



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

24th SEPTEMBER 2019

REPRESENTATIONS, COMPLIMENTS AND COMPLAINTS PROCEDURES ANNUAL REPORT

REPORT OF GROUP DIRECTOR, COMMUNITY AND CHILDREN'S SERVICES, IN DISCUSSION WITH THE RELEVANT PORTFOLIO HOLDER, COUNCILLOR HOPKINS AND COUNCILLOR LEYSHON

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1. PURPOSE OF REPORT

- 1.1 This report provides Cabinet with an overview of the operation and effectiveness of the Council's statutory Social Services complaints procedure between April 1st 2018 and March 31st 2019.
- 1.2 The report contains information on the background of the Social Services statutory complaints procedure, information on lessons learnt from complaints and performance data for Adults & Children's Social Services, together with achievements for 2018/19 and future developments.

2. RECOMMENDATIONS

It is recommended that Cabinet:

- 2.1 Agree the contents of the Social Services Annual Complaints report (attached as Appendix 1).
- 2.2 Note the work undertaken by the Social Services Complaints Unit.

3. REASONS FOR RECOMMENDATIONS

- 3.1 It is a requirement of the Social Services Complaints Procedure (Wales) Regulations Procedure 2014 that the Local Authority produce an annual report and that the report is considered by the appropriate Scrutiny Committee.

4. BACKGROUND

- 4.1 Social Services has a statutory requirement to operate a complaints procedure that follows the legislative requirements of the regulations specified above. The guidance requires an annual report to be produced relating to the operation of the complaints procedure.

4.2 The Social Services Complaints procedure is available to:

- All service users or their representatives
- Any child with a care and support plan
- A parent of a child with a care and support plan
- A local authority foster parent
- A person who the Authority consider to have sufficient interest in the child's/adult's welfare

It is based upon the principle that people have a right to complain; to have the complaint examined and resolved as quickly as possible.

4.3 The complaints process was amended in August 2014 in line with the new Complaints Regulations and Guidance issued by the Welsh Government and became a two stage process:

Stage One: Local Resolution – The emphasis at this stage of the process is to resolve the complaint by means of discussion and problem solving, whilst adhering to the 15 working days response time that has been imposed under the Regulations.

Stage Two: Formal Consideration – If the complainant remains dissatisfied after completion of stage one, they may request that the complaint proceeds to stage two of the process. This involves a formal investigation of the complaint with a report being produced by the investigating officer appointed to the case. The timescale for dealing with this stage is 25 working days.

4.4 If the complainant remains dissatisfied with the outcome of the stage two Investigation, they may progress their complaint to the Public Service Ombudsman for Wales.

5. SOCIAL SERVICES ANNUAL COMPLAINTS REPORT 2018/19

5.1 When analysing complaints, it is important to remember that an increase or decrease in the number of complaints does not necessarily reflect a change in the standard of service provided. An increase might indicate the positive view we take towards complaints, together with the fact that people are well informed about how to make a complaint. Given the vulnerability of many people accessing services, it would be worrying if people felt unable to complain if they were dissatisfied with the services they received.

5.2 During the reporting period a total of 86 complaints were received requiring a response at stage one. This is an overall decrease of 76 complaints when compared to the previous year with the significant decrease being in Children's Services. The number of complaints received remains comparatively low in contrast to the number of people that come into contact with Social Services annually.

- 5.3 Across Social Services, 58% of stage one complaints were responded to within the required timescale, compared with 52% reported last year. This continues to be an area highlighted for improvement and processes have been introduced across both Children's and Adult Services to address both the quality and timeliness of responses to issues raised.
- 5.4 Of the 86 Stage one complaints received, 4 progressed to stage two. This figure is consistent with previous years and demonstrates that the majority of people are happy for the Council to deal with their complaints at a local level and that managers are effectively dealing with the issues raised.
- 5.5 In 2018/19, 163 formal compliments were received.
- 5.6 Further details and analysis about the number and causes of complaints and compliments and the service areas where these have been made are provided in Appendix 1. The annual report also outlines some of the achievements and developments undertaken by the Complaints Unit during the year.

6. EQUALITY AND DIVERSITY IMPLICATIONS

- 6.1 There are no equality and/or diversity implications from this report.

7. CONSULTATION

- 7.1 No consultation has been undertaken in relation to this report as it provides information on the operation of the Representation and Complaints Unit and direct feedback from service users in relation to how well services are delivered through the monitoring of complaints and compliments.

8. FINANCIAL IMPLICATIONS

- 8.1 There are no financial implications aligned to this report and the work of the Representation and Complaints Unit services is managed within the existing allocated budget.

9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 9.1 The work of the Complaints and Representation Unit is underpinned by the requirements of the Social Services Complaints Procedure (Wales) Regulations 2014 and the Representations Procedure (Wales) Regulations 2014. This report has been produced in line with the legislative requirements contained within those procedures.

10. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT

- 10.1 The function of the Complaints and Representations Unit and the collation of service user feedback through both complaints and compliments provide a quality assurance mechanism by which Adults and Children's Services can measure their performance against the corporate priorities to:

- Improve the experience of those using health and social care services.
- Engage with and use Customer Feedback to redesign our services.
- Deliver essential services well.

11. **CONCLUSION**

- 11.1 Social Services continue to provide a robust and effective complaints procedure in line with the statutory requirements. Complaints are seen as providing valuable customer feedback, with the information from complaints providing valuable lessons learnt when planning and improving services to meet the needs of our customers.

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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HOPKINS AND COUNCILLOR LEYSHON**

Background Papers

Social Services Complaints Procedure (Wales) Regulations Procedure 2014

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

SOCIAL SERVICES

REPRESENTATIONS AND COMPLAINTS PROCEDURES

ANNUAL REPORT

2018/19



1. INTRODUCTION

It is a statutory requirement for local authorities to have in place a representations and complaints procedure for Social Services.

Each local authority is required to produce an annual report concerning the operation of its representation and complaints procedure.

This annual report provides information about the operation of the Social Services Representation and Complaints Procedure between 1 April 2018 and 31 March 2019. The report contains information about the number and type of complaints received and also provides details of the activities undertaken by the Customer Feedback and Engagement Team during that period to develop the representation and complaints service.

2. BACKGROUND

Social Services in Rhondda Cynon Taf adopts a positive attitude towards complaints and views them as a valuable form of feedback, which assists in the development and improvement of services. Complaints also provide an opportunity to learn lessons where a service has fallen short of an expected standard.

The representation and complaints procedure is widely publicised generally and specifically to people who use our services and provides them with an opportunity to:

- ❖ Voice their concerns when they are dissatisfied in order that the issue can be rectified to their satisfaction, wherever possible
- ❖ Make compliments
- ❖ Suggest improvements
- ❖ Challenge decisions

The aim is for our representation and complaints procedure to secure a better service for all the people using social care services and is underpinned by the following key principles:

- ❖ Commitment to providing quality services
- ❖ Accessible and supportive to those with particular needs
- ❖ Prompt and responsive with resolution at the earliest possible opportunity
- ❖ Strong problem solving element
- ❖ Operated without prejudice or discrimination
- ❖ Adheres to the principle of equal opportunity

The representation and complaints procedure also provides an opportunity for service users to address concerns in relation to independent sector providers

where they remain dissatisfied following implementation of the agencies own internal complaints procedures.

The Social Services complaints process has two stages:

Stage One: Local Resolution – The emphasis at this stage of the process is to resolve the complaint by means of discussion and problem solving. The complainant will be offered a discussion about the issues they have raised and this can either be done by telephone or face to face in an attempt to resolve the issues. This must be done within 10 working days of the receipt of the complaint. Following this discussion and any further investigation that is necessary, a written response will be provided within 5 working days.

Stage Two: Formal Consideration – If the complainant remains dissatisfied after completion of stage one, they may request that the complaint proceeds to stage two of the process. This involves a formal investigation of the complaint with a report being produced by an independent investigating officer. The timescale for dealing with this stage is 25 working days.

If the complainant remains dissatisfied with the outcome of the stage two investigation, they may progress their complaint to the Public Service Ombudsman for Wales.

3. STAGE 1 'INFORMAL' COMPLAINTS

In 2018/19, there were 86 recorded complaints during the year, compared with 162 in the previous year. There was an increase in Stage 1 complaints about Adult Services with 51 received in 2017/18 compared to 55 this year whilst there was a significant decrease in Stage 1 complaints about Children's Services with 111 received in 2017/18 compared to 31 this year.

The new complaints regulations and guidance sets an expectation that complainant's will be offered a face to face meeting wherever deemed appropriate as a means to resolving their complaint. This has continued to be effective in resolving most complaints at a local level and has resulted in more positive outcomes for complainants and their ongoing relationship with the service.

Of the Stage 1 complaints that were received, 58% were responded to within statutory timescales which is an increase on 52% in 2017/18. This is an area where we would like to see further improvement and as well as monitoring systems that are currently in place the need to respond to deal with complaints in a timely manner will be reinforced through training and manager briefings.

Support to improve the quality of Stage 1 complaint responses has also been provided across service areas and the Complaints Team has issued good practice guidance to assist in ensuring written responses meet an expected standard.

Adult Services

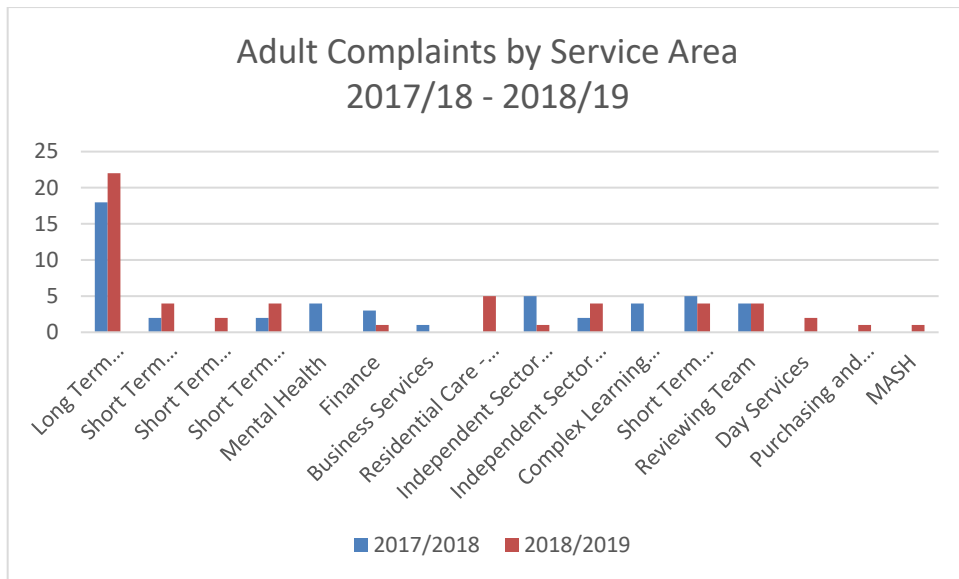
55 complaints were received for Adult Services during the year. This represents an 8% increase on the total amount received in 2017/18.

Of the complaints made about Adult Services, 16% (9) were made by the service users themselves and 84% (46) were made by their representatives e.g. carers, family members and advocates. These figures highlight the reliance of many adults on their family and carers to raise issues on their behalf and is consistent with comments received as part of the Social Services Performance Measures Survey undertaken in September 2018.

Details of complaints received recorded by Service Area are summarised in Table 1 and compares them with the previous year.

Table 1: Summary of complaints by service area

Service Area
Long Term Assessment - Locality Teams
Short Term Intervention Support @ Home
Short Term Intervention - SPA
Short Term Intervention ACE
Mental Health
Finance
Business Services
Residential Care RCT
Independent Sector Residential Care
Independent Sector Domiciliary Care
Complex Learning Difficulties
Short Term Intervention – Short Term Care Management
Reviewing Team
Day Services
Purchasing and Commissioning
MASH
Total



As in previous years, the highest number of complaints were received for Long Term Assessment Teams. There has been a small increase in numbers of complaints recorded for Residential Care, learning from these complaints have been identified in section 7, learning the Lessons.

In other service areas complaints were fairly consistent with previous years and remain comparatively low in contrast to the number of people that access services.

Table 2 sets out in more detail what the complaints were about and compares them with the previous year.

Table 2: Summary of what complaints were about

Nature of Complaint	2017/18	2018/19
Change in call times / Missed Calls (Homecare)	1	0
Failure to provide a service	10	8
Financial issues	5	3
Lack of information/communication	8	5
Issues around adaptations	0	4
Staff issues	18	11
Waiting for assessment/Request for assessment	2	0
Quality of care	4	9
Quality of service	3	13
Information Governance	0	1
Missed Calls	0	1
Total	51	55

Complaints relating to quality of service and issues around staff are the highest category of complaints. Complaints around staff issues have decreased in comparison to previous year, however complaints around the quality of service have increased in comparison to the previous year. Both of these variances are as a result of the complaints team more accurately recoding complaints. Complaints relating to quality of care have risen slightly but there are no themes identified.

Of the Stage 1 complaints received for Adults Services, 53 were resolved locally, one progressed to Stage 2 and one complaint was withdrawn by complainant.

Children’s Services

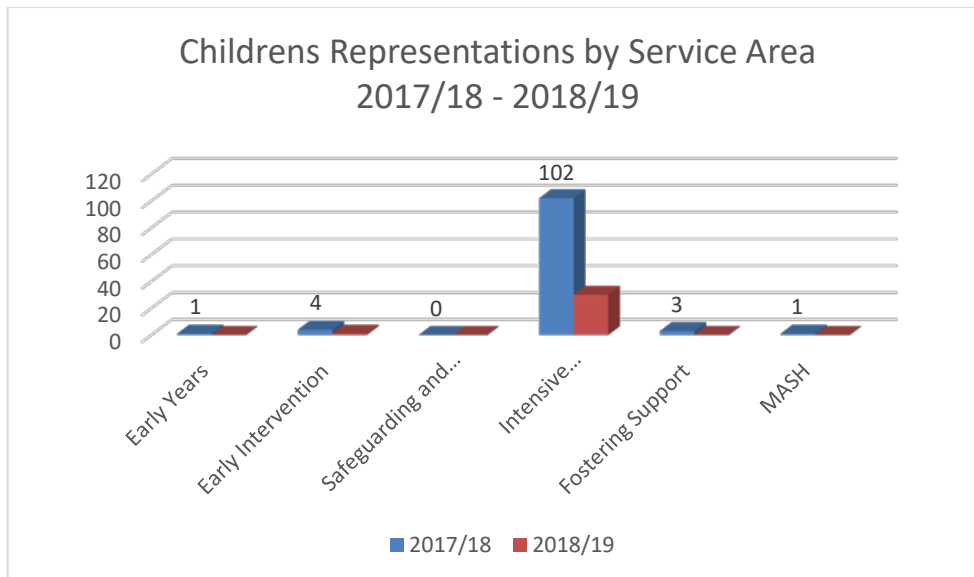
31 Complaints about Children’s Services were received during the year. This represents a significant decrease compared to the previous year when 111 complaints were received. With the exception of one complaint all complaints were for the Intensive Intervention Services which is consistent with previous years and a reflection of the difficult nature of the work that the service undertakes.

Over the past year the Customer Feedback and Engagement Team has focused on supporting services areas by providing advice and answering queries at the first point of contact with parent/carers. This has successfully reduced the number of issues that have progressed to Stage 1 of the complaints process.

Table 3 sets out the complaints received recorded by service area and compares them with the previous year.

Table 3: Summary of complaints by Service Area

Service area	2017/18	2018/19
Early Years	1	0
Early Intervention	4	1
Intensive Intervention	102	30
Fostering Support	3	0
MASH	1	0
Total	111	31



Of the 31 complaints received 3 progressed to Stage 2 Complaints

Of the 31 complaints made about Children’s Services, 2 representations were made by children and young people, 29 complaints were made by parents/relatives and carers.

Table 4 sets out in more detail what the complaints from children and young people or advocates were about and compares them with the previous year.

Table 4: Summary of children and young people’s representations

Nature of complaint	2017/18	2018/19
Staff issues	1	0
Quality of Care	1	0
Financial	0	1
Quality of Service	0	1
Total	2	2

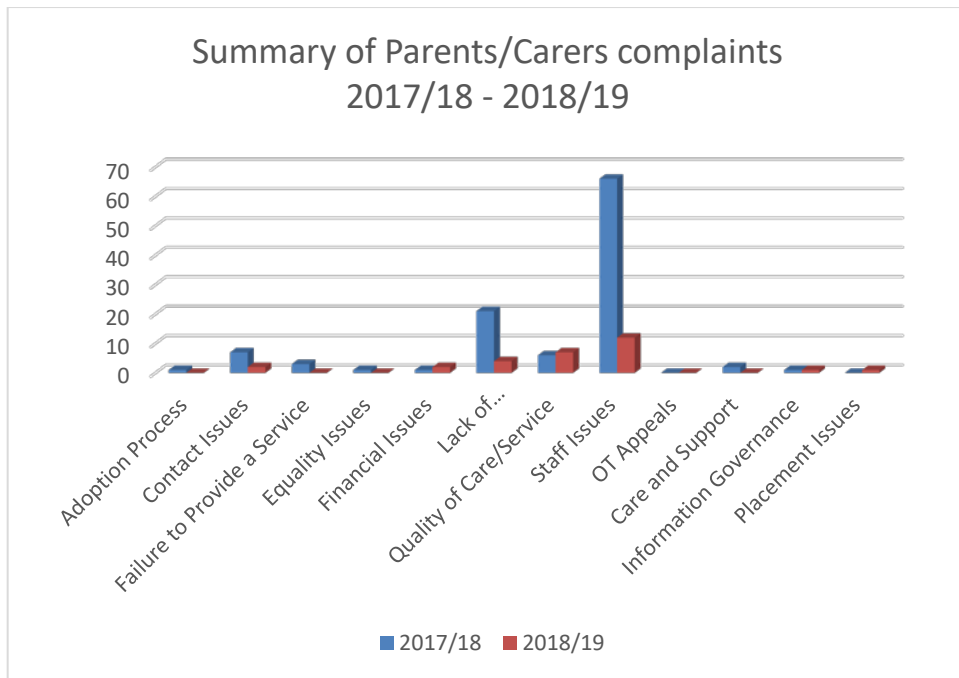
Both complaints received related to children and young people who are looked after by the Council and were successfully resolved at Stage 1.

The Council commissions an Independent Advocacy Provider for children and young people in line with the requirements of the Social Services Well-being Act (Wales) 2014 and the National Approach to Advocacy. This involves all children over the age of 5yrs being offered the support of an advocate when they become a Child Looked After or subject to Safeguarding arrangements. The Advocacy Service supports children and young people to have their say and effectively supports children and young people to raise any concerns about their care and support outside of the complaints process.

Table 5 sets out the detail of complaints made by parents and compares them with the previous year.

Table 5: Summary of complaints from parents

Nature of complaint	2017/18	2018/19
Adoption Process	1	0
Contact issues	7	2
Failure to provide a service	3	0
Equality issues	1	0
Financial issues	1	2
Lack of information/communication	21	4
Quality of care/service	6	7
Staff issues	66	12
Care and Support	2	0
Information Governance	1	1
Placement Issues	0	1
Total	109	29



Following initial contact to discuss the complaint, 2 of the 29 complaints needed no further action and 3 progressed to Stage 2 complaints.

Complaints relating to staff issues remain the highest category of complaint, however these have decreased on figures received for 2017/18 due to improvements in the categorisation of complaints. Complaints relating to the provision of information and communication have also decreased on figures received for previous years.

4. CONTACTS AND CONCERNS

This year the Customer Feedback Team has again focused on attempting to resolve issues at source where this is considered appropriate and have worked collaboratively with managers across both services resulting in a reduction in complaints being passed to front line services.

In 2018/19 the Customer Feedback and Engagement Team dealt with a total of 173 contacts that did not progress to Stage 1 complaints. 64 contacts were for adults services with 109 contacts being received for Children's Services.

The Team also received 10 concerns where the subject specified that they did not wish to make a complaint. These were recorded and passed to the relevant service area

5. STAGE 2 'FORMAL' COMPLAINTS

Overall, there were 4 Stage 2 complaints made during 2018/19 all of which progressed from Informal Complaints. The number of complaints received is consistent with the number of Stage 2 complaints for 2017/18.

Stage 2 complaints, where improvements were identified, result in an action plan being developed to ensure improvements for both the service user and the service area. (See learning the lessons).

Adult Services

There was 1 stage 2 complaint received for Adult Services – which progressed from Stage 1 Informal Complaint process.

Table 7: Summary of complaints made at Stage 2

Nature of complaint	2017/18	2018/19
Failure to Provide a Service	0	1
Complex Learning Difficulties	1	0
Total	1	1

Children's Services

There were 3 Stage 2 complaints received relating to Children's Services, all of which progressed from Stage 1 Informal Complaints process.

Table 8: Summary of complaints made at Stage 2

Nature of complaint	2017/18	2018/19
Quality of Service/Care	1	2
Lack of Communication/Information	1	0
Failure to Provide a Service	1	1
Total	3	3

6. OMBUDSMAN Enquiries/Complaints

In 2018/19, 10 complaints were made to the Public Services Ombudsman, 5 for Children's Services and 5 for Adults.

1 enquiry was referred back to the authority for investigation, 1 referred back to authority for stage 2 investigation, 1 was unable to be investigated as was complaint against Cwm Taf Safeguarding. The Ombudsman made recommendations for 2 complaints and 5 required no further action.

LEARNING THE LESSONS

The following improvements/actions have been identified from complaints received.

- ❖ Discussions with health colleagues in relation to early referral and the criteria for continuing health care assessments resulting in an agreed approach.
- ❖ Individual training on the principles of the General Data Protection Regulations particularly in relation to safeguarding concerns.
- ❖ Updated information required on the options for residential care in RCT.
- ❖ Review of the booking system for respite care, improving process and ensuring cancellation's take account of carer's circumstances and offer alternatives where possible.
- ❖ Improved reporting mechanisms to ensure personal continence procedures followed in line with care and support plan. (Residential care).
- ❖ Revised guidance for managing behavior in Day Centre provision.

7. COMPLIMENTS

Compliments provide valuable information regarding the quality of services that are provided and identify where they are working well. The number of compliments recorded in 2018/19 was 163 compared to the 161 received in 2017/18

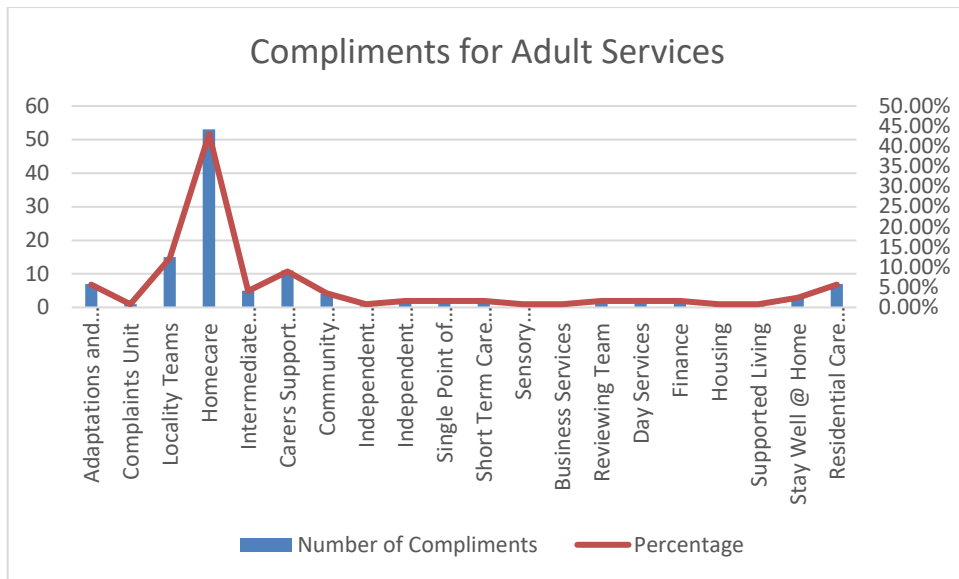
Adult Services

In 2018/19 there were 123 compliments made within Adult Services.

Table 8 sets out the number of compliments recorded by Service Area.

Table 8: Summary of compliments received

Service areas	Number	Percentage
Short Term Intervention ACE	7	5.7%
Customer Feedback Team	1	0.8%
Long Term Assessment - Locality Teams	15	12.2%
Homecare	53	43%
Intermediate Care/Reablement	5	4.1%
Carers Support Project	11	8.9%
Community Mental Health Teams	4	3.5%
Independent Domiciliary Care	1	0.8%
Independent Residential Care	2	1.6%
Single Point of Access	2	1.6%
Short Term Care Management	2	1.6%
Sensory Impairment	1	0.8%
Business Services	1	0.8%
Reviewing Team	2	1.6%
Day Services	2	1.6%
Finance	2	1.6%
Housing	1	0.8%
Supported Living	1	0.8%
Stay Well @ Home	3	2.4%
Residential Care RCT	7	5.7%
	123	



The following are examples of some of the compliments received for Adult Services during 2018/19

- *“I wanted to drop you a quick message to thank you for the trip to Thorpe Park yesterday – myself and my daughter had a great day”*
- *Card expressing thanks to OT who has been assessing mother in law. She has been so caring and has listened to mother in law and has given her time with patience and understanding.*
- *Daughter asked that “All staff are made aware of how grateful herself and the rest of the family were for the outstanding service her mother received from RCT”*
- *Letter received giving “Thanks for the standard of care my mother received over the last 3 years at Bronllwyn. Tracy Thomas and team supported her in every way possible encouraging her and helping to give her back her confidence after being so poorly”*
- *Daughter conveying sincere gratitude to Care Manager for the way he managed mothers transfer to Care Home which due to Gareth’s professionalism, empathy, kindness and time management made transition to home easier than we first feared*
- *“I would like to express how grateful myself and all the family are for all your hard work in restoring my mother to us in good spirits. Without a doubt if it hadn’t been for your caring, kindness and patience I am sure we would not find ourselves in this much happier situation. This service is invaluable”*
- *“I would like to thank your department on the way you have handled my mother in law’s affairs, in particularly Daniel Minty who could not have been more helpful and efficient if he had been employed solely by us. He was always available or if not would always call you back – never failing”*

➤ *SU ringing to express how happy she is with the service she had from all our staff but particularly how friendly, polite, patient, kind and wonderful Paige Edwards was with her today. She made her feel at ease although this meant her taking longer than planned on her call.*

Children’s Services

In 2018/19 there were 39 compliments made within Children’s Services.

Table 9 sets out the number of compliments recorded by Service Area.

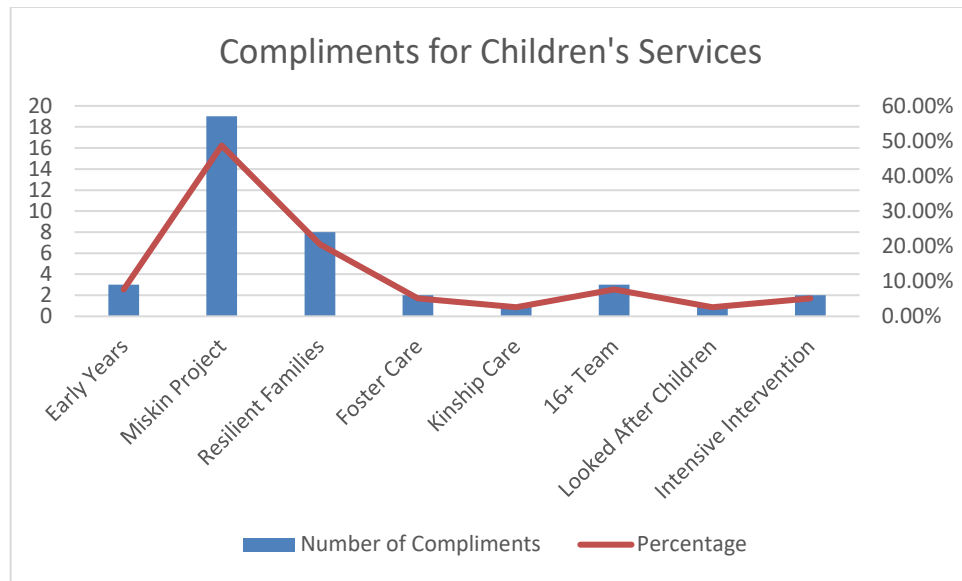


Table 9: Summary of compliments received

Service areas	Number	Percentage
Early Years	3	7.7%
Miskin Project	19	48.7%
Resilient Families	8	20.5%
Foster Care	2	5.1%
Kinship Care	1	2.6%
16+ Team	3	7.7%
Looked After Children	1	2.6%
Intensive Intervention	2	5.1%

The following are examples of some of the compliments received for Children’s Services during 2017/18:

- *Thank you for being on the other end of the phone, means a lot as I've "never had any support and now it's just taking its toll with everything going on - Thanks for being there for us"*
- *"I wanted to pass on my thanks and say how much I appreciated her continued work with NAME. It benefited the family to have continuity and was a great help to my team due to staffing issues"*
- *"You have been amazing with the help and guidance with me and my children. It has been a privilege to work with you"*
- *"Thank you for everything you did for me. You have helped me a lot and you became my best friend, we got along so well and I'm so sad it's the end. Thank you so much"*

8. WORK PROGRAMME, PROGRESS AND ACHIEVEMENTS

- ❖ **The Corporate Customer Feedback Scheme was successfully transferred to the Complaints and Representation Team in January 2019 with the Team being restructured and re-named the Customer Feedback and Engagement Team.**
- ❖ **A new administrative post has been created to increase capacity within the team to provide improved performance management information and closer monitoring of complaint response times.**
- ❖ **Early intervention by the Complaints Officers has resulted in a significant reduction in the number of Stage 1 complaints particularly in Children's Services.**
- ❖ **The Customer Feedback and Engagement Team has continued to provide support and advice to managers on complaints handling including writing appropriate complaints responses and has developed a good practice guide which can be used across all service areas.**
- ❖ **Learning from complaints has been extended to include learning from other Local Authorities complaints and thematic issues arising from the Public Services Ombudsman's casebooks.**
- ❖ **A benchmarking tool has been developed to rate our services against Ombudsman standards and to proactively make improvements where identified.**