

## REPORT TO HEALTH SCRUTINY COMMITTEE

<b>Title:</b>	<b>ANNUAL COMPLAINTS REPORT – ADULT SOCIAL CARE SERVICES – FOR INFORMATION ONLY</b>
<b>Date of Meeting:</b>	<b>Governance Meeting 15 August 2016 Health Scrutiny 20 October 2016</b>
<b>Report from :</b>	<b>Pat Jones-Greenhalgh, Executive Director of Department of Communities &amp; Wellbeing</b>
<b>Contact Officer :</b>	<b>Sharon Wells, Customer Engagement Manager</b>

### **1.0 PURPOSE/SUMMARY**

There is a statutory requirement to produce an Annual Complaints Report relating to Adult Social Care Complaints. This report is to update Members and provide current information in respect of complaints related to Adult Social Care Services. The report looks at the period 1 April 2015 to 31 March 2016 and the purpose in presenting the report is for Members to oversee the extent and complexity of Adult Care Services' span of activity and to receive information relating to the quality of services delivered.

Members are asked to note the content of the report.

### **2.0 INTRODUCTION**

- 2.1 In line with guidance from the Department of Health, Local Authorities are required to publish an Annual Complaints Report covering the council year.
- 2.2 This report is to update Members and provide information in respect of complaints related to Adult Social Care Services during 2015/16. More frequent monitoring is undertaken by the Department of Communities and Wellbeing's Governance Committee to review performance and agree, as appropriate, any remedial action in response to concerns.
- 2.3 Members' comments regarding the report are invited.

### **3.0 BACKGROUND**

- 3.1 A complaint is generally defined as 'an expression of dissatisfaction or disquiet about the actions, decisions or apparent failings of a local authority's adult social care provision which requires a response.'

- 3.2 Complaints principally concern service issues, including the perceived standard of services and their delivery by service providers. Recorded figures however only represent a percentage of instances where people are dissatisfied as many complaints/concerns are managed and resolved at the time, avoiding the need for people to resort to the more formal statutory complaints process.
- 3.3 Within the regulations which govern the process, the Council adopts a flexible approach which prioritises local resolution of complaints although people still have the option to take their case to the Local Government Ombudsman should they remain dissatisfied.
- 3.4 Some customers find it emotionally difficult to make an initial complaint. The process is therefore designed to ensure that all complaints are treated seriously, in confidence, investigated and given due attention. Integral to this is the role of the Customer Engagement Manager who provides a degree of independence and support to the complainant whilst ensuring the complaint follows the statutory procedure. Customers may also make complaints through advocates providing any necessary and appropriate consent has been received which enables personal information to be shared.
- 3.5 A Councillor or Member of Parliament cannot make a complaint using the statutory complaints procedure on behalf of their constituent. However, they are able to raise a concern or make a representation on behalf of a constituent. These are logged and recorded as 'Concerns.' A Local Authority does not generally have to obtain the express consent of an individual to disclose their personal information to an elected member. In these circumstances, the individual has provided implied consent to the sharing of their personal data that is reasonably necessary to pursue the complaint.
- 3.6 The Complaints Procedure is not designed to deal with allegations of serious misconduct by staff. These situations are covered under separate disciplinary procedures of the Council.
- 3.7 In order to ensure any safeguarding issues which are contained within social care complaints are captured and processed through the Safeguarding Procedures, the Customer Engagement Manager and the Safeguarding Adults Strategic Manager have an agreed protocol regarding joint working which is accessible on the Council's website.

#### **4.0 ANALYSIS OF COMPLAINTS**

- 4.1 The attached appendix 1 provides statistical data in graph format for the period 1 April 2015 to 31 March 2016 and includes:-
  - A comparative study of the number of complaints received for the period 2013/14, 2014/15 and 2015/16 (Fig. 1)
  - A comparative study of the nature of complaints received for the period 2014/15 and 2015/16 (Fig. 2)
  - The number of complaints received by Teams for the period 2014/15 and 2015/16 (Fig. 3)
  - A comparative study of the time taken to resolve complaints for the period 2014/15 and 2015/16 (Fig. 4 )

- A comparative study of the number of concerns raised by Local Councillors, Members of Parliament and the Local Government Ombudsman for the period 2014/15 and 2015/16 (Fig. 5)
- The number of compliments received and the service area they relate to 2015/16 (Fig. 6)
- The attached appendix 2 shows the number of complaints received relating to categories of Equality and Diversity
- The attached appendix 3 shows Evidence of Learning and improvements made to services as a result of complaints

4.2 Following a major re-configuration of the Assessment and Care Management Community Teams in July 2014, there was a split into three locality teams. It is considered that a Localities Model provides the most efficient and effective service whilst ensuring delivery is closer to the customer and the community in which they live. This model is also connected to the wider Social Care and Health Agenda.

The Locality Teams cover the following areas:-

Locality Team 1 covering Prestwich and Whitefield  
 Locality Team 2 covering Bury East and Ramsbottom  
 Locality Team 3 covering Tottington and Radcliffe

- 4.3 The total number of complaints received over the last year has decreased quite significantly by 10 when compared to 2014/15.
- 4.4 The formation of Persona in October 2015 as a Local Authority trading company may have deflected some complaints from the Department. The services which make up Persona were previously delivered in-house by Bury Council e.g. day support and residential stays provided at Elmhurst, Grundy, Spurr, Pinfold etc
- 4.5 Out of 69 complaints received 22 were not upheld.
- 4.6 With respect to timescales, 74% of complaints were responded to within 30 working days of the complaint being received.
- 4.7 The number of concerns raised by Members of Parliament and local Councillors increased by 1 from 19 to 20 during the last year.
- 4.8 The number of Local Government Ombudsman (LGO) enquiries the Department received and dealt with during 2015/16 was 10 – an increase of 8 or 500% on the previous year.
- 4.9 To put the total number of complaints in context, the Department provides services to approximately 5570 individuals. 69 complaints therefore equates to 1.2% of customers.
- 4.10 The Department received 365 compliments about the work carried out by individuals/teams. These are also recorded and celebrated in recognition of the good work that is taking place.
- 4.11 Complaints (and compliments) can give valuable feedback and alert managers to issues with regard to service quality or delivery. The Department seeks to

learn from such occurrences and recommendations made as a result of complaints made during 2015/16 have resulted in improvements or changes to services. These are listed in Appendix 3.

## **5.0 CONCLUSIONS**

- 5.1 The number of complaints has decreased significantly (by 10)
- 5.2 The process has been designed to reduce barriers for complainants.
- 5.3 The Department monitors feedback and uses these experiences to learn and improve operations. This approach will continue and steps will be taken to minimise dissatisfaction although this continues to be a challenge in an environment of rising demand and diminishing resources.

## **6.0 THE FUTURE**

- 6.1 In April 2016 the Customer Engagement Team started to test a pilot scheme to explore the possibility of storing complaints information on the Department's electronic recording system which currently stores customers' social care records.

The pilot scheme will be reviewed in the Autumn 2016 to evaluate its effectiveness.

Hard copies of information and correspondence relating to complaints currently need to be stored for a period of 6 years, in line with the Information Commissioner's guidance. The new system, if fully adopted, will, in due course, eliminate the need for hard copy storage as well as providing a more secure storage facility.

The Department continues to work jointly with the local NHS Trusts to ensure co-ordinated responses to complaints are sent to complainants. This is in line with both the statutory Complaint Regulations and fits with the wider Social Care and Health agenda.

**Appendices 1, 2 and 3 attached**