



Appendix 3

Children's Services Complaints Annual Report 2018-2019

Purpose:	To report on the operation of the Complaints Team in relation to Childrens Services for the period 1 April 2018 to 31 March 2019
Report Author:	Julie Nicholas-Humphreys
Finance Officer:	Janet Morgan
Legal Officer:	Tracey Meredith
Access to Services Officer:	Rhian Millar
For Information	

1.0 Introduction

- 1.1 Swansea Council's 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.
- 1.2 With effect from 1 August 2014 revised 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*'. The Social Services Complaints Policy has been revised to accommodate the requirements of the new legislation and full details of the new policy can be viewed online at: <https://www.swansea.gov.uk/sscomplaints>. The legislation requires the reporting of additional information which has been incorporated into this report.

SC Children's 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. The number of Stage 1 complaints received this year has dropped 27% compared to last years' figure.
- 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, the number of stage 2 complaints this year remains relatively low and the same as last years' figure of 7 received.

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**. Complaints need to be acknowledged within 2 working days, and in 79% of cases where complaints proceeded to conclusion, discussions took place within 10 working days, down 16% on the previous year.
- 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 7 complaints received in this reporting period that went to investigation at Stage 2.
- 4.9 **Summary of Stage 2 complaints**

Case 1 - Looked after children's team

The complaint was made as the parent was unhappy regarding services to her son in respect of a residential placed for respite and that a proper matching exercise had not been carried out, which resulted in a safeguarding investigation and poor communication between the parent and the social work team. Of the 12 complaints, 6 were upheld, 2 were upheld in part and four were not upheld.

Case 2 - Swansea East Team

This was a very lengthy stage 2 complaint investigation which significantly exceeded the timeframe due to the number of complaints made, in total 66. This complaint was also the most expensive investigation ever (since 2006) in terms of cost. The complaints were in respect of dissatisfaction with assessments carried out, delay, poor communication and staff attitude. Of the 66 complaints 22 were not upheld, 11 were upheld in part, 15 upheld, in 13 of the complaints the investigator was unable to make a finding. The remaining 4 complaints were matters which had already been to court so the investigator was unable to investigate those points.

Case 3 & 4 - Swansea West Team

Not pursued and not subsequently upheld

Case 5 - Foster Swansea

This complaint was brought by a foster carer in respect of his interaction with the social work team during a safeguarding investigation via the All Wales Child Protection Procedures. The complaint was investigated via the corporate complaint process. In all 16 complaints were made, none of which were upheld. This person also took the complaint to the Public Services Ombudsman for Wales who declined to investigate.

Case 6 – Child Disability Team – not upheld

Unhappy with level of service

Case 7 - Friends & Family – not upheld

Unhappy with level of service

5 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 Letter for 2018/19, containing details of cases where the Ombudsman has identified failures in service delivery by public bodies across Wales. 12 cases were referred to the Ombudsman this year however there have been no findings of maladministration. The Ombudsman's letter can be seen online at:
<https://www.ombudsman.wales/wp-content/uploads/2019/08/Swansea.pdf>

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. 38 complaints (30%) were found to be justified/partly justified this year, which is slightly higher than the equivalent figure for 2017/18 though the number of complaints received actually fell considerably.

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 Compliments

- 8.1 Children's Services have received in excess of **46 compliments** over the course of the year. 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 2017/18 for Children's Services was **£25,445** (an increase of £12,720.51 on the previous year)

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

Table 1 - Total number of complaints received by Complaint Team			
Year	2016/17	2017/18	2018/19
Service Requests	16	20	20
Corporate	28	30	26
Social Services Stage 1	118	172	125
Social Services Stage 2	3	7	7
Ombudsman	4	3	10
Totals	169	232	188

Table 2 – Stage 1 Social Services complaints by Service Area	Total
Bays	3
CCARAT-IAA	4 (2 corporate)
Child and Family general	2
Child Disability Team	4
Conference Chairing	1
EDT	3 (corporate)
Foster Swansea	3 (1 corporate)
Contracting	1
Friends & Family	5 (1 corporate)
LAC	20 (5 corporate)
LAC 14+	5 (2 corporate)
Penderry Team	8 corporate (3)
Safeguarding Team	1
Swansea East Team	15 (1 corporate)
Swansea Valley Team	25 (4 corporate)
Swansea West Team	15 (1 corporate)
Townhill Team	14 (2 corporate)
Unknown	14
Western Bay Adoption Agency	8 (1 corporate)
Total	151

Table 3 – Total Stage 2 complaints by Service Area		
Service	Outcome	ID
Looked after Children	The complaint was made as the parent was unhappy regarding services to her son in respect of a residential placed for respite and that a proper matching exercise had not been carried out, which	Case 1

	resulted in a safeguarding investigation and poor communication between the parent and the social work team. Of the 12 complaints, 6 were upheld, 2 were upheld in part and four were not upheld.	
Swansea East Team	The complaints were in respect of dissatisfaction with assessments carried out, delay, poor communication and staff attitude. Of the 66 complaints 22 were not upheld, 11 were upheld in part, 15 upheld, in 13 of the complaints the investigator was unable to make a finding. The remaining 4 complaints were matters which had already been to court so the investigator was unable to investigate those points.	Case 2
Swansea West Team	Not pursued at the time and then not upheld	Case 3 & 4
Foster Swansea	This complaint was brought by a foster carer in respect of his interaction with the social work team during a safeguarding investigation via the All Wales Child Protection Procedures. The complaint was investigated via the corporate complaint process. In all 16 complaints were made, none of which were upheld. This person also took the complaint to the Public Services Ombudsman for Wales who declined to investigate.	Case 5
Child Disability Team	Unhappy with level of service – Not upheld	Case 6
Friends & Family	Unhappy with level of service – Not upheld	Case 7

[illegible]

Table 5 – Examples of Compliments Received

Teams	Nature of Compliment
Safeguarding	Just emailing to thank you both for today; it's been quite difficult getting some professionals to recognise how well the family have been doing. I feel that despite some negative comments all professionals were able to reflect, which prevented the children being re-registered. Thank you for all your support with this case, I can't believe how far the family have come.
Family Support Team	Mother was very complimentary of B's skills as a worker in the way he has been working with herself and Child over the past few weeks which have been very difficult. She felt that B's skills in being able to help her see what needed to change, rather than telling her what to do, have made a huge difference to her motivation.
Looked After Children	I just wanted to provide some feedback the inspectors provided yesterday. Child X wrote a letter for them – unfortunately they weren't able to give me a copy – stating how much she had valued your support and the commitment you had shown her. The inspectors were very impressed that a young person had taken the time to express their thoughts in writing. I am also very impressed. You have both clearly made an impact on this young person and their life in a very positive way. There is not much else you can ask of a SW. This was obviously a fantastic piece of SW practice so very well done both.
Supported Care Planning	My daughter's social worker has over the last 2 years consistently supported my daughter and navigated a path (through emotional and difficult relationships) which has resulted in a positive outcome for my daughter. Mrs R, Social worker, has gone beyond the 'normal' duties of her role and would wish this level of commitment and professionalism be recognised by the Authority
Social Worker	I am emailing from X Council to say how much we appreciated the support from Swansea children's services with regards to children X living in your area and care order to us. We have been assisted for over 12 months with welfare checks and visits. There was never any hesitation to assist and I know how busy you must be.
Service & Performance Quality	I just wanted to say that recently I have had some tremendous support from the IRO's and their commitment to the children they are supporting through their role is amazing. I just wanted to say a big thanks to you and your team on behalf of myself and the children I work with.
ALNU	I am a local Swansea mum who has had the pleasure of the most fantastic service and help from H. My son was offered an STF placement September in X primary school. I just wanted to let u know I was probably one of the worst parents so apprehensive about everything but respected H expertise so greatly I made the choice to risk moving my son's school. It has been the best decision I have ever made X school is absolutely fantastic he is so happy!!! I'm so grateful for the hard work and expertise of all your staff who were and are involved with my son. I think H is the most amazing, clever and kind person who clearly cares about children, an absolute asset to the city and county of Swansea also the team at X primary who are bringing my son on so well I understand the strain you are all under with no budget but thank you all

	from the bottom of my heart for every
Supervised Contact Team	2 Thank you Cards received - one from mum and one from dad from a family W has been working with, on the Supervised Contact Team. W has done some wonderful work with the whole family, to enable contact to move on to supervised contact with the social worker in the community, and with the further hope to progress to unsupervised contact.
Looked After Children	Thank you card J received re child X's - It is not often we receive thank you cards from the parents especially when the plan is not to rehabilitate home. I feel this shows how J has been able to establish a positive relationship through his hard work and commitment.
Social Worker	I just wanted to pass over some comments that was made by the foster carers yesterday during supervision. They said that B was one of the most hands on social workers that they have ever met and that the children really like him. He visits regularly, keeps them all up to date on what is happening and shows a genuine interest in how they are feeling. The carers never struggle to get hold of him and he commits to the arrangements he makes with them.
Supported Care Planning	Thank you card received from a family - The case was in PLO and could have well escalated to court due to the significant concerns in respect of mother and father's drug use. C's work, openness and honesty about our worries with parents as well as the co-ordination of support for parents which sometimes resulted in her visiting several times a week following the child's birth with a clear safety plan allowed this family to be able to remain as a unit and parents to evidence their ability to make and sustainable change.
Looked After Children	I wanted to send an email to thank S for all her hard work on a recent court case. S has supported the victim through a really traumatic and emotional time, when the YP needed to give evidence in court. This case was ready for closure really, but S wanted to see through this emotional support and be available to the YP, who has limited family support and a really strong relationship with S. I'm sure this support was invaluable and will have given the YP a major boost of resilience to see through this tough time in her life. We are delighted the male involved has been found guilty and the YP has had some of the justice she deserves.
East 2	I just wanted to make you aware of a positive relationship with A. Child X is now in a stable placement, accessing education and has just managed to sit in a room of professionals and communicate his views to everyone.