

Summary of independent investigations and their outcomes at Stage 2

Social Services for Adults

1. X complained against our decision not to pay their daughter's carers via a direct payment whilst she was in hospital.

Every effort was made to explain our reasons at Stage 1 but our explanation wasn't accepted. An independent review did not uphold the complaint and confirmed the rationale for our decision was indeed correct, i.e. that direct payments cannot be used to deliver care and support in a hospital setting as it is a Health/N.H.S. environment. Support staff are not covered by any insurance or employment regulations which can leave them open to legal action if anything went wrong whilst they were supporting an individual.

2. X complained about our management of her mother's case following discharge from hospital and the confusion about cross-boundary charges between Wales and England.

The complaint was partially upheld on the basis that there was:

- A delay on our part in identifying the error that Cheshire were required to fund mother's care and not Flintshire.
- A lack of information to enable families to make informed decisions regarding cross boundary placements and financial thresholds.
- A lack of clarity on our part and with Health.

However the investigation found there was no evidence family were deliberately misled or misinformed about their mother's care funding. Once the error was identified attempts were made by staff to clarify the situation with family and we made an immediate referral to Cheshire Social Services, who are responsible for meeting their mother's care costs.

3. X complained about a range of issues relating to the support she previously received after her package of care was stopped.

The complaint was not upheld. There was no evidence to support X's view that she "fell" from her sling whilst being hoisted: it was a managed incident and X was safely lowered back onto a sofa. Staff were working in a challenging home environment given the space and X was not being forthcoming with suggestions to improve her lifting and handling. Appropriate and timely action was taken to respond to risks. A separate independent O.T. assessment advised X she needed to work with us. Delays with X's package of care were not deemed unreasonable given the circumstances and there were numerous attempts to get X the care she needed.

Children's Social Services

1. X complained a recent child protection investigation did not take into account her daughter's Autism and therefore was in breach of the All Wales Child Protection Procedures.

The complaint was partially upheld in terms of: i) our not following up enquiries with individuals whom daughter had made allegations to and ii) in terms of some of our recording discussions we had with partner agencies. These will be taken forward as lessons learned. However we did take into account daughter's Autism prior to interview and X confirmed her daughter could communicate and understand what was being said and asked. The interview would have been stopped by ourselves or Police had there been any concerns otherwise. X's daughter will not be re-interviewed about the allegations she made.

2. X complained we did not proceed with further child protection enquiries following problems being experienced by her daughter at school.

The complaint was partly upheld on the basis that the actions from the referral X made did not take place, and information provided in our letter of response was inaccurate as discussions with Police and the school had not taken place. We apologised for this and agreed to review our processes in terms of lessons learned.