

# Education, Children and Families Committee

10am, Tuesday 9 December 2014

## Recommendations of the Social Work Complaints Review Committee – 24 September 2014

Item number	8.6 (a)
Report number	
Wards	All

### Links

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Coalition pledges	P1
Council outcomes	CO1, CO3
Single Outcome Agreement	SO2

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## Recommendations of the Social Work Complaints Review Committee – 24 September 2014

### Summary

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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 Service.

### For decision/action

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

### Main report

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- 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 24 September 2014 to consider a complaint against Children and Families. The complainant and the Service representatives attended throughout.
- 4 The complainant remained dissatisfied with the outcome of an investigation into her complaint that the Council had not carried out a Section 23 assessment on her daughter, and had not provided a date when the assessment would commence.
- 5 The complainant had advised Social Care Direct of her move to Edinburgh in January 2014. After the Council had received confirmation of her daughter's disability, a letter had been sent arranging a home visit on 26 February 2014. The complainant had taken a day off work to facilitate the visit, but a mistake had been made by the Practice Team and the expected social worker did not appear at the planned time. Following a call by the complainant, the visit was rescheduled for later in the day. This was not, as the complainant had hoped, the first visit of those required to complete the assessment.
- 6 A letter dated 4 March 2014 indicated that her daughter had been placed on the waiting list for a Section 23 assessment. The complainant had subsequently made contact several times to be updated, but the Disability Team were unable to give her a date for commencement of the assessment. On 7 April 2014, the complainant had submitted a letter of complaint.

- 7 A response from the Chief Social Work Officer dated 14 May 2014 explained that duty protocols had been changed to ensure families received clearer information on the purpose of the initial visit. It also informed her of the Council target to have a social worker allocated to complete an assessment three months after it had been decided that a child required one.
- 8 The complainant, a single parent, explained the impact not being able to access self-directed payments, which hinged on the Section 23 assessment. Her daughter's needs meant she required extensive care and supervision which involved great personal commitment and investment, but had financial implications too. She had already reorganised work times (to financial disadvantage) to try to keep working whilst caring for her daughter. The specialist equipment and classes to help her reach her potential were expensive. She also described the difficulties in sourcing childcare. Options available through Council funded support were not always suitable, and self-directed support would enable appropriate care to be found. Until the Section 23 assessment had been carried out on her daughter, the complainant could not have her own needs as a Carer met.
- 9 The complainant felt that the communication she had received on the waiting list had been insufficient and suggested that a clear policy with maximum waiting times was required to ensure that families who were doing their best to cope but were in need of help were not overlooked. She felt that the Council had not acted reasonably in both the length of time which had elapsed since she was placed on the waiting list, and its inability to give her a date to begin the assessment.
- 10 The members of the Committee and the Investigating Officer were given the opportunity to ask questions.
- 11 The Investigating Officer explained that the initial visit was to allow social work to check that the child met the criteria of the Team and get an indication of what support might be required. She stated that the Disability Team only worked with families where there was a significant level of disability which impacted on the child's daily living, the majority of whom were in receipt of the higher rate of Disability Living Allowance.
- 12 She explained that there were currently 50 children on the waiting list to be assessed. The allocation process, in line with Council policy, was intended to ensure children with the highest level of need were given priority, taking into account child protection issues and other factors. Staff reported to management fortnightly and reviewed the list on a 3 monthly basis. Senior managers were working on ways to cut the backlog and reduce waiting times. Two new members of staff were being recruited. The staffing issues within the Disability Team had been highlighted in a report submitted to the September 2014 meeting of the Education, Children and Families Committee.
- 13 In the case of the complainant, the officer indicated that she hoped to have commenced the assessment process by November/December. She confirmed that without the full assessment being completed, the complainant would not be able to access self-directed support or have a Carer's Assessment.

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

## Recommendations

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

‘That the complaint be upheld, for the following reasons:-

- 1) The Committee feel that the length of time the complainant has had to wait is unacceptable as the Council target of three months has been exceeded substantially.
- 2) The Committee has been informed that more staff are being recruited but we feel that this should have been addressed several months ago.
- 3) Committee notes that the Council have offered an interim assessment, to be undertaken within 2 weeks of today’s date. We recommend that after the full assessment is undertaken, self-directed payments should be backdated to within three months of the first visit (in line with the Council target of three months) unless a legal impediment to this exists.’

Background reading / external references

Agenda and confidential papers and minutes for the Complaints Review Committee of 24 September 2014.

## Links

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<b>Coalition pledges</b>	P1	Ensuring every child has the best start in life.
<b>Council outcomes</b>	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.
<b>Single Outcome Agreement</b>	SO2	Edinburgh's citizens experience improved health and wellbeing, with reduced inequalities in health
<b>Appendices</b>	None	