

Culture and Communities Committee

10am, Tuesday 12 September 2017

Recommendations of the Social Work Complaints Review Committee of 22 June 2017

Item number	9.5.1
Report number	
Wards	All

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Recommendations of the Social Work Complaints Review Committee of 22 June 2017

Summary

To refer to the Culture and Communities Committee recommendations of the Social Work Complaints Review Committee on consideration of a complaint against the social work service within Health and Social Care.

For decision/action

The Social Work Complaints Review Committee has referred its recommendations on complaints against the social work service within Health and Social Care to the Culture and Communities Committee for consideration.

Main report

- 1 Complaints Review Committees (CRCs) are established under the Social Work (Representations) Procedures (Scotland) Directions 1996 as the final stage of a comprehensive Client Complaints system. They are required to be objective and independent in their review of responses to complaints.
- 2 The CRC met in private on 22 June 2017 to consider a complaint against the social work service within Health and Social Care. The complainant and the service representatives attended throughout.
- 3 The complainant remained dissatisfied with the Council's response to her complaint alleging the failure of social work services to timeously assess her requirement for personal care following a fall in May 2016. This resulted in a disparity between the private agency fees paid by the complainant and the reimbursement that was subsequently offered by the Council.
- 4 The complainant explained that she was diagnosed with Chronic Obstructive Pulmonary Disease (COPD) and osteoporosis in early 2016. She used a walking stick but tripped on an uneven paving slab on 13 May 2016 and broke her upper left arm. The complainant was treated at the Royal Infirmary of Edinburgh through the A&E department and was discharged from home the same day.
- 5 A request for an assessment for assistance with personal care and dressing was made by the complainant's GP on Friday 20 May 2016 to Social Care Direct. The request was received on a Friday and the contact was not received by the sector team until Monday 23 May 2016.
- 6 An email was received by Social Care Direct on Monday 23 May 2016 from a friend of the complainant that outlined the complainant's circumstances and

highlighted that the complainant had been advised that she would be contacted directly by the OT service after her discharge from hospital on Friday 13 May 2013.

- 7 On the 26 May 2016 the Reablement Homecare Coordinator contacted the complainant to discuss her request for assistance and to arrange a home visit. During the call the Reablement Homecare Coordinator spoke to a representative from Call in Homecare who was visiting at the time. The representative from Call in Homecare advised that they had been asked to provide the complainant with care and hoped they would start on Monday 20 May 2016. The Reablement Homecare Coordinator closed the referral for an assessment as it was thought that there was no longer a need for their involvement.
- 8 A further request for an assessment was received on 9 June 2016 and the Reablement Homecare Coordinator contacted the complainant to carry out an assessment. It was discovered during the conversation that the complainant's address was wrong on the paperwork and as a result the referral had been sent to the wrong team. The Reablement Homecare Coordinator advised that she would pass the complainant's referral to the correct team and provided the information to a Senior Social Worker.
- 9 The complainant advised that the Senior Social Worker contacted her on the 10 June 2016 and discussed a potential assessment and the possibility of a Direct Payment. The request for assistance was added to priority waiting list A and the complainant was advised that it could take a number of months before a social worker was allocated to her case.
- 10 The complainant further explained that she raised a complaint in October 2016 in relation to the decision of the Council to offer her a backdated payment of £1317.50 towards the cost of the agency that provided the complainant with support after she broke her arm, Call-Inn Homecare. The complainant advised that the actual costs of this amounted to in excess of £2,000 and that she had no choice but to employ them after she was advised that a social work assessment might take weeks and there was no guarantee that a service would be provided following assessment.
- 11 The complainant felt that she was not making an informed decision when she employed Call-In Home Care because she was not aware that her referral had been closed by the staff member who was advised of her decision to employ a private agency. In light of this the Council had agreed to refund the total costs of the complainant's care, and to date had refunded £1,317.50. The outstanding amount had still not been received by the complainant.
- 12 Members of the Committee were then given the opportunity to ask questions of the complainant.
- 13 The Presenting Officer apologised to the complainant for the decision of the Reablement Homecare Coordinator to close the complainant's referral for an assessment of her care needs after being advised that the complainant had

arranged for a private agency to provide care and failing to check whether the complaint would like to be assessed by the Council for care.

- 14 The Presenting Officer advised that the current process for arranging assessments of care provision had been reviewed and all relevant staff had been reminded of the process.
- 15 The Presenting Officer agreed that she would investigate why the complainant had not received the outstanding amount owed to her in terms of the care she had received from Call-In Home Care which the Council had agreed to refund and apologised to the complainant for the delay in the payment to her.
- 16 Members of the Committee were then given the opportunity to ask questions of the Presenting Officer.
- 17 Following this, the complainant and the Presenting Officer withdrew from the meeting to allow the Committee to deliberate in private.

Recommendations

After full consideration of the complaints the Committee reached the following decisions/recommendations:

- 1) The Committee **upheld** the complaint set out in paragraph 2.1 of the report by the Chief Officer, Edinburgh Health and Social Care Partnership.

The Committee noted that the complainant had to involve a third party to help access social work services and this should not have been necessary.

The Committee recommended that a more considered response to the initial complaint might have prevented the complaint from escalating.
- 2) The Committee **upheld** the complaint set out in paragraph 2.2 of the report by the Chief Officer, Edinburgh Health and Social Care Partnership.

The Committee noted that the back dated payment had not been received, and that if the back dated payment had been paid earlier the complaint might not have escalated to this stage of the complaints process.

The Committee was pleased to note that a partial apology was given and reinforced by the Council today.

The Committee further noted that learning from the complaint had been acted upon by the Council to improve future processes.

Background reading/external references

Agenda, confidential papers and minute of the Complaints Review Committee of 22 June 2017.