

Report of the Cabinet Member for Service Transformation and Business Operations

Cabinet – 19 October 2017

**CHILDRENS SERVICES COMPLAINTS
ANNUAL REPORT 2016-2017**

Purpose:	To report on the operation of the Complaints Team in relation to Childrens Services for the period 1 April 2016 to 31 March 2017.
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FOR INFORMATION	

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.
- 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: www.swansea.gov.uk/complaints . The legislation requires the reporting of additional information which has been incorporated into this report.
- 1.2.1 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 remains broadly in line in with 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.

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 95% of cases where complaints proceeded to conclusion, 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 investigation at Stage 2.
- 4.9 **Summary of Stage 2 complaints**
- 4.15 **Case 1: Looked After Children (LAC) Team: 8 out of 18 investigated complaints upheld / upheld in part**
- 4.15.1 A number of complaints were received from a couple who felt they were not receiving sufficient support from Social Services, including poor communication from social workers and failures to respond to enquiries.
- 4.15.2 The investigation found that the support provided had not met the standard that would normally be expected and that communication should have been better. Apologies were provided for the shortcomings that were identified and

additional training provided to staff to ensure better support and communication would be provided in future.

4.16 Case 2: Swansea Valley Team: 0 out of 6 complaints upheld / upheld in part

4.16.1 The complainant was unhappy with the lack of communication from Social Services, including not being invited to meetings, failure to provide updates and not returning calls.

4.16.2 There was evidence to show that the complainant had been invited to some meetings but not others. A full explanation was provided as to why attendance at those meetings to which he was not invited would not be appropriate.

4.17 Case 3: Swansea Valley Team: 7 out of 10 complaints upheld / upheld in part

4.17.1 A complaint was received concerning poor communication from a social worker, including failure to attending meetings as arranged and making last minute changes to contact arrangements on a number of occasions. It was also alleged that insufficient research had been carried out when determining suitable temporary accommodation for a child following a safeguarding referral.

4.17.2 Officers have been reminded of the importance of keeping clients updated at the earliest opportunity when meeting arrangements need to be changed. The team has been asked to reflect on all areas where failings have been identified to ensure lessons are learned and operational procedures are improved.

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 2016/17, containing details of cases where the Ombudsman has identified failures in service delivery by public bodies across Wales. There have been no findings of maladministration by the Ombudsman in relation to Swansea Children's Services this year.

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. 19% of complaints were found to be justified/partly justified this year, which is slightly lower than the equivalent figure for 2015/16 (25%).

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 Adult Services have received in excess of 50 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 2016/17 for Childrens Services was £3,165

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	2014/15	2015/16	2016/17
Service Requests		14	18	16
Corporate		19	21	28
Social Services Stage 1		150	115	118
Social Services Stage 2		12	3	3
Ombudsman		6	5	4
Totals		204	162	169

Table 2 – Total Stage 1 complaints by Service Area	
CCARAT	8
Child Care Legal	1
Child Disability Team	3
Conference Chairing	2
Contracting	1
Domiciliary Care (DCAS)	1
Foster Swansea	1
Friends & Family	2
Independent Reviewing Officers	2
Looked After Children	4
Looked After Children (14+)	1
Penderry Team	13
Swansea East Team	21
Swansea Valley Team	23
Swansea West Team	19
Townhill Team	15
SS General	1
Totals	118

Table 3 – Total Stage 2 complaints by Service Area		
Service	Outcome	ID
Looked After Children (LAC) Team	8 / 18 complaints justified	Case 1 (see paragraph 4.15 above)
Swansea Valley Team	0 / 7 complaints justified	Case 2 (see paragraph 4.16 above)
Swansea Valley Team	7 / 10 complaints justified	Case 3 (see paragraph 4.17 above)

Table 4																		
Reason for Complaints and their outcome	No. of Complaints	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	Not taken up	Out of remit	Escalated to Stage 2
Breach of confidentiality	2	1								1								
Child protection concerns	2											1			1			
Disagree with rules set	1					1												
Dissatisfaction with contact	5		3			1								1				
Dissatisfaction with assessment	3				1									1		1		
Excessive waiting time	1	1																
Failure to action information	1		1															
Financial issues / Direct Payments	1	1																
Inadequate home support	1							1										
Lack of consultation																		
Lack of support	2				1													1
Poor Communication	11	3	1	2	3									2				
Request for information	1												1					
Request for placement move	1					1												
Staff Attitude / Misconduct	1						1											
Unhappy with action taken	64	2	21	8	9	5	2	2	1		2		2	6		2	1	1
Unhappy with assessment																		
Unhappy with decision	7		3		2			1					1					
Unhappy with level of service	13	3	5	1			1		1				1		1			
Unhappy with response	1								1									
TOTALS	118	11	34	11	16	8	4	4	3	1	2	1	5	10	2	3	1	2

Table 5 – Examples of Compliments Received

Teams	Nature of Compliment
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CCARAT	Social workers and Team Leaders praised by Home Office/Oasis UK regarding the management of an Asylum seeker to Swansea.
CCARAT Team (Safeguarding)	Could I compliment your service on such a swift response. Please send this to whichever department deals with compliments as I am very impressed by the service I have received.
Child & Family	Praise from Swansea Asylum Seeker and Refugee agency, the key Welsh Refugee Council Move On Officer in Swansea (who has worked with other local authorities) praised Social Services and Housing in CCS for their rapid response, support, help and approachable manner that she has experienced whilst working with the services.
Family Group Conference unit	The judge was very complimentary of officers work in respect of the analysis, and evidence given (which took 6 hours!) and about the focus on the child's needs.
Flexible Home Support	1. Thank you card from family 2. Thank you card from family thanking for all the fun times the child had spent with them and he enjoyed this very much 3. Thank you card from family for all the support that they had provided them with.
Friends and Family	Carer was very appreciative of, and wanted to pass on thanks to worker for providing the 'most professional...structured' contact recording that she has received to date. Carer felt reassured that child's emotional safety was being considered and protected and that she as legal guardian was given a detailed and full context recording of the session.
Independent Reviewing Officers	Feedback from a Childrens Psychiatric Nurse who attended a Looked After Child review. The CPN had been involved in this case for some time, said she was very impressed with how the IRO chaired the meeting, ensuring mother's involvement in the process and innovative ideas about contact arrangements. She said the focus was very much on ensuring needs were met, which I know are complex, Clearly she was exercising your role as IRO to a very high standard to really drive the care plan.
Option 2	Compliment from a foster carer to worker: "Just to say that I really enjoyed working with you and I would HIGHLY recommend you because you are really effective and willing to go above & beyond to stand out and go the extra mile. I'm sure many families in similar situations as ours would benefit in the future from your help.

RAY Project – InfoNation	Positive feedback from school regarding the successful delivery of the Ray project, the children engaged brilliantly and another session was requested.
Supervised contact Team	From a child. Thank you, you're simply amazing. Thank you for all your guidance and support over the last six months we are going to miss you.
Transportation Unit	Compliment from a school : "I am just letting you know what a wonderful day 'A' had in Harry Potter yesterday, only made possible by you and your staff . I just want to thank you from everybody, including A's Mum for pulling out all the stops to make this happen, and on his birthday as well. We weren't quite sure how Jack would be as it is a long day, but we needn't have worried as the drivers were brilliant and made it possible for the staff and pupils just to sit back and enjoy a day that we will all never forget "
Valley Team	Email from Head Teacher thanking for the excellent communication from Social Worker to school. it has made a very difficult set of circumstances go as smoothly as could be hoped.
Valley Team	Following the granting of a Supervision Order, A Social Worker's efforts were recognised and praised by all the parties in Court and the guardian commented in his report: <i>'Likewise, the social worker has been an important catalyst in the process and her caring, professional approach has made an important contribution to the outcome for M.'</i>
West Team	Thank you text from mum to social worker who had closed the case. Mum thanked social worker for helping the family a lot and wouldn't hesitate to contact her again should she have any further difficulties.
Western Bay Adoption	Compliments from Adopters:- <ul style="list-style-type: none"> • Thank you from the bottom of our hearts for helping us to become a family and also for all of your support and Guidance. • We would like to thank you so much for all your help our little boy has brought so much joy to our lives