

Southend-on-Sea Borough Council

**Report of Corporate Director for People
to
Cabinet
on
20th September 2016**

Report prepared by: Charlotte McCulloch

**Compliments Concerns & Complaints received throughout 2015-16
for Adult Social Care Services
People Scrutiny Committee
– Executive Councillor: Lesley Salter
*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 2015/2015.

2. Recommendation

- 2.1 That the Department's performance during 2015/2016, 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 seventh 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 2015/2016 there were 3 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 2015/2016

- 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 341 compliments about its social care services in 2015/2016.

Table to show the number of compliments received in 2015/2016 and a comparison with previous three years

Apr 12 – Mar 13	Apr 13- Mar 14	Apr 14 – Mar 15	Apr 15 – Mar 16
Number	Number	Number	Number
429	470	407	341

There has been a decline in the number of compliments received, however we are unable to ascertain why this is the case. Examples of the types of compliments received can be found in Appendix 1

- 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 8 concerns about its social care services in 2015/2016. Of these, 7 were regarding commissioned homecare services and 1 was 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 2015/2016

- 5.1 Adult and Community Services received 176 complaints about its social care services in 2015/2016. 75 of which were about internal services provided directly by Southend Council, and 101 were about services supplied through externally commissioned providers (domiciliary care & residential care)

Table to show the total number of complaints received during 2015/2016 and comparison with previous three years

Apr 12 – Mar 13	Apr 13 – Mar 14	Apr 14 – Mar 15	Apr 15 – Mar 16
Number	Number	Number	Number
111	136	166	176

This represents an overall increase of 6% in the number of complaints received during the previous year, and a 58.5% increase in the last 4 years.

Whilst there has been an increase year on year 176 complaints is still only 4.9% of the number of service users receiving support throughout the year.

The main increase in complaints has been seen within Internal Services with an increase from 56 in 2014/15 to 75 in 2015/16, an increase of 34%. The increase has been seen over a number of different service areas, rather than in one significant area.

A reduction has been seen in complaints about overall commissioned services where the number of complaints has decreased from 109 last year to 101 this year, an overall decrease of 13%. Complaints about commissioned homecare service having the greatest reduction from 101 in 2014/15 to 93 in 2015/16 an 8% decrease. Our Contracts Team and Complaints Manager continue to work with the home care providers to address issues and effect improvements around complaints handling.

- 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 (150) were received about services to older people. This is the largest service user group and the 150 complaints represent 6.2% of the number of older people who receive services from the department.

- 5.3 Of the 176 complaints, 101(57%) refer to services commissioned from external providers. 93 of these were about home care services, and this figure accounts for 52% of the total complaints,
- 5.4 Southend Borough Council commissions South Essex Partnership Foundation Trust (SEPT) to provide its mental health and substance misuse services and SEPT received 10 complaints from Southend clients. 6 were not upheld & 4 were partially upheld. 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 2015/2016, 5 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 2015/2016. 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 2015/2016, and comparison with the previous three years.

Apr 12 – Mar 13	Apr 13 – Mar 14	Apr 14 – Mar 15	Apr 15 – Mar 16
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

Appendix A

- 7.1 There were 4 social care complaints considered by the Local Government Ombudsman in 2015/2016.
- 7.2 One complaint was referred to the LGO, they found minor fault and we agreed to apologise to the complainant.
- 7.3 One complaint was referred to the LGO, following an investigation no fault found
- 7.4 One complaint was referred to the LGO and following an investigation, did not find fault with SBC regarding the safeguarding investigation however did find fault with the care provider as they had not properly kept their records. We agreed to pay £250 in respect of the uncertainty caused by the unavailability of these records.
- 7.5 One complaint was referred to the LGO, following an investigation we were found at fault for not completing a carers assessment. We were asked to rectify this and paid the complainant for retrospective carers budget.

8 Response times

- 8.1 Adherence to response times is measured by compliance with the agreed dates set out in the individual complaints plans.
- 8.2 113 complaints were responded to within the timescales agreed. This represents 64.2% of responses made and is reduction on last year's 66%. 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.
- 8.3 Of the 63 not responded to within the agreed timescale, 38 were attributed to our contracted care providers. Our Contracts Team and Complaints Manager continue to work with the home care providers to address this issue and effect improvements around complaints handling. A target has been introduced and their performance will be discussed with each provider at their quarterly contract review meetings.
- 8.4 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. Late Calls

- IV. Missed Calls
- V. Quality of Service provided

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

- 10.1 The 176 complaints, refers to 237 issues which were reported and responded to, 106 were upheld; 32 were partially upheld; 88 were not upheld, 10 we were unable to reach a finding and 1 is still ongoing due to legal implications.
- 10.2 Overall the number of complaints upheld or partially upheld has slightly decreased from 59% in 2014/15 to 58% in 2015/16.
- 10.3 Tables at Appendix 7 show outcomes of the main issues in internal, homecare and residential complaints. There has been a decrease in complaints upheld or partially upheld regarding missed and late home care calls from 56 in 2014/15 to 40 in 2015/16, whilst there remains the challenge by many providers to recruit and retain good quality care staff, the decrease in complaints regarding this issue demonstrates the ongoing commitment by providers to continually monitor and address these issues.

11. Monitoring & Reporting

- 11.1 Statistical data regarding complaints about our commissioned home care providers are provided quarterly to inform the Contract Monitoring Meetings.
- 11.2 Complaints are monitored by the Complaints Manager for any trends/emerging themes and alerts the relevant service accordingly.
- 11.3 Complaints information is fed into the monthly Safeguarding meetings regarding providers to ensure a full picture is gathered regarding the providers service delivery and indentify any concerns or trends that may be emerging.

12 Learning from Complaints

- 12.1 The Council continues to use 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 improved outcomes for Adults
 - 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](#).

- 12.3 Complaints about communication are a reoccurring theme for internal services and whilst they are not particularly high in proportion to the number of service

users being dealt with on a daily basis, this is the most common issue. The Complaints Manager continues to work with the Service Managers & Team Managers on identifying ways to improve client satisfaction with all channels of communication.

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:

- Work with and listen to our communities and partners to achieve better outcomes for all
- Look after and safeguard our children and vulnerable adults

13.3 Equalities and Diversity Implications

The gender of all complainants was noted and 117 were female and 59 were male. 47 complaints (26%) were made by the person receiving the service and the remaining 73% 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 & Complaints 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 2015 -16

Some examples from the 341 compliments received about Southend Council's Internal Services :-

I sincerely thank you for all the help and support you have provide Kathleen and I over the last year. I am relieved that Kathleen has a new home which will support her needs and that she will receive kindness and understanding. I am also grateful that you have introduced Helen into her life which will provide continuity and a voice for Kathleen. It hasn't been an easy situation for anyone involved however your determination and tenacity to complete this case beyond your remit is to your credit; thank you. This ends your involvement with Kathleen, I know, however your work will have a lasting benefit for her health and well being.

~

At all times you have the well-being of the individual at heart. You always listen & understand what I am trying to tell you about my father. I wish I'd met you sooner, as your help & advice have been invaluable.

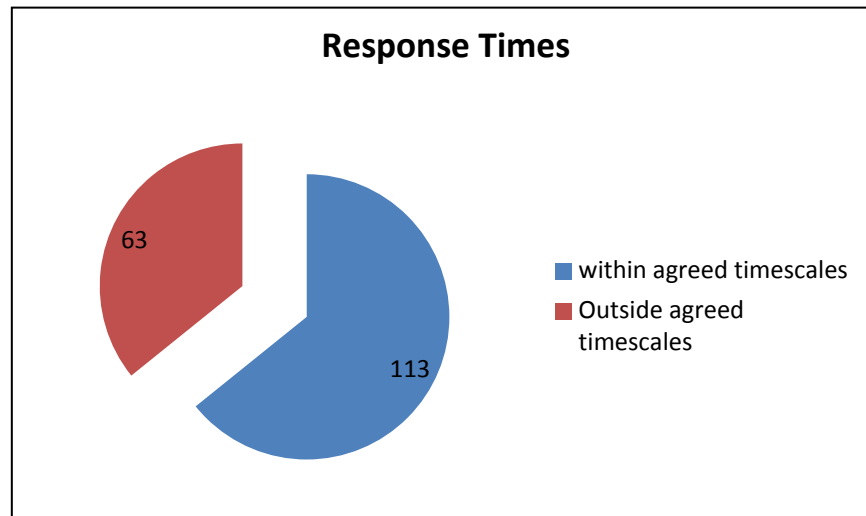
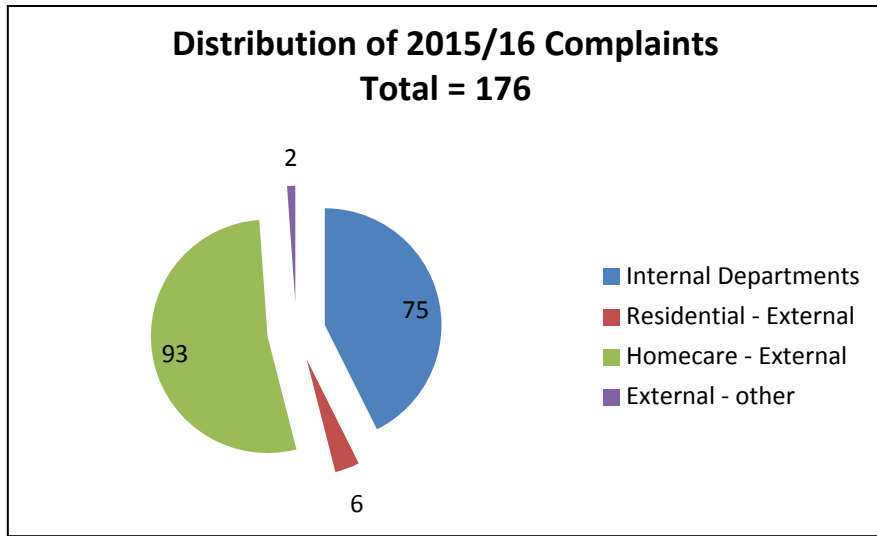
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The thought of the interview depressed me. I didn't want to accept the fact that I now needed help. Glynn's visit changed all that. She was cheerful, kind & kept complementing me on how much independence I was maintaining. She lifted my spirits enormously. 3 days later the equipment arrived. The man who delivered them was equally helpful, cheerful & encouraging. They have both improved my mobility & my attitude to life.

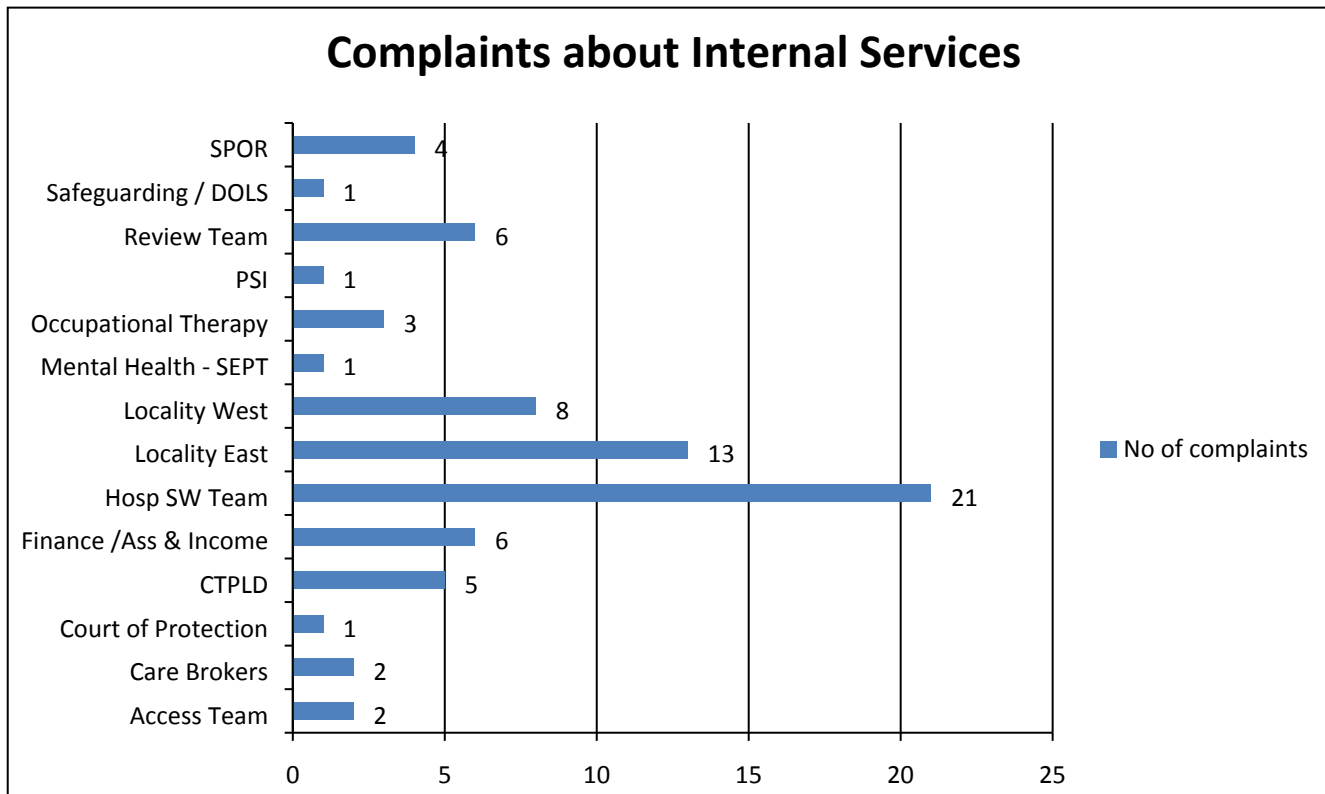
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We would like to thank you all so very much for your dedicated care & love you gave to our Mum, Rosie, while she was in your care. Priory House is second to none, one big happy family, who we were part of. Thank you once again.

Appendix 2

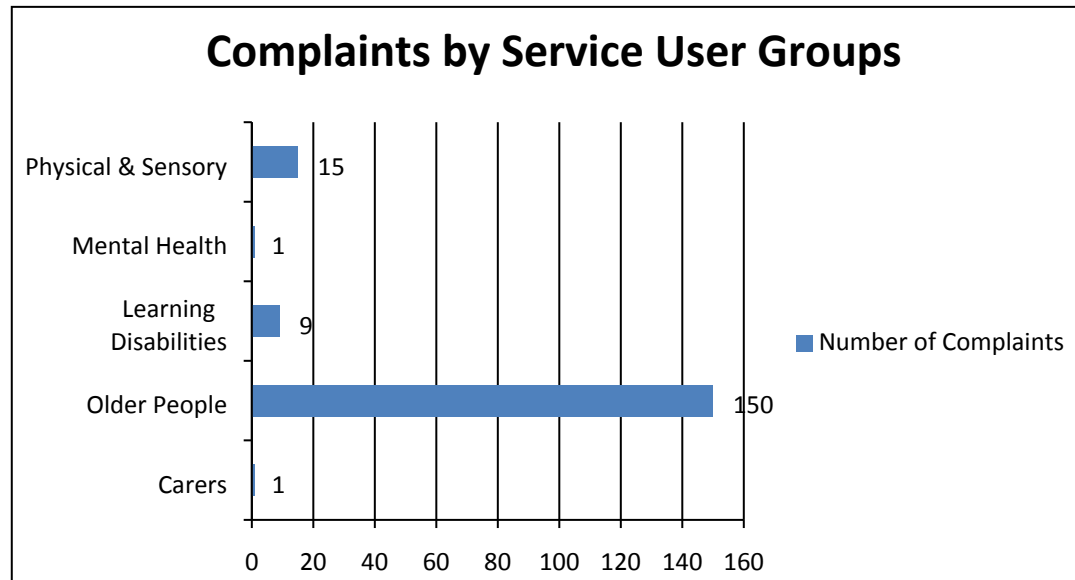


Appendix 3

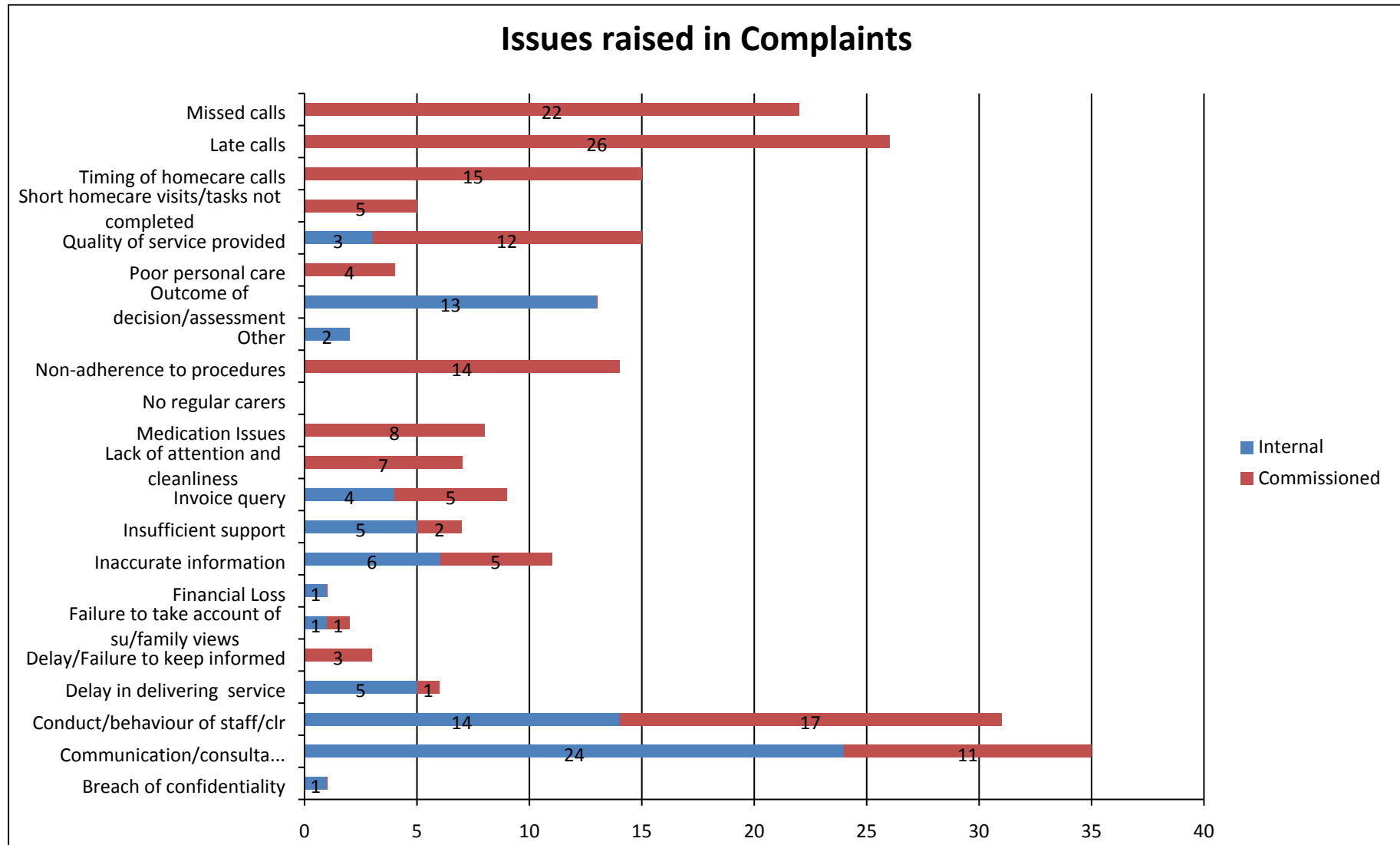


Note : complaints about the Hospital Social Work Team were in the main about information provided about charges for services following discharge from hospital

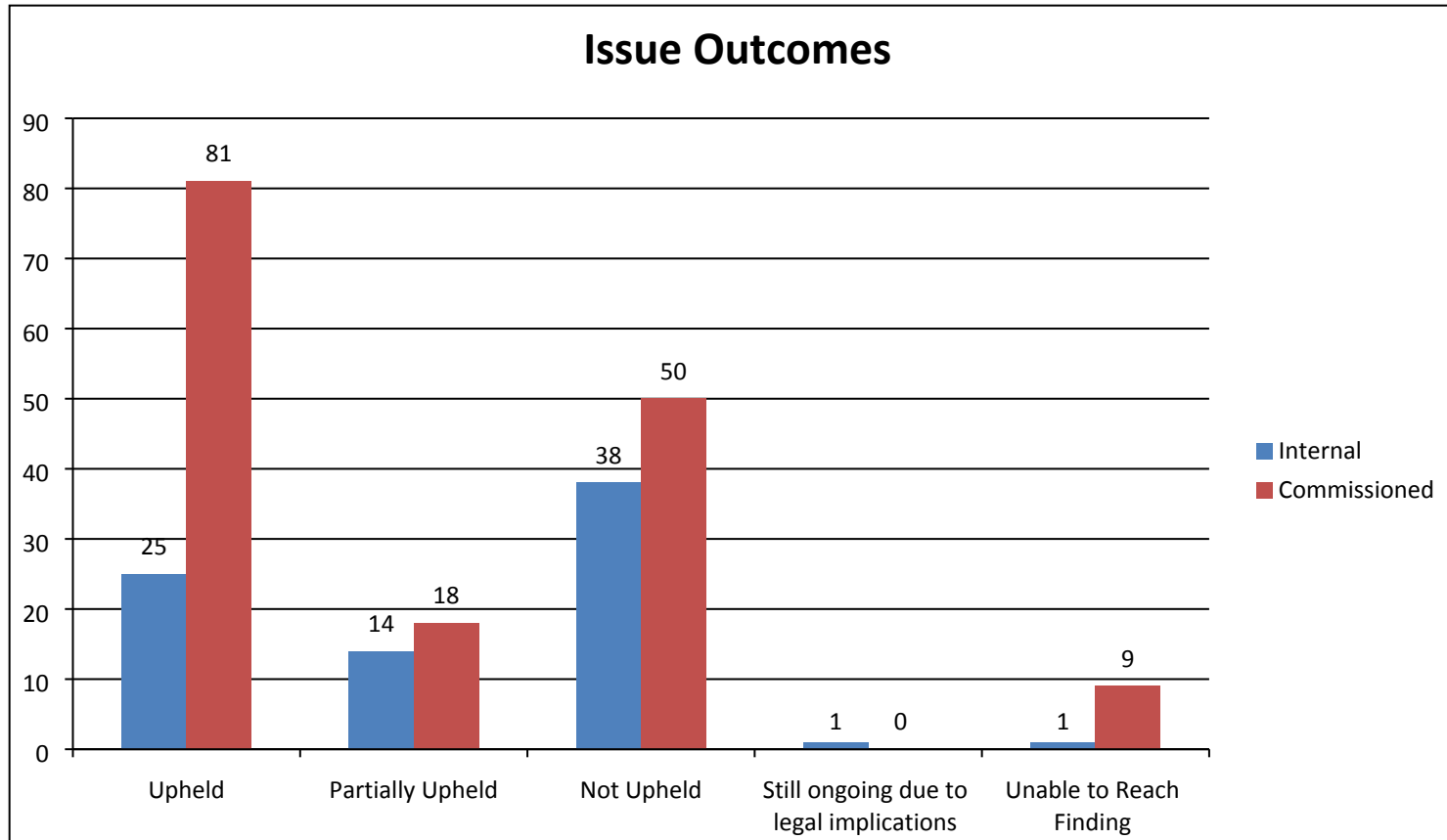
Appendix 4



Appendix 5



Appendix 6



Appendix 7

SBC Internally provided Services	Upheld	Partially Upheld	Not Upheld	Unable to reach finding
Communication/consultation	11	4	9	0
Conduct/behaviour of staff	5	2	5	1
Outcome of decision/assessment	2	2	9	
Inaccurate Information	3	1	2	

Commissioned Services (Homecare & Residential)	Upheld	Partially Upheld	Not Upheld	Unable to reach finding
Late calls	21	4	1	
Missed calls	14	1	7	
Conduct Behaviour of Staff	5	2	6	4
Timing of homecare calls	7	5	3	

Appendix 8

Issue	Improvements
Complaints regarding full cost invoices being sent to Service Users who receive a service via a 'spot' provider. These are providers who are not contracted to SBC and do not use the electronic monitoring system CM2000.	Requested that the 'spot' providers provide accurate timesheets for the care provided and the Business Support Team now collate the individual times to allow for more accurate invoicing to the Service User.
Confusion regarding information provided whilst in hospital regarding discharge and care options	Improved the discharge pack provided by the Hospital Social Work Team, this provides targeted advice and info regarding discharge planning and options as well as charging information
Complaints still being received where adults and/or families claim that they were told that care would be free following discharge from hospital and not made aware that there would be a charge for the ongoing care	<ul style="list-style-type: none"> • Hospital Social work teams have been asked to document their discussion around finance in the body of the assessment as well as an observation on our care record system • Hospital Social Work Team Manager as spoken to the NHS staff to ensure they do not provide mis-leading information to patients.
Complaints regarding missed / late calls	<ul style="list-style-type: none"> • The contracts team have strengthened their contract monitoring to visit care providers in between the quarterly contract monitoring meeting. To ensure compliance with the electronic monitoring system, and highlight and address any issues earlier. Any trends in issues raised as part of complaints are fed back to the contracts team. • More focus within the contract monitoring meetings on late / missed visits and complaint response timescales