



Report of the Cabinet Member for Service Transformation

Cabinet Member for Care Services

Adult Services Scrutiny Performance Panel – 2nd May 2023

COMPLAINTS REPORT 2021-22

Purpose	To present the Annual Complaints Report for 2021-22
Content	This report provides a summary of complaints performance across both Corporate and Social Services including complaints, comments, and compliments.
Councillors are being asked to	Discuss the Council's complaints performance for 2021-22 and the comments and compliments received from service users
Lead Councillor	Cabinet Member for Service Transformation – Councillor Andrea Lewis (Deputy Leader) Cabinet Member for Care Services – Councillor Louise Gibbard
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For Information	

1. Introduction

- 1.1. This report highlights the number of complaints received by the Council and the Public Services Ombudsman Wales (PSOW) during 2021-22.
 - 1.2. The Council recognises that complaints are a valuable resource, helping us to understand the needs and concerns of members of the public and to improve services. All complaints are taken very seriously and provide valuable customer insight.
- 1.1 The impact of the pandemic on services continued to be seen throughout 2021-22, including:
- The increased complexity of cases across all Social Services teams
 - Recruitment pressures across social care leading to staffing issues with providers
 - The reduction of available staff due to sickness absence
 - A delay in launching the new IT system, as the Council prioritised payments and support to residents and businesses. The new system will make the process easier for the public and more efficient for staff with improved reporting functionality. The aim is to go live with staff trained for the start of the new financial year, starting with Corporate Complaints.

2. Requests for Service (RFS)

- 2.1 A request for service is not a complaint (e.g., a request for service could be a request to repair an unlit lamp post, or missed bin collection). A complaint would only arise should the request for service not be properly dealt with.

3. Corporate Complaints

Appendix 1 contains all statistical tables referring to corporate complaints, comments, and compliments in this report.

- 3.1. Stage 1 Complaints (informal)
Informal complaints are defined as Stage 1 complaints and are dealt with by the relevant service areas. When a complaint spans several different service areas, the Complaints' Team will coordinate the handling of the complaints and provide a single, substantive response. All stage 1 complaints should be responded to within 10 working days.

1,274 Stage 1 complaints were received (see Appendix 1), which is an increase of 8% compared with the previous year (1,274 compared to 1,171 in 2020 - 2021).

3.2. Stage 2 Complaints

If a complainant is dissatisfied with the outcome of a Stage 1 complaint, they may request that the matter be investigated by the Complaints' Team, which is independent of the service department.

The Complaints Team will carry out an investigation, re-examining those issues with which the complainant remains aggrieved. This investigation will include a review of all relevant correspondence, often incorporates separate discussions with both the complainant and relevant officers from the service department(s) concerned, and should be responded to within 20 working days.

Complainants who remain unhappy with the outcome of the Stage 2 investigation by a Complaints Officer can refer their complaint to the Public Services Ombudsman for Wales (PSOW).

Of the 1,274 Stage 1 Complaints received only 154 (12%) disagreed with the original investigation and appealed to Stage 2. 115 (74%) were not justified and 25 (16%) were either justified or partially justified. In addition to this, six were not pursued and eight were withdrawn.

3.3. Welsh Language Complaints

Seven (0.55%) of the corporate complaints received were made through the medium of Welsh, or related to Welsh Language issues. All of these were handled at stage one and none escalated to stage two.

3.4. Comments

The "Comments" section relates to cases where an individual has made a comment regarding a service as opposed to a complaint, which is then passed on to the relevant service unit for information. These comments may be negative or positive. Examples of comments and compliments have been included in the appendices. 31 corporate comments were received, which is a 38% increase compared with 19 for the previous year.

3.5. Compared to the previous year:

- Stage 1 complaints increased by 8% (1,274 compared to 1,171 in 2020 - 2021) of which 407 were justified
- Stage 2 complaints increased by 16% (154 compared to 129 in 2020-21) of which 25 were justified
- Requests for service increased by 24% (851 compared with 644 in 2020-21)
- The Council received 38% more comments (31 compared with 19 in 2020-21).

4. **Social Services Complaints**

Appendix 2 (Adult Services) and Appendix 3 (Child & Family Services) contain further details referring to Social Services complaints, comments, and compliments in this report.

- 4.1. Swansea Council's Social Services complaints procedures seek 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. The Social Services Complaints Policy can be viewed online at: <https://www.swansea.gov.uk/sscomplaints>
- 4.2. Swansea Council's Social Services teams 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.
- 4.3. Our aim is to resolve complaints at the earliest opportunity and teams are encouraged to be proactive in achieving this goal.
- 4.4. Where someone has been deemed 'not eligible' to utilise the social services complaints 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.
- 4.5. For Adult Services, the total number of Stage 1 complaints received this year increased by 11% in comparison with figures for the previous year (139 compared with 123 for 2020-21). 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 this year has increased from 10 to 11.
- 4.6. For Child and Family Services, the number of Stage 1 complaints received this year has decreased by 19% compared to the previous year (114 compared with 141 for 2020-21). Fifteen of which were justified. 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 reduced to six compared with seven in 2020-21.
- 4.7. The number of justified complaints in Adult Services increased by 53% (20 to 43) in 2021-22. The majority of these are related to delays in arranging assessments or packages of care due to staff pressures, including in external providers.

5. Cases reported to the Ombudsman

- 5.1. Should a complainant remain dissatisfied following completion of the two internal complaint stages, they can take their complaint to the Ombudsman's office for independent investigation.

- 5.2. The Ombudsman publishes an Annual Report and sends an annual letter to the Council every year. Full details of this report and letter for Swansea Council for 2021-22 can be viewed at Appendix 4.
- 5.3. In summary, Appendix 4 shows the Ombudsman received 71 complaints. This is a slight decrease (2.7%) compared with 73 in 2021-22.
- 5.4. Some Ombudsman complaints can carry across different financial years. 76 Ombudsman complaints were closed in 2021-22, ten of which received intervention including: six early resolution / voluntary settlement and four which were upheld. There were 73 Ombudsman complaints in 2020-21, nine of which received early intervention including: five early resolution / voluntary settlement and four which were upheld.

6. Service improvements

- 6.1. Lessons can be learned from complaints received where complaints are upheld. Redress measures have included the issuing of apologies, small payments, additional training for staff, and the introduction of new procedures.
- 6.2. Where a complaint was upheld by the PSOW, the findings were discussed with the Head of Service and relevant Principal Officer. The Complaints Officer responded to the PSOW on the actions undertaken by Swansea Council and any lessons learned. Once actions were completed, the complaint was closed on the system, recording the outcome and any lessons learned
- 6.3. The Complaints Service receives an Internal Audit every three years to ensure it is undertaking its functions correctly. The last Audit took place in October/November 2019 and received a substantial rating.

7. Compliments

- 7.1. When compliments are received they are acknowledged and forwarded to the Head of Service for the relevant service area. A selection are highlighted for the staff newsletter, The Weekly. This has a positive impact on staff morale and allows departments to recognise good practices. Examples of the many compliments received are shown in the appendices.
- 7.2. 360 corporate compliments were received during 2021-22. Social Services compliments include 96 for Adult Services and 100 for Child and Family Services over the period.

8. Conclusion

- 8.1. Based on the statistical evidence provided, there are no trends to cause concern.

9. Financial Implications

- 9.1. During 2021-22, the Council spent £15,551 on complaints investigations in social services and paid £12,187 in financial redress. £8,600 of which relates to one case following a re-assessment. During 2020-21, the Council spent £22,700 on complaints investigations in social services and paid £3,633 in financial redress.

11. Legal Implications

- 11.1 There are no specific legal implications arising from this report.

Background papers: None

Appendices:

Appendix 1 - Corporate Complaints and Compliments 2021-22

Appendix 2 - Adult Social Services Complaints and Compliments 2021-22

Appendix 3 - Child and Family Services Complaints and Compliments 2021-22

Appendix 4 - PSOW Annual Letter 2021-22