

Report of the Complaints Manager to the Chief Social Services Officer

**CHILDRENS SERVICES COMPLAINTS  
ANNUAL REPORT 2015-2016**

<b>Purpose:</b>	To report on the operation of the Complaints Team in relation to Childrens Services for the period 1 April 2015 to 31 March 2016.
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<b>FOR INFORMATION</b>	

**1.0 Introduction**

- 1.1 The City and County of Swansea (CCS) Social Services Complaints Procedure seeks to empower service users or those eligible to speak on their behalf to voice their concerns in relation to the exercise of Social Services functions as defined in the Health and Social Care (Community Health and Standards) Act 2003.
- 1.2 With effect from 1 August 2014 new legislation came into effect, bringing the Social Services complaints procedure into line with other complaints procedures across public services, in particular the process for NHS '*Putting Things Right*'. A new Social Services Complaints Policy has been adopted to accommodate the requirements of the new legislation and full details of the new policy can be viewed online at: [www.swansea.gov.uk/complaints](http://www.swansea.gov.uk/complaints) . The new legislation requires the reporting of additional information which has been incorporated into this report.
- 1.3 CCS Childrens Services are committed to ensuring that concerns raised are listened to and resolved quickly and efficiently. Lessons learned from this process are fed back to relevant teams and used wherever possible to improve future service delivery.
- 1.4 Our aim is to resolve complaints at the earliest opportunity and teams are encouraged to be proactive in achieving this goal.

1.5 Where someone has been deemed 'not eligible' to utilise the social services complaint procedure in accordance with guidance/legislation, their complaints may be dealt with under the corporate complaint procedure. This ensures that everyone is able to voice their concerns and that a complaints mechanism is accessible to everyone.

1.6 Appendix 1 contains all tables referred to in this report.

## **2. Total Complaints received during the reporting period**

2.1 **Table 1** shows this year's total complaints received by the Complaint Team in respect of Childrens Services with the previous two years' figures for comparison.

2.2 The number of Stage 1 complaints received this year has fallen in comparison with figures for the two previous financial years, possibly due to the efforts being made at first point of contact to resolve issues before they become complaints.

2.3 Under the Social Services complaints policy, both the old and new legislative framework allow complainants to immediately request a stage 2 investigation. Through efforts to resolve complaints internally wherever possible, there has been a reduction in the number of stage 2 complaints this year.

## **3. Analysis of Stage 1 Complaints**

3.1. A detailed breakdown of the Stage 1 Complaints received by Service Area is shown in **Table 2**. 67% of complaints were acknowledged within 2 working days, and in 89% of cases (where a discussion was required) discussions took place within 10 working days.

3.2 Complaints have been broken down by individual service team this year, in order to provide greater clarity on specific areas where complaints are being received. This will help with the identification of systemic issues and trends which can then be scrutinised more closely within those teams affected.

3.3 Due to continuing changes in the structure of Childrens Services it is possible that the teams shown below have since been reorganised and may no longer exist as the teams set out below. Adjustments will be made to the team names year on year as required to reflect any such changes.

## **4. Stage 2 Complaints**

4.1 Complaints are considered at Stage 2 of the complaints procedure either where we have not been able to resolve the issues to the complainant's satisfaction at stage 1, or the complainant has requested that the matter be immediately considered at Stage 2.

- 4.2 Both the old and new social services complaint regulations give an eligible complainant a statutory right to request Stage 2 of the process. Complainants are able to request that their complaint is dealt with directly at Stage 2 should they wish, and is not dependent on having been investigated at stage 1 or the outcome at stage 1.
- 4.3 An independent investigator person is commissioned for a Stage 2 investigation, with the work of the investigator overseen by an independent person to ensure the investigation is carried out in a fair and proper way. A formal report is produced which presents the facts and considers the feelings around the difficulties to suggest ways to move forward. Resolution and applying lessons learned is the prime objective of the complaints procedure.
- 4.4 **Table 3** provides a summary of the complaints handled at Stage 2 of the complaints process.
- 4.5 The Social Services Complaints Procedure has set criteria as to who can raise a complaint under that policy. Where an individual is not eligible to make a complaint under the Social Services complaints policy, their concerns will be handled through the Authority's Corporate Complaints Procedure.
- 4.6 The timeframe for dealing with Stage 2 complaints is 25 working days under the Social Services complaints policy, or within a reasonable time agreed with the complainant due to the complexity of a case or where enquiries could be extensive to provide a comprehensive review. For complaints made after the implementation of the new regulations, where an extension of time is sought this will normally only be granted with the permission of the Chief Social Services Officer or other delegated officer on their behalf. All investigations this year were subject to extended periods of time.
- 4.7 Whether the complaint is upheld or not, staff need to reinstate confidence in a good working relationship with the service user or their representatives, to move forward following the formal Stage 2 Process.
- 4.8 There were 3 complaints received in this reporting period that went to independent investigation at Stage 2.
- 4.9 **Summary of Stage 2 complaints**
- 4.15 **Case 1: Swansea Valley Team: 8 out of 8 investigated complaints upheld / upheld in part**
- 4.15.1 This was a complaint concerning poor social work practice from staff, including failure to take agreed actions, poor communication, irrational decision-making or failure to make necessary decisions, and a lack of contact with the children on the part of their social worker. Whilst the complaint initially involved 26 matters, the 18 additional matters were not investigated under the Social Services complaints procedure as they were the subject of a separate HR investigation.

4.15.2 The outcome of the complaint resulted in several apologies being provided for identified failures, together with an action plan to improve service delivery. The action plan included the organisation of a learning event for practitioners to reflect on the handling of the matter and identify how things could have been dealt with differently.

#### **4.16 Case 2: Swansea Valley Team / Western Bay Adoption Agency: 6 out of 7 complaints upheld / upheld in part**

4.16.1 A child had been placed with a family with a view to adoption however the family complained that work in preparing the child for adoption had been insufficient. The family felt unable to proceed with the application because the life story work has not been completed and that this work was essential in order for the adoption to be successful.

4.16.2 Apologies were provided for failings identified in the report and an undertaking was provided to complete life story work and other preparatory requirements in order for the adoption application to proceed in court.

#### **4.17 Case 3: Looked After Children (LAC) 14+ Team: 7 out of 9 complaints upheld / upheld in part**

4.17.1 A young person, suffering from Aspergers syndrome, had been placed with a family since the age of three. The family received funding to help with the provision of his care. When the young person reached the age of 18, funding would no longer be continued and the family had stated that without funding they would no longer be able to provide care. The young person complained that he should be allowed to stay with the family due to exceptional circumstances as a result of his deep attachment with the family after such a long time and due to his recognised medical condition.

4.17.2 Apologies were provided for failings identified in the report, and the young person was deemed to be eligible for a 'When I am Ready' allowance which would cover all reasonable costs of supporting the care leaver to remain living with the family that had been providing his care for many years.

### **5.0 Complaints made to the Public Services Ombudsman for Wales (PSOW)**

5.1 The remit of the Public Services Ombudsman for Wales is to identify whether a member of the public has suffered hardship or injustice through maladministration, or identify where services have fallen below a reasonable standard. There is an obligation for a report to be produced on any investigation the office accepts. The reports produced are defined under two separate headings. Section 16 (Public Interest) Reports, for which there is a requirement for the Authority to publish details and Section 21 Investigation

Reports which do not need to be published. Further details of the role of the PSOW can be found at <http://www.ombudsman-wales.org.uk>

- 5.2 The PSOW has produced his Annual Report for 2015/16, containing details of cases where the Ombudsman has identified failures in service delivery by public bodies across Wales. The Ombudsman's report can be seen online at <http://www.ombudsman-wales.org.uk/en/publications/Annual-reports.aspx>

## **6. Reasons for complaints and their outcome**

- 6.1 Further analysis of the reasons for complaints is shown in **Table 4**. Whilst service users have unique and complex individual circumstances, complaints have been grouped under 'best fit' generic headings for reporting purposes.
- 6.2 Wherever possible, lessons are learned and improvements are made to service delivery when a complaint is upheld. (25%) of complaints were justified/partly justified this year, slightly higher than the equivalent figure for 2013/14 (20%).

## **7. Advocacy**

- 7.1 Advocacy services exist to represent children's views and feelings when dealing with organisations. Social Services engage in statutory arrangements to ensure the welfare of clients with mental health and learning disability needs where capacity is compromised and provide signposting to other organisations providing such services.
- 7.2 The Complaints Officer will work with groups and organisations providing advocacy services, to address issues and promote the provision of assistance to service-users through the complaints process. Effective engagement with advocacy services empowers more individuals and groups to make use of the complaints process at the earliest opportunity.

## **8.0 Compliments**

- 8.1 Set out in **Table 5** are some examples of the compliments which have been passed to the complaints team this year in relation to Childrens Services. The individual staff members have been made aware of the compliments concerning them as has the Head of Service.
- 8.2 As well as substantial acknowledgements of thanks from service users that are given to staff at the point of service delivery, service users, relatives or friends can convey their appreciation more formally through the Comment or Compliment process.
- 8.3 Many complaints are often accompanied by compliments for other elements of service provision.

8.4 Compliments received are an equal reflection of individual and team efforts and Childrens Services teams should be encouraged by their successes having regard to compliments received.

## **9. Equality and Engagement Implications**

9.1 There are no direct equality and engagement implications arising from this report.

## **10. Financial Implications**

10.1 All costs incurred in dealing with complaints have to be covered within existing Budgets in Corporate Services.

10.2 External Independent Investigators and Independent Persons may be appointed to deal with some complaints in accordance with legislation. The cost to the Authority of providing this service in 2015/16 for Childrens Services was £25,874

## **11. Legal Implications**

11.1 Complaints have be administered in accordance with the regulations outlined in paragraph 1.2 above.

**Background papers:** None

**Appendices:** Appendix 1 – Statistical Data Tables

## Appendix 1 – Statistical data in Tables

<b>Table 1 - Total number of complaints received by Complaint Team</b>				
	<b>Year</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>
<b>Information Purposes</b>		12	14	18
<b>Corporate</b>		15	19	21
<b>Social Services Stage 1</b>		214	150	115
<b>Social Services Stage 2</b>		14	12	3
<b>Ombudsman</b>		2	6	5
<b>Totals</b>		<b>262</b>	<b>204</b>	<b>162</b>

<b>Table 2 – Total Stage 1 complaints by Service Area</b>	
Admin Team	<b>1</b>
Adopt Swansea	<b>2</b>
CCARAT	<b>5</b>
Child and Family (general)	<b>1</b>
Child Disability Team	<b>17</b>
Friends & Family	<b>1</b>
Looked After Children	<b>7</b>
Looked After Children (14+)	<b>5</b>
Penderry Team	<b>17</b>
Swansea East Team	<b>14</b>
Swansea Valley Team	<b>15</b>
Swansea West Team	<b>11</b>
Townhill Team	<b>17</b>
Western Bay Adoption Agency	<b>2</b>
<b>Totals</b>	<b>115</b>

<b>Table 3 – Total Stage 2 complaints by Service Area</b>		
<b>Service</b>	<b>Outcome</b>	<b>ID</b>
Swansea Valley Team	Upheld (8/8)	<b>Case 1</b>
Swansea Valley Team / Western Bay Adoption Agency	Upheld (6/7)	<b>Case 2</b>
Looked After Children 14+ Team	Upheld (7/9)	<b>Case 3</b>

<b>Table 4</b>																
<b>Reason for Complaints and their outcome</b>	<b>No. of Complaints</b>	<b>Justified</b>	<b>Not Justified</b>	<b>Partially Justified</b>	<b>Not Pursued</b>	<b>Not Eligible</b>	<b>Withdrawn</b>	<b>Refer to Safeguarding</b>	<b>Local Resolution</b>	<b>Contact Resolved</b>	<b>Impasse</b>	<b>No Further Contact</b>	<b>Referred to another Agency</b>	<b>For Information Only</b>	<b>Matter in court</b>	<b>Referred to legal</b>
Breach of confidentiality	5	2	1											1		1
Child protection concerns	4							4								
Delay in assessment	1		1													
Deviating from care plan	1								1							
Dissatisfaction with contact	11		3	1	2					2			2		1	
Excessive waiting time	2		1	1												
Failure to return calls	1								1							
Financial issues / Direct Payments	1										1					
Historical matters	1					1										
Lack of consultation	1		1													
Lack of support	6		3	1		1	1									
Not following procedure / policy	1								1							
Poor Communication	14	3	2	1	2				2				2	2		
Request for placement move	2			1		1										
Staff Attitude / Misconduct	2		1								1					
Unhappy with action taken	38	3	11	4	3	2			1			1	1	2	10	
Unhappy with assessment	3		1		1										1	
Unhappy with decision	9		1	1			1		3						3	
Unhappy with level of service	7	2	4											1		
Unknown / Unspecific	5		1	1		1	1		1							
<b>TOTALS</b>	<b>115</b>	<b>10</b>	<b>31</b>	<b>11</b>	<b>8</b>	<b>6</b>	<b>3</b>	<b>4</b>	<b>10</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>5</b>	<b>6</b>	<b>15</b>	<b>1</b>



<b>Table 5 - Compliments</b>	
<b>Teams</b>	<b>Nature of Compliment</b>
<b>Family Support Team</b>	Selection of compliments for family support team (email dated 2.2.16) unable to access attachments at present will add for annual report.
	"Thanks you, having you in my corner made a big difference, with the help and encouragement you gave me, that gave me confidence and I'm really grateful for all your help and advice.
	It was also my pleasure to hear the family talk so fondly of you and that you as a social worker was always fair and treated them with the respect that they deserved, the trust you have gained from this family is unprecedented as they felt if they found in future that they were facing difficulties then they felt that they could contact you at any point for help and guidance.
<b>Flexible home support</b>	Praise from a family for a worker for developing such an honest and open relationship with them and treating them with respect. The family commented they trust her fully and would not hesitate to seek advice from her.
<b>Foster Swansea</b>	Thank you letter from former foster carers who have no obtained an SGO, to thank the children's social worker and the manager for supporting them through a difficult year and especially through the court process.
<b>Friends &amp; Family</b>	Our s.s.w is perfect, always there for me and helps with any problems and concerns I may have. Thank you".
	"I know the s.s.w. is always on hand to help me and she always helps transport me and the children and would do anything she can for us".
	SW is always really helpful with everything that is asked of her and is very capable at her job, nothing is too much trouble to her, she will always help if she can. The staff are always friendly to talk to and listen to what you say and carry out their roles to the letter. Our main dealings with the team is as Special Guardian carers. The service has first class. When at the events I have always found the staff to be very helpful, and there is always a relaxed atmosphere.
<b>IRO'S</b>	A probation officer rang to say that AM, is a credit to the Authority and her conduct and professionalism were commendable.
	I really respected the way you were with the family as well as your style of chairing SOS conferences and the feedback from the family afterwards was that they felt you were 'down to earth' in your approach 'and kept it real'.
<b>Looked after Children</b>	Happy Mother's Day! Just thought I'd say thank you for everything you've done for me I wouldn't be where I am without you

	The worker has been a great asset to the young person and works well with her and she looks forward to her visits”.
<b>Looked after Children 14+</b>	A thank you from a care leaver for all the help and support the social worker has given him.
	From a care leaver to his former social worker, ‘Happy Mother’s Day! Just thought I’d say a big thank you for everything you’ve done for me. I wouldn’t be where I am without you!
	I have also been very impressed by the social worker on this case, he has worked exceptionally well with this family and has done some excellent work.
	Family feel well supported by their s.s.w and have a good relationship with her as she is always positive, reliable and sociable.
	Thank you card from two siblings to their social worker, saying that ‘you are the best social worker ever’.
	Thank you text from a yp, ‘I just wanted to tell you that everything is going really well and I am hoping to go to college in September. Thanks again for all your help last year. Having you in my corner made a big difference though, with the help and encouragement you gave me, that gave me confidence and I’m really grateful for all your help and advice. Thanks again you’re the best.’
<b>Penderry Team</b>	Message to s.w. from service users’ mum. Thanks for all you have done and all you are doing for us. It all worked out for the better for my babies.
<b>Supervised Contact Team</b>	Thank you for your help, guidance, and support, contact has always been a pleasure in your company.
<b>Swansea East</b>	Service user wished to express her gratitude for the hard work the s.w. had put into her son’s case. Her son has complex needs and she felt that the s.w. had gained a true understanding of his needs and worked extremely well with her to support the YP in his placement.
	From a Head teacher. Just wanted to say that I think it’s great news that the s.w. is staying with the East team. I know he won’t be working directly with our families but it’s good to know his expertise is being retained. I’ve found him to be an excellent social worker over the two years I have worked with him.
	From a CAFCASS Guardian. I have been very impressed by the s.w’s work on this case, he has worked exceptionally well with this family and has done some excellent work.
<b>Swansea West</b>	Phone call from Olchfa’s School’s safeguarding officer to commend the Team for the way everyone handled the situation with a pupil.

	The client saw the message of thanks to Social Workers for World Social Work Day and wanted to pass on her own thanks to the s.w.
	Thank card to the social worker, thank you all for your help and support you gave us as a family.
	Thank, I cannot speak highly enough of you all as a Team
	Thank You for being one of the best professional, social workers that I've had the privilege of working with and hopefully get the opportunity to work with you again some day
	Family stated that since current Social Worker took over the Case Management the family have received a much improved service and now feel more able to be open and honest in dealing with issues.
	Email from a foster carer to the s.w. 'thank you for being one of the best professional, social workers that I've had the privilege of working with and hopefully get the opportunity to work with you again someday'.
<b>Townhill Team</b>	Headteacher, Townhill school, I am writing to pass on our thanks for the outstanding and very professional work in the very difficult situation that arose last week. I am told that their actions were exemplary, as was the great contribution made by a worker from the EWO service and the representatives from housing.
	From a teacher in Townhill school who thought two workers were both "exceptional" in regards to their work with a pupil. The teacher highlighted the s.w.'s care for her direct work and personal support to her with the mother.
	Judge was very complimentary of the work the s.w. had done throughout the proceedings and the support she had given to mum and that she 'had gone the extra mile'. Following the hearing the children's Guardian who also echoed the words of the Judge praising the way the s.w. has conducted herself throughout the proceedings and how she has managed the case so professionally.
	Christmas card from children to their s.w. thanks for all you've done'.
	Christmas card from parents to their s.w. ' a million thanks will never be enough to say thank you for all the help and support you gave us for the toughest situation any family can ever face, you will always be remembered deeply by us all with love and thanks'
<b>Valley Team</b>	The Judge told the court how impressed he has been with the s.w's hard work and commitment to the child and her family, without which he feels this matter would have ended very differently. He also commended Swansea as a Local Authority for their approach and continued hard work in ensuring the best outcome for the child.
<b>Western Bay / Adopt Swansea</b>	Thanks from a prospective foster family for the quality of the sw's work and for the support she has provided them.
	Compliment received regarding a completed assessment. The prospective adopters very complimentary about the work and the service/support you have given them. It is very pleasing to hear such positive feedback from service users about individuals and the quality of service that has been provided.