

Report of the Complaints Manager to the Chief Social Services Officer

**ADULT AND DIRECTORATE SOCIAL SERVICES COMPLAINTS  
ANNUAL REPORT 2015-2016**

<b>Purpose:</b>	To report on the operation of the Complaints Team in relation to Adult & Directorate Services for the period 1 April 2015 to 31 March 2016.
<b>Report Author:</b>	Andrew Taylor
<b>Finance Officer:</b>	Julie Davies
<b>Legal Officer:</b>	Tracey Meredith
<b>Access to Services Officer:</b>	Sherill Hopkins
<b>FOR INFORMATION</b>	

**1.0 Introduction**

- 1.1 The City and County of Swansea (CCS) Social Services Complaints Procedure seeks to empower service users or those eligible to speak on their behalf to voice their concerns in relation to the exercise of Social Services functions as defined in the Health and Social Care (Community Health and Standards) Act 2003.
- 1.2 With effect from 1 August 2014 new legislation came into effect, bringing the Social Services complaints procedure into line with other complaints procedures across public services, in particular the process for NHS '*Putting Things Right*'. A new Social Services Complaints Policy has been adopted to accommodate the requirements of the new legislation and full details of the new policy can be viewed online at: [www.swansea.gov.uk/complaints](http://www.swansea.gov.uk/complaints) . The new legislation requires the reporting of additional information which has been incorporated into this report.
- 1.3 CCS Adult and Directorate Services are committed to ensuring that concerns raised are listened to and resolved quickly and efficiently. Lessons learned from this process are fed back to relevant teams and used wherever possible to improve future service delivery.
- 1.4 Our aim is to resolve complaints at the earliest opportunity and teams are encouraged to be proactive in achieving this goal.

1.5 Where someone has been deemed 'not eligible' to utilise the social services complaint procedure in accordance with guidance/legislation, their complaints may be dealt with under the corporate complaint procedure. This ensures that everyone is able to voice their concerns and that a complaints mechanism is accessible to everyone.

1.6 Appendix 1 contains all tables referred to in this report.

## **2. Total Complaints received during the reporting period**

2.1 **Table 1** shows this year's total complaints received by the Complaint Team in respect of Adult Social Services with the previous two years' figures for comparison.

2.2 The total number of Stage 1 complaints received this year has remained broadly in line with figures for the previous two years, although it is notable that the number of corporate complaints has increased and Social Services policy complaints have fallen.

2.3 No anonymous complaints have been received this year.

## **3. Analysis of Stage 1 Complaints**

3.1. A detailed breakdown of the Stage 1 Complaints received by Service Area is shown in **Table 2**. 90.3% of complaints were acknowledged within 2 working days, and in all cases (where a discussion was required) discussions took place within 10 working days.

3.2 Complaints have been broken down by individual service team this year, in order to provide greater clarity on specific areas where complaints are being received. This will help with the identification of systemic issues and trends which can then be scrutinised more closely within those teams affected.

3.3 Due to continuing changes in the structure of Adult Social Services it is possible that the teams shown below have since been reorganised and may no longer exist as the teams set out below. Adjustments will be made to the team names year on year as required to reflect any such changes.

## **4. Stage 2 Complaints**

4.1 Complaints are considered at Stage 2 of the complaints procedure either where we have not been able to resolve the issues to the complainant's satisfaction at stage 1, or the complainant has requested that the matter be immediately considered at Stage 2.

4.2 Both the old and new social services complaint regulations give an eligible complainant a statutory right to request Stage 2 of the process. Complainants

are able to request that their complaint is dealt with directly at Stage 2 should they wish, and is not dependent on having been investigated at stage 1 or the outcome at stage 1.

- 4.3 An independent person is commissioned for a Stage 2 investigation. A formal report is produced which presents the facts and considers the feelings around the difficulties to suggest ways to move forward. Resolution and applying lessons learned is the prime objective of the complaints procedure.
- 4.4 **Table 3** provides a summary of the complaints handled at Stage 2 of the complaints process.
- 4.5 The Social Services Complaints Procedure has set criteria as to who can raise a complaint under that policy. Where an individual is not eligible to make a complaint under the Social Services complaints policy, their concerns will be handled through the Authority's Corporate Complaints Procedure.
- 4.6 The timeframe for dealing with Stage 2 complaints is 25 working days under the Social Services complaints policy, or within a reasonable time agreed with the complainant due to the complexity of a case or where enquiries could be extensive to provide a comprehensive review. For complaints made after the implementation of the new regulations, where an extension of time is sought this will normally only be granted with the permission of the Chief Social Services Officer or other delegated officer on their behalf. All investigations this year were subject to extended periods of time.
- 4.7 Whether the complaint is upheld or not, staff need to reinstate confidence in a good working relationship with the service user or their representatives, to move forward following the formal Stage 2 Process.
- 4.8 There have been 4 complaints taken to Stage 2 in this reporting period.
- 4.9 **Summary of Stage 2 complaints**
- 4.15 **Case 1: Intake Team – 0 out of 2 complaints upheld**
  - 4.15.1 This complaint had two distinct elements; firstly concerns relating to the 'cold and dismissive' attitude of office staff when the complainant made enquiries about Disabled Facilities Grants (DFG's), secondly, provision of conflicting information from Social Services and the Adaptations Team re Disabled DFG funding.
  - 4.15.2 The officer concerned had several witnesses who confirmed that he had been polite and courteous at all times. The information provided by both sections was not found to be contradictory and a full explanation as to why this was the case was provided.

#### **4.16 Case 2: Central Hub: 4 out of 12 complaints upheld**

4.16.1 This complaint concerned the procedures followed when deciding to move an elderly person into a care home. There were concerns that the principal carer was not properly consulted before decisions were taken and concerns about poor communication from Social Work staff with the family.

4.16.2 The Authority accepted the recommendations of the Independent Investigator and has now reviewed its administrative procedures, resulting in a directive being issued to all relevant officers to ensure that all such placements are properly authorised and all associated documentation is completed and signed by persons with delegated authority to make such decisions. Officers were also reminded of the importance of thorough preparation in readiness for meetings, and of preparing accurate and informative minutes to provide an accurate record of key points discussed.

#### **4.17 Case 3: Hillside Nursing Home & Contracting: 9 out of 18 complaints upheld**

4.17.1 This complaint predominantly concerned care provided to a service user whilst staying at Hillside. There were also concerns regarding failure by Social Services to ensure effective sharing of information with care providers and a lack of information being provided to the family regarding the terms and conditions of the contract with Hillside. There was also a concern as to the length of time taken to deal with the family's concerns via the complaints process.

4.17.2 Apologies for identified failings in care provision were provided by Hillside and the Chief Social Services officer undertook to meet with the management team at Hillside to develop an action plan to ensure that similar failings were not repeated. He also agreed to review procedures so that appropriate information is shared in timely fashion to ensure the service user receives joined up service delivery. An apology was also provided for the failure to deal with concerns expressed by the family at Stage 1 of the complaints procedure at an earlier stage.

#### **4.18 Case 4: Care Home & Quality Team: 1 out of 4 complaints upheld**

4.18.1 This complaint related to the level of care provided at home to an elderly gentleman at home and the use of inappropriate terminology by officers when dealing with the service user. The service user also perceived that calls were being rushed. One of the complaints made was referred to ABMU Health Board as it related to medical matters.

4.18.2 Apologies were provided for variations in the timing of lunchtime calls and the apparent lack of an explanation to the service user about the timing of calls. Officers have been asked to reflect on terminology used when communicating with service users, to ensure information they impart is easily understood.

## **5.0 Complaints made to the Public Services Ombudsman for Wales (PSOW)**

- 5.1 The remit of the Public Services Ombudsman for Wales is to identify whether a member of the public has suffered hardship or injustice through maladministration, or identify where services have fallen below a reasonable standard. There is an obligation for a report to be produced on any investigation the office accepts. The reports produced are defined under two separate headings. Section 16 (Public Interest) Reports, for which there is a requirement for the Authority to publish details and Section 21 Investigation Reports which do not need to be published. Further details of the role of the PSOW can be found at <http://www.ombudsman-wales.org.uk>
- 5.2 The PSOW has produced his Annual Report for 2015/16, containing details of cases where the Ombudsman has identified failures in service delivery by public bodies across Wales. The Ombudsman's report can be seen online at <http://www.ombudsman-wales.org.uk/en/publications/Annual-reports.aspx>. There were no failures identified by the Ombudsman in relation to Swansea this year.

## **6. Reasons for complaints and their outcome**

- 6.1 Further analysis of the reasons for complaints is shown in **Table 4**. Whilst service users have unique and complex individual circumstances, complaints have been grouped under 'best fit' generic headings for reporting purposes.
- 6.2 Wherever possible, lessons are learned and improvements are made to service delivery when a complaint is upheld. 32% of complaints were justified/partly justified this year, slightly higher than the equivalent figures for 2014/15 (23%).

## **7. Advocacy**

- 7.1 Advocacy services exist to represent service recipient's views and feelings when dealing with organisations. Social Services engage in statutory arrangements to ensure the welfare of clients with mental health and learning disability needs where capacity is compromised and provide signposting to other organisations providing such services for all clients.
- 7.2 The Complaints Officer will work with groups and organisations providing advocacy services, to address issues and promote the provision of assistance to service-users through the complaints process. Effective engagement with advocacy services empowers more individuals and groups to make use of the complaints process at the earliest opportunity.

## **8.0 Compliments**

- 8.1 Set out in **Table 5** are examples of the many compliments which have been passed to the complaints team in relation to Adult Services. The individual staff members have been made aware of the compliments concerning them as has the Head of Service.

- 8.2 As well as substantial acknowledgements of thanks from service users that are given to staff at the point of service delivery, service users, relatives or friends can convey their appreciation more formally through the Comment or Compliment process.
- 8.3 Many complaints are often accompanied by compliments for other elements of service provision.
- 8.4 Compliments received are an equal reflection of individual and team efforts and Adult Services teams should be encouraged by their successes having regard to compliments received.

## **9. Equality and Engagement Implications**

- 9.1 There are no direct equality and engagement implications arising from this report.

## **10. Financial Implications**

- 10.1 All costs incurred in dealing with complaints have to be covered within existing Budgets in Corporate Services.
- 10.2 External Independent Investigators and Independent Persons may be appointed to deal with some complaints in accordance with legislation. The cost to the Authority of providing this service in 2015/16 for Adult & Directorate Services was £12,248

## **11. Legal Implications**

- 11.1 Complaints should be administered in accordance with the regulations outlined in paragraph 1.2 above.

**Background papers:** None

**Appendices:** Appendix 1 – Statistical Data Tables

## **Appendix 1 – Statistical data in Tables**

<b>Table 1 - Total number of complaints received by Complaint Team</b>				
	<b>Year</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>
Information Purposes		2	5	6
Corporate		2	15	18
Stage 1		126	88	89
Stage 2		4	12	4
Stage 3		-	1	-
Ombudsman		2	3	4
<b>Totals</b>		<b>135</b>	<b>124</b>	<b>121</b>

<b>Table 2 – Stage 1 Social Services complaints by Service Area</b>	<b>Total</b>
ACMS East	3
ACMS West	2
Care Home & Quality Team	3
Client Property & Finance Team	6
CMHT1	5
CMHT2	2
Community Alarms	2
Community Support Team	10
Contracting	2
Disabled Facilities Grants	1
Financial Assessments	13
Heddfan Unit	1
Intake Team	5
Llanfair	1
Long Term Home Care Team	7
Morrison Hospital SW Team	4
North Hub	2
Norton Lodge	1
Occupational Therapy Service	6
Safeguarding	3
Sensory Team	1
Singleton Hospital SW Team	1
Townhill Team	1
Ty Waunarwydd	1
West Hub	5
Younger Adult Team	2
<b>Total number of Stage 1 SS complaints</b>	<b>89</b>

<b>Table 3 – Stage 2 Social Services complaints by Service Area</b>		<b>Total</b>
<b>Service</b>	<b>Outcome</b>	<b>ID</b>
Care Home & Quality Team	Partially Justified	1
Central Hub	Partially Justified	2
Contracting	Partially Justified	3
Intake	Not Justified	4

<b>Table 4</b>																					
<b>Reason for Complaints and their outcome</b>	<b>No. of Complaints</b>	<b>Justified</b>	<b>Not Justified</b>	<b>Partially Justified</b>	<b>Not Pursued</b>	<b>Withdrawn</b>	<b>Not Eligible</b>	<b>Local resolution</b>	<b>Impasse</b>	<b>Circs beyond our control</b>	<b>Directed to another Forum</b>	<b>Referred to another Agency</b>	<b>For Information Only</b>	<b>Referred to POVA</b>	<b>Escalated to Stage 2</b>	<b>Referred for New Assessment</b>	<b>Policy Matter</b>	<b>Ongoing</b>	<b>Ombudsman Not Investigated</b>	<b>Ombudsman S21</b>	<b>Out of Remit</b>
Breach of confidentiality	2	2																			
Cost of service	1		1																		
Deviating from care plan	1	1																			
Dissatisfaction with assessment	4			2							1									1	
Excessive waiting time	6	3	3																		
Failure to respond to correspondence	1			1																	
Financial issues	4	2										1								1	
Misconduct of staff	3									1		1		1							
Inadequate / unsuitable homes	1			1																	
Lack of resources	1	1																			
Lack of support	5	2					2											1			
Not following proper procedure	6	1		1	1			1						1			1				
Poor Communication	6	1	3	1				1													
Poor Standard of Care	1		1																		
Staff Attitude	1											1									
Unhappy with action taken	22	1	5		4	2			1			3	2		1					1	2
Unhappy with charges levied	7	2		2								1					2				
Unhappy with decision	6	1	2									1		1	1						
Unhappy with level of service	7	2	1	1							1	1	1								
Unhappy with response	3	1	1		1																
Withdrawal of service	1													1							
<b>TOTALS</b>	<b>89</b>	<b>20</b>	<b>17</b>	<b>9</b>	<b>6</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>9</b>	<b>3</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>2</b>



**Table 5 - Compliments**

Teams	Compliments Received
Assessments (residential services)	I would like to say thank for your assistance, support and understanding in what has been a very stressful anxious and worrying time for my dad and I. I have had no contact at all with social services in my life and wish to say that my experience of the services of the past few weeks bears no resemblance to the descriptions of the service you read or hear about in the press. My father feels the same way and is also grateful for your time and patience with him. (compliment to hospital social work team as well)
Client Property & Finances	Thank you for protecting the interests of a deceased lady in the handling of her estate.
	I just wanted to express my gratitude to the worker on behalf of my brother and myself. Having met with him yesterday and having had email correspondence with him recently he strikes me as being excellent at his job. His priority has been the management of our mother's estate and without his input the situation would be far worse than it currently is. We are very grateful to him for protecting her interests as well as he did. Please pass on our appreciation to him.
Community Resource Team OT	The OT's professionalism and patience help me very much. Many, many thanks.
Community Support Team	From parent of young person who attends respite, thanking the organisation and carers. 'We feel blessed that the organisation and carers see past the restrictions and limited ability of the label and see the person and provides a service bespoke for their personality character and condition.... For our son to experience a respite break that is full of fun, learning and life experiences is like a dream come true for us as a family as it is allowing him to reach his full potential and live a life that is worth living.'
Hospital Social Work Team	The social worker is an asset to the service who handled a very awkward situation extremely well.
	I would like to say thank for your assistance, support and understanding in what has been a very stressful anxious and worrying time for my dad and I. I have had no contact at all with social services in my life and wish to say that my experience of the services of the past few weeks bears no resemblance to the descriptions of the service you read or hear about in the press. My father feels the same way and is also grateful for your time and patience with him. (compliment to residential assessment team as well)

	(Cefn Coed) Thank you for the care way in which you have helped my wife. The professional way and respect we have been shown by you and all the staff.
Intake Team	Thank you from a service user's daughter who thought that the s.w. is an asset to the service who dealt with an awkward situation in a delicate and sensitive way with regard to her father.
	Thank you letter to Councillor for the excellent service and care recently experienced with the Intake Team.
	Thank you for responding to my parents needs so rapidly in such a positive reassuring manner.
	Thank you for the excellent service you provided in enabling an emergency placement to be arranged for my father. The worker was very reassuring and efficient, keeping me up to date with the situation. The duty social worker and district nurse were kind and helpful to all of during their visit. The whole team did a great job and I am very grateful as they made a distressing situation much more tolerable.
Integrated West Hub	Thank you to the social worker for taking prompt action and assisting the family in 'sorting things out'
Mental Health and learning disabilities	Compliment received about an external assessor contracted to work on DOLs assessments. Thank you for your explanation, understanding and moreover efficiency in preparing this precise report so quickly
NEAT Project Team	'I would like to extend my thanks to the NEAT Project Team who came to my assistance when a small tree had fallen into the road which was a potential threat to the safety of travellers. The team came to our assistance offering to cut back the tree and was a fine example of community support along with other members of the public and police also offering their assistance.'
	I would like to commend them for the great work they are doing and the courteous and polite manner in which the team are working. It is a great project and more should be done like this with the local councils to work closer with communities and allow everyone the opportunity to gain key skills.
	Thank you to everyone in your group for the marvellous service you do for the community and environment. I and my family are very grateful to you all.
	Since my son has attended the NEAT project I have noticed a change in him, he is much more outgoing and able in everything he does. All the staff are very supportive, both to him and myself. If it wasn't for the support from all the staff at the centre I believe he wouldn't be the man he is today. They do an excellent job with all who attend the centre, both with personal development and key skills. As a parent I can't thank them enough. Seeing my son grow means so much to me.

North Hub	My mother in law recently passed away at home. The level of care which she received from Social Services, especially from the social work practitioner was second to none. Many people, take a great amount of time saying negative thoughts and displaying their distrust regarding the treatment they receive that I felt I had to put into words our thanks and remark on the efficiency of your department.
	Thank you for all the help and support you gave to our aunt. You always went the extra mile, you were kind and incredibly helpful and we felt you cared about her and us too. Thanks a million for you kindness.
Residential & Day Care	For help with transition to Abergelli from The Beeches which had gone extremely well thanks to the excellent consultation with the families.
	Thank you for the care provided whilst at The Beeches.
	Bonymaen House. We would like to thank all the staff for the care and attention you have given our mother over the last six weeks. She has been extremely well looked after and cared for. Thank you again for everything.
	Bonymaen House. Many thanks for all the care and help you have given to our mother.
	Bonymaen House. Thank you so much for everything you have done for me whilst I was staying Bonymaen and also at my home. I will you are all dearly, thank you and God Bless.
	Just wanted you to know what a wonderful and generous man is the Bus Driver at Cwmbwrla Day Centre. In his own time he does disco's for LAC parties and Family & Friends Youth Club providing all the disco equipment including a light show and snow machine free of charge. He never asks for a penny. When I asked him why he does this in his time for no money, he said it was because of his Christian values. He made our Youth Club Xmas Party really special.
	Fforestfach Day Service. My brother has been attending the day service you have in Fforestfach on a regular basis and i can honestly say that his attendance there has seen a tremendous transformation in himself. I can praise every one of the assistants and management for their professionalism and attention to his wellbeing so much so that he can't wait to get up in the morning and get on the bus to see them all. Because he attends the centre it goes a very long way in keeping him occupied with other people and is a tremendous support for us. I just felt I needed to bring to your attention how pleased I am with all their help at the facility...and that also includes the bus service which collects him and brings him home.
	Ty Waunarwydd. Ten thank you cards from various service users and family members for all the help, support and care to both residents and family members. (this covers the whole reporting year)
	Compliments about the positive attitude, service provision and staff at Ty Cila
	Ty Waunarwydd (Login House?). Wonderful care of a resident – daughter saw a huge improvement in her mum from when she moved in to when she left.
	Hengoed Court. Thank you for the excellent care my mother received. Everyone one here is excellent from

	the manager to the office staff...and would like to recommend Hengoed Court as an outstanding example. It is a beacon of excellence and would recommend the home to anyone.
	Briar Close. The father of a service user wanted to
	Bonymaen House. Sixteen thank you cards from various service users for the excellent care, help and support given by all the staff. (this covers the whole reporting year)
	Rose Cross House, thank you to all the wonderful, caring, sensitive staff, for all you do and being the very special people you are.
	West Cross day service, letter from a mother of service user to say 'thank you, you really are a great team; my daughter has never been so content and engaged. Thank you all so much'
	West Cross. Thank you for all the help you have given and keep giving me.
	West Cross. Thank you for all your hard work and dedication. You make my son very happy coming to West Cross.
	West Cross. On behalf of the British Red Cross thank you for your recent donation.
	West Cross. Congratulations from Save the Children, you made the world better with a sweater by raising £30.00 Thank you.
	I have had contact with many people in social services since last July re my mother, which eventually resulted in her going to Swn Y Gan care home. The service we received was FAB! When things deteriorated the worker was unbelievable in how quick she sorted things out for us, we will always be grateful. Thank you all.
	Norton Lodge – letter from family member. It has made a difference to my mother and provides a safe, supportive and cheerful environment for all who attend. The staff are amazing and no words can express the change it has made to my beautiful mother.
	Norton Lodge – letter from a spouse. The staff are beyond reproach; they are always cheerful and concerned about the patients. Please pass on our concerns the decision maker that closing or even curtailing the hours of opening Norton Lodge would be a travesty of justice.
	Norton Lodge – letter from a family member. My mother has improved so much since going to Norton Lodge – she loves it!
Social Development Services (learning disabilities)	I just want to say the biggest thank you to the both of you for giving me the opportunity to be part of your team. This job has meant more to me than I could ever tell you., It's changed me in ways I didn't think were possible and I'm a better person for it. Thank you for all the support and guidance over the past two years. I honestly feel that without it I wouldn't be where I am.

	Wednesday Club - Thank you for selecting Maggie's as your nominated charity. Please pass on our thanks to everyone and anyone who might have contributed to this. We wouldn't be able to continue to provide support to those affected by cancer without your help.
	Staff from Whitethorns Intensive Service said how efficient and observant the worker is when interacting with the service user who is at present completing transition to service.
	Thank you so much for your support and guidance during my time with you at Ty Lafant, you made me feel so welcome and I learnt a lot from my time with you. I can't thank you enough.
Supporting People	Compliment from the carer's centre thanking the social worker for being a part of their panel and carers' day.
Work development service	Victoria Park Kiosk. Thank you very much for organising cover, we were really impressed with him. Little things like this are making such a difference to our lives. Thank you so much.