
**QUARTERLY COMPLAINTS AND REPRESENTATIONS REPORT
QUARTER 2 2018-19**

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 2018 to 30th September 2018.

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 One - with complainants being offered a discussion to resolve the matter. The second formal stage (Stage Two) provides for independent investigation. If the outcome of Stage Two 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 2018/19
Number open at start of period	11
Number received (overall)	40
Number received directly from children and young people	3
Number closed	43
Number outstanding at end of period	8
% acknowledged within 2 working days	39/40 = 97.5%
% concluded within 15 working days of acknowledgement	33/40 = 82.5%

9. During this quarter, the number of complaints received by Children’s Services has seen a decrease in complaints to 40 (52 in Quarter 1, 2018-19).

- a. 47.5% (19) of the complaints received were in relation to the Social Worker or the service received. There were no complaints in relation to finance. 10% (4) of the complaints received were in relation to contact. The remaining 42.5% (17) of complaints were in relation to other issues including decision-making.
- b. 8 complaints were received about the Intake & Assessment Service, which remains the same as the 8 received in Quarter 1 (18/19) 18 complaints were received regarding the Child in Need Service (3 from young people) which compared with 22 in Quarter 1 (18/19); 11 complaints were received about the Looked After Children Service compared with 14 in Quarter 1 (18/19). In relation to Child Health & Disability Services there were 3 complaints, decreasing from 4 in Quarter 1 (18/19).

Examples of complaints concluded during the quarter are:

A complaint where we were able to put things right

A complaint received from an advocate on behalf of a young person, the young person is being cared for by relatives. The complaints officer met with the young person who informed her that they did not feel their Social worker was listening to their wishes and feelings. The young person wished to move because, in their view, the family didn't take them out for activities and didn't make individual time for them. The young person's school attendance was restricted due to behavioural difficulties, therefore the young person wasn't able to access the full curriculum at school. The Social Worker provided intensive support over a significant period, weekly meetings were held at the school who agreed to initiate ways in which the young person could be included in the full timetable. Support services were also accessed, for example a befriender was appointed and the young person attended Bright Sparks. These activities increased the young person's sense of self and ensured inclusion. Counselling was put in place for the young person to access.

A complaint where we had no case to answer

We received a complaint from the parent of a child who was living with another relative. The parent said that the Social Worker did not retain contact with her and provide regular updates about her child. The parent also stipulated that she wished to see her child prior to the child going to live abroad.

The care plan, indorsed by a Judge said that there should be one final contact with the child prior to the child leaving the UK. The Mother was informed that her child did not wish to have any form of contact with her before leaving. The Social Worker informed the parent that she would review this in sufficient time to arrange contact if the child was to change their mind.

Case recordings clearly indicated that the Social Worker had retained contact with the parent and provided her with up to date information about her child's wellbeing.

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. There was 1 Stage Two investigation in Quarter 1 (18/19) and this resolved during Quarter 2 (18/19).
12. There were 3 new Stage Two investigations initiated during Quarter 2 (18-19) which remained open at 30th September 2018.

Ombudsman Investigations

13. 14 AM / MP enquires were received by Children's Services during Quarter 2 (July to September 2018). 4 of the enquiries were regarding care / custody arrangements for children with the remainder being spread evenly across the Directorate and with no identifiable trend.

Learning from Complaints

14. Stage Two 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.

Update on Progress from Themes Identified in Previous Periods

16. 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. This remains an issue and continues to be monitored.

Early Resolution

17. 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. During Quarter 2, 26 enquiries were recorded, all were resolved without the need to initiate a stage 1 complaint.
18. The low number of Stage Two investigations comparable to the total number of complaints received is a result of the proactive work that takes place to ensure that complainants are routinely offered initial meetings to conclude their complaint.

Review of Complaints in Social Services

19. The social services complaints team and the corporate complaints team are now co-located and work has taken place, a new case management system which has improved the complaints process. Additional, weekly monitoring reports are presented to the Director of Social Service's management team to monitor compliance and identify and address any emerging issues.

Summary of Compliments

20. There were 20 compliments received in Quarter 2, which is a decrease from 46 in Quarter 1 (18 /19) A breakdown of compliments by team is provided below, compliments during this quarter are evenly distributed between service areas. The compliments enable Children's Services to build upon positive work and can identify ways in which further improvements can be made.

Team	No. of Compliments
Targeted Services	7
Specialist Services	7
Other	6

Example of a compliment received during the quarter:

A Social Worker within the Targeted Services area received positive comments from HHX.

“The Child/ren have been fortunate in the SW who has been case responsible. Court had benefit thoughtful analysis and statements which indicate that she has a good understanding of the child/rens needs and the family’s complexities”

The Local Authorities evidence presented at court has been shared within teams as an example of best practice.

Summary for Quarter 2

21. As at the 30th September, the service were working with 2,643 (2,787 in Q4) children and young people and of these:

- a. In total, we received 40 complaints, of which, 11 (27.5%) related to Looked after Children. 3 (7.5%) were directly from the young person.
- b. In total, we received 20 compliments.

Responses to AM / MP / Councillor Enquiry Letters

22. 14 AM / MP enquires were received by Children’s Services during Quarter 2 (July to September 2018). 4 of the enquiries were regarding care / custody arrangements for children with the remainder being spread evenly across the Directorate and with no identifiable trend.

Individual Rights (Previously Subject Access Requests)

23. Individual Rights - Access 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 30 calendar days of receipt. Erasure and Rectification requests can now be made and are dealt with in the same way. Some types of personal data are exempt from Individual Rights 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 undertook the following activity in relation to Individual Rights in Quarter 1 2018-19:

- a. 3 requests were received, all were responded to on time and within the statutory time frame.
- b. We achieved 100% compliance (30 day deadline)

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

- a. 47 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, a decrease from 57 in quarter 4 (17-18).
- b. 196 requests were processed in relation to access to requests from other Councils, Probation, Solicitors or Insurance, an increase from 142 in Quarter 4 and 83 in Quarter 3 (17-18).

Financial Implications

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

Legal Implications

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

RECOMMENDATION

28. The Committee is recommended to:

- i. To endorse the report.

Deborah Driffield
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23 January 2018