



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

**NEATH PORT TALBOT COUNCIL
NEATH PORT TALBOT SOCIAL SERVICES, HOUSING AND
COMMUNITY SAFETY CABINET BOARD**

26th January 2023

**Report of the Director of Social Services, Health & Housing -
Andrew Jarrett**

Matter for Information

Wards Affected: All

**SOCIAL SERVICES COMPLAINTS AND REPRESENTATIONS
ANNUAL REPORT 2021-22**

Purpose of Report

To report on the operation of the Directorate's Complaints and Representation procedures from 1st April 2021 - 31st March 2022, including comparisons, where relevant, against activities in previous years.

Executive Summary

Social Services Departments have been required by statute to operate a complaints and representation procedure since 1991. Neath Port Talbot Council operates its procedure in line with Welsh Government guidance.

The Annual Report, attached as Appendix 1, provides Members with a summary of the complaint and representation activities during 2021-22.

Financial Impacts

No Implications.

Integrated Impact Assessment

There is no requirement to undertake an Integrated Impact Assessment as this report is for monitoring / information purposes.

Valleys Communities Impacts

No Implications.

Workforce Impacts

There are no workforce impacts associated with this report.

Legal Impacts

There are no legal impacts associated with this report.

Risk Management Impacts

There are no known risks associated with this item.

Crime and Disorder Impacts

Section 17 of the Crime and Disorder Act 1998 places a duty on the Council in the exercise of its functions to have “due regard to the likely effect of the exercise of those functions on and the need to do all that it reasonably can to prevent:

- a) Crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment);
- b) The misuse of drugs, alcohol and other substances in its area; and
- c) Re-offending the area”.

There is no impact under the Section 17 of the Crime and Disorder Act 1998.

Counter Terrorism Impacts

There is no impact on the duty to prevent people from being drawn into terrorism.

Violence Against Women, Domestic Abuse and Sexual Violence Impacts

Section 2(1) of the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 introduced a general duty where a person exercising relevant functions must have regard (along with all other relevant matters) to the need to remove or minimise any factors which:

- (a) increase the risk of violence against women and girls, or
- (b) exacerbate the impact of such violence on victims.

There is no impact on the above duty.

Consultation

There is no requirement for external consultation on this item.

Recommendation

This item is for monitoring purposes and is for noting.

Reasons for Proposed Decision

Not applicable.

Implementation of Decision

Not applicable.

Appendices

Appendix 1 - Social Services Complaints and Representations Annual Report 2021-22.

List of Background Papers

A Guide to Handling Complaints & Representations by Local Authority Social Services – Welsh Government (August 2014).

Officer Contact

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NEATH PORT TALBOT COUNCIL

**SOCIAL SERVICES
COMPLAINTS
AND
REPRESENTATIONS**

**ANNUAL REPORT
2021 / 2022**

**SOCIAL SERVICES
COMPLAINTS AND REPRESENTATIONS 2021-22**

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1. INTRODUCTION

This report covers the period 1st April 2021 to 31st March 2022 and relates to the Children's Services and Adult Services, within the Directorate of Social Services, Health and Housing, which jointly comprise the social services function within Neath Port Talbot County Borough Council.

Legislation requires social services authorities to maintain a procedure for considering complaints and representations and the purpose of this report is to provide a review and statistical analysis of the complaints, comments and compliments received by Social Services during the reporting period.

2. WHY DO PEOPLE COMPLAIN?

The most common reasons reported for making a complaint include:-

- to be heard;
- that concerns be recognised, acknowledged and taken seriously;
- that appropriate action be taken to remedy problems and avoid similar incidents in the future;
- to receive an apology.

3. SUMMARY OF THE COMPLAINTS PROCEDURE

The Social Services Complaints and Representations Procedure is based upon the good practice guidance issued alongside the Social Services Complaints Procedure (Wales) Regulations 2014 and the Representation Procedure (Wales) Regulations 2014.

The procedure is available to ensure that everyone who makes a complaint about social services in Neath Port Talbot has a right to be listened to properly. Their best interests must be safeguarded and promoted. Their views, wishes and feelings must be heard. Their concerns should be resolved quickly and effectively.

The procedure is a positive response by the Directorate to create an atmosphere of partnership and participation with users of services. They are also established to protect the rights of the service users.

It is the Directorate's policy that all complaints must be resolved as quickly as possible and as close to the point of delivery as is possible. The aim is to resolve complaints, informally at a local level with speed, fairness and understanding.

There are two formal stages to the procedure, which covers both adult and children's complaints.

Stage 1: Local Resolution

The policy and procedure aims to ensure that people who complain have their concerns resolved swiftly and, wherever possible, by the people who provide the service locally.

The complainant/service user is provided with the opportunity to discuss their concerns with local staff and management. A response must be provided by the manager within 10 working days of the date of receipt of the complaint. The timescale can be extended with the agreement of the complainant (usually a further 10 working days).

Stage 2: Formal Consideration

Where a complaint cannot be resolved at Stage 1, it will be referred to Stage 2. An Independent Investigating Officer (I.I.O.) is appointed by the Director (or their representative) to investigate the matter. In the case of children's complaints, an Independent Person (I.P.) is also appointed to oversee the investigation process in accordance with statutory requirements. Both individuals are not permitted to be employees of the local authority.

The I.I.O. produces an investigation report. A formal written response (which will include reference to any recommended action(s)) is then provided to the complainant by the Director of Social Services.

Completion of the investigation and the accompanying report should be achieved within the statutory timescale of 25 working days; again, an extension can be made with the agreement of the complainant.

4. THE PUBLIC SERVICES OMBUDSMAN FOR WALES

The Public Services Ombudsman for Wales provides an external independent service for the purpose of considering complaints made by members of the public in relation to all local authority services, including social services. The Public Services Ombudsman also has jurisdiction to examine and determine complaints of injustice as a result of maladministration on the part of the local authority.

The Ombudsman will normally require complainants to have sought redress, in the first instance, via the local authority's complaints procedure prior to accepting and investigating a complaint of maladministration on the part of the local authority.

5. MEMBER REFERRALS

The Complaints and Representations Procedure does not preclude the right of an individual to approach their Local Councillor, Assembly Member or Member of Parliament. They undertake an important role in handling concerns and queries that individual constituents may have. Collectively, these are called Member referrals and they can range from comments and queries to complaints.

If an elected Member does not consider it to be appropriate to deal with a concern, the matter can be referred to be dealt with under the Complaints Procedure.

6. SAFEGUARDING OF CHILDREN AND ADULT PROTECTION

Protecting children and vulnerable adults from abuse has to be the paramount consideration. Child abuse or the abuse of vulnerable adults will include in this context physical abuse, sexual abuse, psychological or emotional abuse, financial or material abuse, and neglect. Appropriate guidance is available relating to both adult and child protection.

Any complaint or representation that raises concerns about child protection the protection of a vulnerable adult should be referred immediately to the appropriate safeguarding officer or where a criminal act is known or suspected, the police. There should be no complaints investigation while there is any chance of

compromising the child or adult protection investigations. This does not rule out aspects of the complaint being pursued at a later date where and when this is right.

7. STATISTICAL INFORMATION 2021/2022

Number of Representations Received

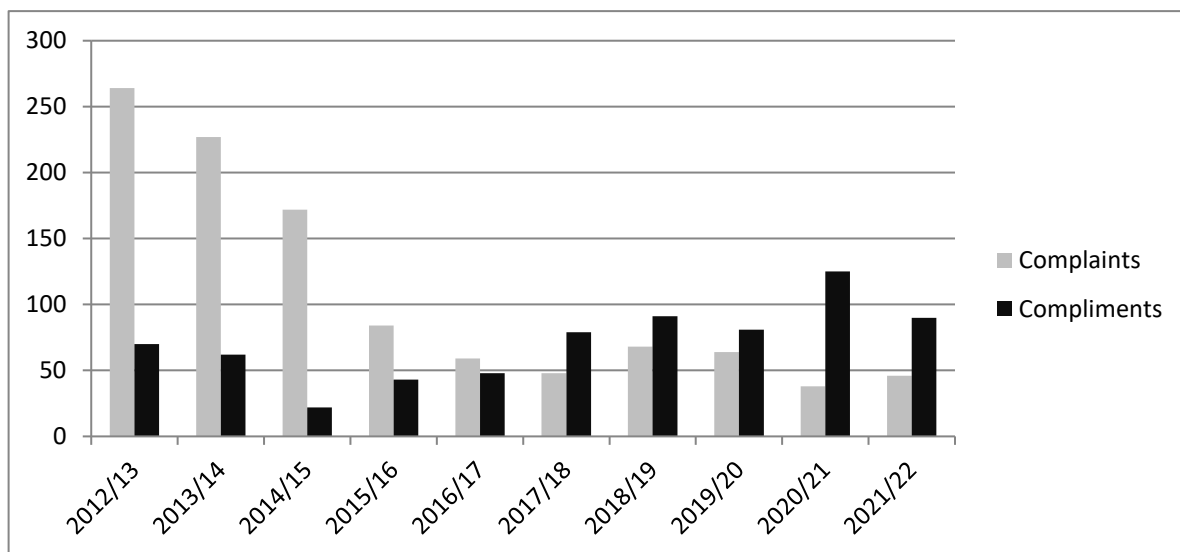
The following information provides details of the number of representations (complaints and compliments), received in relation to the delivery of social services during the reporting period:

Table 1 – Number of Representations Received 2021/2022

	Complaints	Compliments	Total
Adult Services	24	43	67
Children’s Services	19	50	69
Business Strategy	3	6	9

The following table provides a comparison with previous reporting periods.

Table 2 - Number of Representations Received - Year-on-Year Comparison



Stages at which complaints were resolved

Table 3 - Statutory Complaints Procedure 2021/22

	Adult Services	Children's Services	Business Strategy
Stage 1	21	18	3
Stage 2	3	1	0

Timescales for Completion of Complaints (Stage 1)

As mentioned earlier in the report, the timescale for completion of Stage 1 complaints is 10 working days, with a further 5 working days for a written response (15 working days in total).

Table 4 - Timescales for Completion of Stage 1 Complaints

	Response within (working days):	
	2021/22 15 days	2021/22 15+ days
Adult Services	9	12
Children's Services	9	9
Business Strategy	2	1
Total	20	22

As can be seen from Table 4, 48% of formal Stage 1 complaints during 2021/22 were responded to within the agreed extension time.

It should be noted that there are genuine reasons for being unable to meet the prescribed timescales, for example, some cases can take longer due to the complexity of the issues raised and the need to ensure that cases are thoroughly investigated. In these cases, an extension to the timescale (of a further 10 working days) is normally agreed with the complainant.

Clearly 2021/22 continued to bring its challenges as front-line services recovered from the COVID pandemic, and in many circumstances continued to battle with it; this has also impacted on the response times; that said, performance has improved on the previous year, 2020/21 (40%).

The Complaints Team continues to work closely with managers to improve response times and encourage staff to give high priority to achieving swift and effective resolution whilst also linking an understanding of the procedure to quality and service improvement.

Outcomes

The Directorate records outcomes to complaints, therefore, each complaint outcome is generally identified within one of the following categories:-

- Upheld
- Partially Upheld
- Not Upheld

The focus upon outcomes is seen as an important aspect and is utilised in measuring performance, learning from complaints and continuously improving services. Outcomes for each service area have been recorded as follows:

Table 5 – Complaint Outcomes 2021/22

	Adult Services	Children’s Services	Business Strategy
Not Upheld	6	13	2
Partially Upheld	5	1	0
Upheld	4	1	0
Other	6	3	1

A total of 5 complaints were upheld in 2021/22 which equates to 12% of complaints received. A further 6 (14%) were partially upheld.

How Complaints were resolved

A variety of methods were used to resolve complaints. Each complaint was considered separately and the most appropriate method of resolution applied.

Methods include:

- liaison by complaints officers with senior managers to identify/agree immediate resolution;
- managers meeting with complainants to discuss their concerns;
- provision of explanation (written) as to reasons for decisions;
- provision of an apology (written), where appropriate;

- action taken to change a decision;
- independent investigation; and
- mediation.

All statutory complaints received a written response offering an explanation, outlining recommendations and/or identifying corrective action. Those complaints found to have been upheld or partially upheld received a written apology, where appropriate.

Complaints found to have been not upheld did not normally involve provision of a written apology, although, in some cases, it was appropriate to apologise for a particular aspect if there was a need to focus upon individual learning issues highlighted as a result of the complaint.

Nature/Range of Complaints

Examples of the most common complaints received were as follows:

- quality / level of service / standard of care
- staff attitude / conduct
- lack of / poor communication
- disagreement with assessment / care plan / reports / statements
- unacceptable delays
- missed / late appointments /times of visits

Corporate Complaints Procedure

There are instances whereby aspects of a complaint do not fall within the remit of the social services statutory complaints procedure and in such cases, the Authority's Corporate Complaints Procedure is utilised.

Complaints Resolved at the pre-Complaints Procedure stage

The Complaints Team also carries out a significant amount of work in dealing with and resolving concerns at source, for example, in cases whereby the issues raised are able to be immediately resolved and do not require being formally addressed at Stage 1. This involves Complaints Team staff ensuring that they liaise quickly with appropriate Team Managers to identify and agree swift actions to be taken to resolve concerns immediately.

This is an area where significant improvements have been made by the individual service areas to ensure these complaints are dealt with appropriately and effectively.

Welsh Language

There have been NO complaints received during this reporting period that have been communicated via the medium of Welsh, nor has there been any complaints in relation to the Welsh language/Welsh standards.

Compliments

Compliments are also regarded as important information that can be used to identify good practice. Compliments are therefore, reported centrally and the statistics included in management reports.

Table 6 – Compliment Examples

A selection of the compliments received during 2021/22 are set out below:

Adult Services
<p><i>“I just wanted to let you know that it has been 1 year today that X [mum] returned home.</i></p> <p><i>It has been quite the success with X, recovering beyond expectations and it is evident this was the right decision.</i></p> <p><i>With the invaluable support of the Community Wellbeing Team, the District Nurses, the Occupational Therapists, and of course yourself, X continues to thrive and flourish. Please pass on my thanks to all involved.”</i></p> <p><i>(received by the Team Manager, Network Team from a relative)</i></p>
<p><i>“Probably felt a bit apprehensive initially. Cause again, I was apprehensive as I wanted to know how long this was going to take me and I hope that I’m not going to be put into a waiting queue of two hours and understanding what kind of questions I needed to ask but actually by the time I got through to that phone call, the person on the other end was very helpful in directing me through the process that I felt much more reassured by the end of it</i></p> <p><i>(received by the Single Point of Contact from a service user)</i></p>

"We would like to express our thanks and gratitude to the Carers and supervisors who provided the care to my late mother.

Despite her becoming bedbound, we were able to keep her home and she passed away peacefully thanks to the superb, friendly and professional approach of the carers.

They worked well with the District Nurses and towards the end with the ACT team.

It would be invidious to name individuals but Sian and Abigail were magnificent.

We hope that you will convey our thanks to the teams and individuals."

(received by the Community Wellbeing Team from a relative)

"I would just like to take this time to say a big thank you to you both for going above and beyond for X, as ever CIS have been the A Team – we would be lost without you all, you always do a grand job. Thank you."

(received by the Community Independent Service from a relative)

Children's Services

"I don't know where to start, all I can say is thank you for your support from day 1, you've done an amazing job as X's social worker ...

you've given us the best possible opportunity to continue this journey as a family ...

No one will ever compare to you but I'm sure we'll do just fine ☺ I've always done my best by X and will continue to do so to show you that your faith in me wasn't a wrong choice, I love him unconditionally, he is my world and I couldn't imagine a day without him! Thank you for everything, as I've said before none of this would have been possible without your continued support ... "

(received from a Mum to their son's Social Worker–Sandfields CCT)

"I'm literally so emotional today, on cloud 9. Just wanted to say a MASSIVE thank you because without you being so humane, genuine and down to earth who shows

compassion to families and not just sees us as a tick box exercise , then X would not have come home. It wasn't all my hard work but it was yours and XX too. We appreciate all that you have done for us and you can see he's very happy (he's landed having cupcakes for breakfast as well ha ha) It is acceptable on his birthday.

I know your job is tough and most of the times not happy endings and you have to make decisions you don't want to make, but your fantastic at what you do and I know you give families the best chance to succeed. All the challenging days are worth it for days like today."

(received from Mum to Team Manager– LAC Team)

"I am contacting you to express our appreciation and gratitude for all the advice, support and actions your service has provided to improve the quality of life, safety, security, happiness and future prospects of X and X, our grandchildren and also of our son X. We were blessed with having XX allocated to the family and over the last two years this has changed all our lives for the better.

We want you to know that she has been outstanding and a credit to your organisation. Her knowledge, understanding of the true situation, empathy and time were second to none not only for them but also for us as grandparents who have been so worried for many years and desperate to know what to do without making the situation worse for our son who only wanted the best for his children.

(received from grandparents to the FAST Team)

Business Strategy

"Good heavens, what a lovely email to receive from you. So helpful, sincere and beautifully written. And so fast. Thank you so much. Please also pass on my sincere thanks to X for passing my email on so promptly and to the right person. I have just plucked up the courage to start this investigation, sent the email to X but thought nothing would come back. A bit like throwing a bottle into the sea, but right away came your great response. Just lovely.

Thank you so much for your offer of help ... "

(compliment received by the Subject Access Request Team)

8. LESSONS LEARNED

Evaluation of the information generated from complaints has highlighted a range of actions to be taken to improve services for clients. Action plans, where necessary, are formulated to reflect the actions agreed as part of the resolution process. Monitoring of the action plans is undertaken by each service to ensure that actions are implemented.

9. ACHIEVEMENTS IN 2021/2022

Achievements during 2021/22 include:

- maintaining a responsive service throughout recovery from the COIVD Pandemic;
- good management oversight of Directorate wide compliments and complaints and specific adherence with statutory guidelines;
- continued relationship with Senior Officers, Team Managers and front-line social work teams resulting in quicker resolution at a 'local' level;
- continual review and upgrade of the complaints database;
- regular attendance at All Wales Complaints Officer Group;

10. OBJECTIVES FOR 2022/2023

Plans for 2022/23 include:

- Continue to raise the profile of the Complaints Team both internally and nationally;
- Continuous improvement of information provided to Management Teams;
- Continue to strengthen arrangements surrounding independent investigators, including developing a wider pool of resources.

11. CONTACTS

Designated Complaints Officer,

Neath Port Talbot Council,

Social Services, Health and Housing Directorate,

Neath Civic Centre, Neath, SA11 3QZ

Tel: 01639 763445 email: complaints@npt.gov.uk.

Care Inspectorate Wales,
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Rhydycar Business Park,
Merthyr Tydfil CF48 1UZ,
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email: ciw@gov.wales

Children's Commissioner for Wales,
Oystermouth House,
Phoenix Way, Llansamlet,
Swansea, SA7 9FS.
Tel: 01792 765600
email: post@childcomwales.org.uk

Older Person's Commissioner for Wales
Cambrian Buildings,
Mount Stuart Square, Butetown,
Cardiff, CF10 5FL
Tel: 03442 640670
email: ask@olderpeoplewales.com

Public Services Ombudsman for Wales
1 Ffordd Y Hen Gae,
Pencoed, Bridgend, CF35 5LJ
Tel: 03007 900203
website: www.ombudsman.wales

Leighton Jones
Designated Complaints Officer
July 2022