

Southend-on-Sea Borough Council

Report of Corporate Director for People
to
Cabinet
on
23rd September 2014

Report prepared by: Charlotte McCulloch

**Compliments Concerns & Complaints received throughout 2013-2014
for Adult Social Care Services
People Scrutiny Committee
– Executive Councillor: Councillor David Norman
*A Part 1 Public Agenda Item***

1. Purpose of Report

- 1.1 To discharge the local authority's statutory duty to produce an annual report on compliments concerns and complaints received about its adults' social care function throughout the year.
- 1.2 To provide statistical and performance information about compliments concerns and complaints received throughout 2013/2014.

2. Recommendation

- 2.1 That the Department's performance during 2013/2014, and comparison to the previous three years be noted.
- 2.2 That the report be referred to the People Scrutiny Committee for detailed examination.

3. Background

- 3.1 This is the fifth Annual Report following the changes to the legislation governing the statutory complaints process for adult social care services. The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 came into force on 1 April 2009 and created a single process for health and social care services. With the increase in integrated services, the single process makes it easier for patients and service users to make complaints and allows them to make their complaint to any of the organisations involved in their care. One of the organisations will take the lead and co-ordinate a single response.

- 3.2 Strong working relationships have been established with complaints colleagues within the Health organisations in the area. This, together with a joint protocol agreed by the Essex Complaints Network, has made it easier for people making complaints that span Health and social care services. In 2013/2014 there were 6 joint complaints.
- 3.3 The new process is based on the principles of the Department of Health's *Making Experiences Count* and on the Ombudsman's principles of good complaints handling:
- Getting it right
 - Being customer focused
 - Being open and accountable
 - Acting fairly and proportionately
 - Putting things right
 - Seeking continuous improvement.
- 3.4 There is a single local resolution stage that allows a more flexible, customer focused approach to suit each individual complainant. At the outset, a plan of action is agreed with the complainant to address their complaint. Amendments to the plan can be agreed at any stage of the process.
- 3.5 The regulations do not specify timescales for resolution and a date for response is agreed and included in each plan. Response times are measured against the agreed dates in the plans.
- 3.6 When the local authority believes that it has exhausted all efforts to achieve a local resolution, and the customer remains dissatisfied, the next step is referral to the Local Government Ombudsman.

4 Compliments; concerns and comments received in 2013/2014

- 4.1 Compliments are a very important feedback and motivational tool and members of staff are encouraged to report all compliments they receive to the Customer Services Manager for recording. All compliments are reported to the Group Manager of the Service to pass on their thanks to the staff member and the team. This practice has been well received by staff. Data gathered from compliments are used to inform commissioning decisions of the authority.
- 4.2 Adult and Community Services received 470 compliments about its social care services in 2013/2014.

Table to show the number of compliments received in 2013/2014 and comparison with previous three years

Apr 10 – Mar 11	Apr 11 – Mar 12	Apr 12- Mar 13	Apr 13 – Mar 14
Number	Number	Number	Number
275	232	429	470

- 4.3 The current regulations require the local authority to record concerns and comments as well as complaints. Some people wish to provide feedback to help improve services but they do not wish to make a complaint, and this process facilitates that.
- 4.4 Adult and Community Services received 26 concerns about its social care services in 2013/2014. Of these, 11 were regarding commissioned homecare services, 4 regarding commissioned residential care services and 11 were about internal services provided directly by Southend Council.
- 4.5 All concerns and comments are considered to identify areas for improvement and responses are made where appropriate or requested.

5 Complaints received in 2013/2014

- 5.1 Adult and Community Services received 136 complaints about its social care services in 2013/2014. 65 of which were about internal services provided directly by Southend Council, and 71 were about services supplied through externally commissioned providers.

Table to show the total number of complaints received during 2013/2014 and comparison with previous three years

Apr 10 – Mar 11	Apr 11 – Mar 12	Apr 12 – Mar 13	Apr 13 – Mar 14
Number	Number	Number	Number
125	107	111	136

This represents an increase of 21.6% in the number of complaints received during the previous year. An increase has been seen in complaints about internal services where the number of complaints has increased from 40 last year to 65 this year, an increase of 62.5%. The main increase has been seen within the Social Work Teams, with communication /consultation seeing an increase as the cause for complaints. We continue to monitor the causes of the complaints to identify trends and implement improvements through the quarterly Complaints Governance Panel. However it should be noted that 21 complaints (11 of which were upheld) is a very small number compared to the number of individuals that are dealt with by our teams on a daily basis.

Interestingly the complaints about commissioned services have remained exactly the same as last year. The Contracts Team continue to proactively work with the providers to effect improvements to reduce the instances of late/missed homecare calls which still remains the main cause of complaints.

- 5.2 Appendix 2 shows complaints by internal and commissioned services. Appendix 3 shows the number of complaints received about internal services by team. Appendix 4 shows the number of complaints by service user group. The majority of complaints (108) were received about services to older people. This

is the largest service user group and the 108 complaints represent 2.7% of the number of older people who receive services from the department.

- 5.3 Of the 136 complaints, 71 (52%) refer to services commissioned from external providers. 66 of these were about home care services, and although this figure accounts for 48% of the total complaints, it represents only 3.2% of the number of service users receiving home care.
- 5.4 Southend Borough Council commissions South Essex Partnership Foundation Trust (SEPT) to provide its mental health and substance misuse services and SEPT received 6 complaints from Southend clients. 3 were upheld, 2 were partially upheld and 1 was not progressed due to consent not provided. These were dealt with by SEPT and are not included in the figures in the table in section 5.1 above.
- 5.5 Under the current regulations, any complaints received verbally and resolved to the complainant's satisfaction within 24 hours do not have to be recorded as complaints. During 2013/2014, 4 such complaints were received.

6. Complaints subject to independent investigation

- 6.1 An independent investigation is an option for reaching a local resolution but it is not an automatic progression. Action taken to address a complaint will be discussed with the complainant at the outset and the primary aim is to find a resolution but action must be proportionate.
- 6.2 There were no independent investigations in 2013/2014. An independent investigation can be costly and if staff can resolve complaints satisfactorily without them, this represents a saving.

Table to show the number of complaints subject to independent investigation, and as a percentage of the total number complaints during 2013/2014, and comparison with the previous three years.

Apr 10 – Mar 11	Apr 11 – Mar 12	Apr 12 – Mar 13	Apr 13 – Mar 14
Number	Number	Number	Number
0 (<1%)	0 (0%)	0 (0%)	0 (0%)

- 6.2 Other ways used to resolve complaints include:
- Written response/explanation
 - Acknowledgment if there has been a failure
 - Apology
 - Change to service
 - Mediation/conciliation
 - Meeting
 - Internal review
 - Redress

7 Complaints referred to the Local Government Ombudsman

- 7.1 There were 6 social care complaints considered by the Local Government Ombudsman in 2013/2014.
- 7.2 One complaint was referred to the LGO, where they made the decision not to investigate and no enquiries were made to SBC before making that decision.
- 7.3 Four complaints were referred to the LGO and they decided not to investigate following preliminary enquires with SBC.
- 7.4 One complaint referred to the LGO resulted in an investigation. The complainant felt that SBC had stopped their care package prematurely, when they still required help. The complainant also felt that SBC would not accept that they needed a stair lift in their property. The complaints were investigated by SBC and following a re-assessment found that they were eligible for a stair lift and arranged for the necessary surveys on the property to check its suitability. However the re-assessment confirmed that they were no longer eligible for a care package. The LGO found no fault by the council in the way they made their decision.

8 Response times

- 8.1 Adherence to response times is measured by compliance with the agreed dates set out in the individual complaints plans.
- 8.2 94 complaints were responded to within the timescales agreed. This represents 73% of responses made and is a very slight reduction on last year's 73.8%. We recognise the importance of trying to achieve a speedy resolution to complaints and generally aim to resolve complaints within 10 working days. However depending on the complexity of the complaint raised, agreement is made with complainants on an acceptable timescale for a response.

Compliance with response times is shown at [Appendix 2](#)

9 Types of issues raised

- 9.1 The bar chart at [Appendix 5](#) shows all the issues split between internal and commissioned services.
- 9.2 Overall, the top 5 issues were:
- I. Communication / Consultation
 - II. Conduct/behaviour of staff
 - III. Quality of Service provided
 - IV. Missed homecare calls
 - V. Timing of homecare calls

10 Outcome status of complaints (upheld; partially upheld; not upheld)

- 10.1 The 136 complaints, refers to 185 issues which were reported and responded to, 92 were upheld; 15 were partially upheld; 60 were not upheld, 10 we were unable to reach a finding and 8 were not progressed.
- 10.2 Tables at Appendix 7 show the outcomes of the main issues in internal, homecare and residential care complaints. There has been an increase in Internal Complaints regarding Communication /Consultation upheld or partially upheld from 5 last year to 11 this year. Missed & late homecare calls combined being upheld or partially upheld has seen a 45% decrease from 42 in the previous year to 23 in 2013/14. However the number of complaints regarding the 'timings of the calls' have increased from 6 in 2012/13 to 14 in 2013/14, an increase of 133%. The department's Contracts Team continue to regularly review the performance of the providers and gain information from the complaints team on the top five issues so they able monitor and ensure improvements are seen and sustained.

11 Monitoring and Reporting

- 11.1 A Complaints Governance Panel continues to meet quarterly to review the complaints from the previous quarter with the aim of identifying areas for service improvements and to inform future planning and commissioning. The panel is chaired by the Head of Adult Services and includes managers from the contracts team; strategy and planning; residential and day services; operational services and the complaints service.
- 11.2 Statistical data about social care complaints are submitted to the Care Quality Commission as required.
- 11.3 Most complaints are made by telephone and the new complaints process recommends a discussion of the complaint by telephone or face to face to draw up the individual complaints plan. Other contact is made by post and email.

12 Learning from Complaints

- 12.1 There is an increasing focus on using complaints as a learning tool to improve services and to plan for the future. Local authorities are being asked to show what has changed as a result of complaints and other feedback that it receives.
- 12.2 Improvements have been categorised under the following headings:
- Improved process
 - Increased awareness of service use
 - Increased staff awareness/training
 - Improved conduct of staff
 - Improved performance of provider

Examples of improvements made as a result of complaints are shown in Appendix 8.

13. Corporate Implications

13.1 Resource Implications (Finance, People, Property).

If resolutions are not found at an early stage and there are undue delays, compensation may have to be paid to acknowledge the time and trouble that the complainant has expended.

In some cases, the initial input in terms of staff time to find a resolution through a meeting/conciliation may be quite intensive but where the complainant has an ongoing relationship with the service, it can save resources in the long term.

13.2 Contribution to Council's Vision & Critical Priorities

A robust and responsive complaint handling process adds to the public's confidence and satisfaction with the way they are dealt with by the local authority when they have concerns to raise.

Effective complaints handling and a well advertised procedure contributes to the corporate priorities:

- Continue to improve outcomes for vulnerable adults and older people
- Become a high performing organisation

13.3 Equalities and Diversity Implications

The gender of all complainants was noted and 83 were female and 53 were male. 24 complaints (17%) were made by the person receiving the service and the remaining 83% were made by another person, usually a relative, on behalf of the service user. Leaflets on how to make a complaint or compliment are left with the service user when they are assessed. It is recognised that some relatives do not live locally and there is information on the Council's website about how to give feedback and the facility to send it electronically.

13.4 Value for Money

Some complaints may have elements where improvements may be made to ensure value for money.

13.5 Community Safety Implications

Some complaints may have elements where improvements may be made to ensure community safety.

14. Background Papers

Complaints papers are kept by the Customer Services Manager. Data about individual compliments concerns comments and complaints are held electronically.

15. Appendices

Appendix 1	Examples of complimentary comments received regarding Internal teams
Appendix 2	Number of complaints by internal and commissioned services (residential & homecare) Compliance with response times
Appendix 3	Internal service complaints by team
Appendix 4	Commissioned and internal service complaints by service user group
Appendix 5	Issues raised in complaints
Appendix 6	Issues outcomes split between internal and commissioned services
Appendix 7	Outcome status of the top issues split between internal; homecare and residential care complaints
Appendix 8	Examples of learning/service improvements

Appendix 1

Compliments received 2013 - 2014

Some examples from the 470 compliments received about Southend Council's Internal Services :-

'Thank you for your quick response and your considerate caring approach'

~

'The Occupational Therapist was friendly, helpful & efficient with lots of good advice'

~

'We really do appreciate your assistance & help – The technical help will enable me to keep in touch with my children & grandchildren'

~

'The service was professional & communication was very good'

~

'Thank you from my heart for being so caring, its great the way you help people'

~

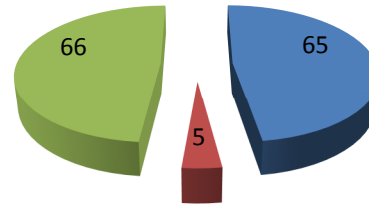
'Mum sadly lost her battle with her illness and I just wanted to say thank you all for the support you have shown to our family over the years. Please accept our deepest thanks'

~

'Thank you for the help and understanding I received from a member of the team, she changed my life by supplying me with a new recliner chair'

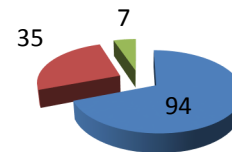
Appendix 2

Distribution of 13-14 Complaints



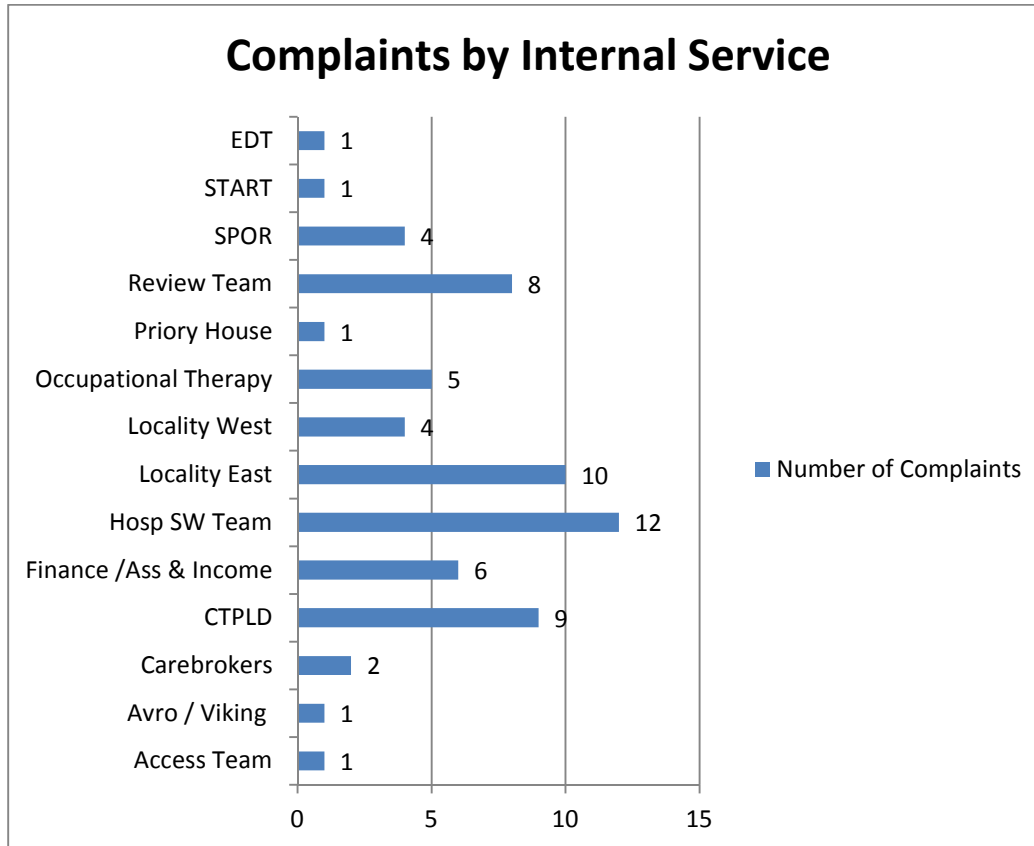
■ Internal ■ Residential ■ Homecare

Response Timescales

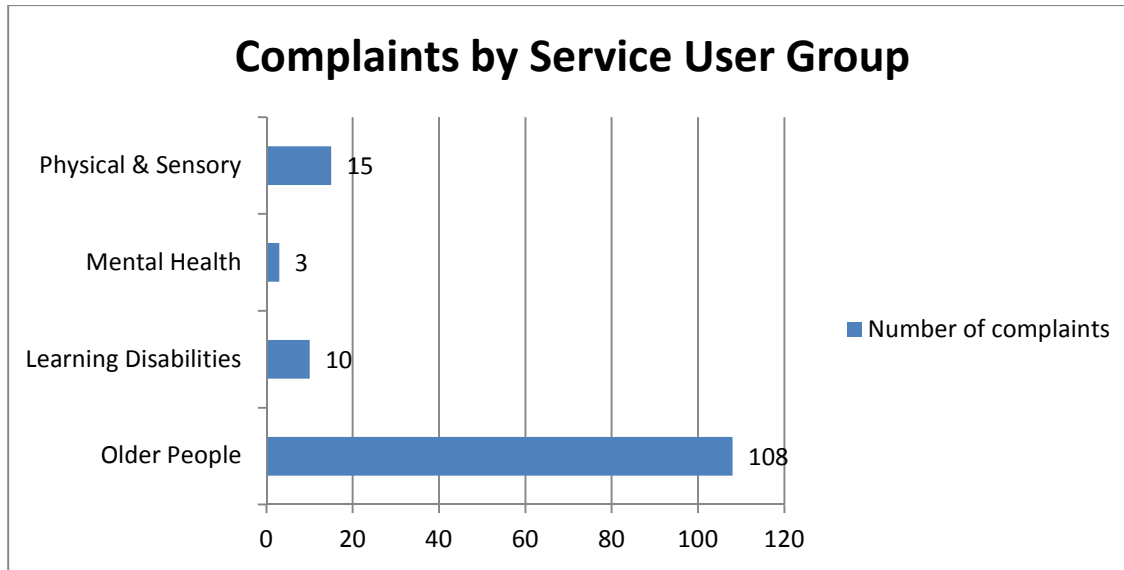


■ within agreed timescales ■ Outside agreed timescales
■ Not progressed/withdrawn

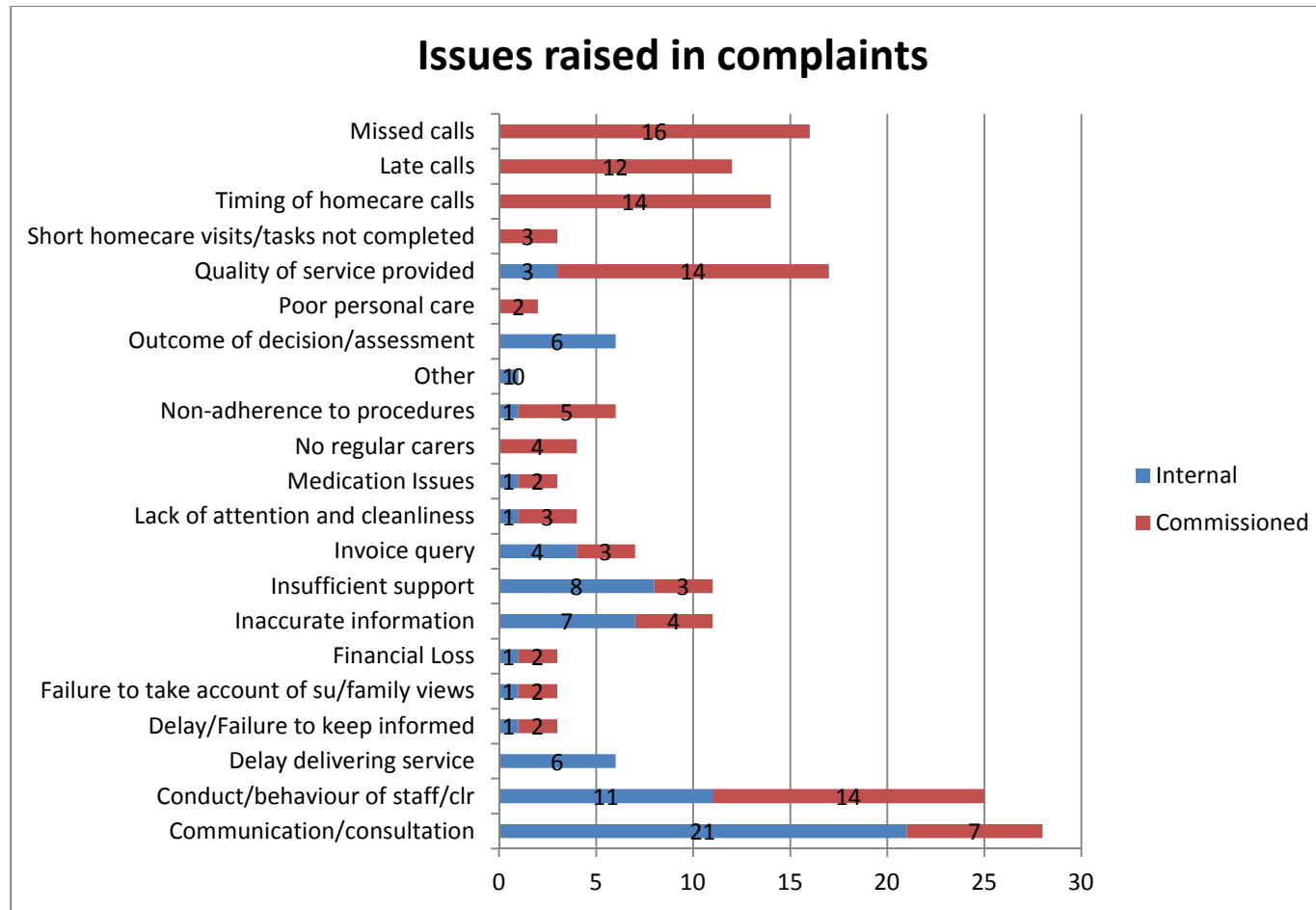
Appendix 3



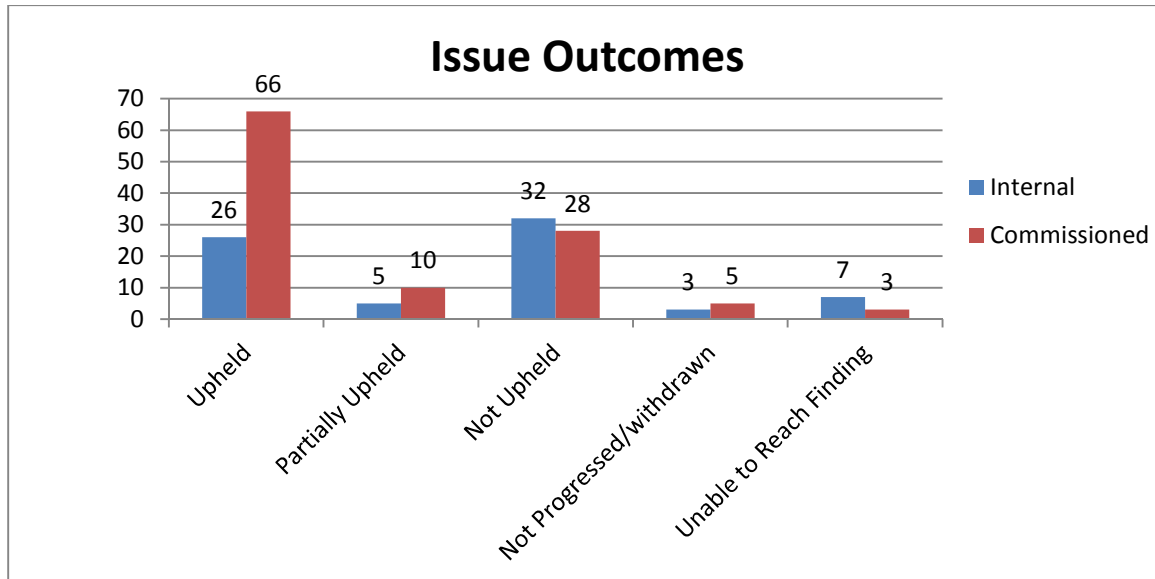
Appendix 4



Appendix 5



Appendix 6



Appendix 7

SBC Internally provided Services (inc SBC Residential Homes)	Upheld	Partially Upheld	Not Upheld	Unable to reach finding
Communication/consultation	11	0	8	
Conduct/behaviour of staff	0		8	3
Insufficient Support	3	1	4	
Innacurate information	4	1	1	

Commissioned Homecare Service	Upheld	Partially Upheld	Not Upheld	Unable to reach finding
Missed calls	10	1	5	
Timing of homecare calls	12	2	0	
Conduct/behaviour of staff/clr	3	1	8	2
Quality of Service Provided	4	3	3	
Late calls	12			

Commissioned Residential Services	Upheld	Partially Upheld	Not Upheld	Unable to reach finding
Quality of Service	1	1		
Conduct/behaviour of staff			1	
Insufficient Support				1

Appendix 8

Issue	Improvements
Social workers unaware if a complaint has been raised for care provider when undertaking assessments with a service user	Marker created on the service users record on Care First, which highlights that there is an ongoing complaint – these markers are added and removed by complaints team
Confusion around what service was being provided following transfer from the reablement service to a mainstream service	Template letter to Service User's created to confirm to them that the reablement service is completed and they are 'independent'. The template letter was sent to all providers to issue to service users at the end of reablement period.
Lack of joined up information between Safeguarding investigations & complaints	Quarterly meetings now held between Complaints Manager, Safeguarding lead, Contracts and Social Work Team Managers.