



# **ANNUAL COMPLAINTS REPORT APRIL 2019 – MARCH 2020**

**ADULT SOCIAL CARE SERVICES**

## **1.0 PURPOSE AND INTRODUCTION**

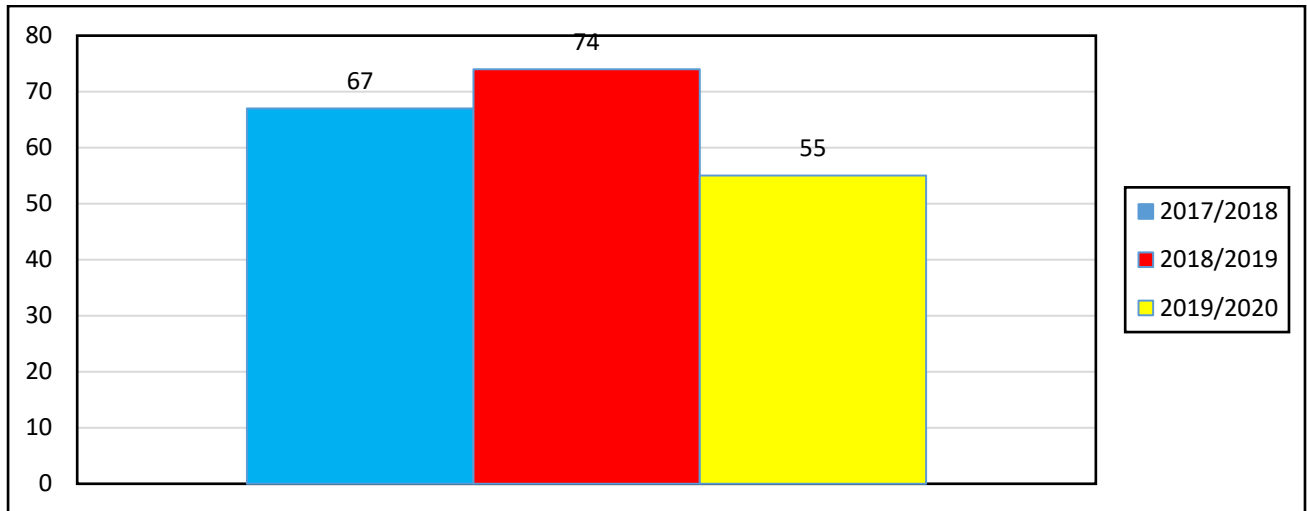
- 1.1 It is a statutory requirement to produce an Annual Complaints Report relating to Adult Social Care Complaints, received by the Corporate Core Department, Bury Council.
- 1.2 This report is to provide members of Health Scrutiny Committee with details of information relating to Adult Social Care Services.
- 1.3 The report relates to the period 1<sup>st</sup> April 2019 – 31<sup>st</sup> March 2020, and provides comparisons between previous years, as well as detailing the nature, scope and scale of some of the complaints received.

## **2.0 BACKGROUND**

- 2.1 The council is required to operate a separate Statutory Complaints and Representations procedure, in accordance with the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 which was laid before Parliament on the 27th February 2009 and came into effect on 1st April 2009. From 1st April 2009 there has been a single approach to dealing with complaints to ensure consistency in complaints handling across health and social care organisations. This procedure is based on the Department of Health's guidance, 'Listening, Responding and Improving' which supports the statutory requirements for the handling and consideration of complaints. Its intention is to allow more flexibility when responding to complaints and to encourage a culture that uses people's experiences of care to improve the services provided by Bury Adult Care Services.
- 2.2 The complaints mentioned in this report typically relate to issues where customers, their families or carers feel that the service they have received have not met their expectations. In these cases, the Council will always have endeavoured to resolve any concerns or dissatisfaction before a formal complaint has been received. Complaints, therefore, usually arise when the customer does not agree with the Council's interpretation of events or, in some cases, where policy delivers an outcome which they do not agree with.
- 2.3 Within the regulations which govern the complaints process, the Council adopts a flexible approach which prioritises local resolution. However, where complainants remain dissatisfied, they have the option to take their case to the Local Government & Social Care Ombudsman.
- 2.4 Members of Parliament cannot make a complaint on behalf of a constituent using the statutory process. However, MP's can raise a 'Concern' on behalf of a constituent with the Council and these are then managed accordingly.
- 2.5 The Complaint Procedure is not intended for dealing with allegation of serious misconduct by staff. These are covered by and dealt with through the Council's separate disciplinary procedures.

## **DATA ANALYSIS OF COMPLAINTS RECEIVED**

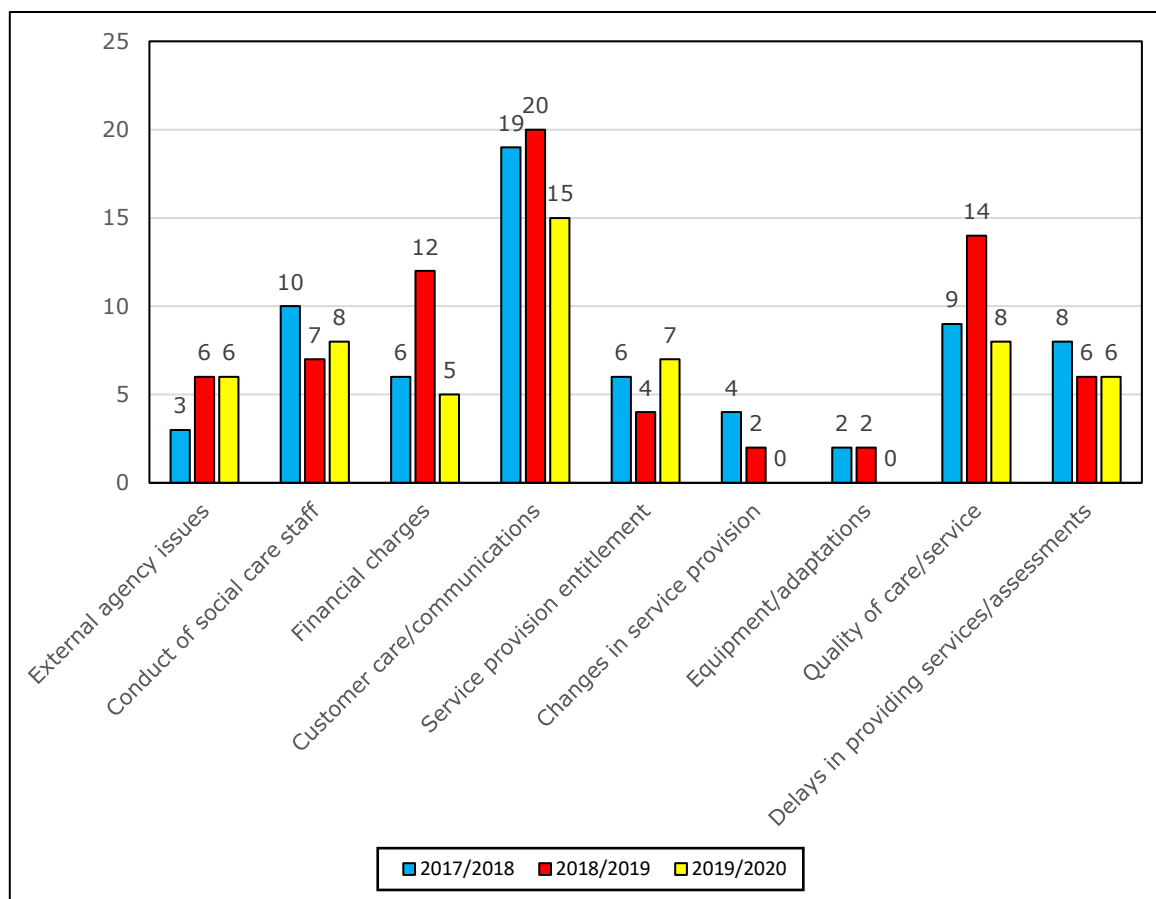
### **3.0 ADULT SOCIAL CARE COMPLAINTS**



- 3.1 The total number of complaints received in 2019/2020 has slightly reduced from the previous two years - 67 in 2017/18 and 74 in 2018/2019. Therefore, although the way services are being delivered has changed significantly and service pressures have increased for the department, the figure for 2019/2020 indicates that customers have complained less about the services they have received.
- 3.2 The number of complaints received should also be considered in context with the number of people actually having direct contact with Adult Social Care Services (excluding their relatives, friends or carers who might make complaints on their behalf). The number of people to have direct contact with Adult Social Care Services during 2019/2020 was 6,637. It is positive that the proportion of people wanting to make a complaint about the services they have received from the department is relatively low at 55. This reflects that 99% of direct contacts meet service user expectations in relation to service delivery and outcome and do not give cause for complaint.
- 3.3 As would be expected when dealing with complaints from predominantly vulnerable groups, the majority of complaints received are made by a family member, advocate or solicitor of a service user, rather than the service user themselves.

	Total Number of Complaints	Total Number of Complaints raised on behalf of a service user	%
<b>2017/2018</b>	67	45	67%
<b>2018/2019</b>	74	53	72%
<b>2019/2020</b>	55	40	73%

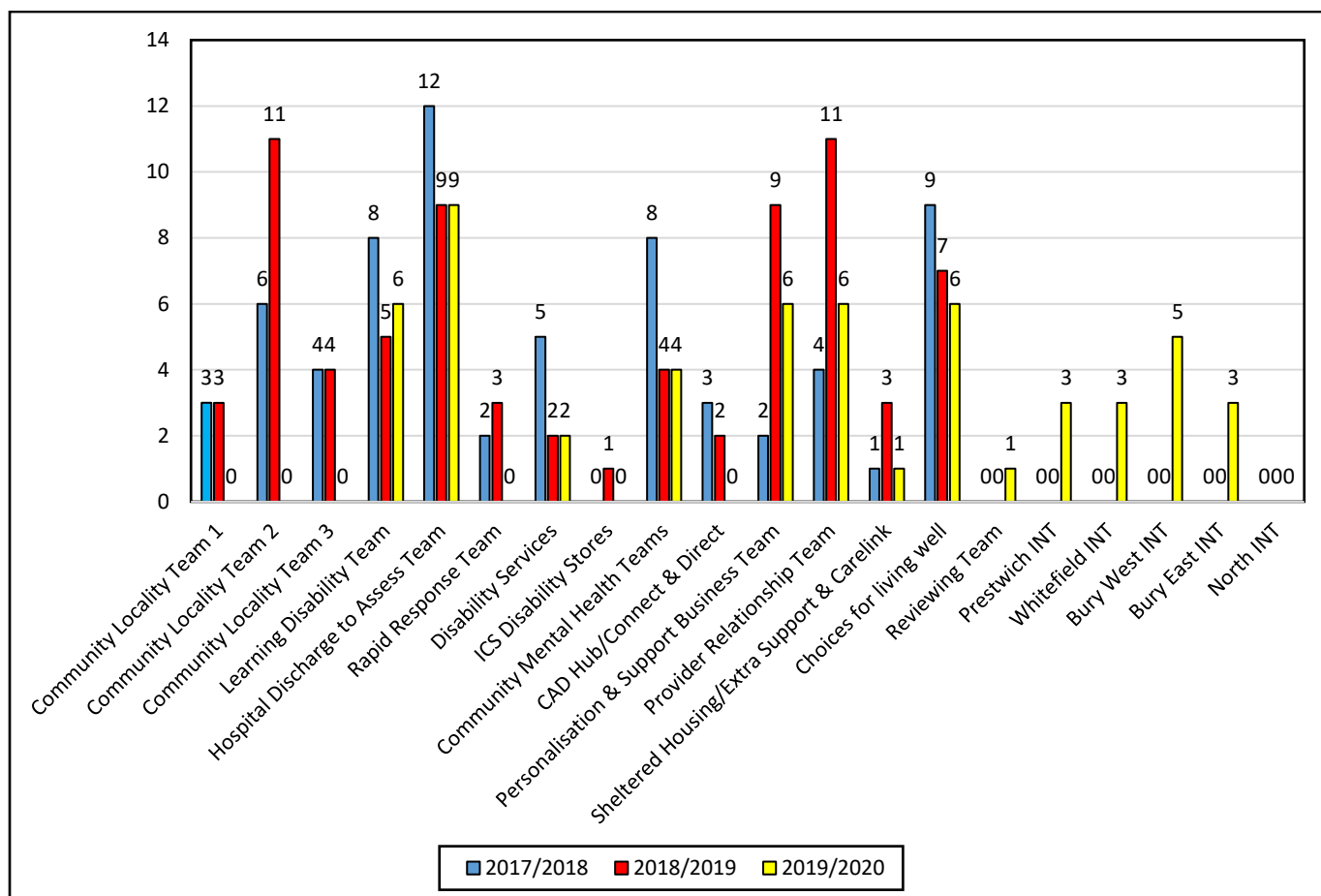
## 4.0 NATURE OF COMPLAINTS



- 4.1 In general there has been a decrease on the most common nature of complaints 'customer care / communications', 'financial charges' and 'quality of service' from the previous years. Although Customer Care and Communications remains the areas customers are most dissatisfied with, there has been no increase or decrease in complaints relating to external agencies and the delays waiting for provision of services and the start of assessments. There has been an increase in complaints related to the conduct of social care staff, and service entitlement.
- 4.2 During the period 2019/2020 although the number of complaints has been slightly reduced it has shown an increase in complaints being upheld/partially upheld. Of the 55 complaints received only 12 were not upheld. In all cases where complaints are received, learning is drawn from the comments received and the subsequent investigation.

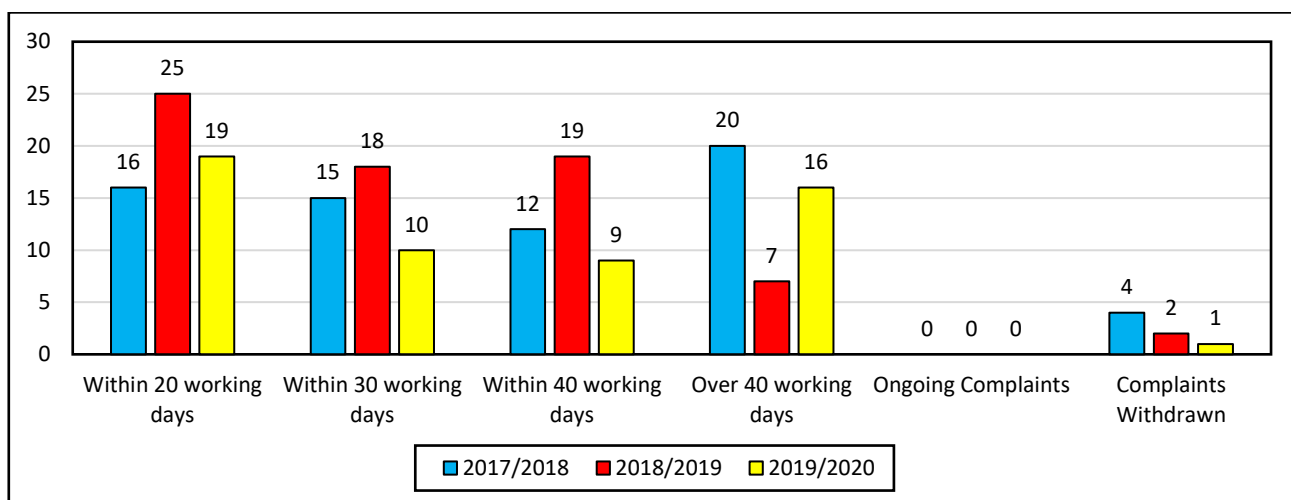
	Total Number of Complaints Received	Complaints Upheld/Partially Upheld	Complaints Not Upheld	Complaints Withdrawn
<b>2017/2018</b>	67	27 (40%)	36 (54%)	4
<b>2018/2019</b>	74	39 (53%)	34 (46%)	2
<b>2019/2020</b>	55	42 (76%)	12 (22%)	1

## 5.0 COMPLAINTS PER TEAM



- 5.1 The Bury Local Care Organisation (LCO) was officially launched on 1<sup>st</sup> April, 2019 as part of the Integration of health and social care Bury transformation plan. This means services will coordinate and deliver using a more joined up approach with less need for people to repeat their story or have too many different professionals being involved in their lives.
- 5.2 Also as part of the transformation plan Bury have brought together their community Social Work and District Nursing teams into 5 new Integrated Neighbourhood teams (INT's), who will work closely together to deliver more joined up care support. This has replaced the previous Community Locality Team 1, 2 and 3 and as a result, like-for-like comparison of complaints received by the current neighbourhood teams is not overall.
- 5.3 In comparison with previous years, the overall number of complaints has decreased this year to 55 from 74 in 2018/2019 and 64 in 2017/2018. The report highlights no significant increase in complaints from a particular service or team, which again is a positive reflection given the level of change and re-organisation of services within the Department over the last year.
- 5.4 All complaints are considered in terms of the learning that they can provide on how to improve the services we provide and help us to make sure our staff are trained to give the correct advice and support.

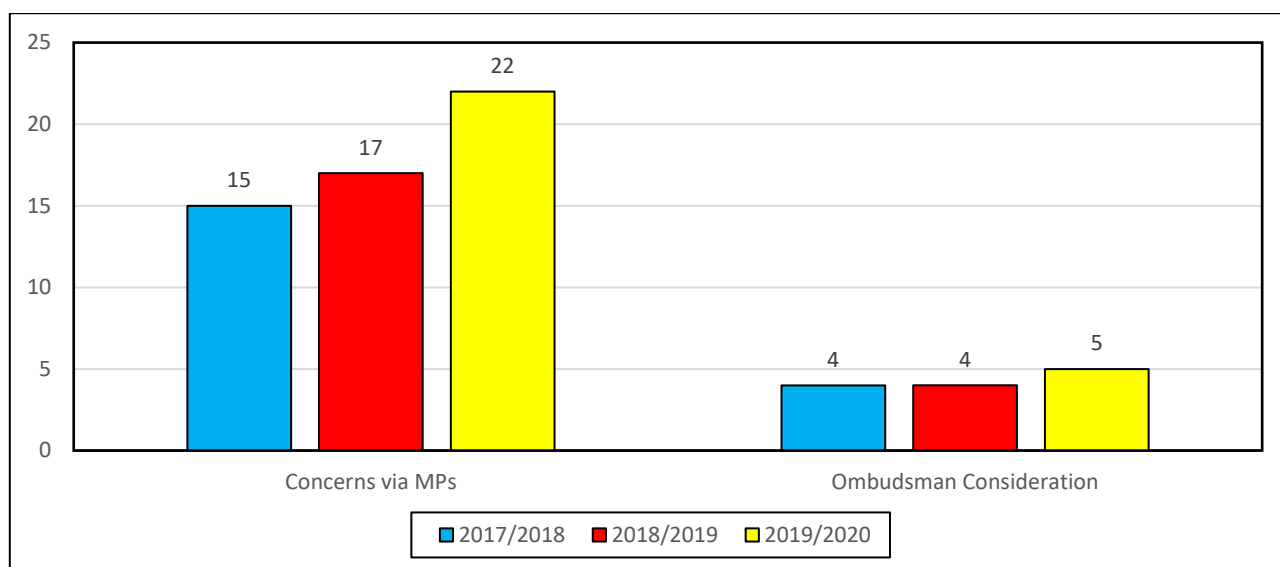
## 6.0 TIMESCALES



- 6.1 Whilst there are no statutory timescales with which the department must comply in responding to complaints, it is acknowledged that when someone has made a complaint, it is important to both them and the Department to resolve the matter as soon as possible in an effective and efficient manner and, wherever possible, to the satisfaction of the complainant. The aim, therefore, is to send a written response to a complaint within 20 working days. The complainant will be advised of this by the Complaints Team. If a response within the 20 working day timescale is not possible the complainant will be advised of any delay, the reason for the delay and provided with a new response date. For more complex complaints which involve different service areas, 3<sup>rd</sup> party organisations, for example NHS providers, timescales will exceed the 20 working days.
- 6.2 It is for the council and complainant to agree how the complaint will be handled, the likely duration of the investigation and when the complainant can expect to receive a response.
- 6.3 In 2019/20 19 (34%) of complaints were responded to within the 20 working day timescales, 35 (64%) of complaints were responded to outside of the 20 working day timescales, 16 (29%) of those were over 40 working days. Complaints responded to over 40 working days is a significant increase from the previous year. This is likely due to the complexity of the complaint where several departments or other organisations have been party to all or some of the complaint subject areas, complex and involved collation of information required from a number of different services areas. These can often result in increased response times.
- 6.4 Of the 16 complaints responded to over 40 working days 6 of those delays were as a result of the Covid-19 crisis. At the beginning of 2020 the Covid-19 pandemic had an effect on receiving and responding to complaints. The Local Government Social Care Ombudsman's office advised they still expected local authorities and care providers to respond appropriately to any complaints they received during that time, but understood that they may look different to the normal arrangements.

- 6.5 The response to the Covid-19 pandemic disrupted services and staff were deployed to meet priority needs. New and existing complaints were unfortunately subject to delay, this was to allow staff to cover urgent and priority work to meet the demand.
- 6.6 Of the complaints responded to outside of the 20 working day timescales all complainants were kept updated on the delay, the reason for the delay and provided with a new response date.

## **7.0 MP CONCERNS AND LOCAL GOVERNMENT SOCIAL CARE OMBUDSMAN CONSIDERATIONS / ENQUIRIES**



- 7.1 As has been previously mentioned, concerns raised on behalf of constituents by Members of Parliament are recorded separately. There has been a year-on-year increase in the number of MP concerns raised, with 22 logged in 2019/2020.
- 7.2 In 2018, the Council introduced the Councillors Casework system. The Councillors Casework system is now managed within the contact centre, currently using email to request a casework enquiry and using spreadsheets to manage the casework. It should therefore be noted Councillors enquiries are no longer recorded and reported on within this report.
- 7.3 If a complainant remained dissatisfied with the Council's final decision they can approach the Local Government and Social Care Ombudsman (LGSCO). The number of complaints referred to the LGSCO has remained stable, at 5 cases being considered. It is important to note that most complaints are resolved satisfactorily, and are not referred to the LGSCO. Of those that were referred the Council has been found to have acted appropriately in 2 cases, 1 case being considered as premature and referred back to the council for investigation, 1 case ongoing and 1 case the ombudsman found fault and recommended financial remedy.

## 8.0 COMPLIMENTS

- 8.1 In addition to complaints received, the department also records the number of compliments.

Total number of Compliments received 2018/2019	Total number of Compliments received 2019/2020
207	212

Service Area	2018/2019	2019/2020
Community Locality Team 1	2	0
Community Locality Team 2	3	0
Community Locality Team 3	1	0
Hospital Discharge to Assess Team	8	6
Choices for Living Well – Intermediate Care Reablement/Killelea	122	165
Sheltered Housing /Carelink / Support at Home	1	0
ICES Disability Stores	4	2
Learning Disability Team	0	2
Community Mental Health Teams	1	1
CAD Hub/Connect & Direct	1	7
Personalisation and Support Business Team	2	5
Rapid Response Team	20	7
Disability Services	10	8
Older Peoples Staying Well Team	32	14
Prestwich INT	0	0
Whitefield INT	0	5
Bury East INT	0	0
North INT	0	2
Bury West INT	0	0

- 8.2 In 2019/2020 there has been a slight increase to 212 compliments when compared with the 2018/19 figure of 207. There are some areas where the number of compliments received have decreased notably from 2018/19, for example the Rapid Response Team and Older Peoples Staying Well Team. Team Managers have been contacted and encouraged to record and share all compliments received.
- 8.3 Compliments received relating to individual members of staff are acknowledged in writing to the sender by their Manager and the member of staff is sent a personal thank you card by the Executive Director. A copy is also placed on the individual's personnel record.



8.4 Below are some examples of positive feedback we received from people receiving a service:-

- *"As a family we would like to take this opportunity to thank all involved and for the empathy, excellent communication throughout in prioritising Ms X's holistic views and working to return her home as soon as possible"* **Whitefield INT.**
- *"Want to say a big thank you for all the help over the last 2 weeks. You will never know how much difference you have made at a very stressful time and it is truly appreciated"* **Hospital Social Work Team.**
- *"Thank you for all your help in finding appropriate residential care. You acted very quickly and efficiently but also with compassion and understanding and we are very grateful and relieved to know mum will be safe and in a caring environment"* **Discharge to Assess Team.**
- *"Thank you, you could not have been nicer. It was very considerate of you in making the appointment later in the morning. You put me at ease and explained what would be happening"* **Disability Services.**
- *"Wanted to convey their gratitude on the O/T's superb attitude and detailed assessment. They wanted to express their gratitude and make sure that all appropriate people are aware of the fantastic work she is doing"* **CAD Hub – Blue Badge Assessment.**
- *"I feel I must write to thank the team responsible for my care and rehabilitation and also the team working on my behalf in the background. I can't express my gratitude enough for all the good work that has taken place from all parties concerned with my recovery. I was particularly touched by the efforts put in to the Christmas and New Year festivities for the residents at Killelea"* **Choices for Living Well – Killelea IMC.**
- *"Thanks for seeing my mum this morning and spending time to carefully document her health and social care needs. We found your support extremely helpful".* **Older People's Staying Well Team.**

## 9.0 LEARNING FROM COMPLAINTS

- 9.1 While complaints highlight where customers are dissatisfied with the services they have received, they are also beneficial in helping to develop lessons learned so any mistakes are not repeated and also to improve services.
- 9.2 Examples of action taken in response to investigation findings to improve services:

Complaint	Lessons Learnt
Quality of service provided by finance section, Personal budget delays and confusing application form.	The Financial Assessment Form and all associated letters and Factsheets were reviewed, refreshed and revised in February 2020.
Communication issues regarding not being informed of home care charges.	Senior manager attended team meeting to speak about the importance of communication, especially relating to financial charges in relation to the care received.
Care agency incorrect submission of care hour claims.	Care at Home review has started with contractual amendments being made to ensure appropriate compliance with Electronic Care Monitoring requirements. In the interim, Provider Relationship Officers will now be actively downloading visit reports from each provider and scrutinising to ensure they have been completed appropriately and are in line with Care at Home contract.
Why a referral was made for an extra care scheme when the care and support needs were too high and could not have been met within the scheme.	The panel deciding applications for Extra Care Schemes in the borough had no written criteria, as a result of this we are writing one, including terms of reference and an appeal process.

## **10.0 SUMMARY AND CONCLUSIONS**

- 10.1 Despite rising demands, pressures and expectations of the services from customers, the number / proportion of complaints received in each of the last two years has remained stable showing a slight reduction in 2019/2020.
- 10.2 Similarly, the number of concerns escalated to Members of Parliament and local councillors has remained stable.
- 10.3 Positively, to date the number of complaints escalated to the LGSCO has remained stable with only 1 of the 5 cases deeming the Council has been at fault.
- 10.4 Overall, and despite increased pressures on services, it is positive that the proportion of people who have made a complaint to the Council's Adult Social Care Department about the services they have received from the department has remained low over the last 12 months.

In 2018/19 - 7,293 people received a short or long term service or had some form of contact with the Connect and Direct (CAD) hub with a request for support, with 74 complaints equating to 1.02%.

In 2019/20 - 6,637 people received a short or long term service or had some form of contact with the Connect and Direct (CAD) hub with a request for support, with 55 complaints equating to 0.83%.

- 10.5 The Council will continue to seek to learn from complaints, concerns and compliments raised with them.
- 10.6 New ways of working with the formation of Integrated Neighbourhood Teams and more integrated partnership working with Health colleagues will also provide new opportunities to improve and develop service delivery.
- 10.7 Complaints and compliments provide valuable information to the department on how well it is performing, where resources need to be used, and where improvements need to be made. Details of all complaints, concerns and compliments are provided to senior officers on a monthly basis, enabling them to identify any trends or issues within the services they are responsible for.