

Education, Children and Families Committee

10am, Tuesday 13 December 2016

Recommendations of the Social Work Complaints Review Committee – 23 November 2016

Item number	8.9
Report number	
Wards	All

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Recommendations of the Social Work Complaints Review Committee – 23 November 2016

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 Communities 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 Communities and Families 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 23 November 2016 to consider a complaint against the social work service within Communities and Families. The complainant and the service representatives attended throughout.
- 3 The complainant was dissatisfied with the Council's response to the following complaint:
 - i) The Council declined to complete a Carer's Assessment with the complainant on the basis that the complainant was not the carer for an individual/s with a recognised diagnosis.
 - ii) That the complainant had a number of health needs and the complainant believed that the Council should have taken this into consideration.
 - iii) The complainant would like the Council to reconsider the complainant's request to be assessed as a carer for the complainant's children.
- 4 The complainant was contacted by a Professional Adviser from Social Care Direct on 12 May 2016 to gather further information relating to a referral that had been received on behalf of the complainant from Vocal Carers requesting that a Carer's Assessment was carried out with the complainant as she was struggling to manage the behaviour of her daughter in the home and required a break from the children.

- 5 The Professional Adviser from Social Care Direct asked the complainant if her daughter had been diagnosed with a specific condition, and the complainant advised that both her children had been diagnosed with attachment disorder in 2013. The complainant was advised that this was not a mental health diagnosis that would meet the criteria for a Carer's Assessment. The complainant was dissatisfied with this decision and raised a formal complaint.
- 6 The complainant advised that her daughter had attended The Junction, a centre which offered health related services; education and support for young people aged 12-21, between April and July 2016 to receive support to help her with anxiety and panic attacks. The complainant advised that her daughter had had a couple of panic attacks and had been angry when she attended The Junction. The complainant's daughter had also attended her G.P. to address the panic and anxiety attacks her daughter had suffered from, and the Child and Adolescent Mental Health Service (CAHMS) in the past. The complainant's daughter was described by CAHMS as experiencing attachment disorder, but was not diagnosed with mental illness, personality disorder or a learning disability.
- 7 The complainant felt that there was sufficient evidence to support a mental health disorder diagnosis for her daughter due to the number of anxiety and panic attacks her daughter had experienced. The complainant felt that she had been let down by the failure of CAMHS to make a mental health disorder diagnosis for her daughter as without this diagnosis the complainant would not qualify for a Carer's Assessment.
- 8 The complainant further advised that she would like to have a Carer's Assessment carried out to highlight that her health was compromised when her daughter suffered from panic attacks.
- 9 The complainant explained that being a parent and a carer were two different things. Being a parent involved giving love and affection and feeding and clothing your child. Being a carer meant that the complainant had to counsel her daughter to help her through her emotional distress, and she provided high level support to her daughter as her carer.
- 10 The members of the Committee were given the opportunity to ask questions of the complainant.
- 11 The Investigating Officer advised that the department had consulted with CAMHS and they had confirmed that there was currently no specific mental health disorder diagnosis for the complainant's daughter. A disability assessment could not be carried out on the complainant's daughter either as there had been no disability identified.
- 12 The Investigating Officer understood the complainant's frustration but explained that the complainant's health conditions would have no bearing on her eligibility for a Carer's Assessment. The Investigating Officer reiterated that the request for a Carer's Assessment fell under specific legislation and the complainant did not meet the criteria required for a Carer's Assessment to be carried out.

- 13 The investigating Officer advised that a Social Worker had been allocated for the complainant's children and an assessment would be carried out of the children's needs. As part of the assessment, the complainant's health needs would be taken into consideration.
- 14 The members of the Committee were then given the opportunity to ask questions of the Investigating Officer.
- 15 Following this, the complainant, and the Investigating Officer withdrew from the meeting to allow the Committee to deliberate in private.

Recommendations

After full consideration of the complaints the Committee reached the following decision/recommendation:

That the complaint not be upheld as the department fulfilled their duty to decline the complainant's request for a Carer's Assessment due to no diagnosis being made for the complainant's daughter of a mental health disorder or disability. However, the Committee was pleased to note that the complainant's children had recently been allocated a social worker from the Children and Families Team who would carry out an assessment of the needs of the whole family.

Background reading/external references

Agenda, confidential papers and minutes for the Complaints Review Committee of 23 November 2016.

Links

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Single Outcome Agreement

SO2 Edinburgh's citizens experience improved health and wellbeing, with reduced inequalities in health

Appendices

None.