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**QUARTERLY COMPLAINTS AND REPRESENTATIONS REPORT  
QUARTER 2 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 2 report covers complaints and representations from 1<sup>st</sup> July 2017 through to 30<sup>th</sup> September 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	Q2 2017-18
Number open at start of period (30.06.17)	9
Number received (qtr 2)	18
TOTAL complaints	27
Number received directly from children and young people	0
Number closed	10
Number outstanding at end of period (30.09.17)	17
% acknowledged within 2 working days	13 / 18 = 72%*
% concluded within 15 working days of acknowledgement	5 / 18 = 27%

\*The directorate does not accept that 72% acknowledgement is satisfactory and requires 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 18 (20 in Quarter 1, 2017-18).
- a. Of the 18 complaints received, 72% (13) of the complaints received were in relation to the Social Worker or the service received. 6% (1) of the complaints received were in relation to finance. 6% (1) of the complaints received were in relation to contact. The remaining 16% (3) of complaints were in relation to other issues including decision making and foster carer.
- b. 7 complaints were received about the Intake & Assessment Service, which is a slight decrease from 8 in Quarter 1 (17-18). 5 complaints were received regarding the Child in Need Service (0 from young people) which

compared the same Quarter 1 (17-18); 4 complaints were received about the Looked After Children Service compared with 6 in Quarter 1 (17-18). The remaining 2 complaint was in relation to Adoption/Finance.

Examples of complaints concluded during the quarter are:

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

*The mother of children who are currently allocated a social worker due to concerns about their welfare, complained that despite leaving messages for the social worker, her calls were not returned. The Team Manager spoke with the mother and offered her apologies and reassured her that she would ensure that she was informed about events at all times. Team Manager met with the social worker who offered his apologies for not returning the mothers calls and for not informing her of pending annual leave, the social worker provided his assurance that he would retain weekly contact to update the mother in the future and would inform her of planned annual leave.*

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

*A young person being looked after in a Children's Home wrote to express her unhappiness about her social worker, stating that she didn't visit enough, did not return phone calls to the young person or another professional during the young person's network and had failed to sort out contact between the mother and young person.*

*Children's Services response outlined and evidenced that additional visits had been offered by the social worker but that this was refused by the young person. Return telephone calls were made to the young person but in the event the young person was unavailable the social worker spoke with staff at the Residential Home and left messages via this route. It was confirmed that no professional from another Agency had left messages for the social worker but the social worker did make contact with the professional and informed the young person of this. Attempts to arrange contact between the mother and the young person had been made, letters were sent to mother, without response. Eventually the mother requested communication via the complainant's 12 year old brother's phone and this was not acceptable to the social worker. The mother's communication with the Residential Home had ceased but the social*

*worker wrote with a date for a visit to discuss contact understanding that this was a priority for the young person. The Team Manager offered to visit the young person or speak over the telephone in the future.*

## **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. 2 stage 2 complaints were resolved during Quarter 2.

12. 4 new Stage 2 investigations were initiated during Quarter 2 (17-18) which remained open at 30<sup>th</sup> September 2017.

## **Ombudsman Investigations**

13. There was Ombudsman activity in relation to 3 complaints during the quarter –

- a. The Ombudsman recommended a 'quick fix' to resolve one complaint and an early resolution was agreed and the complaint has been finalised.
- b. The Ombudsman liaised with Children's Services to assess one complaint and it was agreed that a Stage 2 investigation would be undertaken.
- c. The Ombudsman recommended 'No further action' following the review of a complaint case that had been referred to them.

## **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 2

### **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. Recruitment to a newly created post has been completed.

### **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. 7 compliments were received in Quarter 2, which is a decrease from 13 in Quarter 1 (17-18). A breakdown of compliments by team is provided below. This will help Children's Services build upon positive work and could identify improvements.

<b>Team</b>	<b>No. of Compliments</b>
Targeted Services	4
Specialist Services	2
Other	1

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

In 2 of the compliments, praise has been given by the Judge, one was very complimentary about a SW's parenting assessment in court, describing it as a "comprehensive, balanced and detailed assessment". Another Judge 'was pleased with an Annex A, which captured the child and the situation'

### **Summary for Quarter 2**

23. As at the 30<sup>th</sup> September 2017, the service were working with 2717 children and young people and of these:

- a. In total, we received 18 complaints (0.6%), of which, 4 related to Looked after Children (0.1%). None were directly from the young person.
- b. 2 of the Looked after Children complaints related to communication with the social worker which were upheld and full apologies were provided and accepted. The remaining 2 complaints related to contact visits being cancelled at short notice but when investigated the reasons were inevitable and the response provided accepted by the complainant.
- c. In total, we received 7 compliments (0.2%).

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

24. 18 AM / MP / Councillor Enquiry letters were received by Children's Services during the quarter. An example of these enquiries is a request 'wishing to gain child arrangements order for the five children in the family'.

### **Subject Access Requests**

25. 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.

26. Children's Services undertook the following activity in relation to Subject Access Requests in Quarter 2 2017-18:

- a. 10 were responded to on time.
- b. 2 were completed outside of the statutory time frame.
- c. 11 were closed because no identification was received or fee was not paid.
- d. 1 request was withdrawn
- e. 1 new request is in process at the time of writing.

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

- a. 37 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, an increase from 29 in Qtr 1 (17-18).
- b. 67 requests were processed in relation to access to requests from other Councils, Probation, Solicitors or Insurance, an increase from 35 in Qtr 1 (17-18)

### **Financial Implications**

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

**Legal Implications**

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

**RECOMMENDATION**

30. The Committee is recommended to:

- i. To endorse the report.

**Irfan Alam**

**Assistant Director Children's Services**

**10 January 2017**