



## **EDUCATION AND SOCIAL SERVICES SCRUTINY COMMITTEE – 12<sup>TH</sup> SEPTEMBER 2023**

**SUBJECT: ANNUAL REVIEW OF COMPLAINTS RECEIVED UNDER THE  
SOCIAL SERVICES COMPLAINTS POLICY 1<sup>ST</sup> APRIL 2022 TO 31<sup>ST</sup>  
MARCH 2023**

**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<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023. 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 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 provides details of representations, complaints and compliments for the period 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023. The report describes the activity carried out during the period and is contained within section 5 of the report.

### **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 2022/23, the Complaints and Information Team have made every effort to ensure compliance with the Protocol that governs the sharing of information with Councillors (Cllr)/Member of Parliament (MP)/Member of Senedd (MS), ensuring that relevant consent is obtained where necessary. A flowchart has been produced and shared to provide additional guidance around representations.

## 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, 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 mandatory annual awareness raising sessions to all Social Services teams, which covers the complaints process and Data Protection, with emphasis on the General Data Protection Regulations (GDPR). During the period 1<sup>st</sup> April 2022 and 31<sup>st</sup> March 2023, 38 online sessions were delivered, reaching 371 members of staff (201 for Adults Services, 170 for Children’s Services). This is a slight decrease from the previous year, where 49 sessions were delivered to 409 members of staff.

During 2022/23 more staff have been returning to the office and we have re-introduced face to face delivery of the awareness raising sessions. During the period 1<sup>st</sup> April 2022 and 31<sup>st</sup> March 2023, 11 face to face sessions were delivered, reaching 94 members of staff (36 for Adults Services, 58 for Children’s Services).

Therefore overall, the training attendance has increased on last year’s figures as this year we have provided 49 sessions, reaching 465 members of staff.

### COMPLAINT REPRESENTATIONS

- 5.6 During 2022/23, 35 representations were received, of these, 25 (71%) related to Adult Services and 10 (29%) to Children’s Services. This is a large decrease on the previous year where 98 representations were received, this may be due to the additional guidance that has been produced and a reduction in the queries regarding Day Centres. As in previous years the breakdown between Adults/Children’s Services remains the same.
- 5.7 Whilst the number of representations has decreased many of them were still regarding access

to Day Services and questions around the future of Day Service provision. Other representations were received on behalf of families regarding the need for additional play/holiday schemes for children with disabilities and concerns for families that were involved in the child protection arena.

5.8 The Complaints and Information Team receive representations from a number of sources and these are detailed below for 2022/23:

- Members of the Senedd, Members of Parliament (20)
- Elected Members/Councillors (9)
- Advocates (5)
- Family Member (1)

5.9 Representations have been made through the following routes:

- Email (34)
- Letter (1)

This continues the pattern of previous years whereby email is the predominant form of communication for representations, there have been no representations made via the telephone as there have been in previous years.

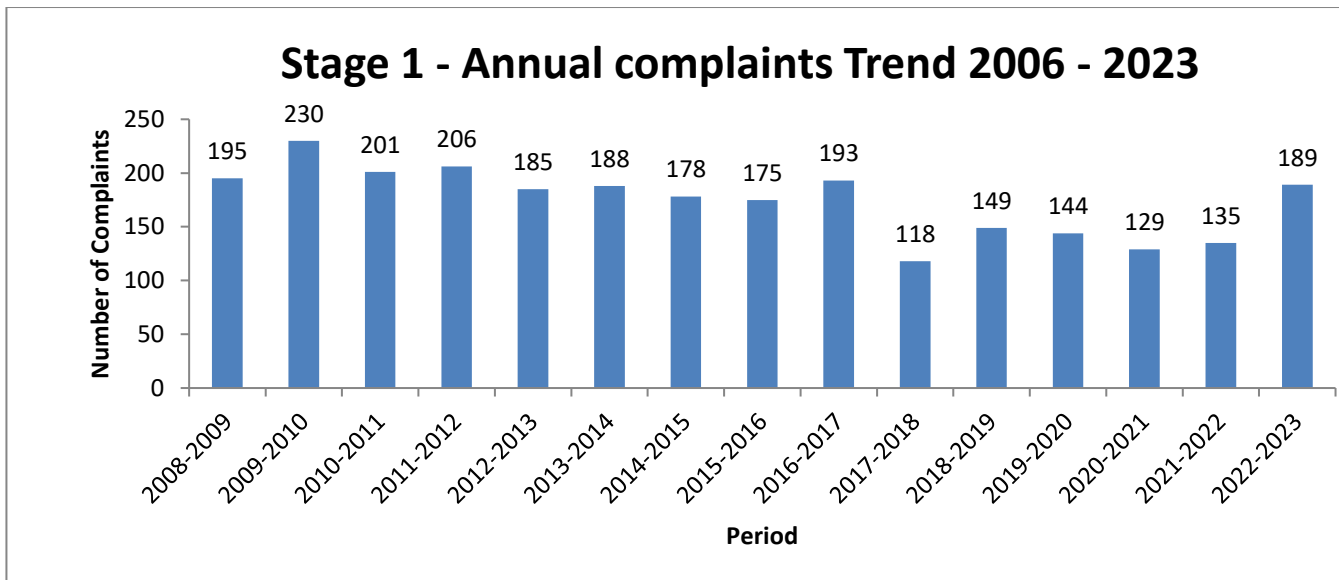
### **COMPLAINTS – STAGE 1**

5.10 During 2022/23 the Directorate received 189 complaints, of these 11 were progressed to a stage 2 complaint investigation. The majority of the complaints continue to be 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 189 complaints received at Stage 1, 49 (26%) related to Adult Services, 78 (41%) to Children's Services and 62 (33%) to Corporate matters. This year's figures are higher than those for 2021/22 when we received 135 Stage 1 complaints. There has been an increase in the number of adult services and corporate complaints and we believe this to be linked to the ongoing pressures facing the Adult Social Care sector.

5.12 During 2022/23 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. This area of potential complaints has seen a continued rise from 38 in 2020/21 to 131 in 2021/22 and 155 in 2022/23.

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 rise significantly, in line with numbers seen in 2016/2017.



5.14 The Complaints and Information Team receives complaints through a number of mediums and these are detailed below for 2022/23:

- Telephone (63)
- Letter (13)
- Email (98)
- Website online form (13)
- In person (2)

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 email and telephone contact continuing to be the preferred method of contact.

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 189 complaints received at Stage 1 in 2022/23, the following outcomes were recorded:

- 147 complaints were not upheld
- 8 complaints were partially upheld
- 13 complaints were upheld
- 15 complaints were closed due to concurrent investigations
- 3 complaints were closed due to no contact or withdrawn by the complainant
- 2 complaints were signposted to other agencies
- 1 complaint cannot be outcomed as was ongoing at the year end

5.18 Of the 13 complaints that were upheld:

- 5 related to Adult Social Services
- 3 related to Children’s Social Services
- 5 related to the corporate complaint procedure (4 relating to concerns for the care being provided to adult relatives including staffing and care packages and 1 relating to support and training offered to a Foster Carer).

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) – An assessment for a child with disabilities to attend a holiday playscheme was not offered, this oversight occurred due to staff shortages. The assessment to look at all areas of support was carried out following the complaint and apologies were provided.
- Upheld complaint Adult Services (2) - A service user's carers were providing teatime support and they made the decision to inform night time carers not to attend. The complainant had to call the emergency duty team to instruct the twilight staff to attend. It was acknowledged that this was an error and apologies were given.
- Upheld complaint Adult Services (3) – A service user's wheelchair had been lost at Brooklands day centre. Staff looked for the wheelchair however without success. Apologies were given to the family and a gesture of goodwill payment was made.
- Upheld complaint Adult Services (4) - Concerns were raised about how a carer treated a service user particularly her dignity not being respected. The team stressed these concerns would be treated seriously and investigated under the HR process, reassurances were given that this particular carer would not support the family again.
- Upheld complaint Adult Services (5) -. A service user who was unhappy in a residential placement has via an advocate requested for a joined up approach between Health, CHC and social services. The team agreed to allocate the social worker that the service user requested to offer this support.
- Upheld complaint Children's Services (1) – A complainant was unhappy with the social workers attitude and believed them to be negative and to have lied. Whilst the social worker explained the service user was difficult to work with, they apologised if their manner caused any upset. It was felt best to change the social worker to improve relationships going forward.
- Upheld complaint Children's Services (2) - A complainant was unhappy with the delay in completing the eligibility for care and support assessment. The assessment was not completed within the 42 day timescale, the response stated the assessment was in fact completed in timescale however it was not shared with the complainant. This complaint later progressed to a stage two complaint that was subsequently withdrawn by the complainant.
- Upheld complaint Children's Services (3) - A complainant was unhappy that sensitive documents were left with a colleague at his workplace, also the care and support plan minutes were not factual. A meeting was held with the team manager, the case was reviewed, and apologies were given for the documents being left, the complainant was given reassurances that this was not standard practice.
- Upheld complaint Corporate Services (1) – A complaint was received from a resident that lives near an adult day centre, staff and users of the centre were continually parking outside the resident's home causing her difficulties to park. The centre has since stopped operating as a day centre so should alleviate the problem, however apologies were also given.
- Upheld complaint Corporate Services (2) – Complaint received from a granddaughter who was dissatisfied with the time taken for a package of care to be put in place for her grandmother. The team explained the assessment service process and agreed that the time was unreasonable. Staff vacancies and a full waiting list contributed to the delays however the assessment service commenced shortly after the complaint.
- Upheld complaint Corporate Services (3) - Complaint from a newly registered foster carer who was unhappy with the lack of training offered, not being provided with a lockable storage box or reporting logs and a general lack of information about the role. The team agreed that there was not as much face to face interaction as would have been given previously, due to COVID restrictions. Details were given of upcoming induction sessions, the complainant was provided

with a storage box and was encouraged to discuss these types of issues directly with the social worker.

- Upheld complaint Corporate Services (4) – A family member complained regarding the care provided to her grandfather from a CCBC commissioned service. The case was investigated, and it was acknowledged that bed sheets and clean clothes had not been provided. It was felt this was a one off instance however not an acceptable standard of service, sincere apologies were given to the family.
- Upheld complaint Corporate Services (5) - There were considerable delays in processing invoices and statements for a complainant's late father's care fees. The case was fully reviewed, and a number of errors were identified. It was agreed to offer a discretionary reduction to the amount payable as a gesture of goodwill.

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 further investigation from the safeguarding team and the complaint now closed. 1 of these complaints remains ongoing for a safeguarding investigation and is on hold until complete.

### **COMPLAINTS – STAGE 2**

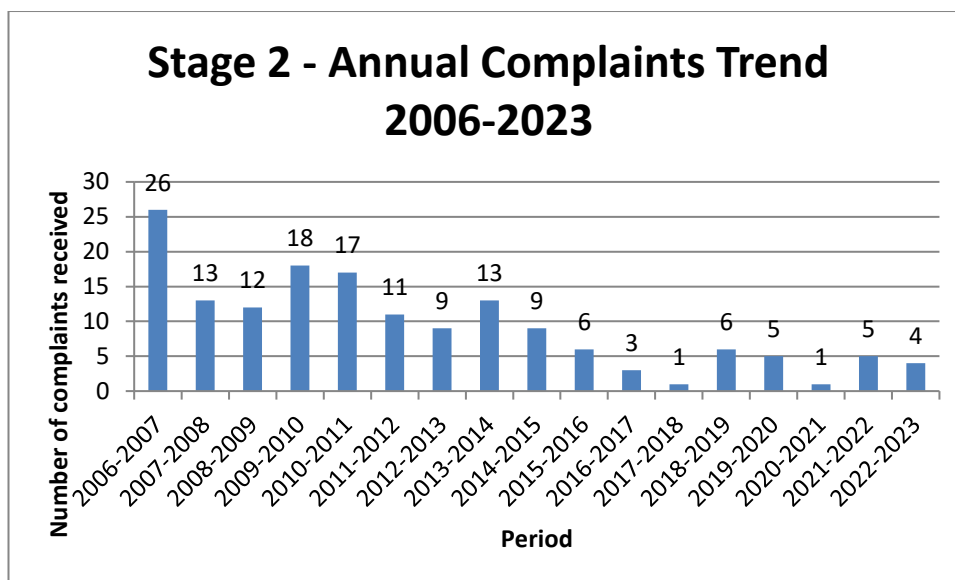
5.22 During 2022/23 the Directorate agreed to progress 11 requests to a Stage 2 investigation. Of these requests 7 have been completed under the corporate Stage 2 complaint procedure and 4 proceeded with an independent formal Stage 2 investigation under the Social Services complaints procedure.

During 2021/22 there was 5 independent Stage 2 investigations carried out under the Social Services complaints procedure.

5.23 Of the 11 requests for a Stage 2 investigation:

- 4 were relating to the corporate process for Adult's Services
- 3 were relating to the corporate process for Children's Services
- 1 relating to Adult Services was completed under the Social Services Stage 2 process following the Ombudsman directions in 2021/22.
- 3 Social Services Stage 2 investigations relating to Children's Services are ongoing at the time of this report.

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



## OMBUDSMAN'S INVESTIGATIONS

- 5.25 There were 9 contacts by our customers during this year to The Ombudsman, this is less than the previous year of 14 contacts.  
The outcomes of the 9 contacts as follows:
- In 5 cases, initial enquiries undertaken by The Ombudsman confirmed that CCBC had followed due processes and their investigations were therefore closed down.
  - 1 case was withdrawn after day services were re-instated and the complainant was satisfied with CCBC's response.
  - 2 cases were referred back to CCBC as no stage 1 had been conducted.
  - In 1 case, the Ombudsman stated that CCBC should conduct a Stage 2 investigation. This was completed and included in the Stage 2 figures in point 5.23 of this report.
- 5.26 The Complaints and Information Team continue to have a positive relationship with the Ombudsman and attends regular training events. The team have an open and transparent dialogue with the Ombudsman and continues to discuss persistent complainants 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 Ombudsman Office, and this has resulted in positive outcomes.
- 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.

## Compliments

- 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. During the year 233 compliments have been logged during the year, 166 (71%) relate to Adult's Services and 67 (29%) relate to Children's Services. This has increased on the number of compliments received compared to the previous year (126) and we have improved the process for acknowledging and recording these.
- 5.30 Many of the letters and cards received from service users 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.

5.31 During the year, 10 surveys were sent out, 1 of these were for Adult Services (10%) and 9 (90%) for Children's Services. At the time of this report all 10 surveys are ongoing.

5.32 In relation to Children's Services, a survey was completed in 2022 with prospective Foster Carers which sought their feedback on their experience of the Caerphilly Foster Panel. A total of 10 questionnaires were completed. Some comments included:

- Was very comfortable, was listened to by everyone involved.
- Completed via teams.
- Meeting was held on time, everyone introduced themselves and explained what they do. I did not feel uncomfortable with any part of the procedure.
- It was a professional and safe environment. I felt we were asked relevant questions with regards to becoming foster carers and we were given supportive feedback.
- Would have preferred to meet face to face.

## **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 Elaine Forehead, Cabinet Member for Social Services  
Councillor Donna Cushing, Chair of Scrutiny Committee  
Councillor Marina Chacon-Dawson, Vice Chair of Scrutiny Committee  
Carl Evans, Corporate Information Governance Manager



Appendices:  
Appendix 1

Comments from service users and their families

**Adults:**

- **Feedback from a Social Worker supporting a resident move into Brodawel Care Home**

*“I visited X last week and was overcome with how calm, settled, happy and well adjusted she presented. She had settled into her own surroundings, was not displaying any of the behaviours previously and I was able to observe her interacting with the other residents and staff. She was having a laugh, making jokes and generally looked so well in herself. This is such a transformation from how she presented in her flat. It is lovely to see X like this and I know the family are so grateful to Brodawel for their help and support. They have also helped X to sleep in her bed which she hadn’t done for years when in her flat. So, in conclusion, I just want to say what an amazing team you have working in Brodawel”.*

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

*“You’re a diamond, on behalf of me and the family you have been invaluable and I’m sure if my dad could understand he would thank you also, you have not only looked after my dad but us as a family”.*

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

*“From my first introduction to X, over the phone, he has been really easy to deal with. I have found him to be very approachable, very clear about the processes to follow and has been exceptionally professional in his dealings with our family. In our meeting the current challenges within the social care sector were explained to us and how this has an impact on what options we had and continue to have for mum. The immediate support required was respite care and X has been really helpful in supporting mums needs and ensuring that the transition for her into the care home environment was very smooth and stress free for mum and the family”.*

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

*“My mother is 94 and it became increasingly obvious that she could no longer live independently, it was then that X was assigned to her. I had no idea where to go for help nor what to do. X talked us gently through our options and was an incredible support and an absolute mine of useful information. She was always compassionate when talking to my mother and put her welfare at the heart of everything she did. We both felt we had a friend on our side who could help us find our way through a complex system. Always polite and friendly she was a true professional and we would both like to thank her for making a very difficult time so much easier”.*

- **Compliments to a Worker in the Drug & Alcohol Team**

*An email was received from a Social Worker in a Children’s locality team to “recognise X’s outstanding work with one of the most difficult cases worked to date. X has been supporting a mother of the children open to me with her substance issue and mental health, however she has done much more than this in reality. X has kept in constant communication with me, particularly as we have navigated managing risk for not only the children, but their mother as well as their grandmother. I have to say that I have been lucky to have been working alongside X, despite our roles being different, her professionalism, compassion and communication has been second to none”.*

- **A Facebook post from an entertainer at Ty Clyd Residential Care Home**

*“What an incredible hour, up there with the best gigs I have ever, laughs, tears, a biscuit machine, a staff dance, singing and dancing. The staff are truly a credit”.*

## **Childrens:**

- **Email received from a Foster Carer**

*"We'd like them to know how thankful we are for all the help and support we get off you day in day out...but especially this past year. I would like to take this opportunity to let you know how amazing X has been whilst we have gone through the adoption process with our Son. Her professionalism and knowledge emanates, she constantly put us at ease which wasn't an easy task, as I had lots of questions at times. She kept us informed and updated and supported us through everything, she always replies in a very timely and efficient manner. She is a credit to her profession and an asset to your department. We would also like to say a massive thank you to the Family Placement Team...you have supported us throughout the whole process and have been so understanding and patient with our needs. It's a privilege to work with you all. A heartfelt thanks to her, FPT and Ccbc you have made our dreams come true and our family complete...he was the missing piece we didn't know was missing".*

- **Risca Childrens Services Team**

*Chocolates, flowers and a thank you card received from a young person who's case was about to close "Its mad to see that I'm 18, It feels weird but without everyone's help I dunno if I could've made it this far. Thank you isn't enough for what you've done".*

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

*Feedback from a judge who wanted to "compliment the Local Authority on making the application to the Court" and "felt reassured by the child-focussed approach taken".*

- **Bargoed Childrens Services Team**

*A thank you card received "Cant believe we're saying goodbye! Thank you for everything you've done for us. You'll never know how much you've restored my faith in Social Services. You're a real person and the service really does need more like you in it".*

- **Feedback from Childrens Guardian regarding Social Worker in Rhymney Childrens Services Team**

*"I would like to take this opportunity to commend the social worker, who has worked this case tirelessly. It is my opinion that she has gone above and beyond of what is expected to ensure that the children have been appropriately supported and safeguarded despite the challenges she has encountered".*

- **Youth Offending Service**

*Text received from a parent "Thank you so much, we are so grateful for all the help we have received from you. We're all getting along so much better now and X is back in school and is like a new person. We truly are so grateful for all the help we have received and for getting to know you both."*

- **Feedback to Intensive Support Team**

*Text received from a parent, "just wanna say a Massive thank you for when you worked with me throughout my pregnancy. The work we done helped me so much to become a new mum again."*