

SOCIAL AND HEALTH CARE OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	Thursday, 7 th September 2023
Report Subject	Annual report on the Social Services Complaints and Compliments Procedure 2022-23
Cabinet Member	Cabinet Member for Social Services
Report Author	Chief Officer for Social Services
Type of Report	Operational

EXECUTIVE SUMMARY

The Social Services and Wellbeing Act (Wales) 2014 and Social Services Complaints Procedure Regulations 2014, requires Local Authorities to maintain a representations and complaints procedure for social services functions (referred to as the “procedure” from now on). The Welsh Government expects each Local Authority to report annually on its operation of the procedure.

212 compliments were received and recorded during the year across the Service, in recognition of the quality and valued care and support received from Adult Social Care staff.

There was an increase in the number of complaints made about Adult Social Care during the year. Of the 2,659 adults who had a care and support plan on 31st March 2023, 55 individuals complained about the service they received (2%). This compares to 46 complaints during 2021-22 and 45 complaints during 2020-21.

There were 171 compliments about the work of Children’s Services, in recognition of the quality and valued care and support provided by the service. Examples of all compliments are included in appendix 4.

There was an increase in the number of complaints received during the year regarding Children’s Social Services: 59 complaints from the total of 2,087 children and families who received care and support (2%). This compares to 44 complaints during 2021-22 and 48 complaints during 2020-21. Complaints about the Service have been comparable year on year for a number of years previously.

All representations made are scrutinised and used to improve both services as part of a ‘lessons learned’ process.

RECOMMENDATIONS

1	That Members scrutinise the effectiveness of the complaints procedure with lessons being learnt to improve service provision.
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REPORT DETAILS

1.00	EXPLAINING THE ANNUAL REPORT ON THE SOCIAL SERVICES COMPLAINTS AND COMPLIMENTS PROCEDURE 2022-23
1.01	Feedback in the form of compliments and complaints from service users, their family or carers can highlight where services are working well or where services need changing. Flintshire County Council wants to learn from this feedback and use the experiences to improve services for everyone who uses them.
1.02	As part of our day-to-day business staff deal with questions, concerns, problems, dissatisfaction, and general feedback which frequently includes praise. We encourage staff to listen to people, to explain decisions, to clarify where misunderstandings have arisen and to take action to put things right where they can. This approach enables us to provide a responsive and effective service. However, we recognise that there will also be complaints that we need to listen to, address and learn from.
1.03	Our assessment is that Social Services has a robust complaints procedure in place. We welcome complaints and want to ensure service users, carers and families are listened to, their views acted upon, and that receive a timely and open response. Staff and Managers work hard to resolve problems as soon as they arise, and advocacy is actively promoted. As part of our wider approach to quality assurance all complaints are reviewed to bring together information about the overall quality of services, to identify trends, and action required including any lessons learned to avoid similar issues arising again.
1.04	<u>Overview of complaints: Adult Social Care</u>
1.05	<p>There was an increase in the number of complaints made about Adult Social Care during the year. Of the 2,659 people with a care and support plan on 31st March 2023, 55 individuals complained about the service they received (2%). This compares to 46 complaints during 2021-22 and 45 complaints during 2020-21.</p> <p>The year also saw a small increase in the number of complaints escalating to Stage 2. Of the 55 complaints received, 3 complaints were investigated independently at Stage 2. The outcomes of these 3 complaints are reported in appendix 3.</p>

1.06	All complaints received across the Service are scrutinised to see if anything further could have been done to alleviate a complaint being made in the first place: broadly speaking there were no such instances where a complaint could have been avoided. Every effort is made by social work staff and Managers to resolve issues/concerns quickly with service users and families. See Appendix 1 for a summary of complaints grouped into themes.																																												
1.07	Older People Services is the largest part of Adult Social Care and receives the largest number of complaints, taking into account the challenges the Service faces with increased demand. The Disability Service, which includes the Progression Service and the Child to Adult Team) has also seen an increase in the number of complaints. Complaints relate to our involvement as well as delays with support.																																												
1.08	<table border="1" data-bbox="363 741 1139 2078"> <thead> <tr> <th data-bbox="363 741 596 869">Service</th> <th data-bbox="596 741 778 869">2022-23</th> <th data-bbox="778 741 960 869">2021-22</th> <th data-bbox="960 741 1139 869">2020-21</th> </tr> </thead> <tbody> <tr> <td data-bbox="363 869 596 981">Older People Services</td> <td data-bbox="596 869 778 981">16</td> <td data-bbox="778 869 960 981">17</td> <td data-bbox="960 869 1139 981">22</td> </tr> <tr> <td data-bbox="363 981 596 1093">Older People – Provider</td> <td data-bbox="596 981 778 1093">5</td> <td data-bbox="778 981 960 1093">2</td> <td data-bbox="960 981 1139 1093">1</td> </tr> <tr> <td data-bbox="363 1093 596 1227">Learning Disability Service</td> <td data-bbox="596 1093 778 1227">2</td> <td data-bbox="778 1093 960 1227">2</td> <td data-bbox="960 1093 1139 1227">1</td> </tr> <tr> <td data-bbox="363 1227 596 1406">Mental Health and Substance Misuse</td> <td data-bbox="596 1227 778 1406">1</td> <td data-bbox="778 1227 960 1406">0</td> <td data-bbox="960 1227 1139 1406">2</td> </tr> <tr> <td data-bbox="363 1406 596 1518">Disability Service</td> <td data-bbox="596 1406 778 1518">11</td> <td data-bbox="778 1406 960 1518">7</td> <td data-bbox="960 1406 1139 1518">3</td> </tr> <tr> <td data-bbox="363 1518 596 1574">Safeguarding</td> <td data-bbox="596 1518 778 1574">3</td> <td data-bbox="778 1518 960 1574">0</td> <td data-bbox="960 1518 1139 1574">0</td> </tr> <tr> <td data-bbox="363 1574 596 1709">Other (inc. Business Support etc.)</td> <td data-bbox="596 1574 778 1709">5</td> <td data-bbox="778 1574 960 1709">6</td> <td data-bbox="960 1574 1139 1709">5</td> </tr> <tr> <td data-bbox="363 1709 596 1877">Registered Residential Provider</td> <td data-bbox="596 1709 778 1877">4</td> <td data-bbox="778 1709 960 1877">7</td> <td data-bbox="960 1709 1139 1877">6</td> </tr> <tr> <td data-bbox="363 1877 596 2022">Registered Domiciliary Providers</td> <td data-bbox="596 1877 778 2022">4</td> <td data-bbox="778 1877 960 2022">4</td> <td data-bbox="960 1877 1139 2022">3</td> </tr> <tr> <td data-bbox="363 2022 596 2078">Integrated</td> <td data-bbox="596 2022 778 2078">4</td> <td data-bbox="778 2022 960 2078">1</td> <td data-bbox="960 2022 1139 2078">2</td> </tr> </tbody> </table>	Service	2022-23	2021-22	2020-21	Older People Services	16	17	22	Older People – Provider	5	2	1	Learning Disability Service	2	2	1	Mental Health and Substance Misuse	1	0	2	Disability Service	11	7	3	Safeguarding	3	0	0	Other (inc. Business Support etc.)	5	6	5	Registered Residential Provider	4	7	6	Registered Domiciliary Providers	4	4	3	Integrated	4	1	2
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	Autism Svc.												
	Total number of complaints	55	46	45									
1.09	<p>Broadly speaking the complaint themes are broken down into the following areas with the number received in brackets).</p> <ul style="list-style-type: none"> • Dignity (1 complaint) • Communication (5 complaints) • Timeliness of our decisions or actions (10 complaints) • Disagreements with our decisions or actions (12 complaints) • Quality of care (8 complaints) • Charges applied or financial issues (8 complaints) • Hospital discharges (1 complaints) • Process issues (6 complaints) • Lack of advice/assistance (6 complaints) <p><i>* Note that often one complaint contains more than one theme</i></p>												
1.10	<p>A range of methods are used to resolve complaints including:</p> <ol style="list-style-type: none"> a. A video conference meeting or telephone conversation with the complainant to discuss their concerns. b. Involving Advocates. c. A written explanation as to the reasons for a decision d. An apology where appropriate e. Action taken to review a decision f. An independent investigation (Stage 2 of the procedure) 												
1.11	<p>The Regulations place a duty to discuss and resolve any complaint within 10 working days and write formally to the complainant confirming the outcomes.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Adult Social Care</th> <th style="text-align: center;">2022-23</th> <th style="text-align: center;">2021-22</th> <th style="text-align: center;">2020-21</th> </tr> </thead> <tbody> <tr> <td style="text-align: left;">Within timescale at Stage 1</td> <td style="text-align: center;">93%</td> <td style="text-align: center;">89%</td> <td style="text-align: center;">89%</td> </tr> </tbody> </table>					Adult Social Care	2022-23	2021-22	2020-21	Within timescale at Stage 1	93%	89%	89%
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1.12	The Service has consistent response times to complaints and always strives to ensure the ten-day timescale is met. There are circumstances, however, when a timely response isn't possible, e.g., if key staff are unavailable, or the complaint is complex and crosses a number of social work teams. The complainant is kept informed of the progress of their complaint and complaints are often responded to or resolved shortly the ten-day timescale.
1.13	<u>Stage 2 (Independent Investigation)</u>
1.14	<p>3 complaints were escalated to Stage 2 of the procedures during 2022-23, compared to 1 complaint during 2021-22 and 4 during 2020-21. See appendix 3 for a summary of the Stage 2 investigations and their outcomes.</p> <p>All complaints that progress to Stage 2 are scrutinised to see if anything further could have been done to resolve the complaint formally at Stage 1.</p>
1.15	<u>Ombudsman</u>
1.16	<p>The Ombudsman made 4 enquiries regarding Adult Social Care cases during 2022-23.</p> <p>2 complaints were not taken further as settlements were agreed by the Council. One settlement resulted in the Social Services Transport Policy being revised. The other settlement resulted in an apology being made that separate carer's assessment were not offered to both parents in a family when only one carer's assessment had been offered. (Both sets of parents are usually offered a carers assessment in their own right).</p> <p>1 complaint was not taken forward as the Ombudsman insisted the matter be considered at Stage 2 (with regard to financial charges applied to an individual).</p> <p>1 enquiry was not taken further by Ombudsman as there was no merit to it and closed.</p>
1.17	<u>Lessons Learned</u>
1.18	<p>Learning from complaints is important and we use the findings and outcomes to inform policy and practice in delivering services (known as the 'lessons learned' process). Examples of action taken on issues raised as a result of complaints to Adult Social Care include:</p> <ul style="list-style-type: none"> • The Transport Policy being revised to include consideration being given as to how service users could be enabled to make financial contributions towards services received, should they choose to do so. • A new Top-Up Panel meeting now meets regularly. A guidance document for Social Workers has been produced detailing the

	information required to support Panel applications so there is consistency with decision making.																															
1.22	<u>Compliments</u>																															
1.23	<p>It is pleasing to report that Adult Social Care received 212 compliments during the year, showing the high regard in which care and support was delivered during the ongoing challenging and demanding time.</p> <p>Compliments are received in the form of cards, letters or emails from service users or their families when they recognise staff have done “over and above” what is expected. See Appendix 4 for a summary of some of the compliments received across service areas.</p>																															
1.24	<u>Overview of Complaints: Children’s Social Services</u>																															
1.25	<p>The 59 complaints received about the Service this year has been the most received in a number of years.</p> <p>The increase should be considered against the number of children and families (2,087) who received care and support from the Service. See appendix 2 for further details about these complaints.</p> <p>2 complaints were made by young people looked after, supported by their Advocates, and they are detailed in appendix 2.</p> <p>1 complaint was made by a care leaver which we resolved by meeting with them and their foster carer.</p> <p>Again, it is pleasing to report there were 171 compliments about the work of Children’s Services.</p>																															
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	<p>As explained earlier, a range of methods are used to resolve complaints. These include:</p> <ol style="list-style-type: none"> A meeting or conversation with the complainant to discuss their concerns Involving Advocates. A written explanation as to the reasons for a decision An apology where appropriate Action taken to review a decision Independent investigation (Stage 2 of the procedure) 								
	<p>Broadly speaking the complaint themes are broken down into the following areas (with the number received in brackets).</p> <ul style="list-style-type: none"> Communication (15 complaints) Disagreements with our decisions or actions (19 complaints) Contact (8 complaints) Process issues (14 complaints) Lack of advice/assistance (10 complaints) Staff (5 complaints) Placement/fostering issues (7 complaints) <p><i>* Note that often one complaint contains more than one theme</i></p>								
1.27	<p>Of the 59 Stage 1 complaints received, 52 out of 59 complaints received were responded to within timescale (88%). The 7 late complaints were responded shortly outside timescale.</p> <table border="1"> <thead> <tr> <th>Social Services for Children</th> <th>2022-23</th> <th>2021-22</th> <th>2020-21</th> </tr> </thead> <tbody> <tr> <td>Within timescale at Stage 1</td> <td>88%</td> <td>86%</td> <td>90%</td> </tr> </tbody> </table>	Social Services for Children	2022-23	2021-22	2020-21	Within timescale at Stage 1	88%	86%	90%
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1.28	<u>Stage 2 (Independent Investigation)</u>								
1.29	<p>Although there has been an increase in Stage 1 complaints, the number of Stage 2 complaints remain comparable to previous years. 3 complaints progressed to Stage 2 during 2021-22, 3 progressed during 2021-22 and 5 progressed during 2020-21. A summary of these Stage 2 complaints is described in Appendix 3.</p>								
1.30	<u>Ombudsman</u>								

1.31	<p>7 enquiries were made by the Ombudsman's office during the year (the same as last year).</p> <p>6 complaints were not taken further as there was no merit to proceed further.</p> <p>1 complaint was resolved by way of settlement. The complaints procedure will be revised to consider the views of children/young people in any complaint made by their parent/carer.</p>
1.32	<u>Lessons Learned</u>
1.33	<p>Examples of action taken to further improve service delivery after complaints are made:</p> <ul style="list-style-type: none"> • Revised existing training to ensure incoming calls and texts to staff are recorded as per the Recording Policy. • Revised the Fostering Handbook so there is clarity between clothing including as part of the fostering allowance and the Education Department's uniform grant. • Advised social work staff that when visiting family homes, they need to be mindful of what they say before the door opens as 'Ring' doorbells and other devices can pick up conversations, some devices from an extensive range. •
1.34	<u>Compliments</u>
1.35	<p>Children's Social Services recorded 171 compliments this year. The compliments highlighted the good work of staff during another challenging and demanding year. Compliments are made by families, the Courts and other public bodies. They were in the form of cards, emails, texts or letters. See appendix 4 for a summary of some of the messages received.</p>

2.00	RESOURCE IMPLICATIONS
2.01	<p>The Regulations state all Stage 2 complaints involving both Adult and Children's Social Services are commissioned to Independent Investigators (and an Independent Person for Children's Social Services as set out in the Children Act, 1989). The cost of 2022-23 was £11,885.55, an increase that reflects Investigators' rates increasing.</p> <p>The cost for Stage 2 complaints in 2021-22 was £8,794.25 and the year before in 2020-21 it was £12,552.25.</p>

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	None undertaken.

4.00	RISK MANAGEMENT
4.01	No risks identified.

5.00	APPENDICES
5.01	Appendix 1: Summary of complaints categorised into themes (Adult Social Care)
5.02	Appendix 2: Summary of complaints categorised into themes (Children's Social Services)
5.03	Appendix 3: Summary of Stage 2 independent complaint investigations and their outcomes (both Children and Adult Social Services)
5.04	Appendix 4: Summary of compliments received across service areas (both Children and Adult Social Services).

6.00	CONTACT OFFICER DETAILS
6.01	<p>'A guide to handling complaints and representations by Local Authority Social Services', August 2014 (Welsh Government).</p> <p>Contact Officer: Ian Maclaren, Complaints Officer for Social Services</p> <p>Telephone: 01352 702623</p> <p>E-mail: ian.maclaren@flintshire.gov.uk</p>

7.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
7.01	None

8.00	GLOSSARY OF TERMS
8.01	Stage 2 complaint: the Regulations stipulate that where a complainant remains dissatisfied with their response from the Council, consideration must be given to progressing the complaint further in the statutory procedure, i.e. to Stage 2. An independent investigation is commissioned using a shared North Wales 'pool' of retired social care Officers.