

REPORT TO HEALTH SCRUTINY COMMITTEE

Title:	ANNUAL COMPLAINTS REPORT – ADULT SOCIAL CARE SERVICES – FOR INFORMATION ONLY
Date of Meeting:	Strategic Management Team 9 June 2014 Health Scrutiny 22 July 2014
Report from :	Pat Jones-Greenhalgh, Executive Director of Communities and Wellbeing
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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 2013 to 31 March 2014 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 2013/14. More frequent monitoring is undertaken by the Adult Care Services Strategic Management Team 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 services 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 It is not easy for some customers to make a 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 Services Manager (Complaints) 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 (including Councillors and MPs) – providing any necessary and appropriate consent has been received which enables personal information to be shared.
- 3.5 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.
- 3.6 In order to ensure any safeguarding issues which are contained within social care complaints are captured and processed through the Safeguarding Procedures, the Customer Services Manager (Complaints) and the Safeguarding Co-ordinator 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 2013 to 31 March 2014 and includes:-
- A comparative study of the number of complaints received for the period 2011/12, 2012/13 and 2013/14 (Fig. 1)
 - A comparative study of the nature of complaints received for the period 2012/13 and 2013/14 (Fig. 2)
 - A comparative study of the number of complaints received by Teams for the period 2012/13 and 2013/14 (Fig. 3)
 - A comparative study of the time taken to resolve complaints for the period 2012/13 and 2013/14 (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 2012/13 and 2013/14 (Fig. 5)
 - The number of compliments received and the service area they relate to 2013/14 (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 The headline statistic is that the total number of complaints received during 2013/2014 (74) has reduced from the previous year (84). Although this may be considered a small reduction in terms of numbers, it is significant given the changes to services which have taken place within the Department over the last year together with decreased budgets and resources.

Together with the fact that this is the third successive year the number of complaints has shown a reduction is evidence the Department manages change better and that staff are effective in handling concerns raised at the first point of contact, to prevent escalation to a formal complaint.

4.3 In relation to the volume of complaints, the Assessment and Reintegration Team received the highest number 33% (25). This is followed by 20% (15) complaints relating to the Vulnerable Adults Team. The numbers of complaints against other teams are relatively small when considered over a twelve month period i.e. 7 or lower.

4.4 With respect to timescales, over 36% of complaints were responded to within 30 working days of the complaint being received.

4.5 The number of concerns raised by Members of Parliament and local Councillors has decreased by 29%, from 14 in 2012/13 to 10 last year.

4.6 The number of Local Government Ombudsman (LGO) enquiries the Department received and dealt with during 2013/14 was 3 – a decrease of 7 or 30% on the previous year. Following information provided by the Department to the LGO, the outcomes to these three cases were:

1. The LGO decided not to investigate further because the Council had not caused the customer an injustice and closed the case
2. The LGO decided that although the Council did not apply the *Halfway Home* criteria properly, they were satisfied with the actions taken by the Council and closed the case
3. The Parliamentary Health Service Ombudsman (PHSO) and the LGO jointly considered the complaint and came to a decision that the Council and Pennine Care NHS Foundation Trust were both at fault. The Trust should have communicated a decision to the Council so that a decision could be made on whether any follow up action was necessary. The PHSO and the LGO were both satisfied with the agreed action taken by both organisations to suitably remedy the complaint and closed the matter.

4.7 To put the total number of complaints in context, the Department provides services to approximately 5,069 individuals. 74 complaints therefore equates to 1.4% of customers.

- 4.8 The Department received 424 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.
- 4.9 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 20013/14 have resulted in improvements or changes to services. These are listed in Appendix 3.

5.0 CONCLUSIONS

- 5.1 The number of complaints has reduced despite some major changes to services.
- 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 will be a challenge in an environment of rising demand and diminishing resources.

Appendices 1, 2 and 3 attached