

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ADULT SOCIAL CARE & HEALTH SERVICES

TO:	ADULT SOCIAL CARE, CHILDREN'S SERVICES & EDUCATION COMMITTEE		
DATE:	30 MARCH 2021	AGENDA ITEM:	14
TITLE:	ANNUAL COMPLAINTS AND COMPLIMENTS REPORT 2019 - 2020 FOR ADULT SOCIAL CARE		
LEAD COUNCILLOR:	COUNCILLOR JONES	PORTFOLIO:	ADULT SERVICES
SERVICE:	ADULT SOCIAL CARE & HEALTH	WARDS:	BOROUGHWIDE
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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 2019/20 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.
- 1.2 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 01 April 2019 to 31 March 2020.
- 1.3 During this period the service received 13 corporate complaints, which is a 44.4% increase over the 9 received in 2018/19, and 84 statutory complaints, which is a 16.7% increase over the 72 received in 2018/19.
- 1.4 The main themes for the period 2019/20 for both corporate and statutory complaints are:
 - Quality of Service Provided
 - Financial Issues
 - Staff Conduct
 - Communication
- 1.5 A summary of Adult Social Care Complaints and Compliments 2019/20 is at Appendix A. This will also be made publicly available through the Council's website from 25 January 2021.

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.

ADULT SOCIAL CARE COMPLAINTS & COMPLIMENTS 2019/20 SUMMARY REPORT

Introduction

This is a summary report of the data for complaints/compliments received by Adult Social Care for the financial year 2019/20.

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 complaints 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 Assistant Director.

At the Complainant's, or their representative's, request, an external, independent investigator can be appointed to investigate if the Customer Relations Manager deems 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 Locality Manager/Deputy Director and the Customer Relations Manager or refer their complaint to the Local Government & Social Care 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 does 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 resolved 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 & Social Care 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

Please Note: The following tables include information for those complaints received and investigated at Stages 0 and 1 only, as complaints which go on to Stage 2 would count as being a duplicate complaint received for reporting purposes.

For information, only 1 request for a Stage 2 complaint was received and investigated during this reporting period.

Total Number of Corporate Complaints Received

	Total No. Received	Stage 0	Stage 1
2015/16	29	8	20
2016/17	5	3	2
2017/18	7	3	4
2018/19	9	1	8
2019/20	13	3	10

Outcomes for complaints investigated formally

Upheld	Part Upheld	Not Upheld	No Outcome	Multiple Outcomes
5	1	6	0	1

Timescales for those investigated

In Timescale	Over Timescale
9	4

Spread of Complaints across Teams

Team	Number	% of Total
Deputy's Team	1	7.69%
Disabled Adults	1	7.69%
Localities Teams	1	7.69%
Long-Term Care	1	7.69%
Safeguarding Adults	3	23.08%
Short-Term Care	5	38.47%
Wellbeing	1	7.69%
Total	13	100

Themes

Theme	Number	% of Total
Communication	1	7.69%
Financial Issue	1	7.69%
Quality of Service Provided	4	30.77%
Staff Conduct	7	53.85%
Total	13	100

How Was Complaint Received

Method	Number	% of Total
E-mail	5	38.46%
Letter	3	23.08%
Telephone	5	38.46%
Total	13	100

Statutory Complaints

Total Number of Statutory Complaints Received in 2013 - 2020

	Total No. Received	Stage 0	Stage 1
2015/16	86	33	53
2016/17	62	20	42
2017/18	77	22	57
2018/19	72	21	51
2019/20	84	30	54

Outcomes of complaints investigated formally

Outcome	No.	% of Total
Upheld	30	35.7%
Partially Upheld	8	9.6%
Not Upheld	30	35.7%
No Outcome	3	3.6%
Multiple Outcomes	7	8.3%
Withdrawn	6	7.1%

Timescales

In Timescale	Over Timescale	Withdrawn
31 (36.9%)	47 (56%)	6 (7.1%)

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
Community Mental Health	7	8.3%
Commissioning	4	4.8%
Community Reablement	1	1.2%
Deputy's Office	2	2.4%
Financial Assessments & Benefits	7	8.3%
Finance	2	2.4%
Localities	33	39.3%
Long-Term Support	6	7.1%
Maples Resource Centre	1	1.2%
Personal Budget Support	2	2.4%
Safeguarding Adults	2	2.4%
Short-Term Team	17	20.2%
Total	84	100

Themes

Theme	Number	% of Total
Communication	3	3.5%
Financial Issue	11	13.1%
Quality of Service Provided	65	77.4%
Staff Conduct	5	6%
Total	84	100

How Was Complaint Received

Method	Number	% of Total
E-mail	32	38.1%
Feedback/Complaint Form	1	1.2%
Letter	17	20.2%
Telephone	25	29.8%
Webform	9	10.7%
Total	84	100

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 key service improvements as a result of complaints received.

Examples of complaints and learning.

Complaint:

Lack of clarity around the cost and charges for care.

Learning -

- The Financial Assessment and Benefits Team to be reminded to always consult and confirm with the service user regarding any earnings and not just use information taken from DWP.
- For the Financial Assessment and Benefits Team to consider a person centered way of communicating with service users who struggle with retaining information or may not receiving correspondences sent i.e. face to face meeting where letters are hand delivered, e-mailing letters etc

Complaint:

Service user lives with a full time-Shared Lives carer and also has Shared Lives support. She is a self-funder. Service User's sister queried the accuracy of the bills she then discovered that the Shared Lives service had not been included in the billing, and so she raised this with the Council who then stopped this service without notice or consultation. This caused distress to both Service User and her sister.

Learning -

- Shared Lives to not end services without ensuring needs will be met and considering the impact on the service user and their family.
- Shared Lives and the Locality Team improve their understanding of each other's services and processes.

Complaint:

- Lack of communication from the allocated Social Worker.
- Lack of communication regarding sourcing potential nursing placements and which homes are being instructed to assess.
- The distress experienced by Service User when a nursing home from Slough visited the ward to assess the Service User and her family were unaware that the home would be visiting.

Learning-

- The importance of Communication will be discussed with all workers in the Hospital Team to ensure that workers respond in a timely way.
- Communication regarding how Reading Borough Council procures services need to be clear and concise. Staff will be trained to be aware of the Commissioning

Team Procurement Services to enable a clearer understanding when delivering information.

- There is a set process for procuring a nursing home placement. Unfortunately the nursing home from Slough did not follow the process. Reading Borough Council will raise this with the provider and will not use their services until measures have been put in place to address this

Service Improvements For 2019/20

Introduced changes to the Disabled Facilities Grant (DFG) process which has seen improvements to the waiting lists, hospital discharges, admissions and readmissions have been noted. For example, stair lifts are now no longer means tested which allows for increased speed in progressing with these adaptations thus waiting times for such adaptations have reduced. Allowing the Service User to leave the hospital sooner.

The Health and Wellbeing at Home Grant which allows for improvements to the home has enabled faster hospital discharges for some patients who may have had to return to unsuitable accommodation or to wait unnecessarily in hospital whilst awaiting support to address these problems.

With the implementation of the Conversation Counts model the Occupational Therapists (OT) have been able to work with greater efficiency to address urgent need of customers that come through the Duty Team. With up to a six-week period to trial and review equipment to explore options to reduce packages of care, the OTs have had the opportunity to get the 'right fit' of support and equipment for customers.

The Contracts and Commissioning Team we were successful in going live with the new Supported Living and Homecare framework on 1st April 20. All the pre-work was completed in the 19/20 financial year.

The framework itself was new and improved from the previous version based on our learnings of what worked well and to achieve it we undertook a huge amount of collaborative work with Providers to get the right outcomes.

Benchmarking

Local Authority	Number of complaints received and investigated	Number/percentage either upheld or partially upheld
Royal borough of Windsor & Maidenhead	27	52%
West Berkshire	80	48.75%
Wokingham	Requested but not provided	
Bracknell	47	10%
Slough	Requested but not provided	

Quality Assurance

The Customer Relations Team carries out checks of all complaint responses to ensure the quality of the response and that the language and terminology used is made easy for the complainant to understand, particularly if the complainant has a disability. We have on occasion asked the investigating officer to translate reports and responses into Easyread.

Statistics indicate 100% of responses were checked by the Customer Relations Team before being sent out. The Customer Relations Manager and the Team are also available to the complainant and the investigator for advice on best practice during the complaint investigation, but remain impartial.

The Customer Relations Manager will deliver training on investigating and responding to complaints on request. The Corporate Complaints Procedure is available on-line. The Adult Social Care statutory procedure is available on-line also. The Customer Relations Manager attends Team Meetings to provide training and advice to Team and Service Managers when required. The Customer Relations Team has also improved processes to ensure upcoming responses are discussed and monitored at weekly meetings. The Social Care staff are in more regular contact with the Customer Relations Manager and her team and are aware of their processes which has led to improved joint working for the benefit of the complainant.

Support Network

The Customer Relations Manager is the Vice Chair and participates in the Southern Region Complaints Managers' Group, which continues to support Customer Relations and Complaints Managers in sharing good practice, both nationally and locally. Where cases are complex the Customer Relations Manager often seeks advice and guidance from Legal Services and the Local Government Ombudsman's advice line.

Local Government & Social Care Ombudsman

The Local Government & Social Care Ombudsman's role is to investigate complaints about maladministration or administrative fault that lead to injustice for the complainant. In some complaints the Local Ombudsman may find evidence of administrative fault but no resultant injustice. The Local Ombudsman should not investigate complaints about policy changes where the decision has been properly made.

Between 1 April 2019 and 31 March 2020 the Local Government & Social Care Ombudsman (LG&SCO) received 7 representations from dissatisfied service users for issues relating to Adult Care & Health Services, which is 5 less than the previous year. Of these 7 cases, 3 had not been through the Council's Complaints Procedure, so were rejected by the LGO as premature referrals. 4 were investigated with 2 being upheld and 2 were closed with no further investigation required.

In respect of two upheld complaints the Ombudsman, asked the Council to apologise and provided financial redress, to recognise the stress.

The Ombudsman did not issue any formal reports finding maladministration by the Council.

Compliments

The Customer Relations Team owns the logging of compliments for the Council as a whole. Staff are reminded and encouraged to pass on all compliments to the Customer Relations Team's generic mailbox.

In the year 2019/20, 29 compliments were received by the following Teams:

Community Reablement Team - 1
Deputy's Team - 1
Minor Works - 3
Short Term Team - 10
Locality Team - 10
Bluebell Ward and ECT lead - 1
Hospital Discharge Team - 1
Maples Resource Centre - 1

The figures above only add up to 28. This is because there was 1 compliment that was for the Short-Term Team and Locality Team.

The following are some examples of compliments received:

The Deputy's Team

The staff wanted to let us know our service is brilliant. Whenever they ask for anything they get it very quickly.

Minor Works Team

Someone from your team went out last week to fit a second rail on the stairs and they said what a "lovely man" he was, also very "polite", and how impressed they were that he had his own dust pan and brush and cleared up afterwards.

Community Reablement Team

The care has been excellent, and we are very grateful.

Short Term Service

Gee arranged for Age UK to move the TV and put it on the wall directly in front of the client. This morning Gee had a tearful phone call from the client thanking him as this had 'changed his life'. He is now able to watch TV without any further problems!

Locality Team

We really appreciated your help in giving out mum all the support she needed to improve her quality of life right up until the end. It was such a pleasure to have met you. Thank you so much for everything.

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. 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.