

Social Work Complaints Review Committee

Education, Children and Families Committee

13 September 2011

Purpose of Report

- 1 To refer to the Education, Children and Families Committee the recommendations of the Social Work Complaints Review Committee on consideration of a complaint against the Children and Families Department.

Main Report

- 2 Complaints Review Committees (CRCs) are established under the Social Work (Representations) Procedures (Scotland) Directions 1996 as the final stage of a comprehensive Client Complaints system. They require to be objective and independent in their review of responses to complaints. All members of the CRC are independent of the local authority.
- 3 The CRC met in private on 15 June 2011 to consider a complaint against the Children and Families Department. The meeting was chaired by Rod Alexander. The other Committee members present were Donald Ness and Val Tudball. The complainant and Department representatives attended throughout.
- 4 The complainant was dissatisfied with the overnight respite provision for his son, which he had been waiting for since December 2008. He felt that as a result of the Section 23 process for assessing care needs, his child had a higher points score than some children already receiving respite and did not believe that this was fair. He felt that if a person with a lower Section 23 score than that of a newer applicant already had respite provision, then that lower scored client should be moved out. He further indicated that there was an inflexibility of children holding a respite place until they were 18 years of age, a lack of periodic feedback on the situation with the waiting list and a lack of forecasting on when places would become available.
- 5 The complainant indicated that he felt that five days respite was too long at one time and that he was looking for 2 or 3 days at a time which he felt would be more appropriate and acknowledged that the Council were now looking at shorter periods of respite care.

- 6 He confirmed that he had been offered a placement of 2 single overnight stays per month at a Residential Unit but had turned this down as there was no guarantee of transport to the unit, he would have been taken off the waiting list for a placement at his preferred Residential Unit which was closer to home and he may lose the Action Care hours which were provided at the moment.
- 7 The complainant stressed that feedback from the Department was minimal and in particular in finding out where they were on the waiting list. He had been advised that there was no way in which accurate forecasting of when a place would become available could be done but he felt that this should be investigated.
- 8 The complainant felt that the importance of completing the Section 23 form accurately should be stressed to applicants as some of his medical history had not been taken into account and that he may have been awarded more points if it had been accurate.
- 9 The investigating officer indicated that that the Department was currently looking at what was happening with Disability Services, how they were being used and how they were currently being allocated. She indicated that the Department were considering changes to the type of care packages offered at the complainant's preferred Residential Unit but that the Council had asked that current packages be allowed to remain as they were at the moment. A number of families had already agreed to changes in their packages but the Department indicated that it was very difficult to ask a client to give up services which were being provided for them. The only reason, at the moment, that a placement became available was if a client did not settle within the unit, the family moved away or the client reached 17 years of age and moved on to adult care services.
- 10 The investigating officer had previously agreed to improve feedback to families and the Department were in the process of reviewing every child within their care. It was the Department's intention to contact parents on a regular basis.
- 11 She agreed that the forecasting of availability of placements was an issue and stressed that it was a very difficult thing to do. There were currently 43 children on the waiting list, and could be as many as 12 being referred for services over the next 2 months. She stressed that every month there were new respite referrals and that this added to the demand for services with some of these new referrals having a higher score than children already on the waiting list.
- 12 The investigating officer indicated that the Department tried to offer families additional alternative services for providing support to families and indicated that the complainant's son was able to access a play scheme provision during most of the school holidays because of the school he attended.

- 13 The members of the Committee, the complainant and the Investigating Officer were given the opportunity to ask questions.
- 14 Following this, the complainant, her representative and the Investigating Officer withdrew from the meeting..

Recommendations

- 15 The complainant expected that children receiving respite should be removed when others with higher scores needed the service. The Committee agreed that this part of the complaint be not upheld.

The Committee supported the Children and Families policy that it was not realistic or justifiable to remove respite care from children who already received the service.

- 16 The complainant made a number of points about the lack of flexibility in the way that the Children and Families Department managed the availability of respite care.

The Committee accepted that some of the criticisms were valid, however, the Committee noted that the Department were already taking action in recognition of the problems of managing the resources and responding to the need to widen the availability of respite care to more children.

- 17 To uphold the complaint in respect of the lack of feedback.

Again the Committee noted that the Department acknowledged that this was a problem and was taking action to improve communication with regard to the relevance of Section 23 assessment and the implications for the waiting list for care.

- 18 While accurate forecasting was exceptionally difficult, the Committee noted that the Children and Families Department recognised the need to provide informed regular updates to service users on the availability of the services for their children relative to their placing on the waiting list.

Rod Alexander
Convener

Appendices	None
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Wards affected	All
Background Papers	Agenda and confidential papers and minutes for the Complaints Review Committee of 15 June 2011