

ANGUS COUNCIL

SOCIAL WORK AND HEALTH COMMITTEE

9 OCTOBER 2003

CLIENTS' RIGHTS SERVICE ANNUAL REPORT

REPORT BY THE DIRECTOR OF SOCIAL WORK AND HEALTH LIAISON

ABSTRACT

This report informs Committee of the production of the Clients' Rights Service Annual Report. A copy of the final draft of the Annual Report is appended to this committee report.

1 RECOMMENDATIONS

It is recommended that the Social Work and Health Committee:-

- i notes the contents of the Clients' Rights Service Annual Report;
- ii approves the publication of the annual report.

2 INTRODUCTION

The Clients' Rights Service (CRS) has been in existence since the inception of Angus Council. During the past seven years the CRS has supported more than 800 people on matters relating to rights. The CRS has also provided information and training on rights issues, particularly on the interaction of health and social care legislation with the Human Rights Act 1998, the Data Protection Act 1998, the Race Relations (Amendment) Act 2000 and relevant others, including European Directives, to social work staff at all levels, a variety of local care services providers, and to students of social work and social care including those at Angus' further education facilities.

The CRS has contributed substantially to the preparation of Angus Council's Corporate Race Equality Strategy. In addition to participating and contributing to local and national strategies, the clients' rights officer coordinated until last Autumn, a local support group for looked after children. The clients' rights officer has received and sought resolution to complaints and concerns through the provision of advocacy and representation. The CRS also co-ordinates and supports the access to personal social work records.

The Clients' Rights Service has allowed Angus Council Social Work over the past seven years to make available to all service users, a service that promotes and protects their rights.

3 CLIENTS' RIGHTS SERVICE: ANNUAL REPORT 2002/2003

Appended to this report is a copy of the annual report for 2002/2003. The annual report provides a detailed breakdown of the nature of the referrals to and contact with the CRS. In addition to outlining the direct referrals to the service, the annual report also describes the other component parts of the CRS including training, visits made during the period covered by the report, and the clients' rights officer's participation in local and national forums. The annual report has been produced this year in leaflet format to facilitate its distribution.

4 FINANCIAL IMPLICATIONS

There are no direct financial implications arising from the recommendations contained in this report.

5 HUMAN RIGHTS IMPLICATIONS

There are no Human Rights implications arising as a result of the recommendations contained in this report.

6 CONSULTATION

The Chief Executive, the Director of Law and Administration and the Director of Finance have been consulted in the preparation of this report.

R Peat
Director of Social Work and Health Liaison

NOTE: The undernoted background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

REFERENCES

- Clients' Rights Log system 2002/2003
- Clients' Rights Officer's PF09's 2002-2003
- Clients' Rights Officer's diary 2002-2003



Social Work

Clients' Rights Annual Report 2002/2003

A Service for Children, Young People and Adults

Who Receive Services Directly from
Social Work or Arranged by Social Work

And

Who Believe that their Rights Have Been Broken or Ignored

You can get this report in large print, in Braille or
in cassette by contacting us on
01307 473194.
We can also provide this information
in other languages if you need it.

Robert Peat
Director of Social Work and Health Liaison
October 2003

Clients' Rights Service

Position Statement

To promote and assist in the development
culture of rights in social work.

1. Intro

Angus Council Social Work introduced the Clients
Service (CRS) in 1996.

This is the 7th annual report and covers level of
within the service from 1st April 2002 to 31st March

Three of the consistent aims of the CRS over
seven years have been to:

- promote the rights and responsibilities of a
who have contact with Angus Council Social
without discrimination;
- promote the creation of a culture of right
social work and any undertakings assoc
social work; and
- support all developments associated
rights protection.

To check that these aims are achieved, the CRS
annually on the issues brought to its attention. In
instances, as this report shows, others concerne
the rights of those who have contact with social w
other areas of council provision have continued
concerns to the attention of the CRS.

The main purpose of the annual report is to high
issues raised with the CRS, draw conclusions, an
recommendations from these issues.

This report also highlights emerging patterns t
assist in enhancing the quality of service provisi
the planning and commissioning stages, to the
delivery of services.

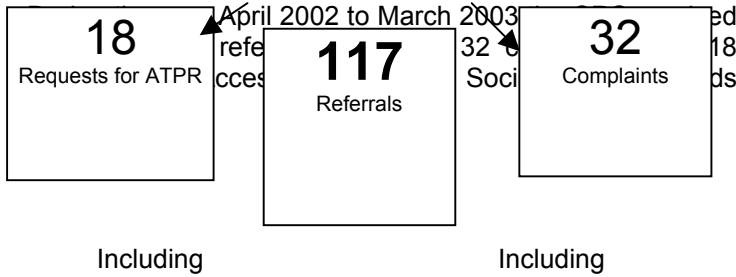
The CRS supports service users through con
processes and seeks to clarify whether their righ
been ignored or broken and if so pursues prompt,
as fair redress.

The CRS helps to promote Healthy, Inclusive a
Communities.

It is a free service available to anyone interested in
the standards of public services primarily within An

2. Referrals & Response Times

• Referrals



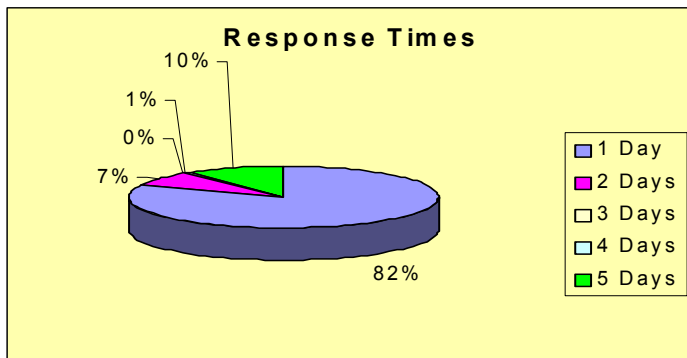
Source Clients' Rights Service Log system 2002-2003

Since 1996 it is estimated that 800 people have contacted the CRS.

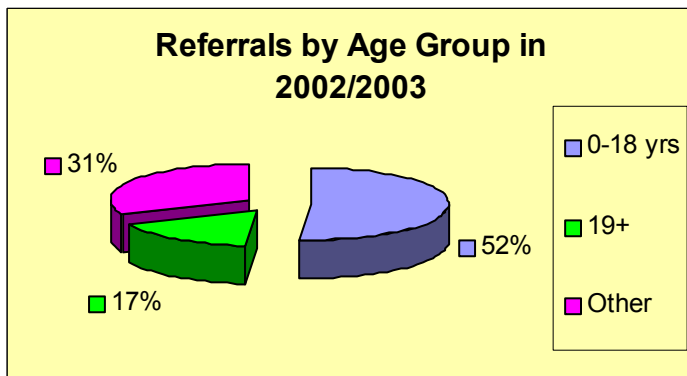
• Response Times

During 2002/2003 the response periods for the service fell within the standards set for the Service, in 2001.

Access to Personal Social Work Records were responded within the legally stipulated **40-day** period. A total of **60** files were processed in response to these requests.

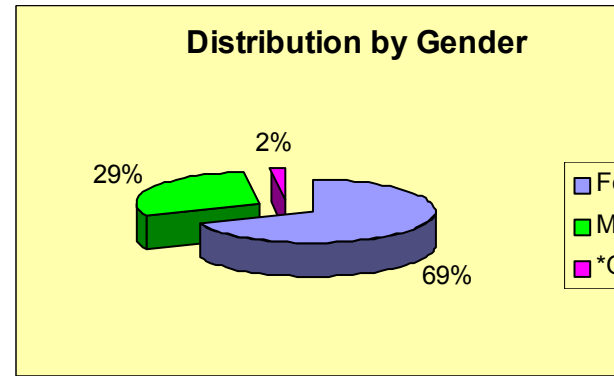


Source: Client's Rights Service log systems 2002-2003



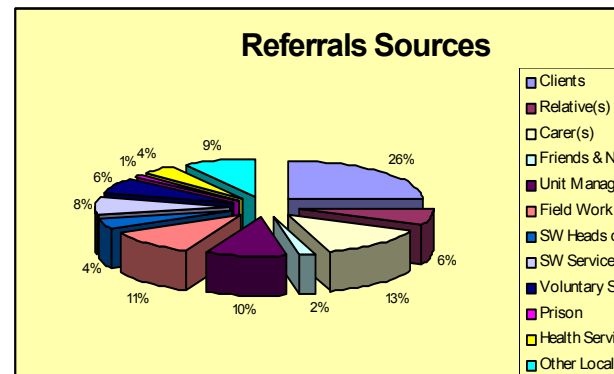
Source: Client's Rights Service log systems 2002-2003

During the past six years, there has been no significant change in the number of referrals by age group. As the population of people over 65 continues to increase, the CRS will report on notable changes to this trend.



Source Clients' Rights Service Log systems 2002-2003

There was a two-fold increase in the number of who contacted the CRS. It was reassuring to find that there was no relationship between this finding and any particular service area.



Source: Client's Rights Service log systems 2002-2003

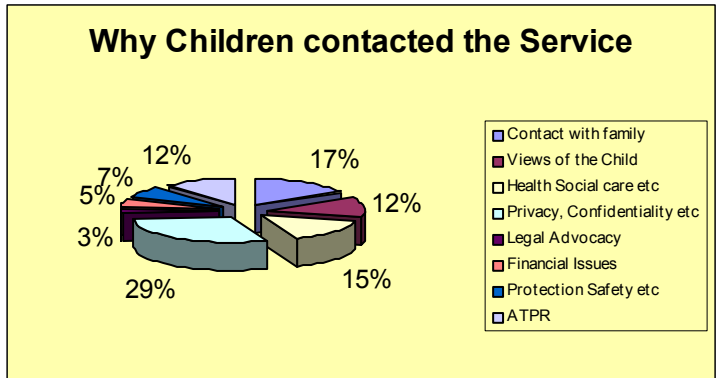
There were a total of **115** different sources of referrals. Several individual referrals were made from more than one source. This indicator presents for the first time, evidence that awareness about people's rights is increasing. In effect, a high proportion of service users themselves contacted the CRS, the majority of referrals were from third parties committed to the protection of people's rights.

• Rights Information

Seven years ago, it was acknowledged that one of the many ways of safeguarding people's rights was to raise awareness among many people as to what rights we all have. In effect the CRS introduced a "Clients' Rights Information Sharing Service" (CRISS).

CRISS supports the promotion of a culture of rights and continues to deliver to all social work service areas and other agencies, information on topics related to human rights issues, general welfare issues, changes in legislation, developments in social and health care interventions, and methods which safeguard dignity and independence and well being. The aim of CRISS is to raise awareness about rights and the interaction between laws, policies, and methods of work across all areas of public service, focusing on the benefits and challenges these may present within the creation of a rights culture.

Reason for Contact

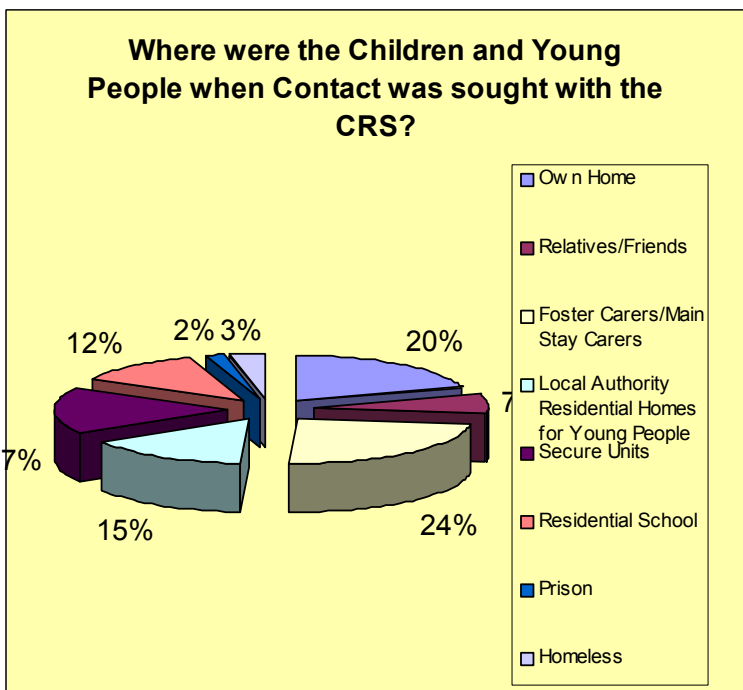


Source: Clients' Rights Service – Log systems 2002-2003

Children, young people and others acting on their behalf felt that the rights of children and young people had been broken or ignored in a variety of areas.

The emerging patterns suggest that:

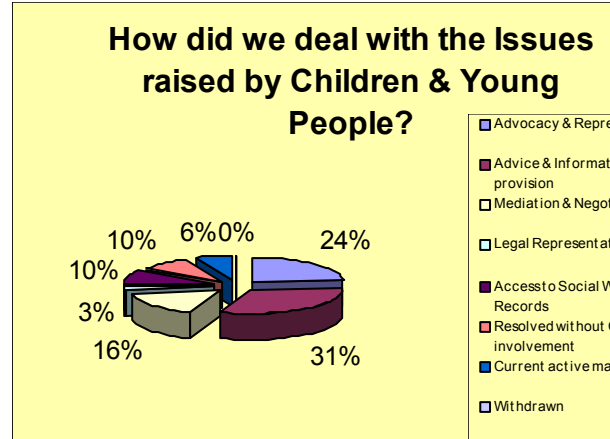
- A relatively significant number of children, or affected by a disability, including Mental Illness and substance misuse of their own or a family member continue to raise concerns relating to health, social and educational deficits in service provision.
- Issues relating to contact arrangements with natural families of looked after children also remains a source of concern to children, their parents and, in some instances, their foster carers or other providers.
- For the second year running, children and young people raised more customer care issues than at any other time during the last four years. The recent setting up of a customer care group and the introduction of a workforce development team within social work, should assist with addressing this area of service users concerns across all service areas.



Source: Client's Rights Service log systems 2002-2003

social work.

A total of 196 CRISS mail shots were made last year



Source: Clients' Rights Service – Log systems 2002-2003

3. Contribution to Safeguards

Every child and/or young person over the age of 16 has to live away from home for the first time, when residential placement, with a foster/main stay carer unit etc. is always made aware of the CRS and Who Cares? Scotland.

A pack of information containing a personalised letter is sent to each child/young person informing them of their rights, a copy of the UN Convention on the Rights of the Child in audio and print format and the contact details of both the CRS & Who Cares? Scotland. A total of 300 packs were posted last year.

Information relating to children's rights is requested from the CRS. The CRS experienced an increased number of requests for information to support the promotion of children's rights, in particular the Children's Rights (Scotland) Act 1995, the UN Convention on the Rights of the Child, the Disability Discrimination Act 1995, the Human Rights Act 1998, the Data Protection Act 1998 and the Nationality, Immigration and Asylum Act 2002.

4. Practical Help

Children and young people were assisted in 24 instances to put forward, in writing, their views to Children's Hearings and Statutory Reviews. In 5 instances transcripts were provided to and from National consultation and support group meetings.

5. Consultation & Participation

In 1998, the CRS, Angus Council Social Work and Who Cares? Scotland in partnership established the "Looked After Children Support Group". The group has contributed to 4 sessions last year. The group will continue to provide a forum for looked after children to raise issues of importance to them, and is currently coordinated by members of the Children and Young People's Strategic Planning Team.

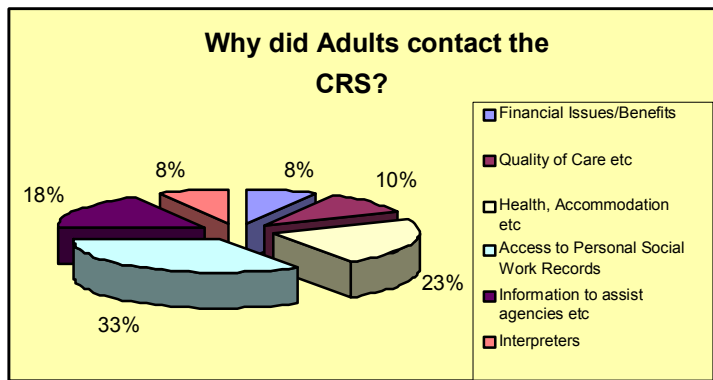
The CRS supported the participation of children and young people in the following:

- The Foster Care Network for Scotland in which young people participate on a regular basis and

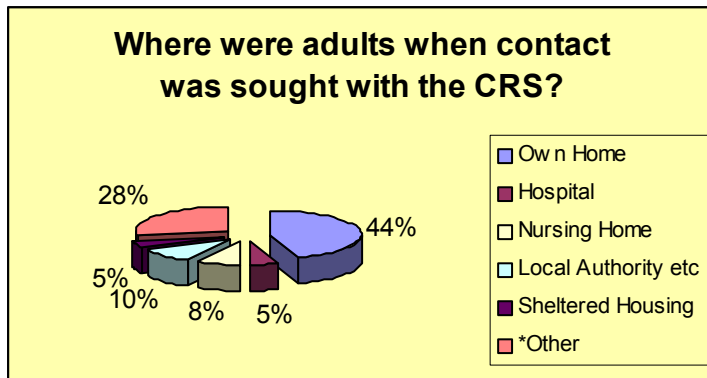
- The training Programme for Foster Carers in which was developed by young people themselves.

The majority of children and young people who contacted the CRS were looked after away from home.

- Requests for assistance with putting forward views to LAC reviews and, to Hearings, were made by children and young people who were in Secure Units and Residential Units including those in establishments with educational facilities.
- In line with the CRS contribution to children's safeguards the service is pleased to report that for the third year running no pattern was established in the relationship between accommodation and a specific concerns brought forward by children and young people.



Source: Client's Rights Service log systems 2002-2003



Source: Client's Rights Service log systems 2002-2003
*Other = Location withheld

The majority of contacts were made by or on behalf of adults living in their own home supported by a wide range of community care provision.

- There was a high level number of requests for information on rights issues relating to community care, in particular the management of vulnerable adults finances by third parties including care homes.
- Issues relating to cross boundary protocols as these may affect private and family life were raised on several occasions
- Customer care issues were also prevalent amongst many of the contacts made by or on behalf of adults with the CRS.

7. Additional Components of the CRS

The CRS coordinates service users' requests for access to their personal social work records. It is relevant to note the reasons why the majority of "Data Subjects are granted access to their records centre on their desire for resolution to unresolved issues of the past. This includes the provision of specialist counselling, which is provided by the CRS with the support of the adoption and fostering service, as well as national voluntary organisations.

The CRS also engaged in 31 rights issues sessions attended by social work managers at all levels, social work and health practitioners, as well as further higher education students.

8. Conclusion and Recommendations

During the period 2002/2003 the CRS addressed an increasing number of complex issues associated with rights. In doing so, the effect of a variety of laws derive from European legislation such as the Human Rights Act 1998, the Data Protection Act 1998 and the Race Relations (Amendment) Act 2000 were considered.

Counselling, representation, advocacy, mediation were the most common methods used by the CRS to bring about resolution to the volume and variety of issues brought to attention.

The contribution of the CRS to the promotion of a culture of rights as in previous years, focused on securing resolution to all concerns.

Each issue brought to the attention of the service was considered systematically, looking at key decision points. In identifying these, actual and potential weaknesses in the care systems have been traced. The benefits of using existing guidance such as consistency with management, directives as well as open communication instructions, as integral parts of acceptable standards of protection of people's rights has led the CRS to secure positive outcomes to the majority of concerns referred.

This report has presented the issues brought to the attention of the CRS in an aggregate manner. A variety of themes, common across service areas, require attention to continue to build upon the promotion of a culture within social work.

Based on the nature of the contacts with the CRS during the period reported, it is recommended that all those responsible for the well-being of service users give consideration to the emerging patterns presented in this annual report, and seek to establish means of ensuring service users not only feel confident about engaging with Angus Council Social Work but are also efficiently and effectively supported, without discrimination.

6 ~~Complaints~~

**The Clients' Rights Service is person centred,
accessible, responsive and confidential**

3 complaints procedure through service users choice.

2 complaints with multiple issues were addressed through the statutory complaints procedure.

For further information on the work of the Clients' Rights Service please contact the Clients' Rights Officer on

01307 473180

or

07801 912 850 (Mobile)