



Report of the Cabinet Member for Delivery & Performance

Adult Services Scrutiny Performance Panel - 17th March 2020

Adult Services Complaints Annual Report 2018-2019

Purpose:	To report on the operation of the Complaints Team in relation to Adult Services for the period 1 April 2018 to 31 March 2019.
Policy Framework:	Safeguarding, Customer Contact
Consultation:	Access to Services, Legal and Finance
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1.0 Introduction

- 1.1 Swansea Council's 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.
- 1.2 With effect from 1 August 2014 revised 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*'. The Social Services Complaints Policy reflects the requirements of the new legislation and full details of the new policy can be viewed online at: <https://www.swansea.gov.uk/article/6520/Making-a-Comment-Complaint-or-Compliment-about-Swansea-Social-Services> . The

legislation requires the reporting of additional information which has been incorporated into this report.

- 1.3 Swansea Council Adult 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. The total number of Stage 1 complaints received this year has increased by in comparison with figures for the previous year.
- 2.3 Under the Social Services complaints policy, both the old and new legislative framework allow complainants to immediately request a stage 2 investigation. Through efforts to resolve complaints internally wherever possible, the number of stage 2 complaints this year has decreased to four.

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**. Complaints need to be acknowledged within 2 working days, and in **91%** of cases where complaints proceeded to conclusion, discussions took place within 10 working days, this was slightly down on the previous year at **94%**.
- 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.

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. There have been 7 complaints taken to Stage 2 in this reporting period.
- 4.8 **Summary of Stage 2 complaints**
- 4.9 Case 1: Adult Corporate – dissatisfaction with consultation. 6 Complaints, none upheld
- 4.10 Case 2: Community Support Team
- Dissatisfaction with service 7 complaints of which 4 were partially upheld, one upheld, and 2 not upheld. This complaint impacted on one service user as was in relation to meeting with friends from a previous service.
- 4.11 Case 3: Care Home Quality Team.
- Dissatisfaction in relation to the care a relative received a care home. None of the complaints were upheld.

4.12 Case 4: Community Support Team

Financial Issues relating to Direct Payments.

There were 16 complaints, of which 6 were upheld in part, 9 were not upheld and 1 was resolved. An apology was offered for the delay in receiving the assessment in a timely manner and the number of Social Workers that have dealt with the case. It was also recommended that the direct payments hours should be clarified and reviewed to ensure that the hours provided are a realistic amount for the purposes of supporting the service user to reduce isolation and to participate in the community.

5 **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 Letter for 2018/19 which can be seen online at:

<https://www.ombudsman.wales/wp-content/uploads/2019/08/Swansea.pdf>

The council received 13 queries from the Ombudsman in relation to social services, none of which were investigated. Two of which were referred back into the complaint process to be investigated via stage 2 of the complaint process and one was referred back for a new assessment.

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. 27% of complaints were justified/partly justified this year, slightly down on last year (32%)

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 Compliments

8.1 Adult Services have received in excess of **98** compliments over the course of the year. At the point of service delivery, service users, relatives or friends can convey their appreciation more formally through the Comment or Compliment process. Set out in **Table 5** are examples of some of the 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 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 2018/19 for Adult & Directorate Services was **£7,695**, (down £7,165 on the previous year)

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

Table 1 - Total number of complaints received by Complaint Team				
	Year	2016/17	2017/18	2018/2019
Service Requests		29	27	27
Corporate		19	18	25
Stage 1		100	138	135
Stage 2		4	7	4
Ombudsman		5	7	13
Totals		157	197	204

Table 2 – Stage 1 Social Services complaints by Service Area	Total
Adult- Commissioning & Partnership	0
Adult- Community & Intermediate Care Services	0
Adult- Health & Home Care	1
Adult Safeguarding	1
Bonymaen Residential Home	1
Care Home and Quality Team	4
Central Hub	7
Client Property and Finance	0
CMHT 1	0
CMHT 3	3
CMHT 4	0
Community Alarms	1
Community Services Hub	6
Community Support Team	3
Contracting	2
Cwmbwrla Day Service	0
Dcas Central Hub	6
Dcas North Hub	3
Dcas West Hub	0
Direct Payments	1
Deprivation of Liberty (DoLs)	2
Financial Assessments	0
Financial Issues	12
Hospital social work team	5
Intake Team-CAP MDT	2
Llanfair	0
Long Term Home Care Team	2
Long term care and complex team	1
Morrison Hospital	1
North Hub	28
Occupational Therapy Service	1

Occupational Therapy Unit	1
Older People Community mental health	1
Older people, residential & day services	1
Other Agency	4
Referred to Health	3
Safeguarding	5
Safeguarding and wellbeing	1
Ty Einon	1
Unknown	18
West Hub	5
Western Bay Adult Safeguarding	1
Whitehorn IDS	1
Total number of Stage 1 SS complaints	135

Table 3 – Stage 2 Social Services complaints by Service Area		Total
Service	Outcome	ID
Budget Consultation	6 complaints, none upheld	Case 1
Community Support Team	7 complaints, 4 partially upheld, 1 upheld, 2 not upheld	Case 2
Care Home Quality Team	No complaints upheld	Case 3
Community Support Team (financial issues re Direct Payments)	16 Complaints, 9 not upheld, 6 partially upheld, 1 resolved	Case 4

Safeguarding concerns															5			
Staff attitude		1		1						1				2				
Unhappy with action taken	2	1	2	2					1		2	1	1			1	1	
Unhappy with charges levied	2	3		1														
Unhappy with decision		1								1					1			
Unhappy with level of service	4	3	2				1			1								
Unhappy with response					1		1								1			
Unknown				18														
Withdrawal of service	1							1										
Totals	27	20	10	27	6	0	3	5	3	7	5	1	3	4	7	1	5	1

Table 5 – Examples of Compliments Received	
Teams	Compliments Received
Cwmbwrla OPMHT	We are both very grateful to you....it is so refreshing to meet a professional who understands the importance of not just person centred care but also relationship centred care. You captured the essence of mum as a person from a few occasions of meeting her when clinical staff had 7 weeks and still could not see what we were saying. A huge thank you from the bottom of our hearts.
Hospital SW team	A has been brilliant during this time. She has been so professional, patient and kind. She has been available on a daily basis constantly updating me either via email or phone. My cousin is not what you would describe an easy man to deal with and Anna has been calm and stoic with handling his behaviour. She has managed the situation with a great sense of humour and firmness. A has now secured a wonderful placement so that he can continue to convalesce and I am hoping he will continue to progress after his discharge today
Bonymaen House	You and your staff have given us our life back, and for that we are grateful to a degree that we can't put into words. Your service is outstanding, and the standards to which you work are superior to any we had encountered in previous months. We sincerely hope that you all will continue with the work that you do with passion, and with all your heart - and that is, probably, what makes the greatest difference of all!
Cwmbwrla Day Centre	Letter from Ambulance Service thanking Day Service driver for calling 999, looking after patient until help arrived and then driving patient to the hospital and providing support that was above and beyond what would normally have been expected.
North Hub	M is relatively new to adult services and was covering duty social worker on Monday of this week. We had an issue with one of our service users . M went to Clydach to visit Mrs X to discuss a possible placement and found her condition to have deteriorated further. He telephoned 999 and the family and remained with her, liaising with the first responder and then waiting until almost 8pm for the ambulance to arrive. During this time he provided Mrs X with reassurance and care including giving her sips of water. His attitude was one of caring, consideration and great concern for a very vulnerable elderly lady. I was extremely grateful to him and impressed with the lengths he went to which was over and above what would generally be expected. I believe that he should be commended on his service and supported to continue with the amazing attitude to his job that he has.
Central Hub	I would like to thank L for listening and taking into account my concerns when assessing my mother. She has also recognised the need for increased care at home. I am confident that going forward L and I can work together to provide my mum with the care she needs. L's pragmatic approach and willingness to work with me has been greatly appreciated.
West Cross Day Service	People are very quick to complain about services these days - I would like to applaud one of Swansea's services and give credit where it is well and truly due. Yesterday I attended an 'awards ceremony' for the

	<p>service users at West Cross Day Service for adults with various learning difficulties. My daughter attends and has done for several years. At the ceremony each and every individual's various achievements were recognised and applauded. The atmosphere was truly one of celebration, inclusion and fun. It was most enjoyable and worthy of praise. However what was missing was applause for the incredible staff who work on a daily basis with the service users. People who attend have complex and profound difficulties of varying degrees, especially with communication. And yet each and every person was totally involved, aware and appreciative of the proceedings. It was a pleasure to witness adults who have difficulty making contact being included and participating. The staff obviously know each one and how to include them and encourage them to not only take part but also to really enjoy the experience. I was more than impressed. I know from my own experience how my daughter has 'blossomed' under the care of the people who work with her. This is entirely due to their dedication, hard work and sense of who she is and what motivates her. I imagine it is the same for the other service users. The staff certainly seem to be performing 'magic' as far as I am concerned. So I just wanted to record my thanks, and to bring to your notice the excellent service provided by these workers. Thank you!</p>
Local Area Co-ordinator	<p>It was great seeing you I don't know what it is but I am always on a high when I have been up to see you, it's hard to explain but when I was thinking of ended my life when I was really poorly in the early days & when you started working with me you helped me a lot, then I started to think just maybe life was worth living after all and look at me now, I still have my off days but not as much as I was before so thank you for giving me my life back</p>
Social Worker	<p>Thank you card and email - thank you for the care and attention over the last 14 months, it's been very much appreciated. C - you have been involved with Dad's Care since August 2017 and have supported both Dad and myself during this time and for that we will be forever grateful. Your professionalism and skill throughout has been exemplary and has mitigated any anxiety we would expect to encounter on what is a bewildering journey to the uninitiated in elderly care. I would be grateful if you could forward on my email to your manager as this praise is well deserved and should be recognised.</p>
Long Term Homecare Team	<p>I wanted to thank you and all the carers in your team for the care given to my Aunt over many years. My Aunt would not have attained such a great age without the superb care she received and the diligence, respect and professionalism of the Carers have been absolutely tremendous. Please pass on our very deep gratitude and most sincere appreciation to your colleagues for the tremendous job you all do.</p>
Local Area Co-ordinator	<p>When A came into my life, I can honestly say I was at a point of sheer desperation. I am an 83 year old active lady who looks after my 85 year old severely disabled husband who has vascular dementia. My</p>

	<p>friend suggested I telephoned A although I didn't know what at the time she could do for me. She has been a ray of sunshine in my life, sorting out a smoke alarm, talking to me about what's available, taken me to the carers centre, re introduced me to clubs I had previously been a member of and most importantly facilitating a sitter for my husband for me to go to the hairdressers and old age club once a week. Without her intervention I really don't know what I would have done as I was absolutely exhausted and depressed. Had I not met her, I honestly believe that such was my exhaustion I would probably have ended up in hospital and my husband in a care home, a situation I pray every night won't happen as we have been married for 63 years and never been apart.</p>
Central Rehab team	<p>My mother (91) fell and broke her shoulder and I'd like to thank the team who swung into action. Not only did they provide support for my parents but also for my dad (who is 95 with vascular dementia) but also to my brother and I. Special mention to the ladies who made a difficult time for the family a little easier. All three showed a genuine sympathy and professionalism when sorting things out for us. I know that social services come in for all manner of criticism but I cannot thank your team enough.</p>
Hospital Social Work Team	<p>I just wanted to say thank you for what you did for dad this year. We still have the four carers a day but they are living at home and getting out on the bus - dad can walk with 2 sticks a good distance! He is doing an exercise class every week and loves it and we have got him regular private physio. All of this is down to the call you made to let us take him home. We have all lost weight and sleep, particularly that first horrendous month. You did prepare me though and said it would be tough- boy, it was! But regardless of what happens in the future you gave him the chance to recover from the delirium, which we all know wouldn't have happened if he went into a home in that state! I am emailing you as I think it important you know what a difference you make, as did the Ward Sister, who like you, believed in us.</p>
Re-enablement	<p>I would like to convey my thanks and appreciation to the team without which I would not have been able to return to my own home after a recent operation. Their cheerful happy faces brighten up my day and blow away any depressive thoughts. Nothing is too much trouble for them all, many thanks once again.</p>
Re-enablement	<p>I thought it important to inform you of what is happening at the grassroots of the Social Services Domiciliary Care. Re-enablement Team, Gorseinon Hospital, for 6 weeks from the 5th January 2019 the above team of Community Care Assistants had been visiting our home three times daily to care for my 86 year old husband. Their dedication to their work was very impressive, demonstrating very high standards of care and ensuring his dignity at all times. Their kindness and understanding to ensure his needs were met was greatly appreciated. I was extremely grateful for their support as I am his main carer and have been for many years</p>