

# BRIDGEND COUNTY BOROUGH COUNCIL

## REPORT TO CABINET

17 SEPTEMBER 2019

### REPORT OF THE CORPORATE DIRECTOR, SOCIAL SERVICES AND WELLBEING

#### SOCIAL SERVICES REPRESENTATIONS AND COMPLAINTS ANNUAL REPORT 2018/19

#### 1. Purpose of Report

- 1.1 To present to Cabinet the 2018/19 Annual Report on social services representations and complaints procedures as required by Welsh Government guidance. The Annual Report is attached at **Appendix 1**.

#### 2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

- 2.1 This report assists in the achievement of the following corporate priority/priorities:-

1. **Helping people to be more self-reliant** – taking early steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services.
2. **Smarter use of resources** – ensuring that all its resources (financial, physical, human and technological) are used as effectively and efficiently as possible and support the development of resources throughout the community that can help deliver the Council's priorities.

#### 3. Background

- 3.1 Members will be aware that there is a requirement for local authorities to have in place procedures for considering any representations or complaints made in relation to the discharge of their Social Services functions. This is the fifth Annual Report relating to social services representations and complaints received that have been handled in accordance with the revised Welsh Government Complaint Guidelines "A Guide to Handling Complaints and Representations by Local Authority Social Services" which came into effect on 1<sup>st</sup> August 2014. The guidance supports the implementation of the Social Services Complaints Procedure (Wales) Regulations 2014 and the Representations Procedure (Wales) Regulations 2014. The Regulations introduced a new two stage process which replaced the previous three stages and also brings the process for social services into line with the NHS Complaints Procedure.
- 3.2 The key elements of the Social Services Representations and Complaints Procedure are:-

- Stage 1 complaints to be responded to within 5 working days of the date of resolution (10 working days permitted to achieve resolution).
- The timescale permitted to complete Stage 2 independent complaint investigations is 25 working days.
- To make links with other Directorates of the Authority, the NHS and the Care and Social Services Inspectorate Wales so as to provide a 'seamless' complaints service.
- Monitor performance of complaints handling, learning from complaints and using this learning to improve services for everyone who uses them.

Where complainants have exhausted the complaints procedure, the complainant has the right to refer their concern for consideration by the Public Services Ombudsman for Wales.

- 3.3 Members will note from the Annual Report that strong emphasis is placed not just upon complaints, but also on the comments and compliments received from service users. The services are keen to learn from the information gathered and use this to inform service improvements.
- 3.4 The Annual Report also contains statistics relating to complaints addressed in accordance with the Authority's Corporate Complaints Procedure, together with information relating to the fact that the majority of complaints are addressed and resolved informally (prior to reaching Stage 1 of the complaints procedure). This important and significant work ensures that concerns are resolved quickly and prevents complainants from being subjected to using the formal complaints procedure unnecessarily.
- 3.5 Statistical information relating to the processing of Member referrals is provided in the Annual Report. The Representations and Complaints Procedure does not preclude the right of an individual to approach their local Councillor, Assembly Member or Member of Parliament who all undertake an important role in handling concerns and queries that individual constituents may have. Member referrals can range from comments and queries to complaints.
- 3.6 The Annual Report also includes information arising from a cross-section of the feedback generated from user/carer engagement exercises undertaken by a range of service areas across both Adult Social Care and Children's Social Care.
- 3.7 As part of the National Performance Framework (in line with their duties under the Social Services and Wellbeing (Wales) Act 2014), Local Authorities are required to collect qualitative information annually about people who use their social care services. This data is to be collected locally and provided nationally to the Welsh Government in relation to the provision of care and support. The Annual Report, therefore, also includes information regarding the results of this survey and includes details of other feedback received in the services.

#### 4 Current Situation / proposal

4.1 The 2018/2019 report contains statistical information in relation to the representations and complaints received during the year for both adult social care and children's social care.

4.2 The number of representations (complaints, comments and compliments) received during the reporting period was 499, broken down as follows:

41	statutory complaints
41	corporate complaints
234	concerns resolved pre-complaints procedure
183	Compliments/comments

4.3 Statistics reflect that the Directorate has continued to achieve an early resolution for complainants. The number of complaints resolved by this approach increased again in 2018/19 compared to previous years, 198 in 2017/18 and 187 in 2016/17.

4.4 During 2018/19, four complaints were received by the Public Services Ombudsman's Office, two of which related to Children's Social Care, one in respect of Adult Social Care and one relating to Finance (Non-Residential Charges). The Public Services Ombudsman decided not to investigate the four complaints but made recommendations for the Adults and Children's Social Care complaints, which the Local Authority agreed and implemented the recommended actions by way of early settlement.

4.5 The number of Member Referrals received for both adult and children's social care during the reporting period was 88, broken down as follows:

Adult Social Care – 61  
Children's Social Care - 27

4.6 As referred to in paragraphs 3.6 and 3.7, there is a wide range of feedback from people who use social care services which is used to inform service development. The Annual Report details the number of surveys sent out and the responses received as well as providing some examples of the nature of the feedback.

4.7 The Annual Report includes feedback from the programme of rota visits by Elected Members. This is part of the quality assurance of the Authority's social care services and all Elected Members are invited to take part. The programme involves Members visiting both council-run and independent sector social care and nursing establishments for adults and children and young people and reporting on the findings and feedback on the services provided.

4.8 The majority of the work carried out within the Social Services Representations and Complaints Procedure is undertaken in consultation with either the Monitoring Officer and/or Legal Services.

## **5 Effect upon Policy Framework and Procedure Rules**

5.1 There is no impact on the Policy Framework and Procedure Rules.

## **6 Equality Impact Assessment**

6.1 A screening for equality impact has been carried out in relation to the Representations and Complaints Procedure. There is no negative impact on the protected equality characteristics.

6.2 Complainants are welcome to submit complaints in the Welsh language; complaints leaflets are bilingual. The complaint forms have recently been produced bilingually and are available for use by complainants.

6.3 There have been no complaints received in relation to equality issues during the reporting period.

## **7 Well-being of Future Generations (Wales) Act 2015 Implications**

7.1 The implementation of the duties and responsibilities under the Social Services and Wellbeing Act (Wales) (SSWBA) 2014, in turn, supports the promotion of two of the seven goals of the Well-Being of Future Generations (Wales) Act 2015 within the County Borough of Bridgend. By promoting an environment that maximises people's physical and mental well-being and by supporting children, young people, adults and their carers and families to fulfil their potential no matter what their circumstances, the wellbeing goals of a Healthier and more equal Bridgend and Wales are supported.

7.2 The Well-being of Future Generations (Wales) Act 2015 provides the basis for driving a different kind of public service in Wales. Promoting the right of an individual to be involved in the development and provision of support and services, to encourage feedback and to enable a person to make a complaint about the support or services they receive contributes to ensuring the Authority works to deliver wellbeing outcomes for people.

## **8 Financial Implications**

8.1 There are no financial implications associated with this report.

## **9 Recommendation**

9.1 It is recommended that Cabinet approve the Annual Report on social services representations and complaints procedures for 2018/19.

**Susan Cooper**  
**Corporate Director Social Services and Wellbeing**  
**September 2019**

## **10 Contact Officer**

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**11 Background Documents**  
None