

APPENDIX 2: Adult Services Complaints

1. Total Complaints received during the reporting period.

- 1.1 **Table 1** shows total complaints received by the complaint team for 2020-21 in respect of Adult Social Services with the previous two years of figures for comparison. The total number of Stage 1 complaints received decreased by 28% in comparison with figures for the previous year.
- 1.2 Under the Social Services complaints policy, the legislative framework allows complainants to immediately request a stage 2 investigation. Though efforts to resolve complaints internally are made wherever possible, the number of stage 2 complaints for 2020-21 increased from 6 to 10.

2. Stage 1 Complaints

- 2.1. 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. In 82% of cases where complaints proceeded to conclusion, discussions took place within 10 working days, this is higher than the previous year at 78%.
- 2.2 Complaints have been broken down by individual service teams this year, in order to provide greater clarity on specific areas where complaints are being received.

3. Stage 2 Complaints

- 3.1 Complaints are considered at Stage 2 of the complaints procedure either where the Council has 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.
 - 3.2 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.
 - 3.3 An independent person is commissioned for a Stage 2 investigation and a formal report is produced. Finding resolutions and applying lessons learned is the prime objective of the complaint's procedure.
 - 3.4 **Table 3** provides a summary of the complaints handled at Stage 2 of the complaints process.
 - 3.5 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. This may be due to the complexity of a case or where enquiries could be extensive. Where an extension of time is sought this will normally only be granted with the permission of the Director of Social Services.
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In 2020-21, seven stage 2 investigations year were subject to extended periods of time with the Director's consent.

3.6 Whether the complaint is upheld or not, staff maintain confidence and a good working relationship with the service user or their representatives. There have been 10 complaints taken to Stage 2 in this reporting period compared to the 6 last year.

3.7 **Summary of Stage 2 complaints**

Case 1: Social Care Income and Finance /ILT and West Hub

There were 38 complaints in total encompassing the three teams. These included personal contributions, managed DP accounts and reasonable adjustment due to disabilities. Two of the complaints were upheld and an apology provided by the Head of Service.

Case 2: Social Care Income and Finance /Client Finance

There were 4 complaints about his mother's self-funding after threshold being met and not taking into account The Office of Public Guardian's decision. None of the complaints were upheld and no refund provided.

Case 3: Safeguarding /Care Home Quality Team

This was a joint investigation regarding safeguarding and the social work team. The family were unhappy that the social work team failed to assess her father properly and in their view, being placed in an inappropriate residential home. The family were also unhappy with the safeguarding outcome of her father's fall at the care home. None of the complaints were upheld, however a recommendation was accepted and shared with social work teams.

Case 4: Community Learning Disability Team

There were 3 complaints in total, pertaining to financial matters regarding the complainant's nephew and his accommodation/care. No complaints were upheld and the complainant directed their complaint to the Public Services Ombudsman for Wales, where the complaint remains ongoing.

Case 5: Community Initial Assessment Team

This complaint was in relation to the family's dissatisfaction that the social worker failed to assess both parents correctly and identify the correct needs and urgency of situation. There were 2 complaints in total, both complaints were not upheld.

Case 6: Fforest Fach Day Centre/Safeguarding

In this case, (a joint investigation with Safeguarding) the service user suffered life changing injuries at the day centre. The family felt aggrieved that the matter failed to meet safeguarding threshold and the day centre staff may have

provided incorrect information. Two complaints were made, and one complaint upheld in part in relation to the AAR report being made sooner to safeguarding. A recommendation was made ensuring that the new system for making Safeguarding enquiries before deciding if a referral is necessary, is bedded-in and fully understood by all relevant staff.

Case 7: Community Support Team

Complaint made by family member of service user who lacked capacity to make the complaint. There were two complaints regarding the failure of social services to ensure that the agreed therapeutic/care approaches were carried out at the supported accommodation. One complaint was upheld.

Case 8: Client Finance – Corporate stage 2 complaint

A Corporate stage 2 complaint via a solicitor regarding a service users' property and the sale of the house regarding financial contributions. The complaint was upheld in part and goodwill gesture payment made.

Case 9: CAP

The complainant remained happy with his care fees. This complaint was upheld and Team Managers were to remind staff to complete time recordings and to ensure that such telephone conversations about packages of care are followed up by letter or email to advise that there will be a charge. Charge withdrawn.

Case 10: West Hub

Family's dissatisfaction that the Local Authority were refusing to consider a temporary move to a Care Home. The Complaint was unable to proceed as the matter was with the Court of Protection.

4.0 Complaints made to the Public Services Ombudsman for Wales (PSOW)

4.1 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 Ombudsman accepts. Section 27 of the Ombudsman's legislation details when a report could be made public. Further details of the role of the PSOW can be found at <http://www.ombudsman-wales.org.uk>

4.2 The council received 9 queries from the Ombudsman in relation to Adult Services. Three of these were not investigated, two complaints upheld and redress paid and four complaints are still ongoing.

5. Reasons for complaints and their outcome

5.1 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.

5.2 Wherever possible, lessons are learnt and improvements are made to service delivery when a complaint is upheld. 22% of complaints were justified/partly justified this year, a reduction compared to last year at 27%.

6. Advocacy

6.1 Advocacy services exist to represent service recipients' 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.

6.2 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.

7.0 Compliments

7.1 Adult Services have received in excess of 90 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. The Director of Social Services reported compliments throughout the pandemic via mid-week briefing emails.

7.2 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.

8. Financial Implications

8.1 All costs incurred in dealing with complaints have to be covered within existing budgets.

8.2 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 2020/21 for Adult & Directorate Services was **£11,926.25** (up £4897.50 on the previous year).

Appendices: Appendix A – Statistical Data Tables

Appendix A – Statistical data in Tables

Table 1 - Total number of complaints received by Complaint Stages				
	Year	2018/19	2019/20	2020/21
Service Requests		27	48	32
Corporate		25	21	17
Stage 1		135	150	106
Stage 2		4	6	10
Ombudsman		13	14	9
Totals		204	239	174

Table 2 – Stage 1 Social Services complaints by Service Area	Total
Adult – Learning Disability Service Provision	2
Adult Transition	2
Bonymaen	2
Care Home & Quality Team	4
CAP MDT	1
Central Hub	4
Client Property and Finance	4
CMHT 1	3
CMHT 2	1
CMHT 3	6
Community Initial Assessment Team	2
Community Support Team	7
Contracting	15
Direct Payments	3
Deprivation of Liberty (DoLs)	1
Disabled Facilities Grants	1
Financial Assessments	7
Hospital social work team	7
Intake team	7
Long term care and complex team	1
Llanfair House	1
North Hub	5
Occupational Therapy	1
Older Peoples Mental Health Team	2
Referred to Other Agency	10
Transition	2
Unknown	4
West Hub	9
Western Bay Adult Safeguarding	9
Total number of Stage 1 complaints (includes corporate)	123

Table 3 – Stage 2 Social Services complaints by Service Area		Total
Service	Outcome	ID
Social Care Income and Finance /ILT and West Hub	Partially upheld	253900
Social Care Income and Finance /Client Finance	Not upheld	253954
Safeguarding /Care Home Quality Team	Not upheld	258323
Community Learning Disability Team	Not upheld	256355
Community Initial Assessment Team	Not upheld	257557
Fforest Fach Day Centre/Safeguarding	Partially upheld	258069
Community Support Team	Partially upheld	253770
Client Finance – Corporate stage 2 complaint	Partially upheld	254429
CAP	Upheld	254293
West Hub	Not investigated – matter in court	255559

Safeguarding concerns			1							1	1				5					
Staff attitude																				
Unhappy with action taken	2	2	2	2					2	4	1			4	1		1		2	
Unhappy with charges levied	1	3																		
Unhappy with decision		3													2					
Unhappy with level of service	5	6	1	4	3		1	1		3	1									
Unhappy with response																				
Unknown				3																
Withdrawal of service															1					
Totals	20	29	7	10	6	0	2	7	2	9	8	0	3	4	8	2	2	0	3	1

Table 5 – Examples of Compliments Received

Teams	Compliments Received
Ty Waunarlwydd	Thank you for all the care you gave mum while she lived with you and thank you for the tender care you gave to mum during her last few days with us.
Hospital social work team	I'd like to thank you so much for going above and beyond and listening to everything that's helped us get to this point because I feel it could have gone so very differently, had you not it's been a long road
West Hub	From the bottom of my heart may I sincerely thank you for all you have done for me over the past few weeks. I have struggled to maintain my dignity and this help will make all the difference to me.
Community Initial Assessment Team	I wanted to say how pleased my mother and I are with your caring and empathic approach to her needs. You have been wonderful. Both of us, thank you and your department for how well you have catered to the needs of my mother.
Adult Services Transition Team	Social worker praised by a mum and also by her managers for her skill and perseverance that makes such a difference to service users. The mum said thank you for making it possible for her to get the day centre that meets her complex needs and for the dedication it took to get her daughter what she needed to grow and be happy in life.
Transport Team	The team have been praised for stepping in to help a man get to hospital and prevent him from losing his sight. The ambulance service due to current pressures were not able to assist, there was no family to assist and it seemed like there were no options. This operation, which whilst it was not lifesaving, if he did not have it would have been life changing and debilitating for him.
North Hub	CMO has been thanked by a son for supporting him and his father who was undergoing dialysis, he was suffering from deteriorating mobility but could not be hospitalised due to pressure on NHS services. He said: just a note to say a massive thank you - your help and turnaround is hugely appreciated. We are all so grateful to you at what must be a crazy time for you all."
Community Learning Disability Team	Social worker from the Community Learning Disability Team has been thanked by a mum for the reassurance and support she is able to offer her son and her. The social worker has built a productive relationship that is enabling progress and the service user wants her to stay working with him always.
Reablement Team (West)	Praised for showing care and commitment that helped a mum get back on her feet when she came home from hospital. There was much appreciation for their consideration of mum's and their needs and wishes. They achieved what the family did not think possible - mum being ready and able within a few months to look after herself with only minimum support.

Ty Cila	A mum has praised staff at Ty Cila saying: "Thank you for all the hard work you do and looking after my son so well."
Bonymaen House	Social worker and the Bonymaen House team have been praised for how they cared for a father, particularly when at end of life.
Mental Health and Learning Disabilities Team	A Social Worker with the Mental Health & Learning Disabilities team, has been thanked by a daughter who has been unable to get to Swansea to support her mum and dad due to the Covid-19 lockdown and travel restrictions. She said: "I wanted to say thank you for keeping in touch with my mum. She is so pleased to get your calls."
CAP and Central Hub	Workers from Central Hub and CAP have been thanked by a family for being kind, courteous, patient, understanding, highly competent and a credit to their professions.