

<b>Meeting of:</b>	<b>CABINET</b>
<b>Date of Meeting:</b>	<b>19 NOVEMBER 2024</b>
<b>Report Title:</b>	<b>SOCIAL SERVICES REPRESENTATIONS AND COMPLAINTS ANNUAL REPORT 2023/24</b>
<b>Report Owner / Corporate Director:</b>	<b>CORPORATE DIRECTOR - SOCIAL SERVICES AND WELLBEING</b>
<b>Responsible Officer:</b>	<b>SARAH TRIPP, COMPLIMENTS AND COMPLAINTS RESOLUTION MANAGER</b>
<b>Policy Framework and Procedure Rules:</b>	There is no effect upon the policy framework and procedure rules.
<b>Executive Summary:</b>	<p>The Social Services Representations and Complaints Annual Report for 2023/24 provides a review of the effectiveness of the social services complaint's procedure and a summary of statistical information relating to the complaints and representations dealt with during the reporting period.</p> <p>The report includes -</p> <ul style="list-style-type: none"> <li>• numbers of complaints and representations received and resolved at each stage;</li> <li>• adherence to timescales;</li> <li>• the nature of the complaints and representations, and;</li> <li>• a summary of the lessons learned and actions taken by the Authority in relation to the complaints and representations it received.</li> </ul> <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 2023/24 Annual Report on Social Services Representations and Complaints for approval. The Annual Report is attached as 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 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 outline a two-stage process in line with the Health services Complaints Procedure.

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

- To respond to Stage 1 complaints within 15 working days of the date of resolution (10 working days permitted to meet/discuss with the complainant to achieve a resolution).
- To complete Stage 2 independent complaint investigations within 25 working days.
- To work collaboratively with colleagues within the Directorate and in other Directorates of the Authority, the NHS and liaise with external bodies such as the Public Services Ombudsman for Wales and Care Inspectorate Wales to provide a ‘seamless’ complaints service.
- To 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 a strong emphasis is placed not just upon complaints, but also on the comments and compliments providing a balanced view. Services across the Directorate are keen to learn from the information gathered and use this to inform service improvements as well as future service developments.

2.4 The Annual Report also contains management information relating to complaints addressed in accordance with the Authority’s Corporate Complaints Procedure, together with information relating to the majority of complaints being addressed and resolved informally (prior to reaching Stage 1 of the complaints procedure). This important and significant work ensures concerns are resolved efficiently, with an agreed resolution whilst preventing complainants from being subjected to 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.
- 2.6 The Annual Report also includes information arising from a cross-section of feedback generated from user/carer engagement exercises undertaken by a range of service areas.

### 3. Current situation / proposal

- 3.1 The 2023/24 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:

41	Statutory Complaints
141	Concerns resolved outside of the complaints procedure
362	Compliments / Comments

This is a slight decrease in the overall number of complaints received over the last year: 182 in 2023/24 compared to 191 in 2022/23 and 74 in 2021/22. The report shows a significant increase in the number of compliments received compared to the previous reporting periods; 362 compliments received in 2023/24 compared to 257 received in 2022/23 and 170 in 2021/22, an increase of 53% over the 3 year period. Complaints staff continue to encourage all staff across the Directorate to record and log all compliments received.

- 3.3 An analysis of performance demonstrates that the Directorate continues to achieve an early resolution for the vast majority of complainants. The number of complaints resolved by this approach in 2023/24 was 141 (77%). In comparison to previous years, this was 142 in 2022/23 (74%) and 54 in 2021/22 (74%), demonstrating an improvement in performance. This evidences the continued focus on swift and effective complaints handling via a local, citizen centred, approach.
- 3.4 During 2023/24, 16 complaints were received by the Public Services Ombudsman for Wales; 14 related to Children’s Social Care and 2 to Adult Social Care with no cases proceeding to investigation. This is an increase from 10 in 2022/23 and 13 in 2021/22.
- 3.5 During 2023/24, 1 complaint was addressed by the Corporate Complaints procedure. This related to a data breach in Children’s Social Care.

- 3.6 During 2023/24, a total of 41 complaints were addressed in accordance with the Statutory Social Services Complaints Procedure; equating to 23% of all complaints received. 33 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. Information provided within the report suggests that there is a higher level of complexity in cases that proceed through the formal Stage 2 process.
- 3.7 The report highlights how the Directorate implements lessons learned from complaints within service areas. Examples in this reporting period include: reviewing systems and processes to record, report and analyse complaints data and the learning outcomes from complaints, as well as developing refresher training for staff on the complaints process.
- 3.8 The number of Member Referrals received for both Adult and Children's Social Care during the reporting period was 135; 94 of which were in relation to Adult Social Care and 41 in relation to Children's Social Care. This is a decrease of 36% from the 211 members referrals received in 2022/23.
- 3.9 As noted in in paragraph 3.6 the report highlights 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 a summary of comments and outcomes achieved.
- 3.11 The majority of the work carried out within the Social Services Representations and Complaints Procedure is undertaken in consultation with Legal services, and there is a strong working relationship between the social services complaints staff and the council's legal department.

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

Involvement	The report provides a comprehensive overview of the feedback and concerns expressed by people who use social services during the reporting period 2023/24. 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	The report supports the council's objective to help people and communities to be more healthy and resilient. 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 Social Care as set out above and is 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 the people of the county borough 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 2023/24 (attached as Appendix 1).

## **Background documents**

None