

REPORT TO HEALTH SCRUTINY COMMITTEE

Title:	ANNUAL COMPLAINTS REPORT – ADULT SOCIAL CARE SERVICES – FOR INFORMATION ONLY
Date of Meeting:	Strategic Management Team 15 June 2015 Health Scrutiny 27 July 2015
Report from :	Pat Jones-Greenhalgh, Executive Director of Department of Communities & 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 2014 to 31 March 2015 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 2014/15. More frequent monitoring is undertaken by the Department of Communities and Wellbeing's 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 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 (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 Engagement Manager 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 2014 to 31 March 2015 and includes:-
 - A comparative study of the number of complaints received for the period 2012/13, 2013/14 and 2014/15 (Fig. 1)
 - A comparative study of the nature of complaints received for the period 2013/14 and 2014/15 (Fig. 2)
 - The number of complaints received by Teams for the period 2013/14 and 2014/15 (Fig. 3)
 - A comparative study of the time taken to resolve complaints for the period 2013/14 and 2014/15 (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 2013/14 and 2014/15 (Fig. 5)
 - The number of compliments received and the service area they relate to 2014/15 (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 From 7 July 2014 there was a major reconfiguration of the Assessment and Care Management Community Teams. These were split into locality teams as it is considered a localities model is most efficient, beneficial and connects to the wider Social Care and Health Agenda. It is believed that service access, appropriate resources and delivery can be further developed by working in localities which is also closer to the customer and the community in which they live. It was felt this change would support the wider reconfiguration and models of service delivery from other agencies and partners and thus provide a more efficient, effective and multi-disciplinary approach to our work.

By reconfiguring teams into localities, the customer journey is consistent and clear, removing the risk or need to move from team to team depending on changing circumstances.

Thus, the Assessment and Reintegration Team, the Vulnerable Adults team and the Learning Disability Team became three community teams with each team covering two townships:

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

4.3 Although the total number of complaints received over the last year has increased slightly (by 5), this should be viewed in the context that this figure is still a decrease when compared to 2012/13.

4.4 With respect to timescales, over 68% 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 almost doubled - from 10 in 2013/14 to 19 last year.

4.6 The number of Local Government Ombudsman (LGO) enquiries the Department received and dealt with during 2014/15 was 2 – a decrease of 1 or 33% on the previous year. Following information provided by the Department to the LGO, the outcomes to these two cases were:

1. The complainant disagreed with the council's decision that he did not meet the eligibility criteria for the issue of a Disabled Blue Badge.

Following investigation from the LGO and a request for information around the process used by the Council to determine eligibility, the LGO found no evidence of fault in the way the decision was made by the Council.

2. The outcome of the LGO's investigation to the second enquiry is still awaited but indications are this should be within the next month.

- 4.7 To put the total number of complaints in context, the Department provides services to approximately 4,886 individuals. 79 complaints therefore equates to 1.5% of customers.
- 4.8 The Department received 410 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 2014/15 have resulted in improvements or changes to services. These are listed in Appendix 3.

5.0 CONCLUSIONS

- 5.1 The number of complaints has increased slightly (by 5) despite re-configuration of services and the organisation structure of the wider Council, merging from 4 Directorates to 3.
- 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.

6.0 THE FUTURE

- 6.1 Work has already started to explore the possibility of storing complaints information on the Department's electronic recording system which currently stores customers' social care records.

Initial indications are that this is possible and draft forms are currently being trialled.

It is proposed to expand this to include compliments, concerns raised by MP's and Elected Members and enquiries from the Local Government Ombudsman.

Hard copies of information and correspondence relating to complaints currently needs 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.

- 6.2 Additionally, in the coming months, the Customer Engagement Manager will be emphasising to Managers the advantages of resolving complaints informally

and quickly, within 48 hours, without the need to engage the complaints process. This option is acceptable under the Complaint Regulations and reduces the amount of time required in recording complaints and writing responses

The attached flowchart demonstrates this process

Key to informal resolution is the 48 hour timeframe – if resolution is not achievable then the complaint will follow the formal Complaints Procedure. Similarly, if a customer requests that their complaint is dealt with through the Complaints Procedure, then this would be adhered to.

Appendices 1, 2 and 3 attached