quarter 3 to develop joint processes and undertake recruitment to a newly created post to support this work.

### Summary of Compliments

21. 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.
22. 13 compliments were received in Quarter 1, which is an increase from 9 in Quarter 1 (16-17). 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	11
Specialist Services	2
Other	0

### Example of a compliment received during the quarter:

During the quarter, the following feedback was received from 'Pathway Care Fostering' in respect of a young mum:

*Pathway Care have been working along with a Parent and Child placement. We are often quick to make comment when something doesn't go right due to the competing priorities of our agencies so it is good to be positive.*

*Working alongside social workers has been a positive experience, they have been responsive to all concerns we have raised and worked closely with the agency to manage the safety and well-being of baby whilst placed alongside his mother. At the same time they have been considerate towards the carer's role and dealt with mum in a fair and open manner. I look forward to working with this team again.*

### Responses to AM / MP / Councillor Enquiry Letters

23. 15 AM / MP / Councillor Enquiry letters were received by Children's Services during the quarter. An example of these enquiries is from a family asking for respite care for their child whom has severe behavioural problems

## **Subject Access Requests**

24. 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.

25. Children's Services undertook the following activity in relation to Subject Access Requests in Quarter 1 2017-18:

- a. 3 were responded to on time.
- b. 2 were completed outside of the statutory time frame.
- c. 7 were closed because no identification was received.
- d. 2 we held no information
- e. 2 were denied access to information
- f. 1 new request is in process at the time of writing.

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

- a. 29 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. 35 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 this 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**

**17<sup>th</sup> October 2017**