

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2018/19

**HEALTH AND WELLBEING SCRUTINY
COMMITTEE**

25TH SEPTEMBER 2018

**REPORT OF GROUP DIRECTOR,
COMMUNITY & CHILDREN'S SERVICES**

Agenda Item No: 4

**REPRESENTATIONS AND
COMPLAINTS PROCEDURES
ANNUAL REPORT**

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1. PURPOSE OF REPORT

- 1.1 This report provides Scrutiny Members with an overview of the operation and effectiveness of the Council's statutory Social Services complaints procedure between 1st April 2017 and 31st March 2018.
- 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 2017/18 and future developments.

2. RECOMMENDATIONS

It is recommended that Members

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

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 2017/18**

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 162 complaints were received requiring a response at stage one. This is a decrease of 20 complaints when compared to the previous year. Overall, 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 52% of stage one complaints were responded to within the required timescale, compared with 59.5% 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 162 stage one complaints received, 3 progressed to stage two with 1 complaint being received directly at stage 2 of the process. This is a decrease on last year and the number remains low in contrast to the number of people receiving services 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 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 Team 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 Team 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:

- Provide essential services well, and;
- Ensuring increased levels of satisfaction with people who have contact with Council Services.

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.

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

SOCIAL SERVICES

REPRESENTATIONS AND COMPLAINTS PROCEDURES

ANNUAL REPORT

2017/2018

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 2017 and 31 March 2018. The report contains information about the number and type of complaints received and also provides details of the activities undertaken by the Social Services Representation and Complaints 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 the investigating officer appointed to the case. 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 2017/18, there were 162 recorded complaints during the year, compared with 182 in the previous year. There was a decrease in Stage 1 complaints about Adult Services with 82 received in 2016/17 compared to 51 this year whilst there was an increase in Stage 1 complaints about Children's Services with 101 received in 2016/17 compared to 111 this year.

Out of the 162 Stage 1 complaints received 4 were dealt with under Stage 2. 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, 52% were responded to within statutory timescales which is a decrease on 59.5% in 2016/17. This is an area where we would like to see 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.

4. CONTACTS AND CONCERNS

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

In 2017/18 the Complaint's Team dealt with a total of 141 contacts that did not progress to Stage 1 complaints. 47 contacts were for adults services with 94 contacts being received for Children's Services.

The complaints Team also received 13 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. COMPLIMENTS

161 Compliments were received across both service areas with 2 compliments being received for the complaint's team.

Adult Services

51 complaints were received for Adult Services during the year. This represents a 38% decrease on the total amount received in 2016/17.

Of the complaints made about Adult Services, 7.8% (4) were made by the service users themselves and 92.2% (47) were made by their representatives e.g. carers, family members and advocates.

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	2016/17	2017/18
Long Term Assessment - Locality Teams	24	18
Safeguarding Team	2	0
Short Term Intervention Support @ Home	1	2
Day Services	1	1
Residential Care	9	0
Short Term Intervention ACE	2	2
Mental Health	2	4
Finance	3	3
Business Services	0	1
Independent Sector Residential Care RCT	4	5
Independent Sector Domiciliary Care	18	2
Complex Learning Difficulties	10	4
Short Term Intervention – Short Term Care Management	1	5

Community Review Team	1	4
Sensory Impairment	1	0
Total	82	51

As in previous years, the highest number of complaints were received for Long Term Assessment Teams. There has been a decrease in numbers of complaints recorded for Independent Sector Domiciliary Care by the Complaints Team and this is as a direct result of Stage 1 complaints being redirected to the provider to be dealt with under their own complaint's procedure.

From 2016/17 to ensure more accurate recording there will be an expectation that the domiciliary care providers provide information on the number of complaints and compliments they have received on an annual basis in line with reporting arrangements to Care in Wales..

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	2016/17	2017/18
Change in call times / Missed Calls (Homecare)	3	1
Failure to provide a service	14	10
Failure to comply with policies	2	0
Financial issues	4	5
Lack of information/communication	15	8
Medication issues	4	0
Issues around adaptations	2	0
Staff issues	17	18
Waiting for assessment/Request for assessment	0	2
Quality of care	15	4
Quality of service	5	3
Transport (Learning Disability)	1	0
Total	82	51

Complaints relating to issues around staff remain the highest category of complaint and are consistent in numbers to the previous year. Numbers of complaints around lack of information/communication have reduced along with complaints relating to quality of care.

Of the Stage 1 complaints received for Adults Services, 50 were resolved locally with only 1 complaint progressing to Stage 2.

Children's Services

111 complaints about Children's Services were received during the year. This represents an increase compared to the previous year when 101 complaints were received. The highest number of complaints remain 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.

The numbers overall still remain low in comparison to the number of cases being managed by the Service. Table 3 sets out the number of complaints recorded by service area and compares them with the previous year.

Table 3: Summary of complaints by Service Area

Service area	2016/17	2017/18
16+ Team	0	3
Early Years	0	1
Disabled Children's Team	0	4
Early Intervention	11	4
Safeguarding and Support	5	0
Intensive Intervention	86	95
Fostering Support	0	3
MASH	0	1
Total	102	111

Of the 111 complaints received 2 progressed to Stage 2 with 1 complaint being received directly at Stage 2.

Of the 111 complaints made about Children's Services, 2 complaints were made by children and young people or advocates, 109 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 what the complaints were about

Nature of complaint	2016/17	2017/18
Staff issues	2	1
Quality of Care	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.

Whilst complaints from children remain low there are a number of factors that may contribute to this. As well as having a designated children’s complaints officer the Local Authority has an embedded advocacy service for children which has seen the number of referrals steadily rise over the past 4 years. In 2017/18 the advocacy service assisted 123 children and young people in raising their concern directly with the service area with most issues being effectively dealt with outside of the statutory complaints process. These issues are monitored through a quarterly reporting process and the need for any service improvements are captured and reported both to senior management teams and to the Corporate Parenting Board.

The Independent reviewing Officers also have a mechanism for escalating concerns in relation to Children Looked After and as with advocacy this information is collated, monitored and reported.

The number of complaints received from parents and carers increased from 102 in 2016/17 to 110 in 2017/18, as shown in Table 5 below.

Table 5: Summary of what the complaints were about

Nature of complaint	2016/17	2017/18
Adoption Process	0	1
Contact issues	5	7
Failure to provide a service	7	3
Equality issues	0	1
Financial issues	2	1
Lack of information/communication	22	21
Quality of care/service	5	6
Staff issues	55	68
OT Appeals	2	0
Care and Support	2	2
Information Governance	2	1
Total	102	111

Following initial contact to discuss the complaint, 11 of the 111 complaints needed no further action.

Complaints relating to staff issues remain the highest category of complaint and have increased on figures received for 2016/17 whilst complaints relating to the provision of information and communication remain consistent with previous years.

6. STAGE 2 'FORMAL' COMPLAINTS

Overall, there were 4 Stage 2 complaints made during 2017/18 compared with 8 in 2016/17. 3 of the complaints progressed from Informal Complaints and 1 was received directly at Stage 2.

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. 1 case that fell outside of the statutory complaint's process was considered as part of an independent review.

Table 7: Summary of complaints made at Stage 2

Nature of complaint	2016/17	2017/18
Quality of Service	2	0
Failure to Provide a Service	1	0
Finance	1	0
Complex Learning Difficulties	0	1
Total	4	1

Children's Services

There were 3 Stage 2 complaints received relating to Children's Services 2 of which progressed from Stage 1 Informal Complaints process and one that was received directly at Stage 2.

Table 8: Summary of complaints made at Stage 2

Nature of complaint	2016/17	2017/18
Quality of Service/Care	1	1
Lack of Communication/Information	2	1
Staff Issues	1	0
Failure to Provide a Service	0	1
Total	4	3

7. OMBUDSMAN COMPLAINTS

In 2017/18, 5 complaints were made to the Public Services Ombudsman, 3 for Children's Services and 2 for Adults.

1 complaint for Children's Services progressed to an Ombudsman investigation and 4 were either referred back to the Council for resolution or closed.

LEARNING THE LESSONS

It is crucial that there is learning from complaints at all stages of the procedure, resulting in improved services and delivery, wherever possible. Complaints provide useful information in respect of the way that services are delivered and in highlighting where improvements need to be made. Likewise information obtained from monitoring the Council's contract with advocacy providers identify themes and areas where services can be strengthened to avoid complaints in the future.

Some examples of action points and improvements arising from the investigation of complaints in both Adult and Children's Services and from monitoring the use of advocacy are summarised below.

Adult Services

- **An information pack for parents of adults making the transition to supported living has now been developed.**
- **Improvements have been made to the timeliness of decision making in relation to the transition process for adults with complex learning disabilities.**
- **Improvements to the management of additional calls for Homecare through the use of mobile device alerts.**

Other areas for action:

- **Review of the policy and guidance for excluding service users with learning disabilities from day centre provision.**
- **Consideration of issue raised by the advocacy service relating to adults with physical disabilities and their development of appropriate adult relationships as part of the care and support planning process.**
- **Ensuring that older people in residential care have access to their personal allowance.**
- **Review information provided to families who arrange care privately ensuring they are aware of who concerns should be referred to and the role of the Public Service Ombudsman for Wales.**

Children's Services

- A review of Life Story work within Children's Services to be undertaken as part of the Children Looked After Quality Assurance Group Workplan, incorporating lessons learnt from complaints and feedback from young people following the Bright Spots survey.
- A review of the family finding process and improved guidance for prospective adopters on the linking process.

8. 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 2017/18 was 161 compared to the 164 received in 2016/17

Adult Services

In 2017/18 there were 120 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
Adaptations and Community Equipment	11	9.1%
Complaints Unit	1	0.8%
Locality Teams	14	11.6%
Homecare	30	25%
Intermediate Care/Reablement	7	5.8%
Carers Support Project	15	12.5%
Community Mental Health Teams	3	2.5%
Supported Living	1	0.8%
Single Point of Access	3	2.5%
Short Term Care Management	3	2.5%
Sensory Impairment	2	1.6%
Business Services	1	0.8%
Complex Learning Difficulties	1	0.8%
Day Services	1	0.8%
Finance	3	2.5%
Housing	3	2.5%
MASH	2	1.6%
Mental Health & Substance Misuse	4	3.3%
Residential Care RCT	15	12.5%

The following are examples of some of the compliments received for Adult Services during 2017/18

- *"Thank you for helping me through this very difficult time I am going through at the moment"*
- *"Thank you all so much for your help and support. I would not have got where I am now without you"*
- *"Thank you all so much for the care you show towards my mother. Words cannot express my appreciation"*
- *"A great big thank you for the care my dad had. I cannot thank you enough for your care and support you gave us"*
- *Telephone call expressing heartfelt thanks to Lee Williams and Craig Heycock for all their care and support for her father who has now gone into Hospital*
- *Where do I find words big enough to say Thank You to your whole team who have helped us through this dark and difficult period. In particular thanks to Ian Moran, he is a real gentleman and 100% the right man for such an important job.*

Children's Services

In 2017/18 there were 41 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
Contact Centres	1	2.4%
Early Years	1	2.4%
Miskin Project	19	46.3%
Disabled Childrens' Team	3	7.3%
Foster Care	7	17%
Residential Care	1	2.4%
Kinship Care	2	4.9%
Complaints	1	2.4%
Independent Reviewing Team	1	2.4%
Intensive Intervention	5	12.2%

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 Ive "never had any support and now it's just taking it's 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 wiith 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"*

9. WORK PROGRAMME PROGRESS AND ACHIEVEMENTS

In 2017/18 the Representation and Complaints Unit has;

- Liaised with Welsh Government on the review of Complaints Guidance as part of the SSWB Act (Part 10) and the Review of the Independent Visitor scheme.
- Supported the attendance of the young people, as part of the Blueprint Forum at Corporate Parenting Board and other events run by the Council.
- Developed the Advocacy Champion Group within Adult Care Management Teams to promote the use of advocacy and inform future commissioning arrangements.
- Continued to provide induction training to all staff and attend staff briefings and team meetings as required.
- Monitored the provision of advocacy across both adults and children's service and supported the implementation of the Welsh Governments National Advoacy Approach and the 'active offer'.
- Supported Welsh Governments review of the Social Services survey required as part of the SSWB Act providing feedback on management of the process.
- Worked with individual managers on improving the quality of complaints responses.