

Education, Children and Families Committee

10am Tuesday 19 May 2015

Recommendations of the Social Work Complaints Review Committee – 25 March 2015

Item number	8.3
Report number	
Wards	All

Links

Coalition pledges	
Council outcomes	CO11, CO13
Single Outcome Agreement	SO2

Fred Downie

Chair, Social Work Complaints Review Committee

Contact: Lesley Birrell, Committee Services

E-mail: lesley.birrell@edinburgh.gov.uk | Tel: 0131 529 4240

Recommendations of the Social Work Complaints Review Committee – 25 March 2015

Summary

To refer to the Education, Children and Families Committee recommendations of the Social Work Complaints Review Committee on consideration of a complaint against the social work service within Children and Families.

For decision/action

The Social Work Complaints Review Committee has referred its recommendations on an individual complaint against the social work service within Children and Families to the Committee for consideration.

Main report

- 1 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.
- 2 The CRC met in private on 25 March 2015 to consider a complaint against the social work service within Children and Families. The complainant and the service representatives attended throughout.
- 3 The complaint related to the complainant's concerns that the social work service continually failed to meet realistic timelines when producing and sending minutes of meetings over a significant period of time and the complainant's belief that these delays had constituted bullying, harassment and victimisation on the part of the Council and had consequently adversely affected any programme of rehabilitation between the complainant and her children.
- 4 The complaint comprised the following 5 main points:
 - i) that the social work service had continually failed to meet realistic timelines when producing and sending minutes of meetings and as such over a period of time had subjected the complainant to a period of prolonged "organisational bullying" and depriving her of her basic human right to freedom of speech through opinion, expression and right of reply.
 - ii) that the social work service had failed to comply with the Equalities Act 2010 and the European Convention on Human Rights.

- iii) that the reports for core/case conference and looked after and accommodated children meetings had been issued too late for her to prepare properly and that the complainant had not received timeous notification of children's hearing meetings.
 - iv) that minutes following supervised contact meetings were sent to the complainant a considerable time after these meetings took place and that these long delays made it difficult for her to respond to and comment on the content.
 - v) that the delay in providing the relevant information had been a contributory factor in the complainant's visits with her children being reduced and the possibility of any programme of rehabilitation being taken forward.
- 5 The complainant's representative reiterated that the main issue of concern was the continued failure of the social work service to produce and make available minutes of meetings relating to the following:
- core/case conference and looked after and accommodated children meetings
 - supervised visit meetings
 - children's panel hearings.
- 6 The complainant believed that this had been a contributory factor in the visits being considerably reduced and any future planned programme of rehabilitation being jeopardised.
- 7 The complainant had submitted in the supporting documentation details of dates of meetings where minutes had not yet been made available.
- 8 The members of the Committee and the Investigating Officer were given the opportunity to ask questions.
- 9 The Investigating Officer advised that, while there was an expectation that staff typed up records of meetings within two weeks, it was not a statutory or mandatory timescale. It had been recommended to the complainant that she take her own notes at these meetings and confirmed that the Council would be happy to receive her views of contact sessions.
- 10 The Investigating Officer acknowledged, however, that as some records had already been provided to the complainant, it would be consistent to provide the outstanding documentation detailed in her submission. He agreed that this documentation would be forwarded on to the complainant.
- 10 The Investigating Officer confirmed that it was the responsibility of the Scottish Children's Reporter Administration to inform people of the the dates of children's hearings and therefore outwith the remit and responsibility of the Council's social work service.

- 11 He further confirmed that the plan was for the complainant's children to remain with their paternal grandfather on a permanent basis and that, therefore, there were no plans to rehabilitate the children to the complainant's care.
- 12 The members of the Committee and the complainant were given the opportunity to ask questions.
- 13 Following this, the complainant, their representatives and the Investigating Officer withdrew from the meeting.

Recommendations

- 14 After full consideration of the complaint the Committee reached the following decisions/recommendations:
 - 1) The complaint detailed at Point 2.1 of the report by the Director of Children and Families was **upheld in part**.

The Committee agreed that the Social Work Department had continually failed to meet reasonable timelines when producing and sending out notes of meetings. They did not agree, however, that this constituted "organisational bullying". Given that Children and Families had given a commitment at the CRC meeting that written records would be provided, the Committee agreed to recommend that this needed to be prioritised and carried out within a reasonable period of time. Further, that Children and Families should forward the missing reports detailed in Blocks 1, 2 and 3 of the complainant's documentation to the complainant.
 - 2) The complaint detailed at Point 2.2 of the report by the Director of Children and Families was **not upheld**.

The Committee were unable to make a full and proper assessment of this complaint as insufficient information had been made available to allow them to do so and, in any event, none of the Committee members were legally qualified.
 - 3) The complaint detailed at Point 2.3 of the report by the Director of Children and Families was **not upheld**.

However, the Committee agreed with the complainant's view that all participants in meetings should be issued with complete papers and that this required to be remedied. The Committee recommended that Departmental procedures be examined and tightened up to address this.

The Committee noted that it was the responsibility of the Scottish Children's Reporter Administration to issue papers for children's hearings and therefore not within the remit or control of Children and Families.
 - 4) The complaint detailed at Point 2.4 of the report by the Director of Children and Families was **upheld in part**.

The Committee agreed that the Social Work Department had failed to meet reasonable timelines when producing and sending out records of meetings following supervised contact.

Given that Children and Families had given a commitment at the CRC meeting that written records would be provided, the Committee agreed to recommend that this needed to be prioritised and carried out within a reasonable period of time.

- 5) The complaint detailed at Point 2.5 of the report by the Director of Children and Families was **not upheld**.

The Committee noted that the plan was for the children to remain with their paternal grandfather on a permanent basis and therefore there was no programme of rehabilitation planned.

Background reading/external references

Agenda, confidential papers and minutes for the Complaints Review Committee of 25 March 2015.

Links

Coalition pledges

Council outcomes 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.