

SOCIAL AND HEALTH CARE OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	27 October 2022
Report Subject	Annual report on the Social Services Complaints and Compliments Procedure 2021-22
Cabinet Member	Deputy Leader of the Council and Cabinet Member for Social Services and Wellbeing
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.

There was the slightest of increases in complaints made about Adult Social Care this year. Of the 2,020 people with a care and support plan on 31st March 2022, 46 individuals complained about the service they received (2%). This compares to 45 complaints last year (2021-21) and 60 complaints during 2019-20.

In recognition of the quality and valued care and support received from Adult Social Care staff, 251 compliments were received were recorded during the year across the Service.

There was a small fall in the number of complaints received during the year regarding Children’s Social Services: 44 complaints from the total of 2,391 children and families who received care and support (less than 2%). This compares to 48 complaints received last year (2020-21) and 30 complaints during 2019-20). Complaints about the Service are comparable year on year going back previous years.

There were 204 compliments about the work of Children’s Services.

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.
---	---

REPORT DETAILS

1.00	EXPLAINING THE NUMBER OF COMPLAINTS RECEIVED, THE ISSUES RAISED AND THEIR OUTCOMES
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>This year has seen a small increase in the number of complaints made about Adult Social Care. Of the 2,020 people with a care and support plan from Adult Social Care, 46 individuals complained about the service they received (less than 2%).</p> <p>This small increase in complaints continues against the backdrop of the unprecedented challenges and demands placed upon public health and social services as the COVID pandemic enters its third year.</p> <p>It is pleasing to note that of the 46 complaints received, only 1 complaint was escalated to an independent investigation at Stage 2 of the procedure.</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.																																												
1.08	<table border="1" data-bbox="363 645 1139 2096"> <thead> <tr> <th data-bbox="363 645 596 763">Service</th> <th data-bbox="596 645 778 763">2021-22</th> <th data-bbox="778 645 960 763">2020-21</th> <th data-bbox="960 645 1139 763">2019-20</th> </tr> </thead> <tbody> <tr> <td data-bbox="363 763 596 882">Older People Services</td> <td data-bbox="596 763 778 882">17</td> <td data-bbox="778 763 960 882">22</td> <td data-bbox="960 763 1139 882">17</td> </tr> <tr> <td data-bbox="363 882 596 1001">Older People – Provider</td> <td data-bbox="596 882 778 1001">2</td> <td data-bbox="778 882 960 1001">1</td> <td data-bbox="960 882 1139 1001">12</td> </tr> <tr> <td data-bbox="363 1001 596 1232">Learning Disability Community Team</td> <td data-bbox="596 1001 778 1232">2</td> <td data-bbox="778 1001 960 1232">1</td> <td data-bbox="960 1001 1139 1232">3</td> </tr> <tr> <td data-bbox="363 1232 596 1368">Learning Disability Provider</td> <td data-bbox="596 1232 778 1368">0</td> <td data-bbox="778 1232 960 1368">0</td> <td data-bbox="960 1232 1139 1368">0</td> </tr> <tr> <td data-bbox="363 1368 596 1552">Mental Health and Substance Misuse</td> <td data-bbox="596 1368 778 1552">0</td> <td data-bbox="778 1368 960 1552">2</td> <td data-bbox="960 1368 1139 1552">3</td> </tr> <tr> <td data-bbox="363 1552 596 1653">Disability Service</td> <td data-bbox="596 1552 778 1653">7</td> <td data-bbox="778 1552 960 1653">3</td> <td data-bbox="960 1552 1139 1653">4</td> </tr> <tr> <td data-bbox="363 1653 596 1715">Safeguarding</td> <td data-bbox="596 1653 778 1715">0</td> <td data-bbox="778 1653 960 1715">0</td> <td data-bbox="960 1653 1139 1715">2</td> </tr> <tr> <td data-bbox="363 1715 596 1856">Other (inc. Business Support etc.)</td> <td data-bbox="596 1715 778 1856">6</td> <td data-bbox="778 1715 960 1856">5</td> <td data-bbox="960 1715 1139 1856">7</td> </tr> <tr> <td data-bbox="363 1856 596 2020">Registered Residential Provider</td> <td data-bbox="596 1856 778 2020">7</td> <td data-bbox="778 1856 960 2020">6</td> <td data-bbox="960 1856 1139 2020">7</td> </tr> <tr> <td data-bbox="363 2020 596 2096">Registered Domiciliary</td> <td data-bbox="596 2020 778 2096">4</td> <td data-bbox="778 2020 960 2096">3</td> <td data-bbox="960 2020 1139 2096">4</td> </tr> </tbody> </table>	Service	2021-22	2020-21	2019-20	Older People Services	17	22	17	Older People – Provider	2	1	12	Learning Disability Community Team	2	1	3	Learning Disability Provider	0	0	0	Mental Health and Substance Misuse	0	2	3	Disability Service	7	3	4	Safeguarding	0	0	2	Other (inc. Business Support etc.)	6	5	7	Registered Residential Provider	7	6	7	Registered Domiciliary	4	3	4
Service	2021-22	2020-21	2019-20																																										
Older People Services	17	22	17																																										
Older People – Provider	2	1	12																																										
Learning Disability Community Team	2	1	3																																										
Learning Disability Provider	0	0	0																																										
Mental Health and Substance Misuse	0	2	3																																										
Disability Service	7	3	4																																										
Safeguarding	0	0	2																																										
Other (inc. Business Support etc.)	6	5	7																																										
Registered Residential Provider	7	6	7																																										
Registered Domiciliary	4	3	4																																										

		Providers				
		Integrated Autism Svc.	1	2	1	
		Total number of complaints	46	45	60	
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 (3 complaints) • Communication (7 complaints) • Timeliness of our decisions or actions (3 complaints) • Disagreements with our decisions or actions (9 complaints) • Quality of care (13 complaints) • Charges applied or financial issues (6 complaints) • Hospital discharges (4 complaints) • Process issues (8 complaints) • Lack of advice/assistance (4 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. 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" data-bbox="304 253 1369 499"> <thead> <tr> <th data-bbox="304 253 584 353">Adult Social Care</th> <th data-bbox="584 253 844 353">2021-22</th> <th data-bbox="844 253 1106 353">2020-21</th> <th data-bbox="1106 253 1369 353">2019-20</th> </tr> </thead> <tbody> <tr> <td data-bbox="304 353 584 499">Within timescale at Stage 1</td> <td data-bbox="584 353 844 499">89%</td> <td data-bbox="844 353 1106 499">89%</td> <td data-bbox="1106 353 1369 499">87%</td> </tr> </tbody> </table>	Adult Social Care	2021-22	2020-21	2019-20	Within timescale at Stage 1	89%	89%	87%
Adult Social Care	2021-22	2020-21	2019-20						
Within timescale at Stage 1	89%	89%	87%						
1.12	<p>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.</p>								
1.13	<p><u>Stage 2 (Independent Investigation)</u></p>								
1.14	<p>1 complaint was escalated to Stage 2 of the procedures this year, compared to the 4 complaints last year and 3 complaints the year before that.</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. See appendix 3 for a summary of the Stage 2 investigations and their outcomes.</p>								
1.15	<p><u>Ombudsman</u></p>								
1.16	<p>The Ombudsman made 5 enquiries regarding Adult Social Care cases this year. One complaint regarding a family not being informed in a timely manner of decisions regarding their loved one's care home fees as a result of an ongoing dispute between the Local Authority and Health was upheld.</p> <p>We apologised for their experience and issued financial redress. We will take up outstanding monies owed to the care home and the inter-agency dispute process with Health separately.</p> <p>The remaining 4 enquiries were closed with no further action taken or needed by the Local Authority.</p>								
1.17	<p><u>Lessons Learned</u></p>								
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"> • We reviewed what equipment etc. can be purchased via direct payment monies so we now have clarity for service users. • We needed to be clearer with families etc. about outcomes following a Safeguarding meeting. We specifically record arrangements for feeding back on the outcome of the meeting to the individual or their families at the end of each safeguarding meeting. The agreed 								

	actions are reviewed after three months to make sure that they have happened.																												
1.22	<u>Compliments</u>																												
1.23	<p>It is pleasing to report that Adult Social Care received 251 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.</p>																												
1.24	<u>Overview of Complaints: Children’s Social Services</u>																												
1.25	<p>There was a small fall in the number of complaints received during the year regarding Children’s Social Services: 44 complaints from the total 2,391 of children and families who received care and support (less than 2%). This compares to 48 complaints received last year (2020-21) and 30 complaints during 2019-20). Complaints about the Service are comparable year on year going back previous years.</p> <p>There were 204 compliments about the work of Children’s Services.</p> <p>Again this number should be considered against the number of children and families (2,391) who received care and support from the Service. See appendix 2 for further details about these complaints.</p>																												
1.26	<p>2 young people complained during the year, with 1 young person being supported by their Advocate.</p> <table border="1"> <thead> <tr> <th>Service</th> <th>2020-21</th> <th>2019-20</th> <th>2018-19</th> </tr> </thead> <tbody> <tr> <td>Protection And Support, And Resources</td> <td>30</td> <td>35</td> <td>24</td> </tr> <tr> <td>Fostering Service</td> <td>3</td> <td>0</td> <td>1</td> </tr> <tr> <td>Child to Adult Team (also formerly C.I.D.S.)</td> <td>8</td> <td>11</td> <td>2</td> </tr> <tr> <td>Safeguarding Unit</td> <td>1</td> <td>0</td> <td>1</td> </tr> <tr> <td>Flying Start</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>Other (including commissioned providers)</td> <td>2</td> <td>2</td> <td>2</td> </tr> </tbody> </table>	Service	2020-21	2019-20	2018-19	Protection And Support, And Resources	30	35	24	Fostering Service	3	0	1	Child to Adult Team (also formerly C.I.D.S.)	8	11	2	Safeguarding Unit	1	0	1	Flying Start	0	0	0	Other (including commissioned providers)	2	2	2
Service	2020-21	2019-20	2018-19																										
Protection And Support, And Resources	30	35	24																										
Fostering Service	3	0	1																										
Child to Adult Team (also formerly C.I.D.S.)	8	11	2																										
Safeguarding Unit	1	0	1																										
Flying Start	0	0	0																										
Other (including commissioned providers)	2	2	2																										

	Total Number of Complaints	44	48	30								
	<p>As explained earlier, a range of methods are used to resolve complaints. These include:</p> <ol style="list-style-type: none"> a. A meeting or 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. 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 (10 complaints) • Disagreements with our decisions or actions (12 complaints) • Contact (5 complaints) • Process issues (16 complaints) • Lack of advice/assistance (10 complaints) • Staff (2 complaints) • Placement/fostering issues (2 complaints) <p><i>* Note that often one complaint contains more than one theme</i></p>											
1.27	<p>Of the 44 Stage 1 complaints received, 38 out of 44 complaints were responded to within timescale (86%). The 6 late complaints were responded shortly outside timescale.</p> <table border="1" data-bbox="304 1514 1369 1720"> <thead> <tr> <th data-bbox="304 1514 679 1615">Social Services for Children</th> <th data-bbox="679 1514 922 1615">2020-21</th> <th data-bbox="922 1514 1145 1615">2019-20</th> <th data-bbox="1145 1514 1369 1615">2018-19</th> </tr> </thead> <tbody> <tr> <td data-bbox="304 1615 679 1720">Within timescale at Stage 1</td> <td data-bbox="679 1615 922 1720">86%</td> <td data-bbox="922 1615 1145 1720">90%</td> <td data-bbox="1145 1615 1369 1720">93%</td> </tr> </tbody> </table>				Social Services for Children	2020-21	2019-20	2018-19	Within timescale at Stage 1	86%	90%	93%
Social Services for Children	2020-21	2019-20	2018-19									
Within timescale at Stage 1	86%	90%	93%									
1.28	<u>Stage 2 (Independent Investigation)</u>											
1.29	<p>3 complaints proceeded to Stage 2 of the procedure and independent investigation during the year, a fall compared to last year's 5 complaints. These were complex cases involving difficult family or personal dynamics. A summary of these Stage 2 complaints is described in Appendix 3.</p>											

1.30	<u>Ombudsman</u>
1.31	7 enquiries were made by the Ombudsman's office during the year, 3 separate enquiries made by the same person. None were taken forward.
1.32	<u>Lessons Learned</u>
1.33	The lower number of complaints received has meant a limited number of lessons to be learned across the Service: <ul style="list-style-type: none"> • A recruitment drive into the Service will mean a quicker turnaround times for mediation between families etc.
1.34	<u>Compliments</u>
1.35	Children's Social Services recorded 204 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.

2.00	RESOURCE IMPLICATIONS
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 of this year was £8,794.25. The cost for Stage 2 complaints for the period 2020-21 was £12,552.25. The cost for 2019-20 was £11,031.02.

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	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
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	GLOSSARY OF TERMS
7.01	<p>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.</p>