Email: Christine.maclean@surreycc.gov.uk

SURREY
COUNTY COUNCIL

Lars G Petersson
[redacted]

Personal Care and Support Senior Management Team

Millmead House
Millmead
Guildford
Surrey
GU2 4BB

Date: 23rd April 2013

Dear Mr Petersson

Your complaint regarding Adult Social Care

I write in response to your complaint of 8th March 2013.

I have looked into each of the concerns you raised and I can now respond as follows. In order to offer you a clear response, I would like to address each of your complaints as separate numbered points.

1. That social services did not investigate the complaint of 12th February 2010 that had been escalated down from the Minister of Health, Andy Burnham regarding [redacted]

I have reviewed the documentation in relation to the safeguarding concerns that you raised on 25th February 2010 concerning [redacted]

I have found that the letter cascaded down from Andy Burnham to the Care Quality Commission and to the Adult Social Care Team was received by both agencies on 25th February 2010.

Upon the receipt of your letter, the concerns that you raised were considered by Adult Social Care to be in relation to a number of serious safeguarding allegations and as such they fell outside of our statutory complaints' procedure. The complaints procedure is designed for people using our services to complain about adult social care that we provide to them or that Surrey County Council commissions on their behalf. You will be aware that you were not

taking up a service from [redacted] but you were an employee with serious concerns about practice in the home.

We do have a duty to ensure the safety and wellbeing of residents and the County Council has a process for the issues that you raised. Therefore, I can assure you that they were not ignored. The Multi Agency Safeguarding procedures were the appropriate procedure to follow regarding the safeguarding concerns raised within the letter.

Upon receiving your safeguarding alert, the Council assessed the concerns as requiring a Level 4 response under the Multi Agency Safeguarding procedures. Having re-read the information, I confirm that this was correct. A Level 4 response triggers a Multi Agency Senior Strategy Safeguarding meeting with representatives from senior levels of agencies in attendance.

The initial Safeguarding Adults Senior Strategy Meeting was convened on 3rd March 2010. There were subsequently several further meeting held.

All of the meetings were chaired by an experienced Independent Chair person who had no involvement with [redacted] or with any Surrey funded person residing in the Home. All appropriate agency representatives attended those meetings.

The Care Quality Commission and Surrey Police were fully involved in relation to the nature of the allegations, information sharing and subsequent discussions arising within the various safeguarding meetings and were involved in agreeing the action plans arising.

Within the Safeguarding Adults procedure it is not the role of Social Services to investigate another agency or to interview another agency's members of staff.

The role of Social Services is to ensure that the appropriate agency undertakes an investigation whether that agency is the Police, the Care Quality Commission or the agency themselves, and for the outcomes of that investigation to be fully shared within the multi agency safeguarding meetings. It is also the role of Social Services to undertake any social care assessments or any joint assessments with Health Providers that might be necessary in relation to the allegations made. In relation to this case joint assessments for every service user living at [redacted] were undertaken in addition to other identified areas of work.

The Police were made aware of all information regarding the concerns raised and also gathered information from other sources prior to making their decision not to undertake a criminal investigation.

At this point, the correct action was then taken in that the Provider [redacted] was correctly requested to undertake their own internal investigation into a number of specified areas of concern. They shared the outcome of each part of their internal investigation within the subsequent multi agency safeguarding meetings held.

I am satisfied that in this case the Chair of the meeting discharged her duties in this respect and that the correct procedural action was taken in relation to the investigation process and that the issues were fully investigated. This was not a complaints investigation, but actions arising from the safeguarding process. In addition, asking the home to respond to specific allegations did not mean that they investigated themselves, as they reported their position back to each of the safeguarding meetings.

2. That instead of investigating the allegations expressed in this complaint Social Services instructed the Home Owner and Manager to investigate the allegations themselves.

Due to the Police having made the decision not to pursue a criminal investigation, the correct procedural action was taken. The reasoning for this decision has been explained in my response to point 1 of your complaint.

This concludes my response to your complaint.

I hope that this concludes your complaint to your satisfaction. However, if it does not you may wish to know how to approach the Local Government Ombudsman. The Ombudsman is independent of Surrey County Council and can discuss confidentially whether they can assist you further. The Ombudsman's details are:

The Local Government Ombudsman, PO Box 4771, Coventry, CV4 0EH

Tel: 0300 061 0614 or 0845 602 1983
Email: advice@lgo.org.uk
Web: www.lgo.org.uk

I would also like to thank you for bringing these matters to our attention. We welcome comments from people who use our services and aim to use these to make improvements. Your complaint has offered us a chance to review the work that we provide to you and to other people using our services.

Yours sincerely

CMaclean

Christine Maclean
Senior Manager, Safeguarding Adults

cc Customer Relations Team