

**CORPORATE PARENTING ADVISORY COMMITTEE
17 November 2015**

**QUARTERLY COMPLAINTS AND REPRESENTATIONS REPORT
QUARTER 2 2015-16**

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 2015 through to 30th September 2015.

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	Q1 2015-16	Q2 2015-16
Number open at start of period	28	28
Number received (overall)	45	23
Number received directly from children and young people	4	4
Number closed	45	26
Number outstanding at end of period	28	25
% responded to within 17 working days	26 / 45 = 58%	12 / 23 = 58%

9. During this quarter Children's Services has seen a reduction in complaints received due to the emphasis on early resolution and it is envisaged that the number could further reduce in Quarter 3.
 - a. 57% (13) of the complaints received were in relation to the Social Worker / Personal Adviser or the service received. 26% (6) of the complaints received were in relation to decision making. The remaining 17% (4) of complaints were in relation to communication, finance and placement.
 - b. 4 complaints were received about the Intake & Assessment Service, compared with 11 in Quarter 1. 7 complaints were received regarding the Child in Need Service compared with 20 in Quarter 1. 8 complaints

were received about the Looked After Children Service compared with 9 in Quarter 1, 4 of which were received direct from looked after children or an advocate. The remaining 4 complaints were in relation to the Personal Adviser Service, Adoption and Protection of Vulnerable Adults.

10. Examples of complaints received and resolved during the quarter are:

A complaint received from a grandmother with concerns for her grandchild, the child's whereabouts and the mother's ability to meet the child's needs. The Team Manager investigated the concerns and visited the grandmother to discuss the issues at length. This complaint was resolved at a local level and gave the grandmother the opportunity to voice her concerns and provide background history which will aid Children's Services involvement with the child.

A complaint received from the National Youth Advocacy Service (NYAS). The advocate was representing a young person who was being looked after. The young person was unhappy that she had not seen her allocated social worker and so was unsure of her long term plan. It transpired that the social worker had been on long term sick so the Team Manager allocated a different social worker who visited the placement to listen to the young person's wishes and feelings. The social worker was able to respond to the young person's anxiety about a forthcoming court appearance and visited regularly to reassure the young person that the necessary steps were being taken to ensure their long term plan was progressing.

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 2015 there were 6 complaints open at Stage 2. During Quarter 2, 5 of these complaints were closed, although one has since proceeded to investigation by the Ombudsman. One Stage 2 report is in the process of being shared with the complainant. In addition to this, Children's Services are continuing to work with one complainant following receipt of their Stage 2 report

in February 2015.

13.3 new Stage 2 investigations were initiated during the quarter so at 30th September 2015 there were 4 complaints being investigated under Stage 2 of the complaints procedure.

Learning from Complaints

14. Stage 2 reports undertaken by Independent Investigators include recommendations if required. In response, an Action Plan is initiated to ensure that the recommendations are implemented and lessons are learned. An example recommendation from one of the Stage 2 reports that was received during Quarter 2 was that Children's Services have a view on the use of audio recordings in Child Protection cases and that this is translated into a written policy. In response to this, Children's Services are currently exploring the available options.

Ombudsman Investigations

15. Following on from a previous Ombudsman investigation, during Quarter 2 the Assistant Director, Children's Services met with a complainant to discuss the Ombudsman's report and apologise in person. A staff conference is being arranged to share the learning from this complaint and the complainant has agreed to write an impact statement to facilitate the learning. A referral for Child Practice Review has been made and an Independent Management Review is currently ongoing.

Themes Emerging During the Quarter

16. There are no new themes emerging from complaints received during the quarter.

Update on Progress from Themes Identified in Previous Periods

17. The theme emerging from complaints received during Quarter 4 was around social workers not responding to messages and returning calls. This was discussed with Team Managers at a case management meeting early in Quarter 2 and the need for social workers to respond to messages in a timely manner was emphasized. Any issues with individuals will be dealt with through

internal Council procedures. This theme has not re-occurred during Quarter 2.

Early Resolution

18. Five individuals, including service users, other professionals and an advocate have contacted the Children's Services Complaints Officer to share concerns. By placing an emphasis on resolving issues at the earliest possible opportunity, these concerns have been dealt with immediately and therefore have not been opened as a formal complaint. On these occasions, the issues have been brought to the attention of relevant Team or Operational Managers who have acted promptly to address the issues raised to the satisfaction of the individual.

Summary of Compliments

19. 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.

20. 12 compliments were received in Quarter 2 compared with 10 in 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
I&A	3
CiN	7
LAC	2

21. Example of compliments received during the quarter are:

Children's Services staff were highly commended by a High Court Judge for the way in which the Social Workers and Team Manager engaged with the family and the Court process throughout proceedings.

The police lead from the joint Child Abuse Investigation Unit contacted a Team Manager to convey that she was very impressed with the way the Social Worker engaged with a particular family who disguised compliance and previously would not engage. The Social Worker is newly qualified and gained

the trust of the parents which has led to a more positive experience the family and long term plan for the child.

Responses to AM / MP / Councillor Enquiry Letters

22. 8 AM / MP / Councillor enquiry letters were received by Children's Services during the quarter. These included concerns raised by a father of three about being made homeless and childcare for children with disabilities.

Subject Access Requests

23. 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.

24. Children's Services received 8 Subject Access Requests in Quarter 2 2015-16. Work has been undertaken by Children's Services and the corporate Improvement and Information Management Team to determine the arrangements for managing this work due to the high level of requests and the capacity required to respond in a timely manner. An arrangement for this work to be managed corporately is currently being piloted.

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

- a. 2 Subject Access Requests that related to more than one Directorate.
- b. 28 requests from the Police under Section 29 of the Freedom of Information Act. These requests relate to the prevention or detection of crime, or the apprehension or prosecution of crime.
- c. 7 requests from other Councils, Insurance and other agencies (Criminal Cases Review Commission and the Vale, Valleys and Cardiff Adoption Collaborative) for access to records under Section 35 of the Freedom of

Information Act. These requests relate to cases in legal proceedings.

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.

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10 November 2015

TONY YOUNG
Director of Social Services