

## Social and Health Care Overview and Scrutiny Committee

<b>Date of Meeting</b>	5th September 2024
<b>Report Subject</b>	Annual Report on the Social Services Complaints and Compliments Procedure 2023-24
<b>Cabinet Member</b>	Cabinet Member for Social Services and Wellbeing
<b>Report Author</b>	Chief Officer for 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.

A total of 314 compliments were received and recorded during the year across the Service, compared to 212 during 2022-23. These are in recognition of the quality and valued care and support received from Adult Social Care staff.

There was a decrease in the number of complaints made about Adult Social Care during the year. Of the 1,620 active Care and Support Plans on 31st March 2024, 47 individuals complained about the service they received (3%). This compares to 55 complaints during 2022-23 and 46 complaints during 2021-22.

There were 162 compliments about the work of Children’s Services, a slight fall compared to last year’s 171 compliments. They recognise the quality and valued care and support provided by the Service, and are made by Judges/Court, other public bodies, and families. Examples of all compliments are included in Appendix 4.

There was an encouraging decrease in the number of complaints received during the year regarding Children’s Social Services: 41 complaints from the total of 1,690 children and families who received care and support (2%). This compares to 59 complaints during 2022-23 and 44 complaints during 2021-22. Last year did see a high number of complaints about the service but numbers tend to be comparable year on year.

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

## RECOMMENDATIONS

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

1.00	<b><u>EXPLAINING THE ANNUAL REPORT ON THE SOCIAL SERVICES COMPLAINTS AND COMPLIMENTS PROCEDURE 2023-24</u></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 learns from this feedback and uses 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 decrease in the number of complaints made about Adult Social Care during the year. Of the 1,620 active Care and Support Plans on 31st March 2024, 47 individuals complained about the service they received (3%). This compares to 55 complaints during 2022-23, 46 complaints during 2021-22 and 45 complaints during 2020-21.</p> <p>Of the 47 complaints received, three complaints were investigated independently at Stage 2 (three complaints during 2022-23 and two complaints during 2021-22). The outcomes of these three 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, saw a decrease in the number of complaints. There was an increase in the number of complains relating to Business Support and challenges to financial assessments and how decisions were reached about charges for community care. However, none of these complaints were supported and charges to each case remained in place.																																								
1.08	<table border="1" data-bbox="379 824 1155 2076"> <thead> <tr> <th data-bbox="379 824 612 943">Service</th> <th data-bbox="612 824 793 943">2023-24</th> <th data-bbox="793 824 973 943">2022-23</th> <th data-bbox="973 824 1155 943">2021-22</th> </tr> </thead> <tbody> <tr> <td data-bbox="379 949 612 1055"><b>Older People Services</b></td> <td data-bbox="612 949 793 1055">13</td> <td data-bbox="793 949 973 1055">16</td> <td data-bbox="973 949 1155 1055">17</td> </tr> <tr> <td data-bbox="379 1061 612 1160"><b>Older People – Provider</b></td> <td data-bbox="612 1061 793 1160">1</td> <td data-bbox="793 1061 973 1160">5</td> <td data-bbox="973 1061 1155 1160">2</td> </tr> <tr> <td data-bbox="379 1167 612 1294"><b>Learning Disability Service</b></td> <td data-bbox="612 1167 793 1294">2</td> <td data-bbox="793 1167 973 1294">2</td> <td data-bbox="973 1167 1155 1294">2</td> </tr> <tr> <td data-bbox="379 1301 612 1473"><b>Mental Health and Substance Misuse</b></td> <td data-bbox="612 1301 793 1473">1</td> <td data-bbox="793 1301 973 1473">1</td> <td data-bbox="973 1301 1155 1473">0</td> </tr> <tr> <td data-bbox="379 1480 612 1585"><b>Disability Service</b></td> <td data-bbox="612 1480 793 1585">7</td> <td data-bbox="793 1480 973 1585">11</td> <td data-bbox="973 1480 1155 1585">7</td> </tr> <tr> <td data-bbox="379 1592 612 1644"><b>Safeguarding</b></td> <td data-bbox="612 1592 793 1644">1</td> <td data-bbox="793 1592 973 1644">3</td> <td data-bbox="973 1592 1155 1644">0</td> </tr> <tr> <td data-bbox="379 1650 612 1787"><b>Other (inc. Business Support etc.)</b></td> <td data-bbox="612 1650 793 1787">9</td> <td data-bbox="793 1650 973 1787">5</td> <td data-bbox="973 1650 1155 1787">6</td> </tr> <tr> <td data-bbox="379 1794 612 1944"><b>Registered Residential Provider</b></td> <td data-bbox="612 1794 793 1944">7</td> <td data-bbox="793 1794 973 1944">4</td> <td data-bbox="973 1794 1155 1944">7</td> </tr> <tr> <td data-bbox="379 1951 612 2076"><b>Registered Domiciliary Providers</b></td> <td data-bbox="612 1951 793 2076">6</td> <td data-bbox="793 1951 973 2076">4</td> <td data-bbox="973 1951 1155 2076">4</td> </tr> </tbody> </table>	Service	2023-24	2022-23	2021-22	<b>Older People Services</b>	13	16	17	<b>Older People – Provider</b>	1	5	2	<b>Learning Disability Service</b>	2	2	2	<b>Mental Health and Substance Misuse</b>	1	1	0	<b>Disability Service</b>	7	11	7	<b>Safeguarding</b>	1	3	0	<b>Other (inc. Business Support etc.)</b>	9	5	6	<b>Registered Residential Provider</b>	7	4	7	<b>Registered Domiciliary Providers</b>	6	4	4
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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 (4 complaints)</li> <li>• Communication (7 complaints)</li> <li>• Timeliness of our decisions or actions (3 complaints)</li> <li>• Disagreements with our decisions or actions (12 complaints)</li> <li>• Quality of care (13 complaints)</li> <li>• Charges applied or financial issues (9 complaints)</li> <li>• Hospital discharges (1 complaints)</li> <li>• Process issues (5 complaints)</li> <li>• Lack of advice/assistance (2 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 video conference meeting or telephone conversation with the complainant to discuss their concerns.</li> <li>Involving advocates.</li> <li>A written explanation as to the reasons for a decision</li> <li>An apology where appropriate</li> <li>Action taken to review a decision</li> <li>An independent investigation (Stage 2 of the procedure)</li> </ol>								
1.11	<p>The Regulations place a duty to discuss and resolve any complaint within ten working days and write formally to the complainant confirming the outcomes.</p> <table border="1"> <thead> <tr> <th><b>Adult Social Care</b></th> <th><b>2023-24</b></th> <th><b>2022-23</b></th> <th><b>2021-22</b></th> </tr> </thead> <tbody> <tr> <td><b>Within timescale at Stage 1</b></td> <td>83%</td> <td>93%</td> <td>89%</td> </tr> </tbody> </table>	<b>Adult Social Care</b>	<b>2023-24</b>	<b>2022-23</b>	<b>2021-22</b>	<b>Within timescale at Stage 1</b>	83%	93%	89%
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1.12	<p>There has been a drop in response times (39 out of 47 complaints received were responded to within timescale). The Service has previously had high 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, and some of these reasons have included cases where the situation is fluid and changes from one day to the next, or if the complaint is complex and crosses a number of social work teams. The complainant is kept informed of the progress of their</p>								

	complaint and complaints are often responded to or resolved shortly after the ten-day timescale.
1.13	<b><u>Stage 2 (Independent Investigation)</u></b>
1.14	<p>Three complaints were escalated to Stage 2 of the procedures during 2023-24 and 2022-23, compared to one 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	<b><u>Ombudsman</u></b>
1.16	<p>The Ombudsman made two enquiries regarding Adult Social Care cases during 2023-24.</p> <p>One case involved an older person being in a Local Authority residential home for several months awaiting a large package of care to enable them to return home. The Ombudsman had insisted the Council escalate the complaint to Stage 2 but the local authority challenged their decision on the basis there was nothing to investigate and that the case reflected the demands for domiciliary care packages particularly in rural locations. We did however work closely with the family during this period, answering their questions and ensuring a reablement approach to the care of the individual whilst they were at our care home. A package of care was identified, and the person has now returned home.</p> <p>Following this case, the service has introduced a monthly Domiciliary Care meeting where senior managers, service managers and brokerage come together with social worker teams and our in-house services to review individuals where domiciliary care packages have been harder to source. The purpose of the meeting is to review these cases and work creatively and across services to arrange appropriate care.</p> <p>Another complaint regarding Older People Localities was not taken further.</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). Given no complaints were upheld at Stage 2 of the procedure, we examined the themes of complaints at Stage 1 and identified the following:</p> <p>Given the increase in complaints involving financial implications of charges, we revised a range of leaflets including:</p> <ul style="list-style-type: none"> <li>• Paying for Residential Care; Deferred Payments Scheme; Charging for Community Care; Discharge Leaflet.</li> </ul>

	We also reminded staff of the need to add a case note that leaflets have been shared with family members and when they share financial advice in conversations they have with families.																																						
1.19	<b><u>Compliments</u></b>																																						
1.20	It is pleasing to report that Adult Social Care received 314 compliments during the year, showing the high regard in which care and support was delivered during the ongoing challenging and demanding time. 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	<p>The 41 complaints received about the service this year has been the lowest for a number of years. As always, the number of complaints received should be considered against the number of children and families (1,690) who received care and support from the Service. See Appendix 2 for further details about these complaints.</p> <p>Two complaints were made by young people, one supported by an Advocate. They are detailed in Appendix 2.</p> <p>Again, it is pleasing to report there were 162 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.</p> <p>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> <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>• Communication (8 complaints)</li> <li>• Disagreements with our decisions or actions (21 complaints)</li> <li>• Contact (3 complaints)</li> <li>• Process issues (12 complaints)</li> <li>• Lack of advice/assistance (4 complaints)</li> <li>• Staff (8 complaints)</li> <li>• Placement/fostering issues (1 complaint)</li> </ul> <p><i>* Note that often one complaint contains more than one theme</i></p>								
1.24	<p>Of the 59 Stage 1 complaints received, 37 out of 41 complaints received were responded to within timescale (90%).</p> <table border="1" data-bbox="320 1167 1385 1368"> <thead> <tr> <th data-bbox="320 1167 695 1267"><b>Social Services for Children</b></th> <th data-bbox="695 1167 938 1267"><b>2023-24</b></th> <th data-bbox="938 1167 1161 1267"><b>2022-23</b></th> <th data-bbox="1161 1167 1385 1267"><b>2021-22</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="320 1267 695 1368"><b>Within timescale at Stage 1</b></td> <td data-bbox="695 1267 938 1368">90%</td> <td data-bbox="938 1267 1161 1368">88%</td> <td data-bbox="1161 1267 1385 1368">86%</td> </tr> </tbody> </table> <p>Children’s Services continue to improve response times to complaints about the Service.</p>	<b>Social Services for Children</b>	<b>2023-24</b>	<b>2022-23</b>	<b>2021-22</b>	<b>Within timescale at Stage 1</b>	90%	88%	86%
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<b>Within timescale at Stage 1</b>	90%	88%	86%						
1.25	<p><b><u>Stage 2 - Independent Investigation</u></b></p>								
1.26	<p>Although there was a decrease in Stage 1 complaints, there was a slight increase of five complaints escalating to Stage 2 (3 during 2022-23 and five during 2021-22). A summary of these Stage 2 complaints is described in Appendix 3.</p>								
1.27	<p><b><u>Ombudsman</u></b></p>								
1.28	<p>Five enquiries were made by the Ombudsman’s office during the year. No further action taken with regard to four complaints and one complaint was escalated to Stage 2.</p>								

1.29	<b><u>Lessons Learned</u></b>
1.30	<p>Examples of action taken to further improve service delivery after complaints are made:</p> <ul style="list-style-type: none"> <li>• Standard letter now in place that helps explain to families why a direct payment has been awarded, how it should be used etc., and why excess funding is required to be returned to the Council.</li> <li>• We have a project underway whereby each child with care and support needs will have their own individual case record and therefore moving us away from the 'lead child' approach.</li> </ul>
1.31	<b><u>Compliments</u></b>
1.32	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.

<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 2023-24 was £11,207.81, 2022-23 the cost was £11,885.55, and 2021-22 was £8,794.25.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED/CARRIED OUT</b>
3.01	None undertaken.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	No risks identified.

<b>5.00</b>	<b>APPENDICES</b>
5.01	<p>Appendix 1: Summary of complaints categorised into themes (Adult Social Care)</p> <p>Appendix 2: Summary of complaints categorised into themes (Children's Social Services)</p> <p>Appendix 3: Summary of Stage 2 independent complaint investigations and their outcomes (both Children and Adult Social Services)</p>



	Appendix 4: Summary of compliments received across service areas (both Children and Adult Social Services).
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<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	<b>Contact Officer:</b> Ian Maclaren, Complaints Officer for Social Services <b>Telephone:</b> 01352 702623 <b>E-mail:</b> <a href="mailto:ian.maclaren@flintshire.gov.uk">ian.maclaren@flintshire.gov.uk</a>

<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.