



SOCIAL SERVICES SCRUTINY COMMITTEE – 14TH JUNE 2022

SUBJECT: ANNUAL REVIEW OF COMPLAINTS RECEIVED UNDER THE SOCIAL SERVICES COMPLAINTS POLICY DURING - 2021/2022

REPORT BY: CORPORATE DIRECTOR – SOCIAL SERVICES AND HOUSING

1. PURPOSE OF REPORT

- 1.1 To provide Scrutiny Committee with information and analysis on the operation of the Social Services Directorate's Representations and Complaints procedure from 1st April 2021 to 31st March 2022. The report also includes a summary of the compliments received in the same period.

2. SUMMARY

- 2.1 Representations and complaints relating to Social Services are dealt with by the Directorate's Complaints and Information Team, who also record compliments received.

3. RECOMMENDATIONS

- 3.1 For Scrutiny Committee to note the content of the report.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To monitor the complaints process to ensure effective delivery of Social Services.

5. THE REPORT

- 5.1 This report outlines the representations, complaints and compliments processes and provides information on the activity during the period 1st April 2021 to 31st March 2022 as follows:

REPRESENTATIONS

- 5.2 A representation is a request for information or a referral for a service made by a third party (including Elected Members) on behalf of another person.
- 5.3 During 2021/22, the Complaints and Information Team have made every effort to ensure compliance with the Protocol that governs the sharing of information with Councillors, Members of Parliament and Members of the Senedd, ensuring that relevant consent is obtained where necessary.

COMPLAINTS

- 5.4 In 2014, Welsh Government undertook a review of the “*Listening & Learning*” complaints guidance which resulted in the introduction in August 2015 of the “*guide to handling complaints and representations by local authority social services*” (the guidance). The revised complaints process adopts a three-stage approach to complaints:

Stage 1 (Local Resolution) – The majority of complaints are dealt with in this way and most are concluded without the need for a formal investigation. Staff are required to observe established procedures, timescales and best practice at all times.

Stage 2 (Formal Investigation) – Investigations at this stage are undertaken by an externally commissioned Investigating Officer and there are statutory time limits for completion of the investigation. The complainant receives a full response from the Corporate Director, Social Services and Housing, detailing findings, conclusions and recommendations. The guidance allows for complainants to progress their concerns directly to the formal Stage 2 investigation without Stage 1 consideration if they so wish.

Ombudsman – If a complainant remains dissatisfied with the outcome of a Stage 2 investigation, they can request that the Public Services Ombudsman for Wales (PSOW) considers their complaint.

ACTIVITY

AWARENESS RAISING

- 5.5 To ensure that all staff are acting in line with legislation, the Complaints and Information Team delivers awareness raising sessions to all Social Services Teams on the complaints process and data protection, with emphasis on the General Data Protection Regulations (GDPR). Due to the continued impact of the pandemic and reduced office working, the delivery of these sessions has been via Microsoft Teams. During 2021/22 49 online sessions were delivered, reaching 409 members of staff (227 for Adults Services, 182 for Children’s Services).

COMPLAINT REPRESENTATIONS

- 5.6 During 2021/22, 98 representations were received. Of these, 86 (88%) related to Adult Services and 12 (12%) to Children’s Services. This is an increase on the previous year where 69 representations were received however, the breakdown between Adults and Children’s Services follows the trend of previous years.
- 5.7 The majority of representations received for Adult Services were on behalf of families wishing to return to accessing day service provision which understandably had been severely impacted by the Covid pandemic restrictions.
- 5.8 The Complaints and Information Team receive representations from a number of sources and these are detailed below for 2021/22:
- Members of the Senedd/Members of Parliament (45)
 - Elected Members (29)
 - Independent Advocates (6)
 - Family Members (18)

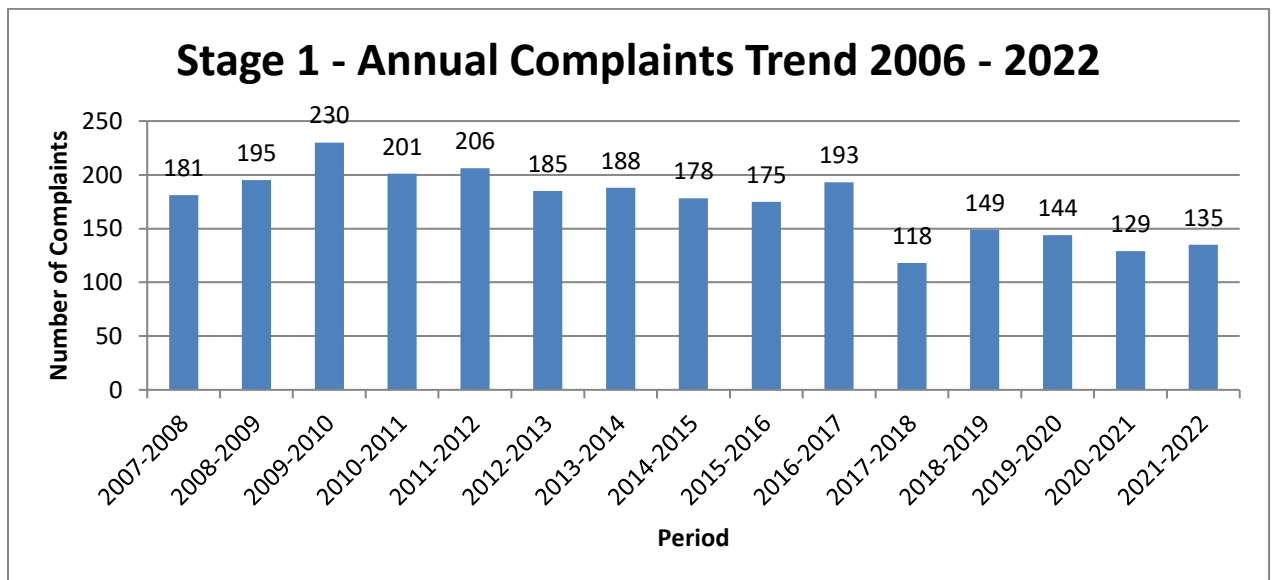
- 5.9 Representations have been made through the following routes:

- Email (87)
- Online webform (2)
- Letter (4)
- Telephone (5)

This continues the pattern of previous years whereby email is the predominant form of communication for representations.

COMPLAINTS – STAGE 1

- 5.10 During 2021/22, the Directorate received 135 complaints, of these 5 were progressed to a Stage 2 complaint investigation. The majority of complaints continue to be resolved to the customer's satisfaction at Stage 1 in line with the Local Resolution principles.
- 5.11 Of the 135 complaints received, 21 (15%) related to Adult Services, 53 (40%) to Children's Services and 61 (45%) to Corporate matters. This year's figures are slightly higher than those for 2020/21 when we received 129 Stage 1 complaints and an increase in corporate complaints from 45 to 61 is noted. There has been a continued theme of concerns related to the impact of Covid restrictions upon families, particularly the use of day services and difficulty obtaining packages of care.
- 5.12 During the year, the Complaints and Information Team have recorded the number of potential complaints which were able to be resolved prior to being logged as a formal Stage 1 complaint. Examples of which are; explaining the pressures of a national shortage of carers, asking the person to consider discussing issues directly with the allocated team prior to making a complaint and providing details on how to make a referral if required. This area of work has seen a significant increase from 38 in 2020/21 to 131 in 2021/22 and is a positive indication of successful resolution.
- 5.13 The graph below illustrates the number of Stage 1 complaints received and responded to by the Directorate since the implementation of the statutory Welsh Government complaints guidance in April 2006, with this year showing figures slightly increasing although remaining consistent.



- 5.14 The Complaints and Information Team receives complaints through a number of mediums and these are detailed below for 2021/22:
- Telephone (48)
 - Letter (8)
 - E-mail (55)
 - Website online form (24)

- 5.15 The above information demonstrates the Directorate's continued commitment to ensuring that customers have access to the complaints process in their chosen format. It also confirms the public's continued preference for direct contact with an Officer with whom they can discuss their complaint, although the digital contact continues to increase.
- 5.16 The Complaints and Information Team record whether complaints are upheld, partially upheld or not upheld. This enables the Directorate to note themes, trends and learning from the findings of complaints in order to consider future service and practice improvement.
- 5.17 Of the 135 complaints received at Stage 1 in 2021/22, the following outcomes were noted:
- 7 were closed, 4 being withdrawn by the complainant and 3 signposted to other processes (the legal process)
 - 9 complaints were upheld
 - 1 complaint was partially upheld
 - 117 complaints were not upheld
 - 1 complaint was ongoing at the year end
- 5.18 Of the 9 complaints that were upheld:
- 3 related to Adult Social Services
 - 1 related to Children's Social Services
 - 5 related to the Corporate Complaints procedure – 4 relating to Adult's Services and 1 for Children's Services
- 5.19 A breakdown is provided below in relation to the complaints which have been categorised as upheld along with the recommendations made to improve future practice:
- Upheld complaint Adult Services (1): A Council carer attended the wrong address causing upset and distress to a family member living at the property. A sincere apology was issued, the address on the system updated and clear instruction provided to the carer.
 - Upheld complaint Adult Services (2): Concerns raised about the Children with Disabilities Team and the conduct of some of the staff members. The Service Manager held a meeting with the family, agreed to carry out an audit into the handling of the case and assured the family that conduct issues would be managed through appropriate Human Resources procedures.
 - Upheld complaint Adult Services (3): A service user complained following receipt of an unexpected bill which was linked to a fault with the telecare box. The charges were explained, the fault reported and a goodwill gesture of credit to the account for the unexpected charges was made.
 - Upheld complaint Children's Services (1): A young person living in a Caerphilly residential home told us that they didn't feel safe and were being bullied by other residents. The Manager of the home expressed how difficult the situation was and offered the necessary support in order to openly discuss issues, to support the residents to live together and respect each other.
 - Upheld complaint Corporate Services (1): A complaint was received in relation to a potential breach of confidentiality. The complainants address was shared with a partner's previous partner. A sincere apology was provided, a confidentiality marker updated on the Social Care system and an offer was made to discuss this with the responsible Team Manager.
 - Upheld complaint Corporate Services (2): Complaint received regarding the insensitivity and wording of a response from the Complaints and Information Team Manager following a request regarding amendments to case records. An explanation and apology were provided for the upset caused.

- Upheld complaint Corporate Services (3): Complaint from a resident regarding carers parking and obstructing their property. The car drivers were identified, a detailed apology was provided and assurances made that the incidents would not reoccur.
- Upheld complaint Corporate Services (4): A family member complained that care calls had been cancelled at short notice. An explanation of the national shortage was provided along with an apology and detail of reablement support to continue in the interim until a care package could be sourced.
- Upheld complaint Corporate Services (5): A family member complained regarding the hospital discharge process, the lack of information regarding financial assistance and options for care and a lack of communication from the social worker. A full apology was provided and a new social worker allocated.

5.20 To ensure the appropriate identification of risk to vulnerable adults, the Complaints and Information Team and Protection of Vulnerable Adults (POVA) Team continue to operate their joint working protocol, which is regularly reviewed.

5.21 During this year, 2 complaints have been referred to POVA, 1 has subsequently been closed with no investigation and 1 has been subject to a safeguarding investigation and the complaint is ongoing.

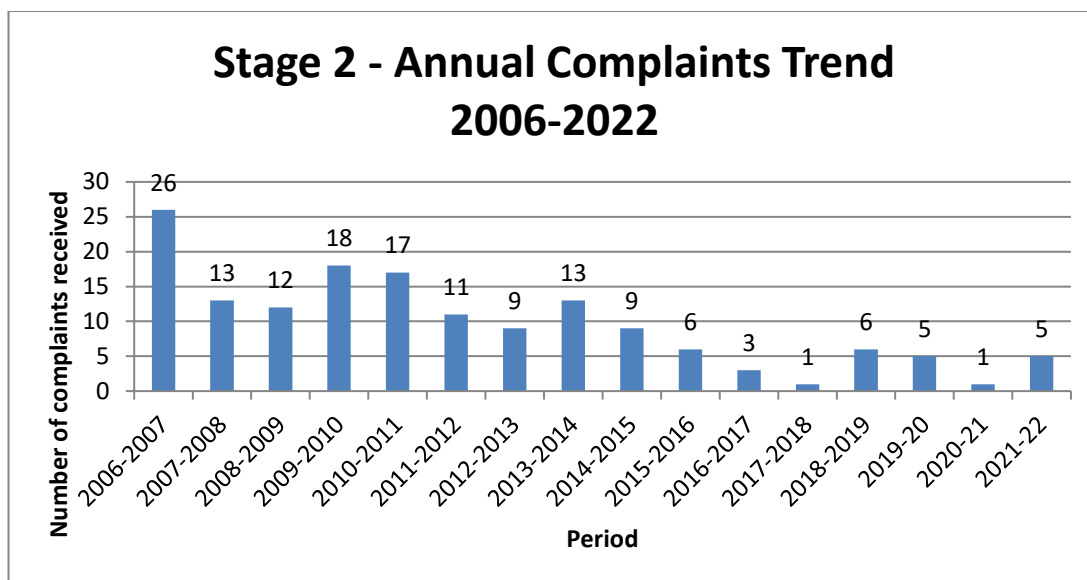
COMPLAINTS – STAGE 2

5.22 During 2021/22, the Directorate received 9 requests to progress the complaint to a Stage 2 formal investigation. Of these requests, 5 actually proceeded to an independent formal Stage 2 investigation under the Social Services complaints procedure.

5.23 Of the 9 requests for a Stage 2 investigation:

- 1 relating to Adult's Services has been carried out and concluded
- 1 relating to Adult's Services is currently in progress and we are awaiting the Investigation Report
- 1 relating to Adult's Services has recently been allocated to Investigating Officers
- 1 relating to an Adult Services persistent complainant was refused and redirected to the Ombudsman who agreed with the Council's decision
- 2 relating to Children's Services have been carried out and concluded
- 1 relating to Children's Services was requested however, the complainant subsequently agreed to work with the Social Work Team to resolve matters
- 2 relating to Children's Services were refused for not meeting the criteria and signposted to the Ombudsman – the decision was upheld by the Ombudsman in one case and the other was referred back with a direction to complete the Stage 2.

5.24 The following graph shows the number of complaints progressing to the formal Stage 2 process for independent investigation since the implementation of the statutory complaints guidance in April 2006.



OMBUDSMAN INVESTIGATIONS

5.25 There were 14 contacts by our customers during this year to the Public Services Ombudsman for Wales (PSOW). This is the same number as 2020/21. The outcomes of the 14 contacts were as follows:

- In 5 cases, initial enquiries undertaken by the PSOW confirmed that Caerphilly had followed due processes and their investigations were therefore closed down
- 1 case was deemed to be out of timescale to be considered by the PSOW
- 1 case was referred back to Caerphilly to complete a Stage 1
- 1 case was unable to be reviewed due to ongoing legal proceedings
- In 1 case, additional information has been provided to the PSOW and it is likely to be a housing related matter and not for Social Services
- In 1 case, the PSOW recommended a redress payment of £125 be issued and a stage 2 investigation be carried out The complainant accepted the redress payment and an internal review of the complaint
- 1 case the PSOW reviewed and recommendations for an updated assessment were agreed
- In 3 cases, the PSOW stated that Caerphilly should conduct a Stage 2 investigation. 2 of these are currently in progress and the 3rd is due to commence.

5.26 The Complaints and Information Team continue to have a positive relationship with the PSOW, having open and transparent dialogue and continue to discuss persistent complainants to agree and provide consistent advice.

5.27 The high standard of evidence available to the Complaints and Information Team in the form of case recordings, copies of correspondence and assessments has supported the quality of the responses to the PSOW office and this has resulted in positive outcomes.

Compliments

5.28 The Directorate appreciates the importance of learning from complaints and it is recognised that equal emphasis needs to be placed on learning from positive outcomes.

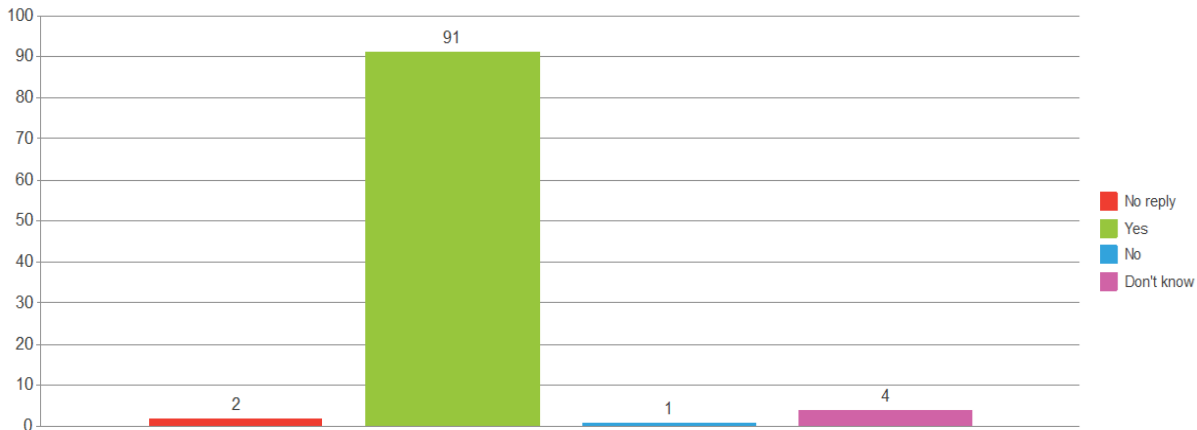
5.29 Praise is received by teams in the form of thank you cards, letters and emails and these are sent to the Complaints and Information Team for them to record. 126 compliments have been logged during the year, 104 (83%) relate to Adult's Services and 22 (17%) relate to Children's Services. Whilst this is a lower overall number of compliments received compared to the previous year (153) we recognise the significantly challenging times.

5.30 During the year 16 surveys were sent out, 1 (6%) of these were for Adult Services and 15 (94%) for Children’s Services. At the time of this report 12 surveys are ongoing, 1 Adult Services, 11 Children’s Services.

5.31 As an example for Children’s Services, children/young people and their parents completed a survey in 2021 which sought their feedback on their experience of the Supporting Family Change (SFC) team.

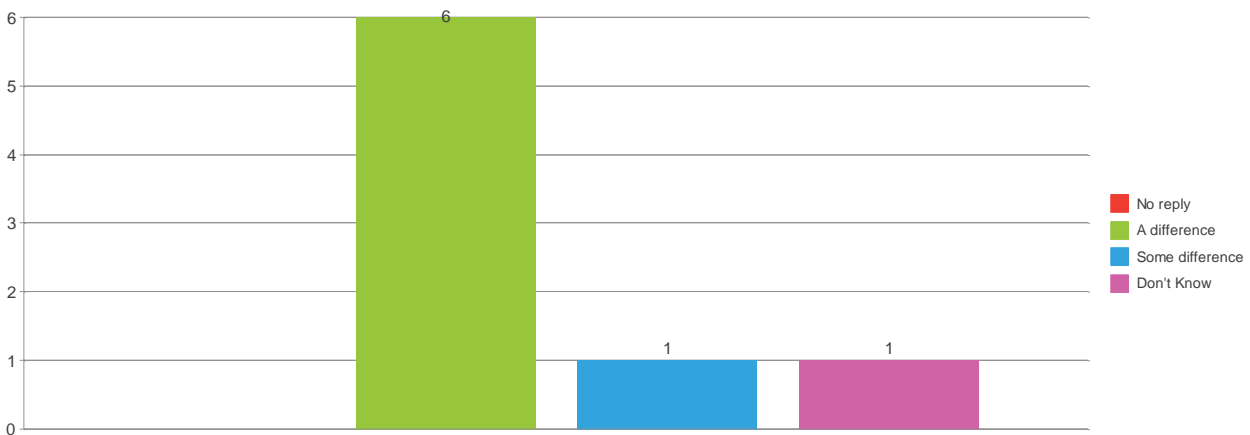
The graph below shows the response to the parents’ survey of which 98 were completed

Did you find Supporting Family Change helpful?



The graph below shows the response to the Children and Young Person survey of which 8 were completed

What difference has the Supporting Family Change Project made to your family



Comments received regarding this survey:

- Fabulous service.
- So grateful, very helpful and made a big difference.
- Amazing, can't thank you enough.
- Very grateful without SFC support I wouldn't have gotten the help I needed.
- Happy with support, it made a big change to us all.
- Felt listened to and good to have someone to chat through situation with and gain alternative options to try.
- Don't think I would be where I am today without their support SFC took time to understand my family needs, nothing too small and I did not feel alone.

- The person who directly helped us and communicated with us, was great. She listened, acted upon and helped us greatly.
- SFC always there to offer support/advice. Felt I could approach for anything.
- I thought you was fantastic and you helped me a lot.
- I was very happy with support we received. I am much better now.
- Worker has been amazing, going above and beyond to help our situation get back on track. She's a credit to your service so thank you!

5.32 Many of the letters and cards received from customers and their families include examples of the positive impact that staff can have on a person's life. Some of these comments are included in Appendix 1, attached to the report.

6. ASSUMPTIONS

6.1 No assumptions have been made in this report.

7. INTEGRATED IMPACT ASSESSMENT

7.1 This report is for information so the completion of an Integrated Impact Assessment is not required.

8. FINANCIAL IMPLICATIONS

8.1 There are no financial implications arising from this report.

9. PERSONNEL IMPLICATIONS

9.1 There are no personnel implications arising from this report.

10. CONSULTATIONS

10.1 All responses from consultees have been incorporated within the report.

11. STATUTORY POWER

- Welsh Assembly Government's "A Guide to Handling Complaints 2014"
- Social Services and Well Being (Wales) Act 2014
- Fostering Services (Wales) Regulations 2003
- General Data Protection Regulations 2018

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Consultees: Social Services Senior Management Team

Councillor Donna Cushing, Chair of Scrutiny Committee
Councillor Marina Chacon-Dawson, Vice Chair of Scrutiny Committee

Appendices:
Appendix 1 Comments from customers and families

Adults:

- **Feedback from family of resident of Min y Mynydd Care Home**

“The care my husband has received has been absolutely brilliant. His needs are seen to carefully and professionally, he feels safe and secure. As his wife, I feel confident that he is well looked after but they also take the time to check that I and my son and daughter understand what is going on keeping us informed and making us feel welcome. I have nothing but praise for them and would like you to know that.”

- **Compliments to a Social Worker in the North Older People’s Team**

“Such a short time of knowing this lady but she is someone who made a BIG impact on a very much loved mother and a family that was in need of support ! X is a credit to the profession of social work and Caerphilly Borough should be proud to have her as an employee. She has walked beside us supporting and helping us as a family, many times in the background, pushing buttons that we were not aware of Mum was always her priority, X was/is empathetic, understanding and always professional. We were always kept in the loop as to when and who she was contacting. Her promptness on answering our questions was so reassuring, nothing was too much trouble, this I attribute to her knowledge of knowing her job and capabilities.”

- **Compliments to a Social Worker in the South Older People’s Team**

“we were resigned to the prospect of never achieving adequate care for our mother....that was, until we ‘met’ you. We are encouraged to read of your plans to resolve our heart- breaking and desperate situation. At last we have some hope that our mother’s quality of life will begin to improve.”

- **Compliments to a Social Worker in the East Older People’s Team**

Family member telephoned and explained that X had been out to visit his Dad to complete an assessment. He wanted to say that both he and his brother were very grateful for the Visit. He advised that he and his brother don’t always agree when it comes to their Dad. He felt that X handled this situation really well and that X was amazing !

- **Compliments to a Social Worker in the PDSI Team**

A Son phoned to say how grateful he was for the amazing work that X was doing with his mother and also the service as a whole. He said that “they have recently moved to Wales and the difference in quality of the service provided was over and above what his mother was receiving in England. He stated that the service the family had received was exceptional and asked that the following comments be noted; dedication and commitment to help his mother has been outstanding; the way she spoke to his mother, making her feel at ease and genuinely interested in her; Excellent communication and would go out of her way to find things out to help the family; Very person centred and not task focused”

- **Correspondence from a family member about Brondeg Day Centre**

She stated her mother is much brighter and looks forward to attending. She told me her mother comes home and tells her she has had the best afternoon ever and can’t wait to go back there. She tells staff that she has a wonderful time with us and that she should have thought about this

before as she has been a widow for many years. She enjoys everything we do and is willing to try anything. She asked X if he would dance with her which he did and she smiled all the way through the dance, when the music finished she said " I love it here "

Childrens:

- **Feedback from a young person about to leave the 16+ Team**

"It's been a pleasure having you supporting me through probably the hardest time of my life these last few years. Even though it's been short, it came sweet!" "Much appreciated! Thank your team for me, not sure if these people have been from the start or 16+ but I honestly could say I wouldn't be the person I am today if i didn't leave my mum, some things are done for the best. I hope everything carries on as the way it is, definitely no more girls that's for sure (until I'm stable) 🙏 take care!"

- **Bargoed Childrens Services Team**

Phone call from a parent working with the team, he advised that he had mental health issues and thanks to X gathering reports on him that he can now see his daughter. The parent stated that X has been absolutely brilliant, the support she has provided to himself and his daughter has been awesome.

- **Compliments to Caerphilly East Childrens Services Team**

Email received "A few weeks ago my world was absolutely rocked when I received a phone call asking me if I needed any support for myself or my son due to a historical allegation. This was the first I had heard of this and to say I did not take it well was an understatement, X and X, true to their word, provided me with further detail, kept in touch and offered support. I can honestly say they the two of them made this a lot less horrific than it felt originally. I would really like for you to pass on my thanks and more importantly I would like you to know that you have two great, professional persons on your team!!"

- **Feedback from Cafcass regarding Caerphilly West Childrens Services Team**

"I just wanted to say that I think you did really well in evidence this week. You were clear, firm and forthright throughout."

- **Feedback from Childrens Guardian regarding newly qualified Social Worker in Risca Childrens Services Team**

"I would like to thank the social worker X for all her hard work so far. Miss X is newly qualified and these are her first legal proceedings and it is fair to say she has had something of a baptism of fire in this case. Social work is an extremely hard job and one that is so easily and often criticised, it is therefore, in my view, vitally important that good practice should be recognised and newly qualified social workers should be given as much support and encouragement as possible."

- **Feedback from the Police to a member of the Complaints and Information Team**

"Thank you for once again providing a proactive response to the Annex E request. The assistance that you provide us with these requests is second to none."

- **Youth Offending Service**

“I attended a SEN review meeting for a child yesterday at Newbridge School. During the course of the meeting, staff from Newbridge School took the time to recognise all the good work that the YOS does with its pupils”