

NEATH PORT TALBOT COUNCIL

**SOCIAL SERVICES
COMPLAINTS
AND
REPRESENTATIONS**

**ANNUAL REPORT
2022 / 2023**

**SOCIAL SERVICES
COMPLAINTS AND REPRESENTATIONS 2022-23**

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1. INTRODUCTION

This report covers the period 1st April 2022 to 31st March 2023 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 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 2022/2023

Number of Representations Received

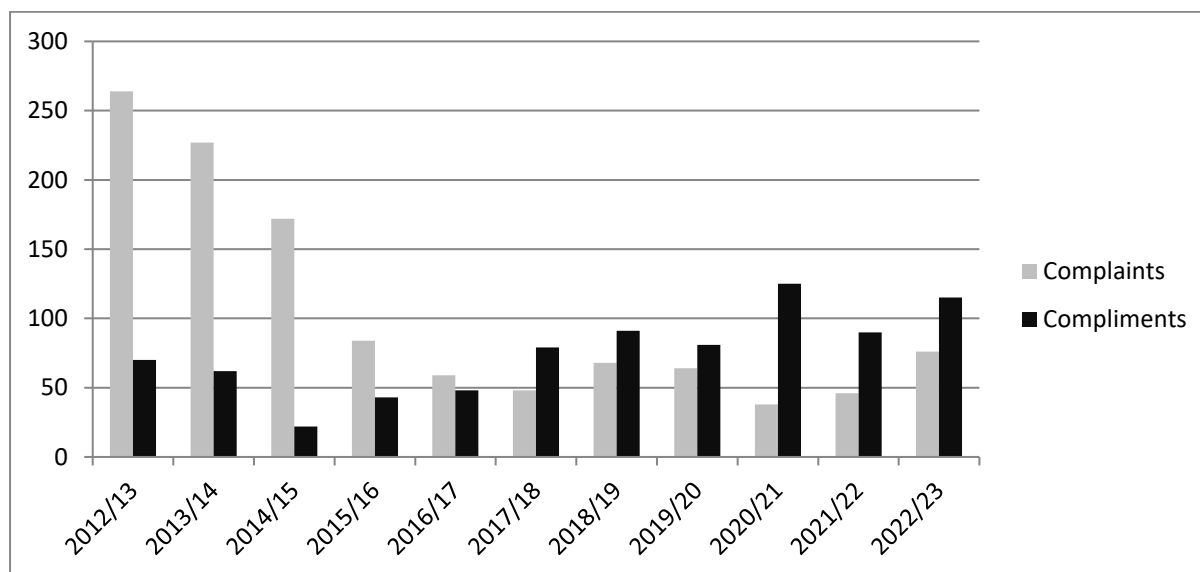
The following information provides details of the number of representations (complaints and compliments), received in relation to the delivery of social services during the reporting period:

Table 1 – Number of Representations Received 2022/2023

	Complaints	Compliments	Total
Adult Services	30	52	82
Children's Services	31	50	81
Business / Corporate	15	13	28

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 2022/23

	Adult Services	Children’s Services	Business / Corporate
Stage 1	25	29	14
Stage 2	0	0	3

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):	
	2022/23 15 days	2022/23 15+ days
Adult Services	13	12
Children’s Services	13	16
Business / Corporate	8	6
Total	34	34

As can be seen from Table 4, 50% of formal Stage 1 complaints during 2022/23 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.

Despite the relatively low performance, it has improved year-on-year, 2020/21 at 40% and 2021/22 at 46%. The Complaints Team work closely with officers to ensure complaints are responded to in the most timely and efficient way possible.

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 2022/23

	Adult Services	Children's Services	Business Strategy
Not Upheld	10	21	10
Partially Upheld	6	3	1
Upheld	6	4	3
Other	3	1	0

A total of 13 complaints were upheld in 2022/23 which equates to 19% of complaints received. A further 10 (15%) 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:

- lack of / poor communication
- staff attitude / conduct
- disagreement with assessment / care plan / reports / statements
- unacceptable delays

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 so as 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 2022/23 are set out below:

<p>Adult Services</p> <p><i>“Firstly, thank you from the bottom of my heart for the assistance and problem resolution that you provided us yesterday. I will never be able to thank you enough. We have only had you assigned to us less than a month and since then your care, explanation and support has been immense.”</i></p> <p><i>Service user to the NPT Hospital Social Work Team</i></p>
<p><i>“Hi X, I just wanted to express my gratitude for everything X has done for our family. X is the social worker for my elderly parents, X and X. X has really helped ease the stress of a difficult few weeks for our family and we are so grateful.”</i></p> <p><i>Relatives in relation to Afan Network Team</i></p>
<p>Children’s Services</p> <p><i>“I would like to just make a few positive words about X. She has been absolutely fantastic with my son X. She is so confident in her role and not only has she helped X she is also helping myself and my wife X. We have a LOT of faith in X and trust her extensively. No matter what we have called her about she has shown total compassion to us and done what she thinks is right for us and mostly X. We simply can’t thank her enough. She is a very polite helpful well-mannered lady. Can’t say many more words about how satisfied with her services and help.</i></p> <p><i>I know you as a team don’t get much praise but I am so pleased with the service most of all X..”</i></p> <p><i>A parent in relation to the Child Disability Team</i></p>

"My 3rd and final hero is my social worker X, she is a hero because she put a stop to the physical and verbal actions that shouldn't have been happening in my household. X is a really trustworthy & helpful person and even though I get really mad with her sometimes I truly do appreciate her. Even though I can wait to get rid of her to have a normal family that doesn't have a social worker, I am grateful for her."

A child (age 11) regarding her Social Worker, Dyffryn CCT

Business Strategy

"X and X wish to acknowledge the support and advice received from NPTCBC's Complaints Team, X and X. This has been totally sincere and consistent throughout the complaint process. They would like the local authority to formally recognise the positive work that X and X have done in this case."

Complainant to Complaints Team

*"Hello X,
It goes without saying, how very grateful my wife X and myself are to you personally for submitting the very successful grant application to Macmillan on our behalf. I can assure you it will be spent wisely.*

It is very humbling to us to receive this money from Macmillan as it is the first time this has happened. For over 50 years we have volunteered for various charities shaking the tin etc. cancer being one of those charities. It all started in the early sixties, first it was Mencap, Mind, Cancer, but our longest serving charity was Muscular Dystrophy. The reason being X who are no longer with us suffered from this cruel illness.

But life goes on. But once again we are very grateful to you X, and to Macmillan for your support. Yours Thankfully".

Service user to Macmillan Welfare Benefits 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 2022/2023

Achievements during 2022/23 include:

- Developed arrangements surrounding independent investigators, including a wider pool of resources;
- Regular attendance at Social Work Induction sessions;
- Rollout of Ombudsman training across front-line managers;
- Attendance at All Wales Complaints Officer Group.

10. OBJECTIVES FOR 2023/2024

Plans for 2023/24 include:

- Data cleansing exercise surrounding current Complaints database, in line with records retention policies;
- Assisting in the development of Children's Services' Complaints literature;
- Preparation for implementation of new, external database;
- Supporting the introduction of *Llais* Advocacy Service;

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.

Public Services Ombudsman for Wales

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

Llais Advocacy Service

Neath Port Talbot & Swansea Region,
Cimla Hospital, Cimla,
Neath SA11 3SU
Tel: 01639 683490
website: www.llaiswales.org/in-your-area/neath-port-talbot-and-swansea

Care Inspectorate Wales

Welsh Government office,
Sarn Mynach,
Llandudno Junction, LL31 9RZ
Tel. 0300 7900 126 email: ciw@gov.wales

Children's Commissioner for Wales

Llewellyn House,
Harbourside Business Park,
Harbourside Road,
Port Talbot, SA13 1SB
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

Leighton Jones
Designated Complaints Officer
July 2023