



SOCIAL SERVICES SCRUTINY COMMITTEE – 15TH JUNE 2021

**SUBJECT: ANNUAL REVIEW OF COMPLAINTS RECEIVED UNDER THE
SOCIAL SERVICES COMPLAINTS POLICY 1ST APRIL 2020 TO 31ST
MARCH 2021**

REPORT BY: CORPORATE DIRECTOR SOCIAL SERVICES

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 1 April 2020 to 31 March 2021. The Report will also include 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 from customers.

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 provides details of representations, complaints and compliments activity for the period 1st April 2020 to 31st March 2021. Section 5 describes the activity and from Section 6 onwards, the activity data is provided for each of the areas.

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 the period 2020/21, the Complaints and Information Team have made every effort to ensure compliance with the Protocol that governs the sharing of information with Councillors/MP's/MS's, ensuring that relevant consent is obtained where necessary.
- 5.4 The Complaints and Information Team deliver awareness raising sessions on the complaints process and Data Protection, with emphasis on General Data Protection Regulations (GDPR). To minimise the opportunity for information to be shared inappropriately, advice given to staff is that they should refer all enquiries for information to the Complaints and Information Team or the Corporate Data Protection Officer.

COMPLAINTS

- 5.5 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, 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.

AWARENESS RAISING

- 5.6 To ensure that all staff are acting in line with legislation, the Complaints and Information Team delivers annual awareness raising sessions to all Social Services teams. Due to the pandemic, the delivery of these sessions was moved to online sessions this year and during the period 1 September 2020 to 31 March 2021, a total of 85 sessions were carried out for 580 members of staff (270 for Adults Services, 310 for Children’s Services). This has shown that the online sessions for staff have proved effective.

ACTIVITY

Representations

- 5.7 During 2020/21, 69 representations were received, of these, 56 (81%) related to Adult Services and 13 (19%) to Children’s Services. This is slightly less than the previous year when 74 representations were received.

- 5.8 As stated, the Complaints and Information Team receive representations from a number of sources and these are detailed below for 2020/21:

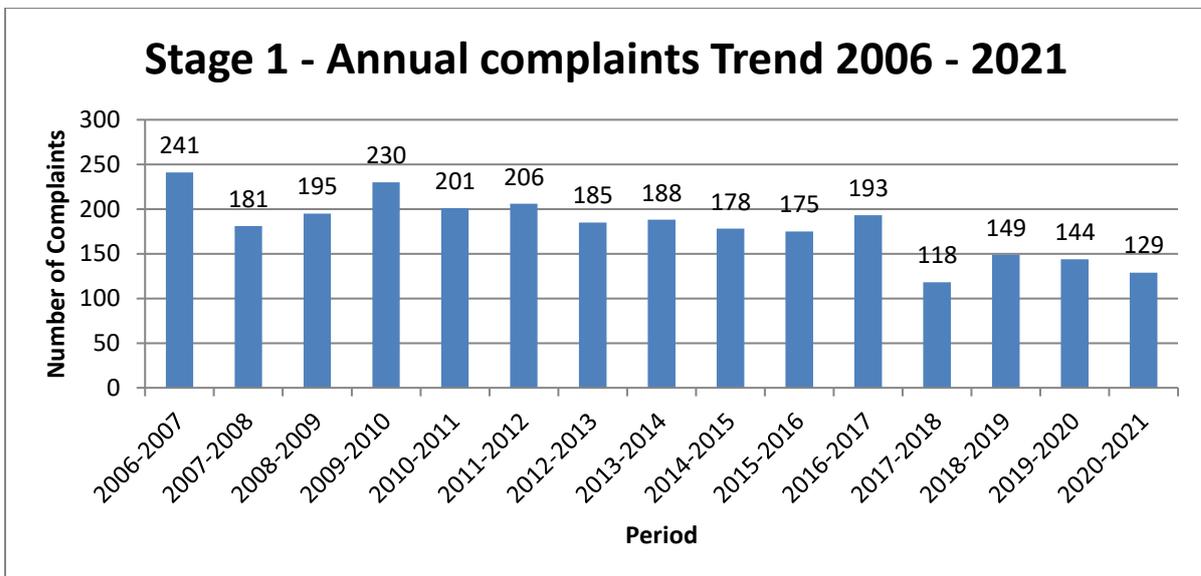
- Members of the Senedd (21)
- Elected Members (12)
- Members of Parliament (24)
- Advocates (4)
- Family Member (8)

- 5.9 Representations have been made through the following routes:

- Email (65)
- Letter (2)
- Telephone (2)

Complaints – Stage 1

- 5.10 During 2020/21 the Directorate received 129 Stage 1 complaints including 1 complaint which progressed to Stage 2. The majority of the complaints were resolved to the customer's satisfaction at Stage 1 and this is due to the efforts that are placed on resolution at Stage 1 of the process.
- 5.11 Of the 129 complaints received at Stage 1, 23 (18%) related to Adult Services, 61 (47%) to Children's Services and 45 (35%) to Corporate matters. This year's figures are lower than those for 2019/20 when we received 144 Stage 1 complaints. There has been another increase in corporate complaints from 38 to 45. There has been a theme of concerns related to the impact of COVID-19 and restrictions upon families.
- 5.12 During 2020/21 the Complaints and Information Team have recorded the number of complaints which were able to be resolved prior to being logged as a formal Stage 1 complaint, examples of which are; not being able to get hold of a team, a new referral required, matters concerning a third party provider. The number of concerns resolved under this category is 38.
- 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 decreasing for the second year running.



- 5.14 The Complaints and Information Team receives complaints through a number of mediums and these are detailed below for 2020/21:
- Telephone (47)
 - Letter (7)
 - E-mail (58)
 - Complaints form (1)
 - Online (16)
- 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 and trends from the findings of complaints, to improve future practice.

- 5.17 Of the 129 complaints received at Stage 1 in 2020/21, the following outcomes were noted:
- 25 were closed as the matters were resolved early or signposted to other processes, e.g. the legal process
 - 6 complaints were upheld
 - 9 complaints were partially upheld
 - 86 complaints were not upheld
 - 3 complaints were ongoing at the year end
- 5.18 Of the 6 complaints that were upheld:
- 2 related to Adult Services
 - 2 related to Children's Services
 - 2 related to Direct Payments and Deputyship services
- 5.19 In relation to the 2 matters upheld for Adult's Services, below is a summary of the concerns and changes made to improve future practice:
- The 2 complaints were from the same complainant and expressed their dissatisfaction with the reduction in the level of respite care provided for their child with disabilities. There were instances of a lack of communication and incorrect information which impacted on the family. This was particularly distressing as it was during a time in which the mother had passed away and father needed additional support and time with his other child. Sincere apologies for not being clear on the provision and allocation of respite care was offered along with a review of the care needed. A clear communication channel is now in place and the parent has multi agency support.
- 5.20 In relation to the 2 matters upheld for Children's Services, below is a summary of the concerns and changes made to improve future practice:
- The complainant was unhappy with the negative outcome of a Connected Persons Assessment and felt that it had been based on factual inaccuracies made by the Social Worker. After discussing the case with the Service Manager it was agreed that, having reviewed the information, further assessment was appropriate and the carer progressed to Part 2 of the Connected Persons Assessment process.
 - The complainant was unhappy that historical information relating to their ex-partner and alleged instances of Domestic Violence was being referred to in current meetings, even though it had been proved some time ago to have been a lie. The case notes were reviewed and it appears that a discussion was held during a case conference regarding the child witnessing domestic violence and various support agencies that were involved supported this. However, there was no evidence of domestic violence, no police reports or any formal complaint to the police to confirm this. It was agreed that whilst the conference case notes could not be amended as these discussions did take place, all agencies would be informed that there was no evidence of Domestic Violence of which the complainant was the perpetrator.
- 5.21 In relation to the 2 matters upheld for Corporate matters, below is a summary of the concerns and actions taken:
- A complaint was received regarding a property not being kept in good condition whilst under the Directorate's supervision, visit logs and maintenance reports were requested by the family of the late owner. A breakdown of the visits made to the property were provided, it was agreed that the condition of the property was below standard. It was agreed that, the garden should have been maintained to a better standard than it was and whilst the visits did happen on a monthly basis the visit logs showed very little detail of any substantive checking or inspection. It was agreed that the Facilities Department would undertake a review of the

documentation in order to make this clearer in future. Furthermore, apologies were made for the property not being maintained as it should have whilst subject to a Protection of Property Order. In addition, damage to the ceiling as well as the garden clearance and any damage to property will be processed via a CCBC insurance claim, information was provided on this process.

- A complaint was received from a personal assistant who was very angry that their direct payment wages for being employed as a personal assistant were not paid into the bank on the date stated on the payslip. An apology was offered along with an explanation, of a system processing error that occurred between the payroll provider and the Direct Payment bank account.

5.22 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.

5.23 During this year, 2 complaints have been referred to POVA, 1 has subsequently been closed with no investigation and 1 is still open awaiting a review.

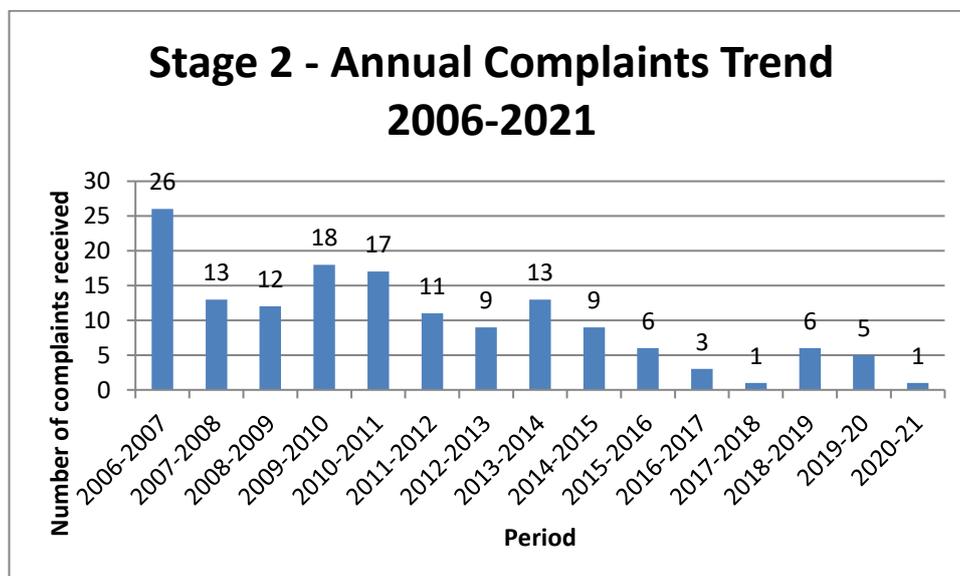
Complaints – Stage 2

5.24 During 2020/21 the Directorate received 9 requests to progress the complaint to a Stage 2 formal investigation, of these requests 1 has proceeded to an independent formal stage 2 investigation, (as noted in point 7.1 of this report). During 2019/20 there were 5 independent stage 2 investigations carried out.

5.25 Of the 9 requests for a stage 2 investigation:

- 1 relating to Children's Services is currently in progress, and awaiting the investigating officers report
- 1 is being reviewed and the complainant has requested a meeting to discuss concerns in more detail
- 4 have been carried out internally following the corporate process and closed
- 3 were refused for not meeting the criteria and redirected to the Ombudsman

5.26 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's investigations

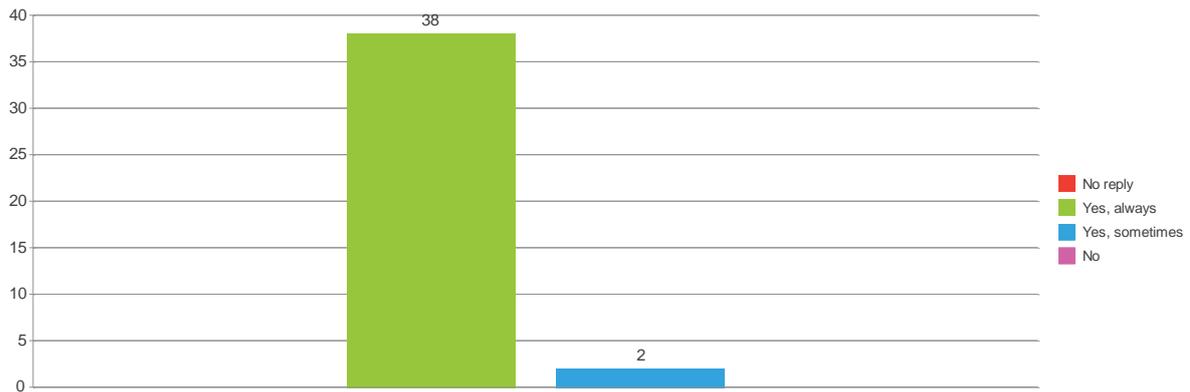
- 5.27 There were 14 contacts by our customers during this year to the Public Services Ombudsman for Wales (PSOW). This is an increase on the previous year when 11 customers approached the PSOW for support. The outcomes of the 14 contacts were as follows:
- In 7 cases, initial enquiries undertaken by the PSOW confirmed that Caerphilly CBC had followed due processes and their investigations were therefore closed down
 - In one of the above cases, recommendations for a letter of apology to be sent to the complainant was agreed and completed
 - In 3 cases, the complaint had been superseded by Court Proceedings and in line with the guidance Caerphilly CBC were right to close the complaint
 - In 3 cases, the PSOW requested additional information from the complainant in order to decide whether to proceed or not and this information was not provided so the cases were closed down
 - One case was deemed to be out of timescale to be considered by the PSOW
- 5.28 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 and provide consistent advice. During 2020/21, the Team were able to access webinar training for Complaint and Information Officers run by the PSOW.
- 5.29 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

- 5.30 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.
- 5.31 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. 153 compliments have been logged during the year, 116 (76%) relate to Adult's Services and 37 (24%) relate to Children's Services. Whilst this is a lower overall number of compliments received compared to the previous year, the volume remains high.
- 5.32 During the year 16 surveys were sent out, 3 (19%) of these were for Adult Services, 12 (75%) were for Children's Services and 1 (6%) related to both Adult Services and Children's Services. At the time of this report 11 surveys are ongoing, 1 Adult Services, 10 Children's Services.
- 5.34 An example of positive feedback in Adult Services is, a quality satisfaction survey was undertaken to gain client feedback in order to evaluate the effectiveness of the home care service, below are the responses given in a survey that asked "Do your carers treat you with

respect and dignity?"

Do your carers treat you with respect and dignity?



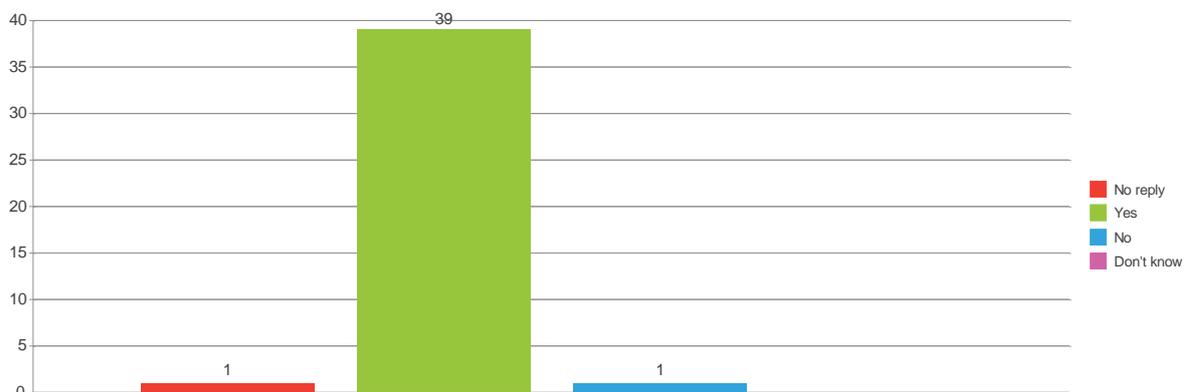
Comments received regarding this survey:

- My carers have always treated me with total respect and dignity and communicate with me all the time.
- They have an appropriate combination of respect and informality which is professional.
- Very respectable and caring, always pleasant and happy
- No complaints about carers, they're the best in the world
- As a family, we are very pleased with the service that the carers provide. They are always professional and treat my mum with the utmost care.
- The carers that came to my Dad were wonderful
- Very pleased with carers, they treat my husband with great respect and always make sure he is happy.
- My mother is always treated with respect and dignity by the girls and they are a lovely bunch.
- Carers are lovely and professional at all times, so helpful.

5.35 In relation to Children’s Services, children/young people completed a survey in 2020 which sought their feedback on their experience of the Supporting Family Change (SFC) team.

The graph below shows the response to the Supporting Family Change survey

Did you find Supporting Family Change helpful?



1 child/young person and 40 parents completed the surveys, some comments included:

- We really do appreciate everything you have done and continue to do for us, I honestly don't think we'd be where we are without your intervention and for that I don't think I can ever thank

you enough, you have been an absolute star and you are an amazing asset to your team and everyone you work with, thank you again.

- I got the support I needed and from the referrals that have been made that I needed, thank you so much for your help
- I am feeling so much more confident, and I want to thank you for all your help, it has been amazing
- Under the circumstances of Covid-19 Supporting Family Change has been a fantastic service and also fantastic support. With the help I have been able to build my confidence up to go forward giving me and my son the building blocks that was needed.
- I felt informed all the way through the process
- Thank you for all the support and help, I would recommend anyone in the need of the help. You have helped me so much. Thank You.
- You really have helped me a lot don't know what i would have done without the help and support from you all its really appreciated and a massive thank you to you all
- You went above and beyond.
- The help myself and daughter received was brilliant.
- The support was there when I was broken and when it was needed. It helped me when I didn't understand where to go and what to do.

5.36 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
Joanne Jones, Corporate Information Governance Manager
Councillor Shayne Cook, Cabinet Member for Social Care
Councillor Donna Cushing, Chair of Scrutiny Committee
Councillor Carmen Bezzina, Vice Chair of Scrutiny Committee

Appendices:
Appendix 1 Comments from customers and families

Adults:

- **Feedback from family of resident of Broadawel Care Home:**

Son reported that his father was 'well looked after.' He was very complimentary about the home and used the following phrases to express his views, 'I admire the staff.' 'The home is clean and tidy.' 'I am always pleased and impressed with the staff there.' 'We feel so lucky to have him there, we can't speak highly enough about it.' 'The staff obviously think a lot about the residents.' 'They can't do enough for you.' 'You can tell there is respect there.' 'It's such a loving homely environment.'

- **Correspondence from a family member to Castle View Care Home:**

"I should say that my family have nothing but gratitude and admiration for the council and the staff of Castle View, for the way they cared for my dad before he passed away and they have made my mother happy, safe and content in her final years."

- **Compliments to HART/CRT Team:**

EC@H staff are "amazing" and stated that when her husband previously received Reablement calls and is now having EC@H support that she feels that the service provided by all staff has been "outstanding" and that she cannot thank all involved enough. She stated she would love to keep HART carers in place when the on-going POC is arranged and stated "the carers have something extra special about them".

- **Compliments to Occupational Therapy:**

"I am a proud lady and therefore have never asked for help until recently (and even then it was not of my doing but a referral from the Mental Health team). XXX made me feel at ease and I found her easy going nature and professional manner second to none. She explained the process to me and listened patiently to my concerns. The level of treatment and concern I received from her was both sympathetic and understanding and I feel that she is a credit to your team."

- **Compliments to North Older People's Team**

"You saved my life this morning... it was lovely to speak with someone and help calm me and reassure me"

"I would like to highlight the professional way that [the social worker] helped and supported myself and mother in these unpredictable and unprecedented times"

"I cannot find words to express how relieved and looked after I felt once the system was put in place"

- **Compliments to South Older People's Team**

"I don't think that any of this could have happened without your professional and caring input and I would like to say that I am really grateful. As we both know my Mother can be a very difficult person to deal with at times."

- **Partnership working regarding PPE**

"I would like to take this opportunity to thank you and your team for an excellent job you have done from the start of this covid 19 outbreak. You and your team have given us here most excellent support. "

Childrens:

- **Feedback for 16+ Team**

"It was such a good research to be involved in, mental health wasn't a "big deal" when I was younger but obviously awareness has been spread since then. I did tell her how amazing 16+ team are though especially you. Wouldn't be where I am without your support and guidance."

- **Blackwood Childcare Team**

Initially a complaint however after speaking with the team the complainant started that he wanted to completely withdraw his complaint, he wished to express how helpful XX had been and to say that he now fully understands that neither social services nor the police have acted incompetently in any way but were following necessary procedures.

- **Bargoed Childcare Team**

Text received from a parent whose children were removed from her care *"I just want to thank you for everything you've done in the last year, I know I've not always seen why but I do not its always been in the best interests of the kids and that their safe and it means a lot to me that them boys are happy no matter who there with as a mother I will always be trying to better myself to get them home. Thank you again."*

- **Compliments to Caerphilly West Child Care Team**

From Cafcass *"I just wanted to let you know that I was really impressed by the quality of the evidence that you presented to the Court this week. I felt that you were measured, professional and very clear. Despite the terrible behaviour of the Grandparents you maintained composure and balance. This made it much easier when it came to my turn to give evidence as you had covered pretty much everything!"*

- **Praise received at Rhymney Child Care Team**

"I'm gutted your leaving, you've seen me at my lowest as well as my happiest and you've never judged only supported me. If there were more people like you the world would be a better place. Good luck on your new adventure, wherever you go you'll make a difference to someone. You leave love and sparkle wherever you do. Thank you for everything."

- **Feedback received by Risca Child Care Team**

Received from NYAS on behalf of family, *"Thank you for everything you have done for XXX and XXX. She(mum) has told me that you are the best Social worker she has ever known and has a lot to thank you for. She also says you have changed the way she looks at Social workers and said you are truly amazing. She can't thank you enough."*

- **Youth Offending Service**

Email received from parent of young person receiving support *"I wanted to send this email to let you know how amazing they have been with both myself and my daughter whom has ASD. From the very beginning they offered so much support to us both and also emotional support to myself too, I will forever be grateful for the work and effort they both put in to help (daughter), meet her needs and also advocate for her, you are very privileged to have them as part of your team, they understood and always thought outside the box with a very child centred approach and it worked! If only all professionals could be like them. They deserve the appreciation so much. I'd like to say thank you from the bottom of my heart."*