

## APPENDIX 3: Child and Family Services Complaints

### 1. Total Complaints received during the reporting period

- 1.1 **Table 1** shows total complaints received in 2020-21 by the complaints team in respect of Child and Family Services with the previous two years' figures for comparison. The number of Stage 1 complaints received for 2020-21 has increased slightly by 3.7% compared to the previous year's figure.
- 1.2 Under the social services complaints policy, the legislative framework allows complainants to immediately request a stage 2 investigation. Through efforts to resolve complaints internally wherever possible, the number of stage 2 complaints in 2020-21 is equal to the previous year's figure of 7 received.

### 2. Stage 1 Complaints

- 2.1. 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 92% of cases where complaints proceeded to conclusion, discussions took place within 10 working days, an increase of 14% on the previous year.
- 2.2 Complaints have been broken down by individual service teams. However, due to continuing changes in the structure of Child and Family Services it is possible that the teams shown below have since been reorganised and may no longer exist as set out. Adjustments will be made to the team names year on year as required to reflect any such changes.

### 3. Stage 2 Complaints

- 3.1 Complaints are considered at Stage 2 of the complaints procedure either where the Council has 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.
- 3.2 The 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.
- 3.3 An independent investigator is commissioned for a Stage 2 investigation, overseen by an independent person to ensure the investigation is carried out in a fair and proper way. A formal report is produced and suggests ways to move forward.
- 3.4 **Table 3** provides a summary of the complaints handled at Stage 2 of the complaints process.

- 3.5 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 and with the Director's consent. This may be due to the complexity of a case, or where enquiries could be extensive in order to provide a comprehensive review. Where an extension of time is sought this will normally only be granted with the permission of the Director of Social Services. All investigations in 2020-21 were subject to extended periods of time.
- 3.6 Whether the complaint is upheld or not, staff work to maintain confidence and a good working relationship with the service user or their representatives.
- 3.7 There were 7 complaints received in this reporting period that went to investigation at Stage 2, of those complaints two were not pursued. Four of the stage 2 complaints were dealt with via the corporate process. Corporate stage 2 investigations are carried by the relevant complaints officer. The corporate complaint process is used where complainants are 'not eligible' to bring a complaint via the social services complaint process.

### 3.8 **Summary of Stage 2 complaints:**

#### Case 1 Foster Swansea (corporate)

There were 7 complaints made in respect of Foster Swansea's actions, none of which were upheld.

#### Case 2 Penderry Team (corporate)

There were 17 complaints made, mostly around the interaction with the social worker, of those complaints 11 were not upheld. The investigator was unable to make a finding on one point. The complaints which were upheld were in relation to the social worker's references to respite, not passing on the request for a change of social worker, being over familiar with the parent and child in a casual manner and minutes not being sent out in a timely manner.

#### Case 3 Bays

This complaint was in relation to the social worker providing information and advice to the young person. Originally the complaint was not upheld, however the young person was able to provide additional information to show that he had been given erroneous advice. The topic of advice has not been included as is unique to the young person.

#### Case 4 Valley Team (corporate)

The parent was unhappy about an incorrect person's information being shared with the team regarding the parent. Whilst the information was incorrect, the social work team did have a duty to investigate the information. However, the nature of the incorrect information did cause upset to the parent and this aspect was upheld. With regard to the other five complaints, it was not possible to make a finding, or the complaints were not upheld.

#### Case 5 CCARAT-IAA

As this complaint was not pursued the details of the complaint were not agreed.

#### Case 6 Penderry Team (corporate)

As this complaint was not pursued the details of the complaint were not agreed.

#### Case 7 Penderry Team (corporate)

The complainant had two complaints at stage 2, the first that the stage 1 complaint was not dealt with inside the timeframe, which was not upheld. The second complaint was that the team would not carry out a new assessment on him in relation to his involvement with a family. As he was no longer involved with the family it was not possible to carry out the assessment and this complaint was not upheld. This was the only stage 2 complaint of the 7 received that was escalated to the Ombudsman by the complainant; however, the Ombudsman did not investigate this complaint.

- 3.9 Where complaints are upheld that information is shared with relevant teams and used to improve services.

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

- 4.1 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 Ombudsman accepts. Section 27 of the Ombudsman's legislation details when a report could be made public. Further details of the role of the PSOW can be found at: <http://www.ombudsman-wales.org.uk>

- 4.2 The PSOW has produced the Annual Letter for 2020/21, containing details of complaints across Wales. Twelve cases were referred to the Ombudsman this year, 1 of which was investigated by the Ombudsman. This complaint was upheld as it was identified that the council failed to record the concerns about the children. This resulted in the Ombudsman making a redress payment in the amount of £1,000 per child (3) and £3,000 to the parent. The Ombudsman would also report on this matter in his casebook. The council has learnt from this matter and used it to improve services at the first point of contact.

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

- 5.1 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.
- 5.2 Wherever possible, lessons are learnt and improvements are made to service delivery when a complaint is upheld. 45 complaints (32%) were found to be justified/partly justified this year, which is 7% higher than the equivalent figure for 2019/2020 though the number of complaints received increased slightly.

5.3 This year the figures for the Penderry and Valley team both have a high amount of complaints. With regard to the Penderry team, 11 relate to the same case. With regard to the Valley team there were a number of parents who submitted additional complaints after each one had been resolved.

## **6. Advocacy**

6.1 Advocacy services exist to represent children's views and feelings when dealing with organisations. Social Services engage in statutory arrangements to ensure that Looked After Children or Care Leavers have access to an advocate. National Youth Advocate Services are available to provide the support.

6.2 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.

## **7.0 Compliments**

7.1 Child and Family Services have received 75 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 Child and Family Services. The individual staff members have been made aware of the compliments concerning them as has the Head of Service and the Director.

7.2 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.

7.3 Many complaints are often accompanied by compliments for other elements of service provision.

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

## **8. Financial Implications**

8.1 All costs incurred in dealing with complaints are covered within existing budgets.

8.2 External Independent Investigators and Independent Persons may be appointed to deal with some complaints in accordance with legislation. The cost to the Council of providing this service in 2020-21 for Child and Family Services was £10,773.75 (down by £15,960.63 compared to the previous year).

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

## Appendix A – Statistical data in Tables

<b>Table 1 - Total number of complaints received by Complaints Team</b>				
	<b>Year</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>
<b>Service Requests</b>		20	12	19
<b>Corporate Social Services Stage 1</b>		26	13	33
<b>Social Services Stage 1</b>		125	123	108
<b>Corporate Social Services Stage 2</b>		0	0	4
<b>Social Services Stage 2</b>		7	7	3
<b>Ombudsman</b>		10	11	12
<b>Totals</b>		<b>188</b>	<b>166</b>	<b>179</b>

<b>Table 2 – Stage 1 Social Services complaints by Service Area</b>	<b>Total</b>
Bays	7
CCARAT-IAA	9
Child Disability Team	9
Conference Chairing	3
Domestic Abuse Hub	1
Foster Swansea	8
Friends & Family	4
Integrated Safeguarding Hub	1
Independent Reviewing Officers	1
Jigso	1
LAC	9
Penderry Team	24
Safeguarding Team	1
Swansea East	4
Swansea Valley Team	26
Swansea West Team	1
Townhill Team	12
Unknown Teams	18
Western Bay Adoption Agency	2
<b>Total</b>	<b>141</b>

<b>Table 3 – Total Stage 2 complaints by Service Area</b>		
<b>Service</b>	<b>Outcome</b>	<b>ID</b>
Foster Swansea	Not Upheld	00256528
Penderry	Partially Upheld	00252668
Bays	Not Upheld	00252235
Swansea Valley	Partially Upheld	00253951
CCARAT/IAA	Not Pursued	00254143
Penderry	Not Pursued	00254738
Penderry	Not Justified	00256255

<b>Table 4</b> <b>Reason for Complaints</b> <b>and their outcome</b> <b>Stage 1</b>	Totals	Justified	Not Justified	Partially Justified	Not Pursued	Not Eligible	Withdrawn	Refer to Safeguarding	Local Resolution	Impasse	Concurrent Investigation	Directed to another forum	For Information Only	Matter in court	Department to action / monitor	Referred for a new assessment	Not taken up	Escalated to stage 2	Unknown	Not investigated -historical
Breach of confidentiality	6	2	2		1							1								
Child protection conference	1											1								
Child protection concerns	6	1						5												
Delayed assessment	2											1			1					
Disagree with information held	3			1	1									1						
Disagree with rules set	1														1					
Dissatisfaction with contact	7	1	4		1	1														
Dissatisfaction with assessment	12		3	1										4				2		2
Failure to action information	2		1	1																
Failure to return calls	1								1											
Financial errors	1						1													
Financial issues	1				1															
Lack of consultation	1		1																	
Lack of support	3		2	1																
Not following policy/procedure	2	1	1																	
Poor Communication	16	2	5	3	2		1		2					1						
Staff Attitude / Misconduct	2									1		1								
Unhappy with action taken	35	2	9	4	4	1	1			1		1		10			1			1
Unhappy with decision	8		2	1	1									3				1		
Unhappy with level of service	17	3		4	7							2		1						
Unhappy with response	2		2																	
Unknown complaints	12																			
	<b>141</b>	13	32	16	18	2	3	5	3	2		6		20	1	1	1	3	12	3

**Table 5 – Examples of Compliments Received from service users and outside agencies**

Teams	Nature of Compliment
Foster Swansea	A foster carer has praised <b>Foster Swansea</b> saying: "I have felt it to have been a privilege to work as a foster carer for Foster Swansea - to make a positive difference in at least one young person's life and be part of the foster carer community. Foster Swansea has been truly wonderful - everyone we have dealt with has been understanding, really good at listening to our needs, ideas and concerns, and we have been kept up to date with everything going on with excellent communication and a wide range of training opportunities.
Family Support	X has been praised by a mum who said that the counselling that she has received has changed her life and improved her relationship with her son immeasurably.
Townhill team	X has been praised by a father for her practice. He feels like with her help he finally had someone who was committed to getting it right for his son and someone who was recognising and promoting his son's rights to have a happy, healthy and safe childhood. He felt that X was seeing the whole picture and listening to him. The Dad said it was like 'having his child back' and that he hadn't seen his son so happy in years and felt this was largely because of X and her work.
Penderry	X has been praised by the court in a private law matter following receipt of her Section 7 report. During her attendance at court for her very first time, she was praised on several occasions for her comprehensive, useful, and detailed report, which the Judge felt would assist any Judge in presiding over the case due to its detail, and thanked her for this.
Jigso	X is absolutely amazing. I could never ever thank her enough. She has been amazing. You are all amazing and I'm thankful for the support, I don't know how I would have got through these last months without it."
Flexi support	X sent in a video message 'thank you' for the work the Flexi Support Team is doing to help make up and deliver food parcels to over 140 households as well as delivering 2,500 bags of free school meals in the last two weeks.
EDT (emergency duty team)	Very many thanks from a parent to X who had supported him and he felt the twice a day phone calls were really helpful for him in managing the current situation.

<p>IROs (independent review officer)</p>	<p>IRO has been praised for the work she does going above and beyond for children and young people. A Foster mum said that she is has always been amazing and goes above and beyond and calls her a true champion for children! You clearly put young people at the heart of your work and it make a massive difference to their lives.</p>
<p>ELDT (Early Language Development Team)</p>	<p>The Early Language Development Team has been thanked by families for supplying busy activity bags including blankets. Some of the praise sent in includes: "Thank you so much for dropping off the busy bags yesterday. They are brilliant!" and "Thank you for your support we didn't think we would get anything because of coronavirus. Thank you so much for activity pack the girls have loved them" and "Don't know what I would have done without you. You have been a huge help."</p>
<p>Valley Team</p>	<p>From a mum to X for being a "fantastic special lady" who helped her feel more confident about understanding her son's Autism and how it can manifest different behaviours in young people and why. She also supported her to access opportunities to meet other parents and helped her feel less isolated.</p>
<p>Supported Care Planning</p>	<p>Family Court Advisers from Cafcass Cymru have sent some truly amazing feedback about some of our Supported Care Planning social workers in Child and Family Services. Their praise highlights great work they have undertaken with children and their families as well as the positive working relationships they have clearly been able to develop with Cafcass to achieve what matters.</p>