

DUNDEE CITY COUNCIL

REPORT TO: SOCIAL WORK AND HEALTH COMMITTEE – 25 FEBRUARY 2013

REPORT ON: RESPONSE TO COMPLAINT MADE TO CARE INSPECTORATE ABOUT KEMBACK RESOURCE CENTRE

REPORT BY: DIRECTOR OF SOCIAL WORK

REPORT NO: 93 - 2013

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to brief members of the Committee on the actions planned in response to a complaint made to the Care Inspectorate about Kemback Resource Centre (the Centre).

2.0 RECOMMENDATIONS

- 2.1 It is recommended that members of the Committee note the response made to the complaint to the Care Inspectorate about Kemback Resource Centre as outlined in this report.
- 2.2 It is recommended that the Committee agree to carry out a fresh consultation regarding the future of Kemback Street Resource Centre.

3.0 FINANCIAL IMPLICATIONS

- 3.1 None.

4.0 MAIN TEXT

- 4.1 In October 2012 a complaint was received by the Care Inspectorate from a carer of a service user. The complainant felt that the service had failed to take reasonable steps to communicate with service users and their representatives about future changes to the service.
- 4.2 Representatives of the Care Inspectorate investigated the complaint by gathering information from both the complainant and representatives from the Learning Disability Service. A visit was also made to the Centre by a Complaint Inspector in December 2012 as part of this process.
- 4.3 The complaints protocol that is followed by the Care Inspectorate is that the complaint is investigated; draft findings are issued to the complainant and service; the service is given an opportunity to correct any factual inaccuracies; the findings are then issued and published with a timescale set for the submission by the service of an action plan in response to any recommendations made as a consequence of the investigation. In this case, unusually, the findings were published prior to the correction of any inaccuracies. The Care Inspectorate has apologised to the Director of Social Work for this error.
- 4.4 Following the conclusion of the investigation the complaint was upheld with one requirement made regarding future action for the care service. The requirement, which was to commence immediately, is as follows:

"The provider must take reasonable steps to ensure adequate and appropriate communication methods are used in relation to future changes in services. In particular to those service users who have difficulties in relation to communication. This must include planned and recorded effective methods of communication for individuals using the service. Information must be provided in a timely manner in a format which all individuals involved, including families and carers of service users can freely and easily access."

4.5 The manager and the service have been very anxious to ensure that they comply with both the spirit and detail of the findings of the complaint. They have considered the communication methods recommended and in place and have responded with an action plan. The content of the action plan that was submitted is as follows:

- Individual meetings have taken place involving carers and representatives.
- Care Management involvement is in place in order to determine outcomes with individuals and planned transition pathways are in place.
- There is a service user involvement group, facilitated independently, which runs routinely.
- All service users have their communication support needs documented in their personal plans. There is daily support via individuals' link groups and Boardmaker is available should this be required.
- Other key individuals are also involved and these include support from Independent Advocates and Psychology where necessary.
- Communication with individuals, their carers and any new provider will continue throughout any transition.
- Work has also been undertaken through the Outlook Group at Kemback Street as well as the Partnership in Practice Communication and Involvement sub group.
- Speech and Language Therapy has been involved and an easy read document has now been created with the use of Boardmaker communicating changes.

4.6 Since the submission of the Action Plan to the Care Inspectorate, Solicitors acting for one of the Service Users have indicated that a Petition for Judicial Review seeking to overturn the decision to close Kemback Street Resource Centre will be lodged in the Court of Session. In light of the prolonged period of uncertainty for Service Users and their families at Kemback Street Resource Centre which would result from a Court process, it is recommended that a fresh consultation regarding the future of Kemback Street Resource Centre should be carried out and that the Committee should consider the matter anew in light of that consultation. In the meantime Kemback Street Resource Centre would remain open. If this is agreed, the Director of Social Work will bring forward a report to the Social Work Committee on 25th March regarding the proposed consultation procedure.

5.0 POLICY IMPLICATIONS

5.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management.

There are no major issues.

6.0 CONSULTATIONS

6.1 The Chief Executive, Director of Corporate Services and Head of Democratic and Legal Services have been consulted in preparation of this report.

7.0 BACKGROUND PAPERS

7.1 None.