

STANDARDS & ETHICS COMMITTEE

22 SEPTEMBER 2015

**REPORT OF DIRECTOR OF GOVERNANCE & LEGAL
SERVICES**

**MEMBER PROTOCOL ON CHILD PROTECTION AND
VULNERABLE ADULT CASEWORK AND CORPORATE
PARENTING**

Reason for this Report

1. An Independent Review has been commissioned by the Chief Executive to look into the role of members in dealing with parent's complaints and acting as advocate in child protection proceedings. This followed concerns raised by an elected member about safeguarding practice within Children's Services in relation to a small number of cases. The Review has made a number of recommendations which come within the remit of the Standards and Ethics Committee.
2. Coincidentally, it was suggested at the annual meeting of the council in May 2015 that the Cardiff Undertaking for councillors which forms part of the ethical code for the Council should include a reference to the collective responsibility councillors have, to safeguard and promote the life chances of looked after children. Members are keen to publically recognise their responsibilities as corporate parents and ensuring that children in council care are able to thrive.

Background

3. The purpose of the Independent Review was to ascertain whether the system for managing and responding to member queries in Cardiff provide a basis for appropriately managing case related concerns, for raising challenges and for discharging accountability for safeguarding and other relevant duties.
4. Rhonwyn Dobbing an experienced former member of the Care and Social Services Inspectorate Wales carried out the Review which reported in July 2015.

Independent Review Findings

5. The Review made a number of findings as detailed below:

Social workers are amongst the most scrutinised profession; especially within children's services with a high number of performance indicators, regulated and inspected services and external scrutiny by, for example, CSSIW and the court process. In addition to this, Cardiff Council has introduced an improvement programme which includes children's services. This not only demonstrates its commitment to improving services but recognises that some service improvement is required. There are processes in place to monitor and review not only performance but the quality of services. These are not the actions of a council seeking to "cover up" mistakes.

6. Children's services deal with a considerable volume of open cases. At the end of May 2015 there were 2,442 open cases, comprising of 1,515 children in need cases, 293 children on the child protection register and 634 looked after children. Furthermore, in 2014-15 there were an average number of 2,363 contacts a month resulting in 1409 initial assessments. The pressures on individual workers and managers are significant.
7. The legal and statutory framework under which the service operates is complex. Mistakes will occur and service users will sometimes feel victims of the process rather than helped by it. Complaints are inevitable and it is therefore important that there is a robust process in place to deal with them. Councillor A has identified concerns and these have or are being investigated but it is not appropriate to relate mistakes in a few cases to overall systematic failure. In making a judgement about the service it is critical to take a strategic overall view taking account of a number of measures.
8. The Review also confirmed that the individual cases raised as causing concern have all now been scrutinised by an independent complaints officer overseen by an independent person as required by statutory guidance.
9. The Review recognised that it is the responsibility of every elected member to raise concerns about individual cases and there are processes in place to address these. It is not appropriate or responsible to try and effect change via social media and the press. To do so creates distrust, fear and tensions which do not lead to an open debate. Good practice is delivered by competent, confident well trained social workers who work in a learning organisation which not only celebrates good practice but is not afraid to address any failings and to learn from mistakes. Ms Dobbing reported that in her conversations held with all parties, she had found that "this is a shared aim and vision for the future of children's service in Cardiff and the challenge for all is to ensure a high quality service is in place"

Independent Review Recommendations

10. The Head of Paid Services should ask the Standards and Ethics Committee to consider the role of elected members in relation to social services casework and their role as advocates for service users. This should lead to a written protocol being devised and implemented.
11. The Monitoring Officer should ensure that training is made available for all members on Information Sharing especially in relation to the Data Protection Act.
12. The Monitoring Officer should ensure that the Social Media Policy agreed by the Standards and Ethics Committee is more widely promoted and complied with.
13. The Director of Social Services should ensure that all members of staff receive training on the complaints procedure and that all managers are clear about the procedures to be followed in response to complaints from service users. Social workers should also be clear about their responsibilities in advising service users about advocacy services especially in relation to child protection processes.
14. The Director should consider whether the current arrangements for the provision of advocacy services are able to meet the needs of all vulnerable adults and whether such services should be jointly commissioned by adult and children services.

Issues

15. A draft Protocol to cover the matters recommended by the Independent Review is set out at **Appendix A** to this Report for the Committee to consider. It has been drafted, in consultation with the Director of Social Services, and includes Members' responsibilities in relation to vulnerable adults.
16. Training will be made available for all members on Information Sharing especially in relation to the Data Protection Act as part of the member development programme this year. This training will also include use of social media.
17. The Monitoring Officer has written to all members to advise them of the findings and recommendations of the independent review and to circulate the Social Media Policy agreed by the Standards and Ethics Committee last year.
18. The draft Protocol is being discussed with political group leaders and their comments will be reported to the Committee when it meets.

Legal Implications

19. These are set out in the Report

Financial Implications

20. None identified

Recommendations

1. To recommend to Council for approval the Member Protocol in relation to social services case work set out at **Appendix A**, subject to any agreed amendments.
2. To delegate authority to the Monitoring Officer, in consultation with the Standards and Ethics Committee Chair, to make minor amendments to the Protocol set out at **Appendix A**.
3. To agree to recommend to Council that the Cardiff Undertaking for Councillors include a new obligation to recognise the collective responsibility Councillors have to safeguard and promote the life chances of looked after children.

Marie Rosenthal
Director of Governance & Legal Services
10th September 2015

Appendices:

Appendix A: draft Protocol – The Role of Elected Members in Safeguarding Vulnerable Children and Adults