

## SOCIAL AND HEALTH CARE OVERVIEW AND SCRUTINY COMMITTEE

<b>Date of Meeting</b>	Thursday 9 <sup>th</sup> September 2021
<b>Report Subject</b>	Annual report on the Social Services Complaints and Compliments Procedure 2020-21
<b>Cabinet Member</b>	Cabinet Member for Social Services
<b>Report Author</b>	Chief Officer (Social Services)
<b>Type of Report</b>	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.

There was a significant decrease in complaints made about Adult Social Care this year. Of the 3,876 people who received care and support during 2020-21 from Adult Social Care, 45 individuals complained about the service they received (1%). This compares to 60 complaints last year (2019-20) and 51 complaints during 2018-19.

In recognition of the quality and valued care and support received from Adult Social Care staff, there was a significant increase in the number of compliments recorded this year: 418 compliments were received.

48 complaints were received during the year regarding Children’s Social Services from the total of 1,969 children and families who received care and support (2.4%). This compares to 30 complaints received last year (2019-20) and 55 complaints during 2018-19). This year has seen an increase in the number of complaints received in Children’s Social Services. Last year’s figure of 30 complaints received was low and this year’s 48 complaints are comparable to previous years. It is pleasing to note the increase in compliments about the work of Children’s Services: almost double compared to previous years (303).

All complaints 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

<b>1.00</b>	<b>EXPLAINING THE NUMBER OF COMPLAINTS RECEIVED, THE ISSUES RAISED AND THEIR OUTCOMES</b>
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	<b><u>Overview of complaints: Adult Social Care</u></b>
1.05	<p>There was a significant decrease in complaints made about Adult Social Care this year. Of the 3,876 who received care and support during 2020-21 from Adult Social Care, 45 individuals complained about the service they received (1%). This compares to 60 complaints last year (2019-20) and 51 complaints during 2018-19.</p> <p>This decrease in complaints made also needs to be considered against the global COVID pandemic and the unprecedented challenges and demands placed upon public health and social services.</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	There was an increase in the number of complaints in relation to Older People Services (O.T. and Community Support are included in these numbers) as they are the largest part of Adult Social Care.				
1.08		<b>Service</b>	<b>2020-21</b>	<b>2019-20</b>	<b>2018-19</b>
		<b>Older People Services</b>	22	17	19
		<b>Older People – Provider</b>	1	12	2
		<b>Learning Disability Community Team</b>	1	3	6
		<b>Learning Disability Provider</b>	0	0	2
		<b>Mental Health and Substance Misuse</b>	2	3	4
		<b>Disability Service</b>	3	4	5
		<b>Safeguarding</b>	0	2	0
		<b>Other (inc. Business Support etc.)</b>	5	7	2
		<b>Registered Residential Provider</b>	6	7	6
		<b>Registered Domiciliary Providers</b>	3	4	4
		<b>Integrated</b>	2	1	1

	<table border="1"> <tr> <td><b>Autism Svc.</b></td> <td></td> <td></td> <td></td> </tr> <tr> <td><b>Total number of complaints</b></td> <td><b>45</b></td> <td><b>60</b></td> <td><b>51</b></td> </tr> </table>	<b>Autism Svc.</b>				<b>Total number of complaints</b>	<b>45</b>	<b>60</b>	<b>51</b>
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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"> <li>• Dignity (0 / zero complaints)</li> <li>• Communication (4 complaints)</li> <li>• Timeliness of our decisions or actions (3 complaints)</li> <li>• Disagreements with our decisions or actions (8 complaints)</li> <li>• Quality of care (9 complaints)</li> <li>• Charges applied or financial issues (7 complaints)</li> <li>• Hospital discharges (3 complaints)</li> <li>• Process issues (10 complaints)</li> <li>• Lack of advice/assistance (4 complaints)</li> <li>• Staff issues (8 complaints)</li> </ul> <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"> <li>a. A video conference meeting or telephone conversation with the complainant to discuss their concerns.</li> <li>b. Involving Advocates.</li> <li>c. A written explanation as to the reasons for a decision</li> <li>d. An apology where appropriate</li> <li>e. Action taken to review a decision</li> <li>f. Independent investigation (Stage 2 of the procedure)</li> </ol>								
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. There is a 25 working day timescale for Stage 2 complaints.</p> <table border="1"> <tr> <td><b>Adult Social Care</b></td> <td><b>2020-21</b></td> <td><b>2019-20</b></td> <td><b>2018-19</b></td> </tr> <tr> <td><b>Within timescale at Stage 1</b></td> <td>89%</td> <td>87%</td> <td>98%</td> </tr> </table>	<b>Adult Social Care</b>	<b>2020-21</b>	<b>2019-20</b>	<b>2018-19</b>	<b>Within timescale at Stage 1</b>	89%	87%	98%
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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. 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	<b><u>Stage 2 (Independent Investigation)</u></b>
1.14	<p>4 complaints were investigated at Stage 2 of the complaints procedure (Independent Investigation) compared to 3 in the last two years (2019-20 and 2018-19). 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: there was no option but to progress these 4 complaints to Stage 2 due to their nature or complexity.</p> <p>See appendix 3 for a summary of the Stage 2 investigations and their outcomes.</p>
1.15	<b><u>Ombudsman</u></b>
1.16	<p>The Ombudsman made 3 enquiries regarding Adult Social Care cases this year. All 3 were closed and no action taken following responses from the Local Authority.</p> <p>One complaint carried forward from last year regarding a Privately Registered Residential Provider was upheld. Although appropriate monitoring took place by the Council (assisted by C.I.W. and the Health Board) during an individual's stay, there were some learning opportunities for the Local Authority which it will take forward. The home has since closed.</p>
1.17	<b><u>Lessons Learned</u></b>
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"> <li>• The eligibility criteria for Panel has been reviewed and updated.</li> <li>• Reviewing the journey of referrals for works and the roles of the O.T and the Technical Support Officers working with the Registered Social Landlord throughout the process.</li> <li>• Reviewing how we hold the Responsible Individual for a registered provider even more accountable and ensure they have more of a presence in the home at times of escalating concerns.</li> </ul> <p>Responsible Individuals will in future be required to take on board actions identified within Corrective Action Plans rather than the home's management.</p> <ul style="list-style-type: none"> <li>• Ensuring Social Workers actively make checks as to who has</li> </ul>

	Power of Attorney/Deputyship for an individual.																																		
1.19	<b><u>Compliments</u></b>																																		
1.20	It is pleasing to report that Adult Social Care received 418 compliments during the year. This significant increase shows the high regard in which care and support was delivered during a challenging and demanding time. (285 received last year and 204 received the year before). 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.																																		
1.21	<b><u>Overview of Complaints: Children’s Social Services</u></b>																																		
1.22	48 complaints were received during the course of the year, an increase compared to last year’s 30 complaints received. Last year’s low number may be viewed as a ‘one off’ as the 48 complaints received this year are in line with previous years (55 complaints in 2018-19 and 49 during 2017-18). Again this number should be considered against the number children and families (1,969) who received care and support from the Service. See appendix 2 for further details about these complaints.																																		
1.23	4 young people complained during the year. 3 young people were supported by their Advocate, the other was offered but did not want the services of an Advocate.																																		
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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"> <li>a. A meeting or conversation with the complainant to discuss their concerns</li> <li>b. Involving Advocates.</li> <li>c. A written explanation as to the reasons for a decision</li> <li>d. An apology where appropriate</li> <li>e. Action taken to review a decision</li> <li>f. Independent investigation (Stage 2 of the procedure)</li> </ol>								
1.24	<p>Of the 48 Stage 1 complaints received, 42 out of 48 complaints were responded to within timescale (88%). The 6 late complaints were responded shortly outside timescale.</p> <table border="1"> <thead> <tr> <th><b>Social Services for Children</b></th> <th><b>2020-21</b></th> <th><b>2019-20</b></th> <th><b>2018-19</b></th> </tr> </thead> <tbody> <tr> <td><b>Within timescale at Stage 1</b></td> <td>88%</td> <td>90%</td> <td>93%</td> </tr> </tbody> </table>	<b>Social Services for Children</b>	<b>2020-21</b>	<b>2019-20</b>	<b>2018-19</b>	<b>Within timescale at Stage 1</b>	88%	90%	93%
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1.25	<b><u>Stage 2 (Independent Investigation)</u></b>								
1.26	5 complaints proceeded to Stage 2 and independent investigation during the year, an increase compared to last year's 2 complaints. These were complex cases involving difficult family or personal dynamics. A summary of these Stage 2 complaints is described in Appendix 3.								
1.27	<b><u>Ombudsman</u></b>								
1.28	5 enquiries were made by the Ombudsman's office during the year. None proceeded to formal investigation: 3 enquiries were closed following resolutions reached, 2 enquiries were not taken further. No formal investigations were opened by the Ombudsman's office last year either.								

1.29	<b><u>Lessons Learned</u></b>								
1.30	<p>Among the lessons learned from complaints during the course of the year, they included:</p> <ul style="list-style-type: none"> <li>• Developing a Service protocol for managing unallocated cases and cover for long term sickness absence.</li> <li>• Reviewing the processes for recording incoming calls and messages, records relating to managerial oversight and developing standard letters for members of the public who make referrals.</li> </ul>								
1.31	<b><u>Compliments</u></b>								
1.32	<p>Children’s Social Services recorded 303 compliments this year, almost double compared to last year’s 121 compliments. The compliments highlighted the good work of staff during a 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> <table border="1"> <thead> <tr> <th></th> <th>2020-21</th> <th>2019-21</th> <th>2018-19</th> </tr> </thead> <tbody> <tr> <td><b>Social Services for Children</b></td> <td><b>303</b></td> <td><b>121</b></td> <td><b>75</b></td> </tr> </tbody> </table>		2020-21	2019-21	2018-19	<b>Social Services for Children</b>	<b>303</b>	<b>121</b>	<b>75</b>
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<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	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 for Stage 2 complaints for the period 2019-2020 was £12,5552.25. The cost for 2018-19 year was £11,031.02.

<b>3.00</b>	<b>IMPACT ASSESSMENT AND RISK MANAGEMENT</b>
3.01	Impact Assessment is not required as this is an update report.

<b>4.00</b>	<b>CONSULTATIONS REQUIRED/CARRIED OUT</b>
4.01	Not applicable.

<b>5.00</b>	<b>APPENDICES</b>
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).

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	'A guide to handling complaints and representations by Local Authority Social Services', August 2014 (Welsh Government).

<b>7.00</b>	<b>CONTACT OFFICER DETAILS</b>
7.01	<p><b>Contact Officer:</b> Ian Maclaren, Complaints Officer for Social Services</p> <p><b>Telephone:</b> 01352 702623</p> <p><b>E-mail:</b> <a href="mailto:ian.maclaren@flintshire.gov.uk">ian.maclaren@flintshire.gov.uk</a></p>

<b>8.00</b>	<b>GLOSSARY OF TERMS</b>
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.