

**Public Services Ombudsman for Wales – investigation summaries****Social Services – Adult****Upheld****April 2013 – Services for vulnerable adults – Denbighshire County Council**

Mr A and Mrs B complained about Denbighshire County Council. The complaint was about many issues relating to the care provided to Miss C, particularly during the last months of her life, whilst she was in receipt of domiciliary care from a care agency (the Agency). Miss C was diagnosed with cerebral palsy at a young age. The Council partly funded and contracted with the Agency to provide Miss C with domiciliary care on its behalf. A complaint was also made about the Council's complaints handling process, in particular, regarding its second Stage 2 investigation report.

Mr A and Mrs B also complained about the Care and Social Services Inspectorate for Wales' (CSSIW) actions following the Council's complaints investigation, specifically, that it failed to undertake its own investigation of the issues raised in their complaint to the Council.

Having reviewed all the available information and documentation, and having obtained a professional view from two of the Ombudsman's professional advisers, the complaint was partly upheld against the Council. The Ombudsman found that there were inadequacies in the Council's care review and contract monitoring role which the Council accepted. However, the Ombudsman concluded that the overall standard of care provided to Miss C was reasonable. Issues about potential vulnerability and adult protection concerns were fully considered during the investigation. The Ombudsman concluded that Miss C had the mental capacity to make her own decisions and that the issues raised as part of the complaint did not meet the threshold of significant harm for triggering adult protection processes. The Ombudsman found some inadequacies in the second Stage 2 investigation report and its recommendations but in general, concluded that the Council's complaints process was reasonably managed.

The Ombudsman concluded that from a regulatory perspective, the action taken by CSSIW in response to the complainants' concerns had been appropriate. The complaint was not upheld against CSSIW.

The Ombudsman recommended that the Council provide Mr A and Mrs B with a written apology for the failings identified and provide evidence of the action taken to ensure that it effectively carries out its assessment and contractual role in circumstances where care is provided on its behalf by an agency.

**Case reference 201104048**

## **Social Services - Children**

### **Quick fixes & Voluntary settlements**

#### **September 2013 – Other – Denbighshire County Council**

Mrs B complained that the Council had failed to provide services to support her family in caring for her son, who has autism and a number of complex needs. She also complained that communication between professionals and the family had been poor.

In a meeting with Mrs B, the Council apologised for its failings and updated Mrs B on the implementation of the previously agreed "corrective action plan". It put in place a package of support for Mrs B's son, including partially funding a college placement and making direct payments to Mrs B to assist the family to access support for him at weekends and holidays.

**Case reference 201301441**