

<b>MEETING</b>	<b>Cabinet</b>
<b>DATE OF MEETING</b>	<b>18<sup>th</sup> of July 2017</b>
<b>TITLE OF ITEM</b>	<b>Annual Report on the handling of complaints by the Children and Family Support Department for 2016-2017</b>
<b>PURPOSE</b>	<b>To present an overview of the complaints received during 2016-2017</b>
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## **1. Introduction**

- 1.1 In accordance with the Social Services Complaints Procedure (Wales) Regulations 2014 and the Representation Procedure (Wales) Regulations 2014 which came to force on the 1 August, 2014 it is a requirement on the Director of Social Services to produce an annual report on the performance of the handling and investigation of complaints within the service. The report is produced by the Customer Care Officer on behalf of the Director of Social Services.
- 1.2 The purpose of this report is to provide information on the numbers and reasons for the complaints received during the year and to include their resolution by the Children and Family Support Department. Also it includes a summary of the lessons learned and actions taken in relation to the complaints it received.

## **2. Context**

- 2.1 During April 2017, restructuring within the Adult, Health and Wellbeing Department resulted in the Customer Care and Information Unit being disbanded. The Customer Care Officer for the Adult, Health and Wellbeing Department moved to be managed by the Senior Manager Safeguarding, Quality and Mental Health. The Customer Care Officer for the Children and Family Support Department moved to be managed by the Senior Safeguarding and Quality Manager.

Throughout the year all complaints are managed by the Customer Care Officer. Even though they are based within the Service, it is important to state that they will be seen as independent to ensure that the complaints are dealt with in accordance with the Social Services Complaints Procedure.

## **3. Access to the Complaints Procedure**

- 3.1 When a person contacts the Customer Care Officer they invariably have an issue concerning the Departments' service and usually the making of a complaint is their last resort. Therefore the Officer's focus is on ensuring easy

access to the Complaints Procedure so that they are aware of their right to be heard. To this end information regarding the complaint process is well publicised and accessible in a variety of formats e.g. leaflets, online and Easy Read. All information is available in Welsh and English so that the complainant can choose their preferred language. Other arrangements such as braille or other languages can be provided. Advocacy or other support is available to the complainant in their preferred language to assist during the progress through the Complaints Procedure. Information leaflets are continually being revised and updated.

<b>Language of choice by Complainant to make an enquiry/complaint during 2016-2017</b>			
	<b>Welsh</b>	<b>English</b>	<b>Total Complaint</b>
Enquiries and Informal Complaint	1	31	32
Stage 1		12	12
Stage 2			
Ombudsman		1	1
Corporate Complaint		4	4

#### **4. Matters recorded as Enquiries**

- 4.1 The aim is to respond to each complaint with fairness, impartiality and respect so that the individual has confidence that their complaint will be dealt with professionally and in a positive manner. Matters are often dealt with as enquiries or informal complaints when the individual chooses not to follow a Complaints Procedure. An example of this would be a letter from a Member of Parliament or local Councillor who wishes to express dissatisfaction or needs a specific answer to a question.
- 4.2 By responding positively at this early stage of a complaint/enquiry some issues can be resolved effectively without implementing the Complaints Procedure. This is clearly the best outcome for all involved

<b>TABLE 1. Enquiries and Informal Complaints</b>	
	<i>Children and Family Support</i>
<i>Solicitors</i>	2
<i>Ombudsman</i>	1
<i>Local members</i>	8
<i>Members of Parliament or Assembly Members</i>	3
<i>Service Users</i>	0
<i>Relative</i>	15
<i>The Public</i>	2
<i>Foster Carer</i>	0
<i>Other Agent e.g. advocacy service</i>	1
<i>Disabled Parking Spaces Applicants</i>	0
<i>Other counties</i>	0
<i>Social Worker</i>	0
<i>Older People's Commissioner</i>	0
<i>Welsh Language Commissioner</i>	0

<i>Information Commissioner</i>	0
<i>Provider Agencies</i>	0
<b>Total</b>	<b>32</b>

## **5. Stage 1 – Social Services Statutory Complaints Procedure – Local Resolution**

- 5.1 Every effort is made to resolve the complaint to the satisfaction of the complainant and the Service. Obviously a resolution is the best outcome for all involved and this can be achieved by investing time and effort at an early stage. However if the complainant makes the decision to make a formal complaint then the usual approach is to arrange a telephone or face-to-face contact with the complainant or with a representative of the complainant in an attempt to resolve the matter. Over the years, the Customer Care Officer have successfully managed to establish close working links with the teams, managers and the legal section as a means of discussing and resolving issues. This is reflected in the low number of complaints reaching Stage 2 of the Complaints Procedure.

It is fair to say that there has been a clear trend over the past 3 years, that the Children and Family Support Department have not had a complaint escalate to Stage 2. This is down to the professionalism the Team Managers and Senior Managers show when dealing with complainants; they understand the importance of a local resolution and by discussing directly with the complainant they are able to address matters as soon as possible. This will ensure that the Social Worker is able to continue working alongside the family in the best interest of the child/young person.

## **6. Stage 2 – Social Services Statutory Complaints Procedure – Formal Investigation**

- 6.1 By successfully following the ethos of focusing on early and local resolution and on tackling issues quickly and effectively it has reduced the need to reach Stage 2 – formal investigation of the Complaints Procedure in order to resolve issues. In comparison with other Local Authorities in North Wales, it is understood that Gwynedd have been successful in managing complaints at Stage 1 whereas other Local Authorities have a higher proportion of complaints progress to Stage 2.
- 6.2 Should a complainant wish to escalate a complaint to Stage 2, they are asked to provide a full account of their complaint along with their desired outcomes; this will form the basis for what is known as a Stage 2 investigation. This investigation is conducted by two independent individuals, they are known as Independent Investigating Officer and an Independent Person. Their role is to meet with the complainant, interview relevant staff members and view social care files. They will then produce a report of their findings along with recommendations for the Department. It is up to the Department then to respond directly to the complainant regarding the content of the report.

## **7. Complaint referred to the Public Services Ombudsman**

- 7.1 If a complaint is not resolved at Stage 2 then the complainant has the right to complain to the Public Services Ombudsman for Wales or the Welsh Language Commissioner or the Equality and Human Rights Commission depending on the nature of the complaint.
- 7.2 There was 1 Ombudsman enquiry during 2016-17. A complainant had contacted the Ombudsman as they were unhappy with the Department's response and refusal to escalate their complaint to the Stage 2 of the Social Services Complaints procedure. The Department provided the Ombudsman with a full explanation of the circumstances along with relevant documentation. The Ombudsman consequently decided not to investigate the complaint which they noted in their letter dated the 28<sup>th</sup> of October 2016 and 31<sup>st</sup> of January 2017. The matter was therefore closed by the Department.

It is noted that whilst this case was closed in 2016/17 the matter has been subsequently reopened by the Ombudsman and will feature in our 2017/18 annual report.

<b>TABLE 2. Social Services Statutory Complaints Procedure 2016-2017</b>	
<i>Children and Family Support</i>	
<i>Stage 1</i>	12
<i>Stage 2</i>	0
<i>Ombudsman</i>	1
<b>Total</b>	<b>13</b>

## **8. Adherence to the Statutory Complaints Procedure Response Time-scale**

- 8.1 The Local Authority is obliged to provide information on its performance in the handling and investigation of complaints within the timetable stated in the Regulations and Guidance.

<b>TABLE 3 Social Services Statutory Complaints Procedure Response Performance 2016-2017</b>						
<b>Stage 1</b>						
<i>Complaints received within 12 months of the incident</i>	<i>Complaints received 12 months after the incident</i>	<i>Acknowledged within 2 days</i>	<i>Discussion to reach resolution within 10 days</i>	<i>Informed of Resolution within 5 days</i>	<i>Respond time is extended</i>	<i>Average days extended</i>
12	0	12	11	11	1	10
<b>Stage 2</b>						
<i>No. acknowledged in 5 days</i>	<i>No. Response received in 25 working days</i>		<i>No. delayed in exceptional circumstances</i>		<i>No. Completed within 6 months</i>	
0	0		0		0	

## 9. Gwynedd Council Complaints Procedure

- 9.1 Complaints regarding matters that are outside the remit of the Social Services Complaints Procedure are dealt with under the Gwynedd Corporate Complaints Policy. These complaints will involve other duties of the Departments e.g. Housing. Examples of general complaints are: - a neighbour complaining about the way a care provider parked their car; a private home owner asking for advice on central heating and boiler repairs.
- 9.2 During 2016/17 it has been agreed that all future complaints received by the Adult, Health and Wellbeing Customer Care Officer and the Children and Family Support Customer Care Officer will be addressed under the Social Services Complaints Procedure only. This is to avoid any confusion for the complainant. Therefore in our 2017/18 report we will not have any complaints addressed under the Gwynedd Corporate Complaints Policy.

	<i>Children and Supporting Families</i>	<b>Total</b>
<i>Stage 1</i>	4	<b>4</b>
<i>Stage 2</i>		
<i>Ombudsman</i>		
<b>Total</b>	<b>4</b>	<b>4</b>

## 10. Learning Lessons and Trends Identified - see Appendix 1

- 10.1 A quarterly report to present the complaints performance is presented to the Head of Children and Family Support Department. This presents an opportunity to analyse each complaint and to discuss and learn from them so as to improve the service they offer.
- 10.2 **Complaints Trends - Children and Family Support Department**

The Children and Family Support Department work daily with a wide range of different families. Some families may have contacted the Department to ask for assistance for example if their child has a disability. The most common reason why families are brought to the attention of the Department is due to concerns over a child or young person's welfare and safety.

It is within the nature of a Social Worker's role to encounter tension or conflict by families. Social Workers have to make very tough decisions and family members might not be happy. The Department understands and accepts that family members may be unsatisfied leading them to make a formal complaint against the Social Worker. It is up to the Team Manager then to ascertain if there is any foundation to the complaint and try and come to a resolution as quickly as possible in the best interest of the child/young person.

## **Unsatisfied with Social Worker**

Many of the complaints received during this year have been regarding the Social Worker. Individuals weren't satisfied with what they considered the Social Worker's professionalism, with their actions and the decisions made.

There isn't a clear trend across the board. All complaints are individual to the case. Most complainants clearly state they wish to complain about their Social Worker. In accordance with the Complaints Procedure, the Team Manager must discuss the complaint with the complainant. It is clear that this method works. Through discussion the Team Manager is able to address any issues directly with the complainant and in most cases it can be resolved over the phone. In most cases it is miscommunication or misunderstanding. Once matters are explained fully the complainant is happy to carry on working with their Social Worker in the best interest of the children.

## **Complainants and Parental Expectation**

It is difficult to address complaints from families who feel the Service should do more to support them, believe they should be having more Service/contact and that their children be returned to their care. Expectations from parents of what the Service can offer is high, if they feel that they have been failed by the Service in anyway they will make a complaint.

Of course, in some instances, there is a place for the Service to do more. However, it is difficult to find a resolution when opinions differ. The Team Managers along with the Senior Managers work with the complainants to understand the reasons behind any decisions made, giving the complainant a chance to express any concerns and address them best they can.

It is clear that communication is important, the way things are explained to families at the beginning is critical to ensuring that they understand why the Service do what they do, can offer what they can and why in some cases they are unable to offer any Services at all.

## **11. Training and Awareness for Staff**

- 11.1 An important part of Customer Care duty is to provide training for staff regarding the Complaints Procedure so that staff are fully aware of the procedure and are confident of their role within it. To ensure that training reaches all staff the training delivery will move away from the traditional workshop session to an e-Learning Module. This should improve accessibility and reduce the associated costs of holding traditional sessions. The Customer Care Officer for Adult, Health and Wellbeing Department is leading on this project.

## **12. Other duties**

- 12.1 The Customer Care for Children and Family Support Department not only

deals with complaints and enquiries but also with requests for information in response to the Freedom of Information Act 2000 and the Data Protection Act 1998. These requests can be from the Police, Solicitors, Health Board and Local Authorities as well as from individuals. In accordance with these Acts there are definite timetables to adhere to. The decision on what information is appropriate for release is skilful work and at times emotionally challenging. The Officer dealing with requests for information is required to spend large amounts of time on some of the more complex requests that we receive. This means that significant numbers of hours are used to ensure that the requests for information are answered within timescale.

- 12.2 It is predicted that the numbers of request for information under the Data Protection Act will be higher during 2017/18 in comparison to 2016/17 as the CPS expect the Police to request information from Social Services for every case involving a child/young person. This Policy was changed during October 2016.

<b>TABLE 5. Application for information during 2016-2017</b>	
Freedom of Information Act 2000 Request	<b>69</b>
Data Protection Act 1998 Request	<b>161</b>

### 13. Expressions of Gratitude - see Appendix 2

- 13.1 It is also important to acknowledge and record the expressions of gratitude that have been received from our service users and their families.

<b>TABLE 6. Expressions of Gratitude during 2016-2017</b>	<b>71</b>
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## APPENDIX 1 – EXAMPLES OF COMPLAINTS AND REPRESENTATIONS DURING 2016/17

Ref	Short Description	Category	Stage	Unit / Team	Outcome
<b>Children and Family Support Department</b>					
GC/3238-15	Grandmother wanted to make a complaint against her grandson's social worker. Her grandson had moved back with his father, this decision was made without consulting her and she felt comments made by the social worker were unfair and unprofessional.	Staff Performance	Stage 1 Complaint	Children's Team	Team Manager contacted Grandmother by phone to discuss complaint. As father has Parental Responsibility and child asked to move back in with dad, the Department could only advise the Grandmother to get legal advice if she was unhappy with the situation. Department had no concerns for the child to live with father. Senior Operational Manager also spoke to the Grandmother over the phone, reiterated advice given. This was also confirmed in a letter and the complaint was closed.
GC/3264-15	Mother unhappy with advice given by Social Worker with regards to father having contact with child. Not happy that the Department is involved, believes several reports are incorrect, and miscommunication with regards to parenting course.	Staff Performance Contact arrangements Miscommunication	Informal Complaint	Derwen Service	Derwen Service Manager contacted mother twice to discuss the matters raised within her letter. Full explanation of the situation was explained to mother, it was clear that a misunderstanding had occurred. A letter confirming the discussion was sent out by the Senior Operational Manager – Resources and the complaint was closed.
GC/3265-15	Mother wanted to make a complaint, she was due contact with daughter on Saturday. Had not heard anything, and wanted to make plans. Found out the Social Worker was on holiday. Was told her daughter did not want contact. Not happy that the Social Worker had not contacted her sooner and also wasn't happy that the contact was not going ahead.	Contact Arrangements	Stage 1 Complaint	Children's Team	Team Manager contacted mother several times, and was unsuccessful. Social Worker was able to get hold of mother, explained the reasons why contact had been cancelled as daughter did not want contact with mother. Agreed to speak with daughter further regarding contact to ascertain her wishes. She was satisfied with the discussion, and did not wish to pursue the complaint further. Matter was closed.
GC/3317-15	Mother was not invited to her daughters LAC Review	LAC Review	Stage 1 Complaint	Independent Reviewing Officer	Senior Safeguarding and Quality Manager spoke with the mother on several occasions and wrote to her twice regarding her complaint. It was agreed that a meeting would be arranged between the mother and the Service and a meeting between the mother and the Independent Reviewing Officer to discuss her daughter's case. The matter was resolved through discussion and



## APPENDIX 1 – EXAMPLES OF COMPLAINTS AND REPRESENTATIONS DURING 2016/17

					complaint was closed.
GC/3363-15	Father unhappy that his daughter's name was placed on the Child Protection register without meeting her; felt staff working with his son in prison had ulterior motives.	Staff Performance Communication	Stage 1 Complaint	Youth Offending Team	Youth Offending Team Manager spoke to the complainant, and wrote him two letters. A meeting was also held between all individuals working with his son in order for him to understand everyone's role and responsibilities. The reason for putting his daughter's name was placed on the CP register was also explained to him during the meeting. The complainant was thankful and felt the meeting had been very helpful. The matter was resolved through discussion and the complaint was closed.
GC/3444-15	Mother wanted to complaint about the Social Worker. Felt the Social Worker had made her mind up with regards to where the children would reside, she had only made one mistake and feels this should be a consideration.	Staff Performance	Stage 1 Complaint	Arfon Children's Team	Arfon Team Manager called the mother to discuss her complaint. The Team Manager explained that it was the Court that made the decisions regarding where the children should reside and not the Social Worker. The Social Worker must follow the decision made by the Court. The Team Manager advised the mother to speak to her Solicitor if she was unhappy with the decision of the Court. The Senior Operational Manager confirmed this conversation by letter, the matter was resolved through discussion and the complaint was closed.
GC/3460-15	Mother wanted to change Social Worker as she felt she had not been listened to following a minor incident at her daughter's crèche.	Staff Performance	Stage 1 Complaint	Derwen Service	Derwen Service Manager called the complainant to discuss her complaint. It became apparent during the conversation that during the Social Worker visit that the complainant had a house full of people and it was not appropriate to discuss matters then. The complainant agreed and understood why the Social Worker might not have discussed all matters in full with her. It was agreed over the phone that the Social Worker would visit again to discuss the incident and the complainant agreed. Derwen Service Manager confirmed this discussion by letter and the complainant was happy with the outcome. The complaint was closed.
GC/3541-16	Children had been taken into foster care; mother says she was promised an update on how the children were over the weekend. No one had called.	Communication	Stage 1 Complaint	Dwyfor Children's Team	The Senior Social Worker met with the individual and discussed the matter at length. During this conversation the mother noted that she did not wish to proceed with her complaint. A letter confirming the conversation was sent out and the complaint was closed.

## APPENDIX 2 – EXAMPLES OF GRATITUDE DURING 2016/17

Ref	Short Description	Category	Unit / Team
<b>Adran Plant a Chefnogi Teuluoedd</b>			
GC/3108-15	'I feel as if I've been listened to and supported when I had no help at all'	Gratitude	Gyda'n Gilydd
GC/3109-15	'The service has helped develop my confidence, especially with the kids. I've learnt more about parenting and I've had ideas about what to do with the kids. Having the play worker has helped us do more together'	Gratitude	Gyda'n Gilydd
GC/3110-15	'Thank you for all your help with me and A. It's been amazing. I'm loving my job and she's settled at the after school club.'	Gratitude	Gyda'n Gilydd
GC/3113-15	'Excellent work undertaken by the Social Worker' (Judge noted in Court)	Gratitude	Arfon Children's Team
GC/3296-15	'I'm grateful for the reassurance, the advice and support from Gyda'n Gilydd. The meeting with the school was good. It was great support for me as XX wouldn't listen to me when I said that his exams and school work are important and that he is able to do well. I came out of the meeting realizing that it's not just me, and I had other people to back me up as he can be quite nasty with me. I feel stronger and more able to ask for help or look for information.'	Gratitude	Gyda'n Gilydd
GC/3302-15	'Diolch o galon i chdi am pob dim wti yn gwneud i ni!'	Gratitude	Gyda'n Gilydd
GC/3306-15	'XXXXXX has telephoned to thank you for everything you have done for XXXX. She said she has thanked Heledd in person for her exceptional work. She also thanked admin for their courtesy in dealing with all her calls.'	Gratitude	Meirionnydd Children's Team
GC/3308-15	'The supervision we receive from the Fostering Team is second to none, we have had an extremely stressful and upsetting time in the past few months and Stevie Thomas has always been available for advice or a visit if needed. Her advice and reassurance recently has helped us cope with a difficult situation that has on occasion has us question XXXXX placement with us.'	Gratitude	Fostering Team
GC/3309-15	'Throughout our whole experience of fostering, Mari Thomas and her team have been amazing. The support and commitment and care they show in helping families and guiding them every step of the way is essential and our experience has been an A1 performance. We'd like to thank you all from the bottom of our hearts. You all do an amazing job.'	Gratitude	Fostering Team
GC/3310-15	'Roedd XXXX yn gadael y lleoliad ddoe ac roedd XXXX yn trafod efo fi faint o gefnogaeth mae hi wedi ei gael gan chdi yn unigol! Roedd hi yn brolio'r gefnogaeth a dweud y bysa hi ddim wedi gallu ymdopi efo lleoliad XXXX heb y gefnogaeth yma!!! Da iawn chdi Bethan, amlwg wedi gwneud perthynas da efo XXXX.'	Gratitude	Fostering Team
GC/3487-16	'Hi Iona, I just wanted to say "Thank you" for the support we have had from Derwen over the school holidays, it has made all the difference. Could you pass on our thanks to Mark and the support workers, as well as all the staff at the Celebrating families' days. I hope this type of event continues in future holidays as everyone seemed to have such a good time.'	Gratitude	Derwen Service
GC/3488-16	'Newydd weld mam XXXX a mynegodd ei bod yn ddiolchgar iawn fod XXXX wedi cael	Gratitude	Derwen Service

## APPENDIX 2 – EXAMPLES OF GRATITUDE DURING 2016/17

	ymuno yn y grwpiau am y tro cyntaf eleni. Mi oedd wedi mwynhau yn arw ac yn dod adref gyda gwen fawr ar ei wyneb.'		
GC/3489-16	'I can't thank you enough for what you have done and doing for my family, you are the only one who has never let us down and you are always there. We really appreciate it-your fab, thank you'	Gratitude	Gyda'n Gilydd
GC/3503-16	'I get on well with my social worker and I'm happy with her support, she is a great help if I have any issues'.	Gratitude	Fostering Team
GC/3505-16	'Always there when needed, and willing to help with various task. Always friendly and easy to approach'	Gratitude	Fostering Team
GC/3506-16	'Our worker has been great from day one, and always welcome in our home, she has been a great support and willing to give advice and praise at any time. She will contact me asap if I have called and have always kept me informed of any change.'	Gratitude	Fostering Team
GC/3509-16	'Annwyl Tîm Maethu, Nodyn byr i ddiolch o galon i chi am y diwrnod o hwyl a gawsom yn Gelli Gyffwrdd fis diwethaf. Er i ni gyrraedd yn hwyr a gadael yn brydlon er mwyn gwyllo'r gêm roedd hi'n ddiwrnod arbennig iawn, a phob un ohonom wedi mwynhau'n fawr iawn. Rydym yn gwerthfawrogi'r gwaith caled ac anodd rydych chi'n ei wneud fel tîm ac roedd hi'n fendigedig gweld chithau'n diolch i'r teuluoedd maeth, FFANTASTIG! Diolch'	Gratitude	Fostering Team
GC/3512-16	'Dear Heidi, Congratulations on your great work, it is nice to be appreciated sometimes. I see Dafydd has also emailed you thanking you for your support recently, acknowledging the difficult time in covering shifts. I have no doubt your experience of working for Tim Nos as well as your expert knowledge via your day role, makes you such a critical asset for the team. We are so very lucky. We both appreciate this.'	Gratitude	Arfon Team Manager
GC/3751-16	'Hi Non, XXXX is fab at the mo, we had a great Christmas over in France with my family and XXXX. XXXX was a star, he coped with all the changes, flying and different food brilliantly. We can't believe he is 18 in a couple of weeks. We're having a party at the Bae Abermaw hotel. We would like to invite you and any other of the team who have worked with XXXX. We very much appreciate all the work you have done for XXXX and us as a family. The person centred approach has worked so well, it was so refereshing when you started working with XXXX. You have a lovely gentle, calming but no nonsense approach, thank you so much. We will miss you!	Gratitude	Derwen Service
GC/3755-16	'Jyst eisio deud diolch am pob dim Sian, dacha Gwion di mynd above and beyond i fi a XXXXa mae'n golygu lot i ni, felly diolch o'n calon, dolig llawen a wala ni chi yn y new year'	Gratitude	Edge of Care Team