



monmouthshire  
sir fynwy

**SOCIAL CARE AND HEALTH  
CUSTOMER RELATIONS  
ANNUAL REPORT  
FOR CHILDREN'S SOCIAL SERVICES  
APRIL 2015 – MARCH 2016**

**August 2016**

# 1 Introduction

- 1.1 Representation and complaints procedures in Social Services departments are a statutory requirement. New complaints regulations came into force on 1 August 2014 – The Representations Procedure (Wales) Regulations 2014 and the Social Services Complaints Procedures (Wales) Regulations 2014.
- 1.2 All local authority social services are required to produce an annual report on its performance in the handling and investigation of complaints and representations.

This report looks at complaints, compliments and comments about our Children's social services.

# 2 Listening to our Service Users

- 2.1 Everyone who makes a complaint about social services has a right to be listened to properly and have their concerns resolved quickly and effectively.
- 2.2 Despite our best intentions, things can go wrong. We recognise this and the representation and complaints procedure provides the opportunity for people to voice their concerns when they are dissatisfied so that the issue can be sorted to their satisfaction wherever possible; make compliments and suggest improvements.

# 3 Social Services Complaints Procedure

- 3.1 The complaints procedure has two stages:

**Stage 1 Local Resolution** – The emphasis at this stage is to resolve the complaint locally wherever possible by means of discussion and problem solving.

This approach should allow for the quick and successful resolution of most complaints, to the satisfaction of the complainant. The emphasis is on achieving service user satisfaction rather than avoiding a formal investigation.

**Stage 2 Formal Investigation** - Where initial discussions have not achieved a resolution, complainants have the right to make a formal complaint. Investigations are undertaken and are subject to statutory time limits for completion of the investigation (25 working days). The complainant receives a full response detailing findings, conclusions and recommendations.

## If the complaint or representation is not resolved

If the complaint or representation is not resolved at the formal investigation stage, the complainant has the right to complain to the Public Services Ombudsman for Wales.

### **3.2 The Public Services Ombudsman for Wales**

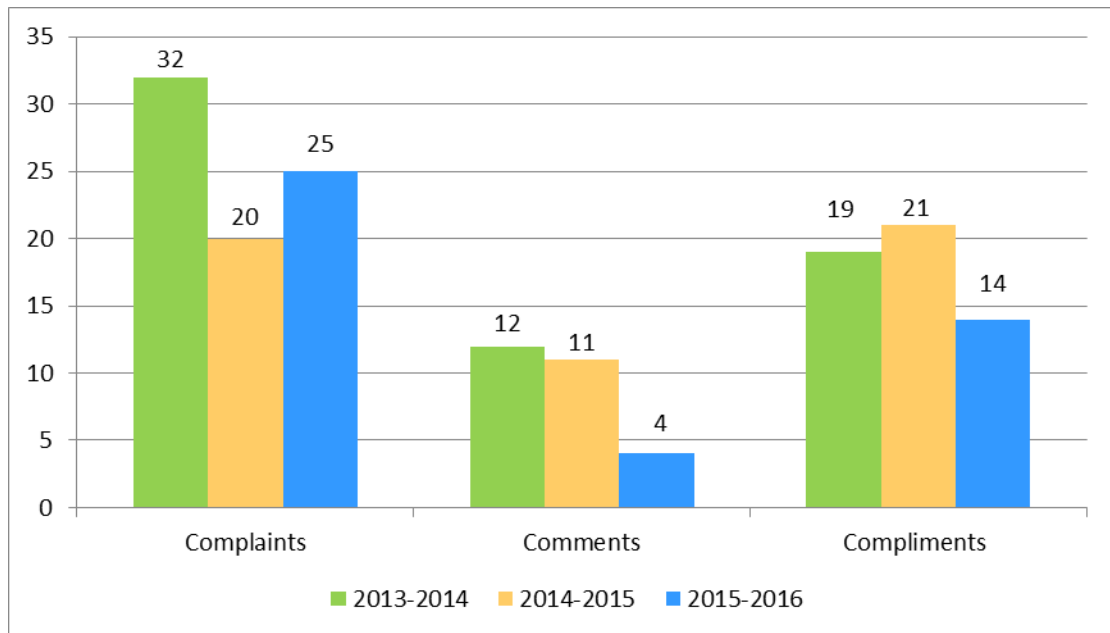
The Ombudsman provides an external independent service to consider complaints about all local authority services including social services. The Ombudsman is concerned with maladministration causing injustice and will normally require complainants to have used their local council's procedures before accepting a complaint for investigation.

## **4 Making a complaint**

- 4.1 We have a leaflet for children and young people called "Listen to me" which explains the procedure.
- 4.2 General advice about the procedure can be found in our complaints leaflet "How to be heard". Alternatively, people can contact the Customer Relations team for help and advice about how to make a complaint.
- 4.3 Translations of the representation and complaints procedure can be provided on request and we can also arrange interpretation services where required.
- 4.4 All children and young people are entitled to and offered an advocate.
- 4.5 Our aim is to secure a better service for people and we are:
  - Accessible and supportive to those with particular needs
  - Prompt and responsive with resolution at the earliest possible time
  - Operate without prejudice or discrimination

## **5 How many complaints / comments / compliments were made**

Period 1 April 2015 – 31 March 2016



## 5.1 Comments

**4** comments were received about Children’s Services.

### **Comments made:**

- Young person leaving a Crisis care centre wanted to return home rather than go to a foster placement
- Alleged lack of information about case going to Court
- No return calls to a number of messages left.
- Time taken to share reports with family.

## 5.2 Compliments

**14** compliments were received that related to Children’s Services.

Compliments about staff in Children’s services were received with individual staff named for their support, help and professionalism. All staff were informed of the compliments received about them.

### **Some examples of compliments received:**

- *A mum via her Counsel commented to the judge that she and her family had found the social worker “very helpful to the family and highly positive”.*
- *Social worker’s core assessment was described in Court as “as an exceptional piece of work”. His verbal evidence was also described as very clear and analytical of the pertinent issues. He did very well in his oral presentation of the LA case, particularly as it was this was the first time he has given evidence in a case.*

- *A service user said that she forgot to say at Panel meeting that she had a great working relationship with social worker and stated that she felt lucky to have such an understanding link worker.*
- *A thank you card was sent to social worker. This was a particularly difficult time for the family and emotions ran high. The social worker handled it very well and helped the family manage the situation.*
- *Email received thanking staff who they felt went above and beyond on numerous occasions to help “N” and his family. “I can honestly say that our family wouldn't be as strong as it is now and we would be in a very different situation than we currently are if we didn't have the support of both of these professionals.”*
- *“The time that we have both spent with you has been of immense value to us; you encouraged us to consider our approach, motive, attitudes and each other so that we may work in supported harmony to provide “A” with the love and care he needs. We most certainly have a better understanding of the task ahead.”*
- *“Thanks for all your support and the kindness you have shown “R”, it is lovely to see her going off and having fun now all due to you.”*
- *“I really enjoyed seeing them and I left feeling happy and positive. I'd like to thank you for all your support throughout everything. Also “X” and her husband for giving both boys the love and care they desired. You're all amazing people! Thanks again.”*
- *In the Judge's summing up he stated that the foster carers should be commended for a 'splendid job' and for their facilitation of the plan for the children.*
- *Support worker was described as 'her rock' throughout the transition arrangements for “M” and commented on her skill in planning the transition arrangements and in particular ensuring dates were all agreed and finalised at the planning meetings. Because the transition was so well planned, “D” described feeling happier about the placement ending, knowing that all had been done to ensure the best possible placement for “M”.*

### 5.3 Complaints

**25** complaints were received about Children's Services.

9 of these were dealt with at the formal investigation stage.

- 6 out of the 9 complaints escalated from stage 1 to stage 2
- 3 complaints proceeded straight to stage 2

An additional 3 formal complaints were received in the period 2014-15 but the investigations did not start until 2015-16. Therefore these 3 complaints are mentioned below as they were investigated in this reporting period.

Just over half of the complaints received were resolved locally or no further contact made.

## 5.4 Benchmarking with other Comparable Local Authorities

The number of complaints we receive are low in comparison with our neighbouring authorities. Generally we receive and deal with at least half the amount that other comparable authorities receive.

## 5.5 Themes of complaints received

- ❖ General lack of communication / methods of communication
- ❖ Disagreement with a decision
- ❖ Disagreement with the action to be taken [the way in which a service will act to address a particular issue]
- ❖ Standard of Service
- ❖ Failure / Delay in providing service
- ❖ Employee Conduct
- ❖ Non Compliance with Policy/Procedure
- ❖ Failure to Attend

## 6 Stage 1 Complaints

22 complaints were dealt with at Stage 1 the local resolution stage. Of these 16 were resolved or no further contact made.

### 6.1 The most common aspects of services complained about were:

- Not answering and returning telephone calls
- Lack of communication with families
- Conduct of workers

Some examples of complaints:

- Way in which family were treated
- Department acted over cautiously, adopting heavy handed procedure
- Alleged remarks made by social worker
- Issues relating to children being removed from parent's care
- Incorrect information being given
- Parents feel they were being misled and bullied into course of action
- Issues with care plan
- Lack of communication and information

- Issues about the way family have been treated as kinship carers

## **7 Stage 2 Complaints**

7.1 Information provided below on the nature of the complaints investigated at the formal stage of the complaints procedure.

7.1.1 The first complaint concerned:

Complainant did not consider that he had a fair hearing and was worried that meetings had been organised without him and his daughter receiving adequate notice. It was rushed and there was a general lack of communication between Children's Services and the Family.

The complainant considered that the Child and Family Parenting Assessment undertaken by the social worker was not factually correct.

One element of the complaint was partially upheld, two elements were upheld and two were not upheld.

7.1.2 The second complaint concerned:

Complainant considered there was poor communication between him and the department particularly in relation to the process that was taking place and timescales; appointments cancelled at the last minute. That there were delays to the completion of the Core Assessment and outcomes for the family.

5 elements of the complaint were partially upheld, two were upheld and one not upheld.

7.1.3 The third complaint concerned:

Complainant requested a visit from a social worker four times before a visit took place. The social worker who visited ignored her requests for help and support. Children's Services failed to inform her of her options; allegations of incompetence of Children's Services.

Two elements of the complaint were upheld and three elements were not upheld.

7.1.4 The fourth complaint concerned:

That social worker allegedly stated that complainants were "too old", "other forms of care would be more reliable" and that "they are retiring".

The complainant's believed that the decision not to consider using their services is an indication of a wider antipathy against them. The complainants believed that further evidence of this antipathy is that they were asked to attend Foster Panel as part of their annual review in 2015. This was the first request for their attendance during their tenure as Foster Carers. That the information provided in advance of the Foster Panel contained incorrect details.

Two elements of the complaint were upheld and 4 elements of the complaint were not upheld.

#### 7.1.5 The fifth complaint concerned:

The process that led to the decision making to convene a child protection process and how this was formally conveyed to the complainants by Children's Services.

The category of registration chosen by multi agency conference members at the Initial Child Protection Conference and how this was determined. The lack of receipt of timely reports and minutes leading up to and following child protection conferences.

Four elements of the complaint were partially upheld and one was upheld.

#### 7.1.6 The sixth complaint concerned:

The child protection process was not properly explained to the complainant. She was not made aware or provided with documentation of Children's Services involvement. The quality of reports provided by Children's Services has been poor and contained inaccuracies. The complainant has not been consulted properly and her views have not been recorded on Children's Services documentation. The social worker has not kept the complainant informed and has not returned telephone calls from her.

11 elements of the complaint were not upheld, two were partially upheld, three were upheld and three elements were deemed inconclusive.

#### 7.1.7 The seventh complaint concerned:

The complainant has not received numerous written communications from the social worker, despite her noting in her recordings that letters have been sent. His phone calls to the social work team are being ended by whomever answers the call. At Court, it was agreed by all parties that a meeting would be held between the complainant and the new social worker who was to be allocated to his child. This meeting did not happen.



19 elements of the complaint were not upheld, two were partially upheld and 4 complaints were upheld.

7.1.8 The eighth complaint concerned:

Issues about what the complainant's social worker allegedly said about her son being in care. Concern that the complainant's son is not at school and has not been since he has been placed in Local Authority Foster Care. Concern about decision to exclude Grandmother from contact with her grandson.

Six elements of the complaint were not upheld, two were partially upheld and three were upheld.

7.1.9 The ninth complaint concerned:

That Children's services have failed to initiate arrangements for young person to maintain contact with her extended family. Children's services did not explain their decision nor initiate and promote the arrangement of supervised contact.

Five complaints were upheld, three were partially upheld, one was not upheld and no findings were made on two elements of the complaint.

7.1.10 The tenth complaint concerned:

The complainant initially made a complaint about the care plan not being followed and allegedly being misled by Children's services. However, the complainant did not turn up for meetings with the investigating officer or provide any evidence relating to her complaint. Therefore, the complaint was closed.

7.1.11 The eleventh complaint concerned:

The complainant felt that the member of staff who took her call failed to reassure her that she was being listened to and that her concerns were important. Further, that she was given the impression that, because allocated staff were not available, there was no more that could be done. Also, the alleged inappropriate manner in which information was hurriedly relayed on the doorstep of the centre in a public place.

One element of the complaint was upheld, one partially upheld and two elements not upheld.

7.1.12 The twelfth complaint concerned:

The complainant does not believe that Children's Services have paid any attention to the concerns raised about his ex-wife and have solely focused on the issues in relation to him.

Two complaints were partially upheld, ten were not upheld and two were found inconclusive.

## **8 Ombudsman Complaints**

We received one request for information from the Ombudsman during this period and this is ongoing. No response has been received from the Ombudsman to date.

## **9 Complaints made by children and young people**

Most complaints concerning Children's Services are from parents/carers. We did not receive any complaints directly from young people.

We encourage children and young people to contact us if they have any issues they wish us to help sort out. Each year we send a letter to young people reminding them of how they can contact us and raise any issues. A Careleavers' group is being formed which is another avenue for young people to bring their concerns to our attention.

## **10 Analysis of Complaints**

The number of complaints received has increased this year. The main theme running through stage 1 complaints continue to be lack of communication and information.

Stage 2 complaints have risen significantly. 3 stage 2 complaints were carried over from the period 2014-15.

<b>Year</b>	<b>Number of complaints</b>	<b>Number of Stage 2's</b>	<b>Number of Stage 3's</b>
<b>2015-2016</b>	<b>25</b>	<b>12</b>	-
2014-2015	20	4	-
2013-2014	32	3	1
2012-2013	17	2	Nil
2011-2012	28	1	Nil
2010-2011	28	2	Nil

### **10.2 Response Timescales**

There are statutory requirements established in respect of the timescales for responding to complaints. A full response should be provided within 17 working days for stage 1 complaints and for stage 2 complaints, a full response is required within 25 working days. Where we need to exceed these limits, we will get the service user/carer's agreement.

This table shows the length of time it has taken to respond to complaints:

<b>Social Services Timescales</b>	<b>2014-31/07/2015*</b>			
	<b>Stage 1</b>	<b>Stage 2</b>		
Up to 10 working days	5			
11 – 25 working days				
25+ working days	1	1		
<b>Total</b>	<b>6</b>	<b>1</b>		
	<b>01/08/2014-31/03/2015*</b>		<b>2015-2016</b>	
	<b>Stage 1</b>	<b>Stage 2</b>	<b>Stage 1</b>	<b>Stage 2</b>
Up to 17 working days	8		11	1
18 - 25 working days	3		6	
26+ working days	1	3	5	11
<b>Total</b>	<b>12</b>	<b>3</b>	<b>22</b>	<b>12</b>

\*please note new statutory process and timescales started 1st August 2014

Complaints, in the main, have been dealt with, in the timescales. Where stage 2 complaints have exceeded the timescales, this is partly due to staffing issues and also to the complexity of the matter under investigation and the need to consult with others (who may not be available) before concluding matters. Complainants were kept informed of any delays.

## **11 Learning from and responding to complaints and comments made**

Information collected during the handling of individual complaints provides feedback on performance management and operational matters. This information helps us to recognise where we need to focus our attention.

People do not always want to complain through a formal channel, however they may want to comment about aspects of the service they receive. We ensure that comments are noted and responded to.

The following are some examples of recommendations made as a result of formal complaints investigations. These recommendations have been taken forward and appropriate action taken.

- Multi agency strategy discussion / meetings to be properly recorded when Child In Need cases progress to Child Protection.
- Mandatory staff training is undertaken with all Children's Services staff on referral and assessments; undertaking child protection enquiries; preparing families for an Initial Child Protection Conference.
- That all Children's Services teams have a working link with South East Wales Adoption Service and a named officer for advice, support and partnership working. This should include SEWAS being represented at quarterly team meetings.

- That an apology be given for :
  - the delay in providing support to parents on receipt of the original referral
  - the lack of detailed decision making being conveyed to the family
  - the lack of timely reports and minutes being given to the family
- That the Placement and Support Team review the current invitation letter sent to Foster Carers inviting them to attend Foster Panel. The review should ensure that the language is more inclusive, and that carers have a clearer understanding of why their attendance is required.
- The information about Foster Panel that is sent to foster carers needs to be updated to reflect a true picture of current Panel membership.
- That the Fostering Handbook in relation to Health and Safety requirements for play equipment is updated to include information to foster carers on trampoline safety.
- Transfer summaries should be typed, and where possible a handover discussion should take place between outgoing and incoming fostering social worker.
- That we continue to hold regular reviews of communication with the complainant.
- That we review how decisions made at Court between the Parties to Proceedings, for example about planned meetings, are communicated to Social Workers not in attendance.
- That we ensure that staff are aware of their duty to circulate the decisions of LAC reviews to people with parental responsibility in a timely manner.
- Service users should be advised as soon as possible if any appointments are due to be cancelled. Where contact between family members are cancelled, alternative provision needs to be arranged.

The most commonly mentioned reasons for making a complaint are that:

- A genuine grievance is recognised and acknowledged
- An apology is provided
- Practical action to remedy an injustice is undertaken
- Where it has been identified as having failed, departmental policy, procedure and practice is reviewed
- Action is pursued against staff and managers

## 12 Commentary

- 12.1 Work is ongoing with Children's services teams to focus more on tackling issues quickly and effectively at the local resolution stage, in order to prevent, where possible, complaints escalating to the formal stage of the process.
- 12.2 Issues with communication is still causing problems and resulting in people complaining. We are addressing this with staff, emphasising the importance of maintaining communication channels.
- 12.3 Action plans are prepared after every formal investigation to ensure that recommendations arising from them are acted upon and lessons learned where appropriate.
- 12.4 I work closely with managers, the head of Children's social services and the Chief Officer for Social Care and Health to ensure that complaints are addressed in the most appropriate manner. Every effort is made to resolve complainants' dissatisfaction about our services and address any identified shortcomings.

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