

# **Department: Community and Housing**

**Date: 11 March 2021**

## **Subject: Adult Social Care Complaints Annual Review**

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### **1. Report & executive summary**

- 1.1 It is a statutory requirement under the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, to produce an annual report about complaints made by, or on behalf of, people who receive support or services from Adult Social Care (ASC). This annual report also provides a mechanism by which the council can monitor the quality and effectiveness of services and of its complaints procedure.
- 1.2 Complaints are recognised as a valuable tool in helping officers to understand the concerns of residents in the delivery of services and have an important role in both supporting the improvement of those services and holding services to account.
- 1.3 This report provides an overview and analysis of all complaints received during the reporting period 1 April 2019 to 31 March 2020, including a summary of identified issues, examples of service improvement and details of future objectives for 2020/21. The report shows a slight decrease in the number of complaints received this year compared to previous years.
- 1.4 This report will be published on the council's website and also made available on request.

### **2. Details**

- 2.1 Complaints, including Local Government and Social Care Ombudsman (LGSCO) complaints are monitored by the Complaints team. Performance for the number of complaints dealt with in time 2 and LGSCO complaints answered in time are corporate performance indicators.
- 2.2 In line with the regulations, the council has a one stage process for ASC complaints. The timescale for responding is a maximum of 25 working days, which can be extended to a maximum of 65 working days.
- 2.3 The council will provide advice and support and work with complainants and social care providers to find an effective and swift resolution to complaints.

### 3. Stage One Complaints received

3.1 The total number of stage one ASC complaints received was 46, a 2% decrease from the number received in 2018/19 of 47.

Stage 1	2017/18	2018/19	2019/20
Access and Assessment*	22	42	39
Commissioning	4	4	4
Direct Provision	0	1	1
Split between teams	4	0	2
<b>Total</b>	<b>30</b>	<b>47</b>	<b>46</b>

\*Access & Assessment is the service's social work function

3.2 Complaints broken down by section are as follows, with 79% of all ASC complaints responded to in time against the target of 90%.

Team	% responded in time
Access and Assessment	72%
Commissioning	50%
Direct Provision	100%
Splits between teams	100%
<b>Overall Total</b>	<b>79%</b>

3.3 The types of complaints received are as follows:-

Team	Types of complaints
Access and Assessment	<ul style="list-style-type: none"> <li>• Level of care / support</li> <li>• Level of service by Social Worker</li> <li>• Delays in responding / lack of contact</li> <li>• Financial Assessment Service</li> <li>• Lack of information</li> <li>• Safeguarding issues</li> <li>• Direct Payments</li> </ul>
Commissioning	<ul style="list-style-type: none"> <li>• Level of care.</li> <li>• Dealing with concerns</li> <li>• Incorrect invoices</li> </ul>
Direct Provision	<ul style="list-style-type: none"> <li>• Delay in resolving facilities issues</li> </ul>

3.4 These can be put into the below themes:-

- **Policy and Decision** – usually relates to an outcome of an assessment or a service request that has not been agreed. In some cases not all information is considered i.e. disabilities.
- **Staff Attitude** – primarily around customer service issues including manner of communication, or where a worker said they would do something, but did not
- **Poor Quality** – mainly about the quality of reports and administration of case management
- **No Provision** – where a service was agreed but not provided
- **Level of Provision** – level of care / care package
- **Communication** – usually about calls, messages, emails, etc. not being responded to in a timely manner
- **Delay** – where a formal or informal deadline is set to provide a service; but is missed and provided much later
- **Provider Services** – level of care provided, dealing with concerns and incorrect invoices.

3.5 Of the 46 complaints received, 15 of these were upheld and 16 were partially upheld totalling 67% of all complaints received. This is a decrease of the previous year where 72% were partially upheld or upheld.

Team	Inconclusive	Upheld	Partially Upheld	Not Upheld	Total
Access and Assessment	1	10	14	14	39
Commissioning	0	3	1	0	4
Direct Provision	0	1	0	0	1
Split between teams	0	1	1	0	2
<b>Total</b>	1	15	16	14	46

3.6 Reasons why complaints were upheld or partially upheld are as follows:-

#### **Access and Assessment**

- Poor / delayed communication
- Poor record keeping
- Delay / confusion about referral pathways
- Delays in assessment
- Level of service provided by Social Worker
- Safeguarding process / reviews

#### **Commissioning**

- Issues with invoices
- Level of service from service providers

## Outcomes

3.8 Where complaints are being upheld or partially upheld, there is a requirement that the response will state the outcome and what actions will be taken to rectify the matter. Examples of the remedies ASC have put in place are:-

- Apologies given and alternative Social Worker provided.
- Missing service given.
- Case review to establish what went wrong and to avoid a repeat.
- Improved case records and effective communication with family.
- Ensured correct process followed for safeguarding and formal meetings.
- Support plan and assessment reviewed and amended as necessary.
- Documentation forwarded in a timely manner and monitored.
- Reviewed processes and protocols to ensure consistency.
- Ensured interpreters involved from in initial stages of assessments
- Improved communication between organisations and with vulnerable people and their families.

## 4. Local Government and Social Care Ombudsman (LGSCO) Enquiries

4.1 The LGSCO contacted the council about nine different ASC complaints, 10 % of the total received by the council, a decrease of 25% from 2018/19.

4.2 The LGSCO may contact the council with a 'Final Decision' without investigation on cases that upon initial review are outside the LGSCO's jurisdiction.

4.3 Two out of three (66%) Final Decisions were 'Upheld' in some way, this shows us that we need to do more work on resolving complaints locally before they escalate.

4.4 Where fault has been found the council has worked to correct, remedy and change its procedures to ensure it does not happen again.

Ref.	In time	Decision	Remedy	Compensation
18 000 272	Yes	Upheld: maladministration, no injustice.	Provide an apology for the above faults and distress.	N/A
18 011 437	Yes	Upheld - fault for delay and failures of communication, this caused distress. Injustice for delays in providing suitable home.	Provide apologies for the faults and distress.	£3,000 & £2,000 in acknowledgement of the distress caused and the loss of non-monetary benefit. £200 in acknowledgment of the time and trouble caused.
18 014 142	Yes	Not upheld.		

## 5. Next steps

- 5.1 ASC staff to work closely with the Complaints Team in cases where o historical issues are raised repeatedly.
- 5.2 Ensure a more smooth transition for young adults from Children School & Families Services to Transition Services within ASC.
- 5.3 ASC staff to attend workshops on complaints handling / responses on council wide issues.
- 5.3 ASC service managers working to address the trend about concerns with the level of service provided by the Social Worker which are not considered acceptable to the service user or their carers/families.

## 6. Compliments

- 6.1 The total number of compliments received was 107, an increase of 5% from 2018/19.

Team	Number of compliments
Access and Assessment	86
Commissioning	2
Direct Provision	18
Splits between teams	1
Overall Total	107

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