

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ADULT SOCIAL CARE & HEALTH SERVICES

TO:	ADULT SOCIAL CARE, CHILDREN'S SERVICES & EDUCATION COMMITTEE		
DATE:	5 APRIL 2018	AGENDA ITEM:	9
TITLE:	ANNUAL COMPLAINTS AND COMPLIMENTS REPORT 2016 - 2017 FOR ADULT SOCIAL CARE		
LEAD COUNCILLOR:	COUNCILLOR EDEN	PORTFOLIO:	ADULT SERVICES
SERVICE:	ADULT SOCIAL CARE & HEALTH	WARDS:	BOROUGHWIDE
LEAD OFFICER:	NAYANA GEORGE	TEL:	0118 937 3748
JOB TITLE:	CUSTOMER RELATIONS MANAGER	E-MAIL:	<a href="mailto:Nayana.george@reading.gov.uk">Nayana.george@reading.gov.uk</a>

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1 Adult Social Care recognises that there will be occasions when things do go wrong and complaints are made. This short report tells you how many complaints were received in 2016/17 and were dealt with using either the Council's Corporate Complaints Procedure or the Statutory Complaints Procedure for Adult Social Care. It also summarises the main types of complaints we have received and gives some examples where we have improved as a result of learning from these complaints.

1.1 The purpose of this report is to provide an overview of complaints and compliments activity and performance for Adult Social Care for the period from 1 April 2016 to 31 March 2017.

1.2 A summary of Adult Social Care Complaints and Compliments 2016/17 - is at Appendix A. This will also be made publicly available through the Council's website from 9 April 2018.

2. RECOMMENDED ACTION

2.1 That the Committee notes the contents of the report.

3. POLICY CONTEXT

3.1 Local Authority Social Services and National Health Service Complaints (England) Regulations 2009. Require that Local Authorities operate the procedure. In September 2009, the Department of Health introduced a new complaint procedure to cover both adult social care and health services. This meant a 3 stage complaints procedure became a 1 stage complaints procedure. Following investigation of the complaint by the Council, if the complainant is not satisfied with the outcome the complainant is advised to contact the Customer Relations Manager, to share their concerns with a view to possibly reviewing them with a senior manager or proceed to the Local Government Ombudsman.

3.2 Complaints relating to Adult Social Care that fall outside of the scope of the statutory process are investigated in accordance with the Council's Corporate Complaints Procedure.

3.2. Compliments can be an indicator of when the Council has performed well and can highlight the positive outcomes of the public who are in contact with us or that we provide a service to.

#### 4. ACTIVITY

4.1 The Council operates a 1 stage complaints procedure in respect of statutory complaints about Adult Social Care made by 'qualifying individuals', as specified in the legislation. Qualifying individuals are defined in national guidance as the Service User or their appointed representative which can be a family member, friend or Advocate. The timescale for responding to complaints is between 15 working days and 3 months, depending on the seriousness and complexity of the complaint. The guidance provides a risk matrix to assist the Customer Relations Manager, who is the designated Complaints Manager for the Council, to assess the complaint.

Reading Borough Council's Corporate Complaints Procedure gives an opportunity for those who are not 'qualifying individuals' under the social services legislation, to still be able to complain about Adult Social Care.

#### 5. CONTRIBUTION TO STRATEGIC AIMS

5.1 The Complaints Service provided by the Customer Relations Team contributes to the Service's aims to enhance emotional wellbeing and deliver outstanding services for service users who may be dissatisfied with the Adult Social Care service and those needing protection through Adult Safeguarding. It does this by providing impartial and supportive service to service users and their families who wish to complain or raise a concern and ensuring that there is learning from complaints.

#### 6. COMMUNITY ENGAGEMENT AND INFORMATION

6.1 Information about the complaints or compliments process is provided verbally to service users via the Social Care Teams as well as the Customer Relations Team. Leaflets on the procedures are also widely distributed by the Social Care Teams and available in a variety of formats and languages on request.

6.2 Service Users are reminded of their right to complain or make a compliment and a leaflet is given out when the social worker first meets with them. Service users and/or their representative can also register a complaint via the web, e-mail direct to the Customer Relations Team, in person, by phone, in writing or via an advocate.

6.3 Translation services are provided for complainants whose first language is not English and advocacy support is available for those people who wish to make a complaint.

## **7. EQUALITY IMPACT ASSESSMENT**

- 7.1 The Customer Relations Manager will ensure that the statutory complaints/compliments process is accessible to all customers regardless of their race, gender, disabilities, sexual orientation, age or religious belief.
- 7.2 The statutory complaints process is designed to ensure that any concern or issue faced by the service user or their representative is addressed in a timely and impartial manner.

## **8. LEGAL IMPLICATIONS**

- 8.1 The Statutory foundations for the Adult Social Care Services Complaints Procedures are The Local Authority Social Services Act (1970), The Human Rights Act (1998), Statutory Instruments 2009 No.309 National Health Service, England Social Care, England. The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.

## **9. FINANCIAL IMPLICATIONS**

- 9.1 There are no Capital or Revenue implications arising from this report.

The Council's Customer Relations Team provides value for money in effectively discharging the complaints process for the Council by attempting informal resolution of complaints.

There are no specific financial risks arising from this report.

## **10. BACKGROUND PAPERS**

- 10.1 Department of Health, Advice Sheet for Investigating Complaints - Listening, Responding, Learning.

APPENDIX A

# ADULT'S SOCIAL CARE COMPLAINTS & COMPLIMENTS 2016/17 SUMMARY REPORT

## Introduction

This is a summary report of the data for complaints/compliments received by Adult Social Care for the financial year 2016/17.

The Council welcomes feedback through the complaints/compliments process which, as well as providing the opportunity to identify where services have not been provided as they should be, also provides customer insight and helps identify any deficiency in practice, policies and procedures. It is from these that the Service and those who work in it can continue to learn and improve practice and service delivery.

## Statutory Complaints Procedure

General complains about Adult Social Care received from Service Users or their approved representatives (Family Member, Advocate or Power of Attorney) are dealt with through the statutory procedure. This will be one investigation by a senior officer in the relevant service area (Team Manager) and then signed off by either a Service Manager or Head of Service.

At the Complaint's or their representative's request, an external, independent investigator can be appointed to investigate if the Customer Relations Manager deem the complaints to be at medium or high risk. The Following Risk Matrix is used to assess the complaint.

### Risk Matrix

This matrix will be used by the Customer Relations Manager in confirming the level of Risk once an expression of concern is being considered within the formal complaints procedure.

		LIKELIHOOD OF RECURRENCE				
		Rare	Unlikely	Possible	Likely	Almost certain
SERIOUSNESS	Low	Low	Low	Low	Moderate	Moderate
		Low	Moderate	Moderate	High	High
	Moderate	Low	Moderate	High	High	Extreme
		Moderate	Moderate	High	High	Extreme
	High	Moderate	High	High	Extreme	Extreme
		Moderate	High	Extreme	Extreme	Extreme

## Time Limits

Level of Risk	Maximum Time Limit for Completion
Immediate resolution	1 working day - confirm outcome
All accepted as formal complaints	Acknowledge within 3 working days
Low	15 working days
Moderate	25 working days
High	65 working days
Extreme	Up to 6 months

If the complainant feels that the issues they have raised remain unresolved, they have the right to request a meeting with the Service Manager/Head of Service and the Customer Relations Manager or refer their complaint to the Local Government Ombudsman.

The Statutory Complaints process encourages the complainant and the Local Authority to consider resolving a complaint or concern informally through a face to face meeting or telephone discussion. It is the complainant's right to request the presence of the Customer Relations Manager at any face-to-face meeting.

Some complaints may require immediate action including whether the matter should be considered as a **Safeguarding** issue. If it is a safeguarding issue, the relevant procedures would take precedence over the complaints procedure.

### Corporate Complaints Procedure

The Corporate Complaints Procedure deals with complaints which do not meet the criteria for investigation through the Statutory Procedure (for example the complaint is made by a Provider or a family member who do not have consent from the Service User to make the complaint) and is a two stage process. The first stage provides an opportunity for a local resolution of any problems which may arise and it is expected that the majority of complaints will be sorted out at this level, usually within 20 working days or less. Where the problems cannot be resolved to the complainant's satisfaction at a local level, stage 2 of the process involves the investigation of the complaint by a more senior member of staff, usually within 30 working days or less and with a formal sign off by the Head of Service.

Where the complainant feels that the issues they have raised remain unresolved, they have the right to refer their complaint to the Local Government Ombudsman.

### Summary of Compliments and Complaints Activity, Quality Assurance & Learning

This report details information for the past year together with analysis of the data, quality assurance and information on service developments as a result of learning from complaints. Under the current monitoring system, information about complaints received directly by teams is reported to the Customer Relations Manager upon receipt. This is to ensure that the Customer Relations Manager is aware of all current complaints in order to monitor their progress and highlight cases that can be resolved through Alternate Dispute Resolution (ADR) to Team Managers and senior staff.

## Corporate Complaints

### Total Number of Corporate Complaints Received 2013 - 2017

	Total No. Received	Stage 0	Stage 1	Stage 2
2013/14	2	2	0	0
2014/15	12	3	9	0
2015/16	29	8	20	1
2016/17	5	3	2	0

### Outcomes for complaints investigated formally in 2016/17

Upheld	Part Upheld	Not Upheld	No Outcome	Multiple Outcomes	Withdrawn
1	0	0	0	0	1

### Timescales for those investigated in 2016/17

In Timescale	Over Timescale
0	1

### Spread of Complaints across Teams in 2016/17

Team	Number	% of Total
Contracts & Commissioning	2	40%
Financial Assessments & Benefits	2	40%
Long-Term Support	1	20%

### Themes

Theme	Number	% of Total
Blue Badge	1	20%
Carer	1	20%
Financial Issue	1	20%
Staff Conduct	2	40%

### Category of Complainant

Category	Number	% of Total
Carer	3	60%
Older (Over 65)	1	20%
Physical/Sensory Disability	1	20%

### How Was Complaint Received

Method	Number	% of Total
E-mail	1	20%
Letter	3	60%
Telephone	1	20%

## Statutory Complaints

### Total Number of Statutory Complaints Received in 2013 - 2017

	Total No. Received	Stage 0	Stage 1
2013/14	80	37	43
2014/15	45	14	31
2015/16	86	33	53
2016/17	62	20	42

### Outcomes of complaints investigated formally in 2016/17

Upheld	Part Upheld	Not Upheld	No Outcome	Multiple Outcome	Withdrawn
6	10	3	4	10	9

### Timescales in 2016/17

In Timescale	Over Timescale
11	22

**Note:** The statutory complaints above, we worked to an initial 15 working day response date extending to no more than 20 working days.

### Spread of Complaints across Teams

Team	Number Received	% of Total
Adult Disability	14	22.6%
Community Mental Health	5	8.1%
Community Reablement	1	1.6%
Contracts & Commissioning	3	4.8%
Financial Assessments & Benefits	6	9.7%
Intermediate Care	13	21%
Long-Term Support	14	22.6%
Personal Budget Support	3	4.8%
Safeguarding Adults	1	1.6%
Shared Lives	1	1.6%
Single Point of Access	1	1.6%

### Themes

Theme	Number	% of Total
Communication	5	8.1%
Financial Issue	11	17.7%
Lack of Consultation	1	1.6%
Lack of Support	1	1.6%
Placement	1	1.6%
Safeguarding Issue	1	1.6%
Service Provision	29	46.8%
Staff Conduct	13	21%

## Category of complainant

Category	Number	% of Total
Carer	12	19.4%
Learning Disabled	6	9.7%
Mental Health	3	4.8%
Older (Over 65)	21	33.8%
Physical/Sensory Disability	20	32.3%

## How Was Complaint Received

Method	Number	% of Total
E-mail	16	25.8%
Feedback/Complaint Form	3	4.8%
In Person/Visit	2	3.2%
Letter	9	14.5%
Telephone	30	48.5%
Webform	2	3.2%

## Learning & Service Improvements following Complaints received

Complaints and concerns provide essential and valuable feedback from our clients and customers. Listening to customers and reflecting on examples of where we have not got it right can reveal or highlight opportunities for improvement (for example, a deficiency in practice, communication or service delivery). Even if a complaint is not upheld, lessons can be learnt from that complaint with service developments and improvements as a result. The complaints process and the feedback gained is an integral part of the quality assurance process, which feeds into the development and monitoring of services. Learning from complaints should be reviewed by Social Care teams regularly at their team meetings. Below are some examples of learning from complaints in the past year along with a key service improvements as a result of complaints received.

Complaint: Service User given incorrect information about entitlement to support whilst on Section 7 leave (this is leave granted for people who have been received into Guardianship under the Mental Health Act 1983) and support package not put into place in a timely manner.

Learning:

- Joint discharge planning arrangements with NHS Provider to be reviewed to provide clarity on the responsibilities of both agencies in cases of Section 17 leave.
- Provide clarity on key working responsibilities.
- Joint discharge planning arrangements with NHS Provider to be reviewed to provide clarity on the need for all support arrangements to be in place prior to discharge.

Complaint:

The process of moving Service User into his current accommodation - concerned about the lack of discussion with and, involvement of the family and, about incomplete information provided.

Learning:

- Developed a shared written agreement about best practice in working with Service Users and their families to achieve a good transition from one service to another. This agreement is then to be used as a 'checklist' to support practice around this important matter
- 

Complaint:

Following the death of the Service User, the daughter was left to deal with a number of things including equipment which caused distress.

Learning:

- Contract with Provider refreshed to deal with timeliness of collection of equipment

**Service improvements:**

Hospital discharges - the pathway for people ready for discharge from the hospital has improved in the last year.

The Short Term Team was split into 2 functions, the Community and the Hospital Discharge Service.

The Hospital Discharge Service is managed by a Senior Social Worker, there is a named worker for each Hospital, and they have a presence in there.

The communication and working practices between the Health and Social Care Teams has positively increased, the Trusted Assessor Pathway has also impacted on reducing the number of days people are waiting to be discharged from hospital.

Continuing Health Care-

The Continuing Health Care (CHC) service was brought back to Reading Borough Council from a neighbouring Council.

The referrals to CHC and attendance at the CHC Panel are managed by the Short Term Team, individual staff members from across the service attend the Multi-Disciplinary Team meeting at which the Decision Support Tool is discussed. This decision was to ensure that the Department is aware of the progress with CHC cases.

Financial Assessments -

The information shared with individuals who receive a Financial Assessment has been improved to ensure that individuals and their families are aware of the process and their assets which are taken into account when an individual is financially assessed. This has improved the financial assessment process for families and for social workers as it added clarity for all.

## **Benchmarking**

Attempts to collate information from our neighbouring authorities have proven to be difficult over the years. This has been attempted through the Southern Regional Complaints Managers group which the Customer Relations Manager is a member of, as such this information cannot be provided within this report.

## **Quality Assurance**



Community Reablement	-	117
Deputy's Team	-	1
Intermediate Care	-	4
Long-Term Support	-	10
Maples Centre	-	2
Personal Budget Support	-	1
Right 4 U	-	3
Safeguarding	-	1
Single Point of Access	-	3
The Willows	-	1

The following are some examples of compliments received:

#### **Intermediate Care Team**

Dear N,

Thank you so much for your email. The holiday was lovely thank you and my mum seemed to be happy with all the additional care (I'm not sure she even remembers that I was away... which is probably a good thing!).

I am very sorry that you will no longer be my mum's allocated worker as your support to date has been amazing and I'm not sure I would have got through everything without it... I really, really appreciate everything you have done for both of us. You have surpassed all expected requirements in your support and I will miss having you "there" for us. However, I do wish you all the very best going forward.

Thanks again,

B

#### **The Maples - Day Centre**

I spoke with J regarding the service she receives at The Maples and she is over the moon with her day at the Maples, she had said that nothing is too much trouble for the staff, they are always looking out for her and she feels safe and supported.

#### **Single Point of Access**

S has been amazing in helping my mother to be awarded a flat in Cornerstones, Her patience and kindness is unbound...

#### **Long Term Support Team**

I am writing you in about your staff member F.

F has been an absolute angel sent from God. She has helped me get in order where and who to go to to get a Power of Attorney in place. She's passed me on to My Care My Home and told me about Communicare who can help with filling out forms on my grandad's behalf for benefits. She's taken documentation and forwarded on for us. She follows up and even has called just to see how things are going.

She is a credit to the Reading social service team and to you as your employee. .... this lovely lady is a blessing and I'm glad my grandad has a chance to get help by someone who is truly a caring and understanding individual who has listened to every part of this scary process my grandad's been through, I would like to give her credit as it is due.

She loves her job you can tell she is passionate about helping her clients and also very polite and helpful to me as a family member.

So I would just like to thank you for putting Flavia on to this case.

#### **Community Reablement Team**

Family member wanted to thank everyone for all that we have done for dad, they said we are doing an amazing brilliant job.

Everybody was very helpful and understanding and mum was pleased with the help she got. She is now able to do things for herself and is going out with her friends.

Mr M rang on behalf of his wife, the Service is wonderful and attentive, and he doesn't know how they would have managed without it.

It is a fantastic service. The Care Assistants were wonderful and she couldn't manage without their help.

### **Contact Information: How to make a complaint**

Some complaints can be sorted out by discussing your problem with your Social Worker or a manager. If you want to make a complaint, you can contact the Council by phone, letter, in person or by email. Telephone the Customer Relations Manager (Complaints & Representations) on 0118 937 2905 or e-mail: [Socialcare.Complaints@reading.gov.uk](mailto:Socialcare.Complaints@reading.gov.uk). If you wish to make your complaint to us in writing, our address is: The Customer Relations Team, Reading Borough Council, Civic Offices, Bridge Street, Reading, RG1 2LU. Your complaint will be recorded and if we cannot sort out the problem immediately it will be passed for further investigation and action. The Customer Relations Team can take your complaint over the telephone and explain the complaints procedure in more detail or send you a leaflet explaining how to complain. The leaflet is also available in Council buildings or via the Council's website. You can also use these contact details to tell us if you have a concern (but do not want to make a complaint) or if you want to make a compliment about a service.