

# BRIDGEND COUNTY BOROUGH COUNCIL

## REPORT TO CABINET

11 APRIL 2023

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

#### SOCIAL SERVICES COMPLAINTS POLICY

#### 1. Purpose of report

1.1 The purpose of this report is to seek Cabinet approval of the revised Social Services Complaints Policy (**Appendix 1**). The policy is in accordance with legislation and statutory guidance.

#### 2. Connection to corporate well-being objectives/other corporate priorities

2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:

- **Helping people and communities to be more healthy and resilient** – taking steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
- **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

#### 3. Background

3.1 The Social Services Complaints Policy is underpinned by the Social Services and Wellbeing (Wales) Act 2014, the Social Services Complaints Procedure (Wales) Regulations 2014, the Representations Procedure (Wales) Regulations 2014 and the accompanying statutory guidance "A guide to handling complaints and representations by local authority social service".

3.2 The regulations, introduced a two-stage process to deal with complaints and representations about local authority social services. Stage 1 of the process is the informal resolution followed by Stage 2, Formal Investigation. If the complaint or representation is not resolved at the Formal Investigation stage the complainant must be reminded that they have the right to complain to the Public Services Ombudsman for Wales.

3.3 Each complaint is considered on a case-by-case basis, to take account of the circumstances of the complainant (including their age or any disability). The aim is to ensure that access to the process is easy and that complainants are treated with

dignity and respect by appropriate skilled and experienced staff and a named Social Services Complaints Officer who collates and analyses information to identify learning opportunities which will support continuous improvement.

#### **4. Current situation/proposal**

4.1 Regulatory inspections conducted by Care Inspectorate Wales (CIW) highlighted the Directorate as requiring a reviewed and updated Social Services Complaints Policy which was accessible to the public.

4.2 The proposed policy sets out exactly how Bridgend Social Services will meet statutory obligations which aim to ensure that complaints are handled in a consistent way across Wales. This ensures that complaints involving more than one public authority are also handled in a co-ordinated way.

4.3 The following areas of the Policy have been strengthened in its development:

- To be explicit in matters on which the Council are precluded from investigating complaints, for example, matters currently subject to court proceedings;
- To set out all individuals responsible within the Directorate for handling complaints and their role and responsibilities in the process;
- A commitment to learning from complaints to drive service improvements and prevent similar issues from arising in the future.

#### **5. Effect upon policy framework and procedure rules**

5.1 There is no effect upon policy framework and procedure rules.

#### **6. Equality Act 2010 implications**

6.1 An initial Equality Impact Assessment (EIA) screening has identified that there would be no negative impact on those with one or more of the protected characteristics, on socio-economic disadvantage or the use of the Welsh language. It is therefore not necessary to carry out a full EIA on this policy or proposal.

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

7.1 The review of the policy supports the five ways of working under the Well-being of Future Generations (Wales) Act 2015 as follows:

Involvement	Representatives from varying levels of the Directorate; colleagues from adults and children's services, the Policy Officer and an Independent Complaints Consultant have fed into this report.
Long term	There will be a positive long-term impact of this policy due to a more stringent process relating to issuing and resolving complaints for both the public and social services employees.

Prevention	To prevent increased numbers of complaints progressing and to ensure lessons learned from past complaints are implemented, preventing reoccurring complaints.
Integration	This policy will be implemented and used directorate wide. Training will be provided to service managers by the Complaints Manager.
Collaboration	Work has taken place with an Independent Complaints Consultant to provide an external viewpoint on the existing complaints procedure and to streamline the complaints process.

## 8. Financial implications

- 8.1 There are no direct financial implications of the policy, however any complaints progressing to Stage 2 would require an independent investigator, the costs of which are funded from core Social Services and Wellbeing Directorate budget.

## 9. Recommendation

- 9.1 It is recommended that Cabinet approve the revised Social Services Complaints Policy attached as Appendix 1.

Claire Marchant

**CORPORATE DIRECTOR – SOCIAL SERVICES AND WELLBEING**

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**Background Documents:** None

