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*Neuadd y Sir / County Hall, Llandrindod, Powys, LD1 5LG*

Os yn galw gofynnwch am - If calling please ask for  
Liz Patterson

*Ffôn / Tel:* elizabeth.patterson@powys.gov.uk

*Ffôn Symudol / Mobile:*

*Llythyru Electronig / E-mail: l*

## **HEALTH, CARE AND HOUSING SCRUTINY COMMITTEE** **Wednesday, 4th July, 2018**

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The use of Welsh by participants is welcomed. If you wish to use Welsh please inform us by noon, two working days before the meeting

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### **S U P P L E M E N T A R Y   P A C K**

<b>1.</b>	<b>COMPLAINTS REPORT - CHILDREN'S SERVICES</b>
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This item has been prepared at the request of the previous Children's Services Scrutiny Group which now falls under the remit of the Health, Care and Housing Scrutiny Committee.

(Pages 3 - 10)

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## CYNGOR SIR POWYS COUNTY COUNCIL

## SCRUTINY COMMITTEE – 4th July, 2018

**REPORT AUTHOR:** Anne-Marie Davies, Professional Lead – Business Support

**SUBJECT:** Children's Services Complaints, Compliments and Representations

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**REPORT FOR:** Information

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## **1 Executive Summary**

- 1.1. This report provides an overview of the Children's Services Complaints Procedure and the work of the Social Services Complaints Team. It includes a summary of the complaints and compliments received during the previous 12 months and informs of any emerging themes.

## **2 Background**

- 2.1 Local Authorities have a statutory requirement under the Social Services Complaints Procedure (Wales) Regulations 2014 and the Representations Procedure (Wales) Regulations 2014 and its associated 2014 guidance, to have in place a complaints and representations procedure for their Social Services functions in accordance with Welsh Government and legislative requirements.
- 2.2 The 2014 procedures act as both a safeguarding and quality assurance mechanism requiring authorities to learn from the complaints they receive. They also require local authorities to act as an independent and objective monitoring process from which themes can be identified and a picture produced of a service, locality, individual or authority as a whole that can assist operational management, informing them of necessary interventions, strategic planning and required improvements.
- 2.3 Powys County Council Social Services Complaints Procedures seek 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.
- 2.4 The Complaints Team 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.
- 2.5 The aim is to resolve complaints at the earliest opportunity and teams are encouraged to be proactive in achieving this goal.

- 2.6 Where someone has been deemed 'not eligible' to utilise the Social Services Complaints Procedure, in accordance with guidance/legislation, the Complaints Team will endeavour to provide assistance informally in order to provide best service to the complainant. The Complaints Team keep account of all enquiries that are dealt with on an informal basis and it is noted that these contacts can be significant in number.
- 2.7 Having recently appointed a second Complaints Officer within the Team, a pilot is being undertaken whereby Complaints Officers are going into the community, to give residents the opportunity to make any representations that they may have. It is hoped that by doing this, the Complaints Team can become more accessible and helpful to service users and residents and that Complaints Officers may be able to stave off complaints before they are formally activated.
- 2.8 Where a complaint relates to a Looked After Child, a child in need or a care leaver, the Local Authority has a duty to provide information about advocacy services and to offer help, where relevant, in obtaining an advocate to support them through the complaints process and this is actively pursued.
- 2.9 Where a complaint relates to a vulnerable adult the Regulations place a duty on the Local Authority to inform the complainant about the availability of advocacy services which may be of assistance. Again, the Complaints Officers will assist, wherever possible, to ensure that appropriate support is available and an advocate can be sourced, if required.
- 2.10 Effective engagement with advocacy services empowers more individuals and groups to make use of the complaints process at the earliest opportunity.

### **3 Complaints Process**

- 3.1 The Social Services Complaints Procedure (Wales) Regulations 2014 is a two stage process.
- 3.2 The procedure focuses on an initial Local Resolution stage where all those who raise a new complaint are offered a discussion to resolve the matter. The complaint investigation will be passed to a senior member of staff from the team that the complaint relates to. The Complaints Officers support teams as and when assistance is required in composing response letters.
- 3.3 The complaint must be investigated and responded to within 15 days of acknowledgement of the original complaint. The vast majority of complaints are resolved at this stage.
- 3.4 If Local Resolution is unsuccessful, the complainant may request for their complaint to be further formally investigated by an Independent Investigator (Stage Two Complaint).
- 3.5 The Complaints Officer will appoint the Independent Investigator and will organise for contact to be made between the Investigator and the

complainant. Terms of reference for the complaint will be agreed between the Investigator and the complainant. The formal investigation stage must be completed, and a full written response issued to the complainant within 25 working days of the start date.

- 3.6 In any instance where there may be a delay in a response, the complainant must be notified and an extension agreed. Any delay and subsequent extensions that occur to Stage Two complaints must be agreed by the Director of Social Services.
- 3.7 If the complaint or representation is not resolved at the formal investigation stage the complainant must be reminded that they have the right to complain to the Public Services Ombudsman for Wales. The Ombudsman's office aim to complete all investigations within 12 months.

#### **4 Complaints Statistics**

- 4.1 Monthly performance information is collated on Social Services complaints and forwarded to the Head of Children's Services. Complaints is a standing agenda item on both Children's Services SMT and OMT meetings and the Professional Lead, Business Support / Complaints Officer attend these meetings to contribute to discussions.
- 4.2 Table 1, illustrates the number of Children's Services complaints received during the period 1<sup>st</sup> June, 2016 - 31<sup>st</sup> May, 2017 and 1<sup>st</sup> June, 2017 – 31<sup>st</sup> May, 2018.

**Table 1**

<b>Complaints received relating to Children's Services</b>		
	<b>June 16 – May 17</b>	<b>June 17 – May 18</b>
<b>Stage 1</b>	<b>34</b>	<b>112</b>
<b>Stage 2</b>	<b>1</b>	<b>6</b>
<b>Ombudsman</b>	<b>0</b>	<b>1</b>
<b>Total</b>	<b>35</b>	<b>119</b>

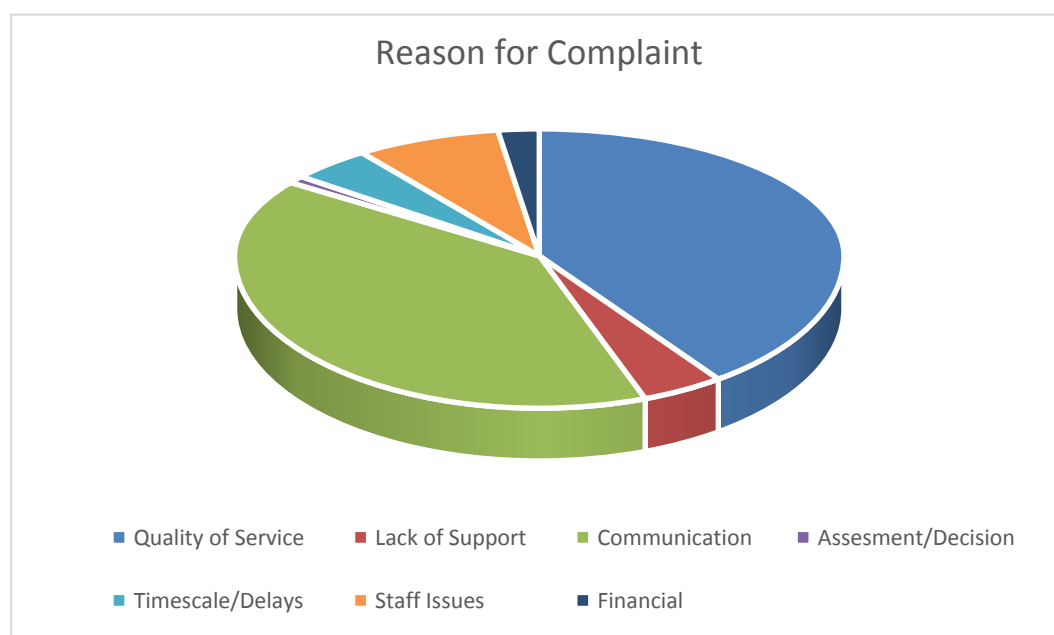
- 4.3 Table 2 gives a breakdown of Stage 1 complaints that are registered against each Children's Services team.

**Table 2**

Complaints received by Team							
	Brecon/ Ystrad Children's	Radnor Children's	Newtown Children's	Welshpool Children's	Children with Disabilities	Fostering / Adoption	Youth Justice
June 16 – May 17	12	7	1	4	7	3	0
June 17 – May 18	22	23	19	25	12	10	1

- 4.4 Analysis of the reasons for complaints is shown in Graph 1. Whilst service users have unique and complex individual circumstances for registering their complaint; these have been grouped into 'best fit' generic headings for reporting purposes.

**Graph 1**



- 4.5 Wherever possible, lessons are learned and improvements are made to service delivery when a complaint is upheld.
- 4.6 Communication is a theme that can be identified in complaints submitted across all teams. Service users have felt the need to escalate their concerns to the Complaints Team as a result of significant delays in communication from teams, no response from teams or inadequate response from teams.

Services failing to act upon agreed actions resulting in delays in service is also a theme.

- 4.7 The Complaints Officers are arranging to attend all team meetings across Children's Services over the next 6 months to highlight the trends in complaints and to discuss, advise and assist teams to reduce the number of complaints received.
- 4.8 It is positive to note that the majority of feedback received by the Complaints Team praises the work carried out by social services staff. It is regretful therefore, that teams are not always able to keep service users updated of progress.

## **5 Examples of Complaints**

### **5.1 Complaint 1 – Submitted by Advocate on behalf of a Looked After Child**

- 5.1.1 The young person has been in foster care for a number of years. It was felt necessary to make a complaint regarding the lack of communication from social workers, the constant promise of action and a failure by the team for not endeavouring to make contact with the birth father, when initially being faced with being a looked after child.
- 5.1.2 The investigation had found that the communication had not met the standard that would have been expected. Social Workers should have fully explained the reasons behind the lack of action in some areas and the reason behind not pursuing contact with the birth father. Apologies were provided for the shortcomings that were identified.

### **5.2 Complaint 2 – Submitted by adult male regarding social services involvement with his unborn child**

- 5.2.1 The complaint was submitted as a result of no response or communication received from the Social Worker regarding concerns that the individual had about the potential of having limited or no contact with his unborn child.
- 5.2.2 The Team Manager made contact with the complainant and apologised for the perceived lack of contact. However, it was identified that the Social Worker had attempted to make contact but had failed to do so due to the specific and limited availability that the complainant had to receive calls. The complainants concerns were alleviated as a result of the contact with the Team Manager and the complaint was closed.

### **5.3 Complaint 3 – Submitted by adult in relation to her children who are looked after**

- 5.3.1 The complainant expressed concern about the way Social Services were managing the situation with her children who are looked after. The complainant expressed that the process being followed was unfair to her, communication was poor and she was not being listened to.

- 5.3.2 A detailed response was provided by the Team Manager, endeavouring to answer the various points raised. Reasons were provided as to why certain actions had been taken by the Council and why such actions were necessary. Guidance was provided to the complainant on how to rectify certain issues that were raised. The Team Manager advised that conversations had been held with the Social Workers involved in order to ensure that a good working relationship is maintained with the complainant and that support is provided as necessary.

## **6 Compliments Statistics**

- 6.1 There is a stark contrast in the number of compliments received by Children's Services. However, this is to be expected and is certainly the norm and comparable across Adult Services, Powys County Council in general and throughout Welsh Local Government.
- 6.2 The breakdown of compliments received by Children's Services have been identified in Table 3 below. Although the compliments received are not vast in quantity, it was pleasing to note that there has been a 100% increase in compliments received within the comparable time periods.

**Table 3**

<b>Compliments received relating to Children's Services</b>		
	<b>June 16 – May 17</b>	<b>June 17 – May 18</b>
<b>Compliments</b>	<b>6</b>	<b>12</b>

- 6.3 Table 4 provides an example of the compliments that have been passed to the Complaints Team from 1<sup>st</sup> June 2017- 31<sup>st</sup> May 2018 in relation to Children's Services. The individual staff members have been made aware of the compliments concerning them, as has the Head of Service.
- 6.4 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.
- 6.5 Of significant note is a compliment received from a Judge who oversaw recent court proceedings on behalf of a Looked After Child. The Judge, as well as the Barrister, praised the Social Worker involved for her outstanding work considering the extremely complex dynamics of the case. The Judge stated that the Social Worker had performed what appeared to be a minor miracle to get the case on track and to work towards the best outcome possible for the child, namely being able to live with family.



**Table 4**

<b>Compliments received relating to Children's Services</b>	
<b>June 17 – May 18</b>	
<b>Team</b>	
Welshpool Children's Team	I would like to express my deep and sincere gratitude to [two Social Workers] who were so instrumental in ensuring the very best outcome for my daughter. Through their intervention my daughter's needs were recognised and structures were put in place to address them. i.e. regular attendance at school etc. On a personal note I would like to thank them for the time spent and sound advice they gave the professionals. Please convey my best wishes to them both.
Fostering Team	We are writing as foster carers who received an excellent service for our foster son who required a specialist piece of work doing with him about permanency and about his forever home with us. We requested a Social Worker who previously had an excellent rapport with him, from a different team to be released to do the work. It was agreed and this work was completed successfully. The work was focused, well planned and had clear outcomes which were met in just a few sessions. She was brilliant with him, making the work fun and child focused. They worked on a story book together. Her creativity and ability to tune into him was clear to see. Thanks so much!
Youth Intervention	We can't thank [worker] enough, for the time that she has spent with our son, when things were going badly for him, knowing that he would be meeting with her had such an impact, it was knowing that he could offload his worries and problems with someone that he could trust, which sadly has not been the case in the past!
Brecon Children's Team	The children were deregistered today. I spoke to their father on the telephone at 14.40 today and he was full of praise about [Social Worker's] involvement with him and his family. Just thought you would like to know this. Thanks.

6.6 Compliments received are an equal reflection of individual and team efforts and Children's Services teams should be encouraged by their successes.

6.7 It is worth noting that compliments between departments or colleagues are not eligible for formal recording, however, if received, are noted separately.

## **7 Conclusion**

7.1 There has been a significant increase in the number of Children's Services Stage 1 and 2 complaints received during the previous 12 months.

7.2 There has also been an increase in the number of Children's Services compliments received during the same period.

7.3 It is considered that this increase is likely to be linked to the publicity surrounding Powys Children's Services following the Care Inspectorate Wales Inspection in June, 2017.

- 7.4 Regular performance information is produced for Children's Services Managers to consider and respond to any themes, lessons learnt and quality assurance.

## 8 Recommendation

<b>Recommendation:</b>	<b>Reasons for Recommendation:</b>
<b>It is recommended that Scrutiny Members note the contents of this report.</b>	<b>To inform Scrutiny Members of the Social Services Complaints Procedure and Children's Services complaints and compliment activity and themes.</b>

Contact Officer Name:	Tel:	Email:
Anne-Marie Davies	01597 826022	anne.marie.davies@powys.gov.uk