

Education, Children and Families Committee

10am, Thursday 11 September 2014

Recommendations of the Social Work Complaints Review Committee – 27 August 2014

Item number	8.3(a)
Report number	
Wards	All

Links

Coalition pledges	P1
Council outcomes	CO, CO3
Single Outcome Agreement	SO2

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Recommendations of the Social Work Complaints Review Committee – 27 August 2014

Summary

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.

For decision/action

- 1 The Social Work Complaints Review Committee has referred its recommendations on an individual complaint against the Children and Families Department to the Committee for consideration.

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.
- 3 The CRC met in private on 27 August 2014 to consider a complaint against Children and Families. The complainant and the Department representatives attended throughout.
- 4 The complainant had concerns about contact visits with her grandson who was in foster care and raised issues about the conduct of the Team Leader who managed her grandson's allocated social worker.

The complaint comprised 4 main points, specifically:-

- 1) The complainant was dissatisfied with how her complaint was investigated as she believed that witnesses who may have corroborated her allegations were not interviewed.
 - 2) The complainant was dissatisfied with the contact arrangements in which the Team Leader participated.
 - 3) The complainant believed that The Team leader was trying to sabotage her contact visits with her grandson.
 - 4) The complainant disputed the veracity of the Chief Social Work Officer's claim that the Team Leader would be replaced.
- 5 The Complaints Review Committee was limited in its scope as regards contact arrangements as this fell within the jurisdiction of the Children's Hearing. However, matters relating to the complaint investigation were within the Committee's remit.

- 6 The complainant stated that she only had opportunity for limited supervised contact with her grandson and that the contact arrangements put in place by the Children's Hearing were not adhered to by the department. Contact time, she felt, was dictated rather than negotiated and had been arranged to take place during the school day at times, which the complainant felt to be detrimental to her grandson's education. Efforts to rearrange the time had not been successful so she had missed out on contact. She reported that the relationship with the supervising Team Leader who managed her grandson's social worker was extremely poor and that she had been inappropriately spoken to and harassed in phone calls. She also alleged that the Team Leader had physically assaulted her and her grandson. She had made a complaint about the conduct of the Team Leader in April 2014.
- 7 The complaint primarily concerned a contact visit which began 2 hours late. She stated that her grandson arrived with the Team Leader with only 20 minutes of the contact left. When the soft drinks arrived, the complainant noticed that one of the glasses was cracked and she rose to change it. According to the complainant, the Team Leader shouted at her, which was deeply embarrassing. She did not accept that the intervention was because the Team Leader believed she was about to leave, as their food, drinks and possessions were at the table and the complainant had mobility difficulties. Other people had witnessed the way she was spoken to, including her son, a friend who happened to be in the cafe at the same time, and a group of diners at a nearby table. The Team Leader apparently continued to be confrontational whilst waiting for their taxi. The complainant stated that her grandson was visibly distressed throughout.
- 8 The complainant did not believe that the complaint had been adequately investigated and the witnesses she identified had been spoken to. Despite the complaint and her feedback to the department about ongoing tension, the Team Leader had been involved within the past fortnight. She claimed to have received 3 separate letters giving different dates that the new social worker would be in place, but so far this had not happened.
- 9 The investigating officer stated that on the day of the incident at the cafe, contact had started late as the Team Leader had been held up at a previous meeting. Apologies had been offered for this and the missed contact time had been made up the following week. When the complainant got up to replace the cracked glass, the Team leader was concerned that she was about to leave with her grandson and had approached her to discuss this. She denied shouting at the complainant or speaking to her in a manner likely to draw attention. The Team Leader had stated that when the taxi subsequently arrived the complainant had been vocal to her, angry that her contact had been cut short. During investigation of the complaint, the friend who had witnessed the incident had been spoken to and she had confirmed the complainant's version of events. However, as a friend of the complainant she was not considered an independent witness. No other witnesses had approached the department.

- 10 The investigating officer indicated that relations had been difficult between the complainant and professionals other than the Team Leader, which seemed to stem from her disagreement with the assessment of her grandson's circumstances and the Young Person's Plan drawn up to address identified difficulties. She stated that the complainant had been reluctant to supply her mobile number to staff.
- 11 In terms of the alleged assault, no evidence was found to support the complainant's claims, but the departmental representatives stated that they would urge anyone who suffered an assault to go to the Police.
- 12 She acknowledged the change of social worker request had taken longer than expected, but explained that such requests were not unusual in cases where children were being accommodated and consideration of what was in the interests of the child in the individual case had to be taken. In this instance, it had been decided that the relationship was no longer workable and it was hoped that a new social worker and Team Leader would be in place within 10 days. Any recent involvement of the Team Leader who was the subject of the complaint had been due to staff shortages.
- 13 The officer confirmed that some contact time had been arranged for during the school day to allow it to take place during the working hours of supervising staff. Social work staff agreed with the complainant that it was not ideal and this would be reviewed at the next Hearing.
- 14 The members of the Committee, the complainant and the Investigating Officer were given the opportunity to ask questions.
- 15 The complainant stated that she wanted to ensure that her grandson was not witness to further incidents.
- 16 The investigating officer acknowledged that contact had been difficult to arrange at times. She reiterated that the Team Leader had stated that she did not wish to antagonise the complainant. The department acknowledged that the breakdown of the relationship was not in the best interests of her grandson and fully intended to replace the Team Leader. It was hoped that the complainant would be able to forge a more positive relationship with the new staff member.
- 17 Following this, the complainant and the Investigating Officer withdrew from the meeting.

Recommendations

- 18 After full consideration of the complaint the Committee reached the following recommendations:-

That the complaint be upheld in part:-

- 1) The complainant's dissatisfaction with how her complaint was investigated as she believed witnesses who may have corroborated her allegations were not interviewed.**

This aspect was **not upheld** as the Committee felt that the complaint investigation process was followed appropriately.

2) The complainant's dissatisfaction with the contact arrangements in which the Team Leader participated.

This aspect was **upheld** by the Committee, who agreed that the implementation of contact arrangements had not been satisfactory.

3) The complainant believed that the Team Leader was trying to sabotage her contact with her grandson

This point was **not upheld**, but it was clear to the Committee that the relationship had become extremely difficult.

4) The complainant disputed the veracity of the Chief Social Work Officer's claim that the Team Leader would be replaced.

The Council had already stated that a new social worker and team leader would be allocated, so this is **not upheld**. However, Committee requested that the Council ensure the complainant's grandson's new social worker and team leader were in place by 8 September 2014.

Background reading / external references

Agenda and confidential papers and minutes for the Complaints Review Committee of 27 August 2014.

Links

Coalition pledges	P1	Ensuring every child has the best start in life.
Council outcomes	CO1	Ensuring every child has the best start in life, are able to make and sustain relationships and are ready to succeed.
	CO3	Our children and young people at risk, or with a disability, have improved life chances.
Single Outcome Agreement	SO2	Edinburgh's citizens experience improved health and wellbeing, with reduced inequalities in health
Appendices		None