

**WRITTEN QUESTION TO THE MINISTER FOR CHILDREN AND HOUSING
BY DEPUTY C.S. ALVES OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 12th NOVEMBER 2019**

Question

Will the Minister provide a breakdown of the number of complaints made to Children's Services in each of the past 5 years, indicating the grounds of the complaints and whether or not they were upheld?

Answer

The Children's Service receives complaints from time to time from children and their families. These complaints can range from those which could be considered as 'straightforward' in manner to those which are more complex and may include third party information or involve children who may be involved in legal or court proceedings. A significant number of children and families are involved with Children's Services through compulsion and not their own volition rather than a relationship which is more 'customer and provider'. This statutory compulsion can at times make for relationships where disagreement and tension exists.

Each complaint is unique to the individual circumstance and requires investigation and careful consideration. Often complaints may contain a number of issues that are linked and have to be investigated and responded to as part of one response. At times complaints may be raised about a child being removed from a parental or family home or conversely being allowed to remain in the care of an adult. These decisions may cause significant upset and distress to family members and result in a complaint; where this has been the result of court proceedings (with evidence tested and established) the circumstances will not be re-looked at outwith the legal process.

The main issues raised as complaints to the Children's Service include: attitude of staff, disagreement with assessment (sometimes described as factual accuracy), access to resources/practical support, disagreement with care plan (either to allow a child to remain or be cared for by an individual or removal into the care of the Minister), change of social worker (either wanting a change or unhappy about a change). Complaints are investigated and responded to in writing by a senior manager with each element of the complaint having a finding recorded set out ; '*Upheld*', '*Partially Upheld*', '*Not Upheld*', where a complaint cannot be considered by the Service that is detailed.

In a small number of situations complainants will be unhappy about the response and will appeal, the complaint will be re-examined by a member of staff not involved in the complaint, if still unhappy the complainant can ask for a Stage 2 review where a panel made up of appropriate professionals and the Minister, if the complainant remains unhappy a further review will be undertaken by colleagues in a neighbouring jurisdiction and subsequently a final stage of the Independent Complaints Review Panel. In recent years the numbers of complainants seeking to go to Stage 2 and further is very small - *less than five* (that descriptor is used in line with data protection requirements to ensure that individuals cannot be identified).

The nature of complaints to the service and the unique circumstances of each makes it difficult to collate exact numbers of complaints and findings for example one person may submit one complaint with three elements where one element is upheld, one not upheld and one partly upheld. That is not an exceptional

occurrence. The same complaint may also be made on more than one occasion and requires consideration before a conclusion can be made about whether it is the same or slightly different. Information is recorded by individual's name not by the number of issues raised. There are rare occasions of individuals who may be considered 'vexatious complainers'.

In other jurisdictions complaints to Children's Services and other services working with vulnerable individuals are dealt with as part of a Statutory Complaints (recognising vulnerability and complexity of matters) – this is not the case in Jersey. This was an issue raised in the recent review carried out by the Independent Jersey Care Inquiry.

As part of ensuring that the voice of children and young people are heard, issues, comments and complaints can be raised and improving services there is significant expansion proposed to expand advocacy and participation services. This includes establishing and increasing the Children's Rights Service, commissioning advocacy and participation support to looked after children and care experienced individuals from a third sector organisation and establishing advocacy for children and young people in the child protection system or who may be considered 'children in need'

This table shows the number of annual complaints from 2015 to 2019.

2015	15
2016	29
2017	40
2018	32
2019	35