

Meeting of:	CABINET
Date of Meeting:	21 NOVEMBER 2023
Report Title:	SOCIAL SERVICES REPRESENTATIONS AND COMPLAINTS ANNUAL REPORT 2022/23
Report Owner / Corporate Director:	REPORT OF THE CORPORATE DIRECTOR – SOCIAL SERVICES AND WELLBEING
Responsible Officer:	SARAH TRIPP, COMPLIMENTS AND COMPLAINTS RESOLUTION MANAGER
Policy Framework and Procedure Rules:	There is no effect upon the policy framework and procedure rules.
Executive Summary:	<p>The Social Services Representations and Complaints Annual Report for 2022/23 provides a review of the effectiveness of the social services complaints procedure and a summary of statistical information relating to the complaints and representations dealt with.</p> <p>The report includes -</p> <ul style="list-style-type: none"> • numbers of complaints and representations received and resolved at each stage; • adherence to time– scales; • the nature of the complaints and representations; • a summary of the lessons learned and actions taken by the Authority in relation to the complaints and representations it received. <p>The report also provides a cross-section of feedback across the Directorate in the form of comments and compliments.</p>

1. Purpose of Report

- 1.1 The purpose of this report is to present to Cabinet the 2022/23 Annual Report on social services representations and complaints for approval. The Annual Report is attached at **Appendix 1**.

2. Background

2.1 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 Annual Report relates 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 1st 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 two stage process which replaced the previous three stages and also brought the process for Social Services in line with the NHS Complaints Procedure.

2.2 The key elements of the Social Services Representations and Complaints Procedure are:-

- Stage 1 complaints to be responded to within 15 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 Inspectorate Wales 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.

2.3 Members will note from the Annual Report that strong emphasis is placed not just upon complaints, but also on the comments and compliments received which gives a balanced view. The services are keen to learn from the information gathered and use this to inform future service developments and any service improvements.

2.4 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 efficiently and prevents complainants from being subjected to using the formal complaints procedure unnecessarily.

2.5 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.

2.5 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.

3. Current situation / proposal

3.1 The 2022/23 Annual 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.

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

49	Statutory Complaints
142	Concerns resolved pre-complaints procedure
257	Compliments / Comments

This is a significant increase in the overall number of complaints received; 191 in 2022/23, compared to 74 in 2021/22 and 123 in 2020/21. The report also shows a significant increase in the number of compliments received compared to the previous reporting periods; 257 compliments received in 2022/23 compared to 170 received in 2021/22 and 206 in 2020/21. Complaints staff continue to encourage all staff across the Directorate to record and log all compliments received.

3.3 Statistics reflect that the Directorate has continued to achieve an early resolution for the vast majority of complainants. The number of complaints resolved by this approach in 2022/23 was 142. In comparison to previous years, this was 54 in 2021/22 and 98 in 2020/21. Therefore, the early resolution figures continue to represent a high percentage; 74% of the total number of complaints received in the reporting period, the same percentage as the previous year. This shows the emphasis continues to be to focus on swift and effective complaints handling in a local citizen centred way.

3.4 During 2022/23, 10 complaints were received by the Public Services Ombudsman for Wales; 9 related to Children's Social Care and 1 in Adult Social Care. None of these cases proceeded to investigation. In previous years there were 13 in 2021/22 and 9 in 2020/21.

- 3.5 During 2022/2023 5 cases were addressed by the Corporate Complaints procedure: 2 of which related to Adult Social Care and 3 of which related to Children's Social Care.
- 3.6 During 2022/2023 a total of 49 complaints were addressed in accordance with the Statutory Complaints Procedure by Social Services equating to 26% of all complaints received. 41 were dealt with at Stage 1, and 8 progressed through to Stage 2. Stage 2 is the formal investigation stage requiring the appointment of an Independent Investigator; therefore, the figures suggest that there may be a higher level of complexity of those cases that proceed through the formal process.
- 3.7 There is an emphasis on taking forward lessons learned from complaints within service areas. In this reporting period this included developing and rolling out guidance for staff, improving documentation, and reviewing systems and processes.
- 3.8 The number of Member Referrals received for both Adult and Children's Social Care during the reporting period was 211, broken down as follows:
- Adult Social Care – 139
 - Children's Social Care – 72
- 3.9 As referred to in paragraph 3.6, 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 various examples of responses and feedback received for a range of services across the Directorate.
- 3.10 Independent advocacy support services across Children's and Adult Social Care continues to be a priority, and the Annual Report provides details of advocacy activity across both service areas, together with some comments and detail of some outcomes achieved.
- 3.11 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 and there is a strong working relationship between the social services complaints staff and the legal services staff team.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

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

Involvement	This report services as a comprehensive overview of the feedback and concerns expressed by citizens who use social services during the reporting period 2022/23. It offers valuable insights into the perspectives and experiences of individuals accessing social services.
Long term	There will be a positive long-term impact from this report by transparently addressing representations and complaints. The report lays a foundation for continuous improvement in service delivery. It also promotes accountability and highlights areas for refinement, fostering a culture of long-term responsiveness and accountability.
Prevention	This report supports the councils objective to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Our community engagement encourages self-sufficiency and collaborative solutions, reducing the need for extensive reliance on resources.
Integration	This report is integrated across the Directorate in both adults and children's services as set out above and as required under the Social Services Complaints Procedure (Wales) Regulations 2014.
Collaboration	The guidance that underpins this report has an emphasis on achieving service user satisfaction. Staff across the Directorate have worked collaboratively with citizens to 'put things right' and secure positive outcomes for individuals and families wherever practicably possible.

6. Climate Change Implications

6.1 There are no climate change implications as a result of this report.

7. Safeguarding and Corporate Parent Implications

7.1 All staff have a duty under BCBC Safeguarding Policy to safeguard and promote the wellbeing of children, young people and adults at risk of abuse or neglect and to ensure that effective practices are in place throughout the Council and its commissioned services. The complaints department support safeguarding activity by ensuring that any complaints containing safeguarding concerns are referred to the relevant safeguarding teams in a timely manner.

8. Financial Implications

8.1 There are no direct financial implications arising from this report.

9. Recommendation

9.1 It is recommended that Cabinet approve the Annual Report on social services representations and complaints for 2022/23 attached as Appendix 1.

Background documents

None