

Walsall Council

**Title Adult Social Care and Inclusion Annual Statutory
Complaints Report**

1st April 2013 to 31st March 2014

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Status FINAL

Introduction

The purpose of this report is to inform the public, members of the council and staff about the numbers and types of representations relating to Adult Social Care made to the council between 1 April 2013 and 31 March 2014.

Information on how these representations were resolved is also included in this report, along with details of comments and compliments made about Social Care and Inclusion services.

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	Summary																					
1.	<p>Main facts of report</p> <ul style="list-style-type: none">• The number of statutory complaints received is 131 which is slightly higher than last year's figure of 123. The total number of complaints the previous year was 146.• The number of compliments received has increased to 175, compared with 149 last year.• Significant learning has been identified by managers as a result of customer complaints.• A total of 88 complaints went through the statutory process with Walsall Council to completion. <div><p>Trend: Complaint vs Compliment</p><table><thead><tr><th>Year</th><th>Compliments</th><th>Complaints</th></tr></thead><tbody><tr><td>2008 - 2009</td><td>80</td><td>125</td></tr><tr><td>2009 - 2010</td><td>90</td><td>130</td></tr><tr><td>2010 - 2011</td><td>180</td><td>145</td></tr><tr><td>2011 - 2012</td><td>110</td><td>146</td></tr><tr><td>2012 - 2013</td><td>150</td><td>123</td></tr><tr><td>2013 - 2014</td><td>175</td><td>131</td></tr></tbody></table></div>	Year	Compliments	Complaints	2008 - 2009	80	125	2009 - 2010	90	130	2010 - 2011	180	145	2011 - 2012	110	146	2012 - 2013	150	123	2013 - 2014	175	131
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2.	General information																					
2.1.	<p>Staffing</p> <p>The Customer Care Team (CCT) has 3 members of staff. This is made up of a full time lead specialist Principal Customer Liaison Officer, and one full time and one part time Customer Liaison Officer. The team handle statutory representations received relating to social care for both adults and children. It also provides advice and guidance on representations relating to the corporate council complaints system, particularly those relating to social care. Early resolution is high on the agenda to provide customers with resolution before issues become complaints. The team acknowledge and record social care compliments.</p>																					
2.2	<p>Reporting and monitoring systems</p> <p>All statistical information within this report has been obtained solely from the bespoke data base system 'Respond.'</p> <p>This data base provides a robust reporting and monitoring system to ensure a timely response to complaints, and compliance with the guidance. Information is reported each quarter to the Senior Management Team in order to monitor customer feedback, and respond to negative customer experience. Senior officers meet with the Customer care team monthly to discuss specific complaints and methods of resolution.</p>																					

2.3	Training and briefings A number of staff briefing sessions have been delivered in order to inform staff on how to handle and respond to complaints. The Customer care team are planning to develop an e-training course. In consultation with the Heads of Service, further sessions are planned for next year.
2.4	West Midlands Complaints Officers Group The lead specialist is a member of the regional complaints managers group. The group meets quarterly and provides a forum for complaints managers to discuss regional and national issues, learn from each other and develop practise from across the region. This is a useful method of bench marking statistics with neighbouring authorities, and sharing good practise.
2.5	Publicity and Information Complaints leaflets and flyers are provided routinely to adults using the service to enable them to provide feedback on services received. The flyer continues to be received well and details the methods available to submit a representation to the Customer Care Team. Pre-paid envelopes are provided in order for customers to send their representations. Complaints submitted by email have increased over the last year In addition service users can make their complaints through the Customer Care Team inbox. This information can be provided through interpreters and signers where required. Complaint information is also available on the Walsall Council web site.
2.6	Advocacy In order to support the making of a representation, the Customer Care team will put people in touch with an advocate. AgeUK provide support to people who wish to make a representation. Over the last year AgeUK have supported 8 people to make a representation through the complaint process.
3.	Representation received in 2013-2014
3.1	Overview of representations received The total number of representations excluding the LGO enquiries, received by Customer Care Team in the last year relating to adult social care is 414, which is higher than the total last year which was 329. Statutory complaints are made by or on behalf of people about services received from Social care and inclusion. Corporate complaints are complaint about social care and inclusion but not made on behave of those who use the service. The breakdown is as follows- <ul style="list-style-type: none"> • Statutory complaints 131 • Statutory compliments 175 • Statutory pre-complaints 47 • Corporate social care complaints 6 • Corporate social care compliments 4 • Comments 51 • LGO enquiries 8 (see section? For more detail)
4.	Comments In the period 2013-2014 a total of 98 comments and pre-complaints were received, compared to last year where the number was 43. Pre-complaints are those where the customer requires an answer, and if an answer had not been provided they would have made a complaint about the issues raised. A prompt response from the service

	<p>has prevented a complaint. Examples of these are-</p> <ul style="list-style-type: none"> • Delay with work surface being lowered. • Delay in receiving copy of assessment. • Family feel that mother is not safe at home and request residential care. <p>Comments do not have statutory guidance, but we encourage managers to respond to these in a timely fashion in order to provide a quality service to Walsall residents.</p> <p>This Customer Care Team and Social Care managers use early intervention to resolve comments made quickly and efficiently to meet the needs of customers and avoid these becoming complaints. It is to the credit of the Customer Care Team that they are able to signpost customers to the appropriate team to resolve concerns and greatly reduce the number of formal complaints. On occasions comments do become complaints where resolution has not been to the customer's satisfaction.</p>
5.	<p>Statutory complaints</p> <p><u>Analysis of complaints</u> Statutory social care led complaints 106 Statutory health led complaints 10 Complaints investigated under safeguarding 6 Complaints investigated under commissioned services 9 TOTAL adult statutory complaints 131 TOTAL COMPLAINTS THAT WENT THROUGH STATUTORY PROCEDURE 88 Number of complaints withdrawn due to early resolution 14</p> <p>Statutory adult social care complaints are processed and monitored by the Customer Care Team in line with the Local Authority Social Service Regulations 2009. The Customer Care Team sits within the Resource directorate as part of the Corporate Performance Team.</p> <p>The procedure for handling complaints involves-</p> <ul style="list-style-type: none"> • Discussing with each complainant the issues that they have raised and the outcomes they are requesting. • Determining in discussion with complainant and managers a realistic time scale to investigate and respond to complaints. • Defining the issues raised by the complainant in a complaint handling plan. • Risk assessing the complaint in relation to the service user, community and council. • Advising managers on what is required to be investigated. • Quality assuring the response letter in conjunction with the issues raised. • Obtaining Head of Service sign off for all response letters before they are sent out to customers. • Recording any learning identified for the council. <p>The focus of the complaints handling process through which outcomes are delivered is to-</p> <ul style="list-style-type: none"> • Make complaints person focused. • Handle all complaints according to their individual nature. • Focus on swift resolution through working towards the complainants desired outcomes.

Since the introduction of the 2009 legislation the process for handling complaints provides 2 stages for formal adult social care complaints which are-

- STAGE 1-Local resolution
- STAGE 2- Local Government Ombudsman

Local Resolution

Complaints are acknowledged by the Customer Care Team. Discussion is held with the complainant to determine the issues and desired outcomes. A relevant manager is identified to investigate the complaint that has knowledge of the service the complaint relates to. The complaint handling plan is completed discussed with the relevant manager. Once the response letter is completed CCT staff ensures all the issues have been addressed to meet the desired outcomes through quality assurance checking. Senior Manager, or Head of Service approval is obtained before the response is sent to the complainant. A 20 working day departmental target has been agreed by managers in Social care for an average complaint. This can be altered whenever necessary to focus on resolving the complaint. Discussion is held with each complainant and the time to respond may be adjusted depending on the complexity of the complaint and the individual circumstances, with their agreement.

If the council's final response has not served to resolve a complaint to the satisfaction of the complainant, then they are entitled to take their complaint to the Local Government Ombudsman. The LGO will then review the way the complaint has been handled, and may investigate further. Mediation is always offered to customers as a method of conflict resolution. A member of the Customer Care Team is a qualified mediator and will facilitate mediation.

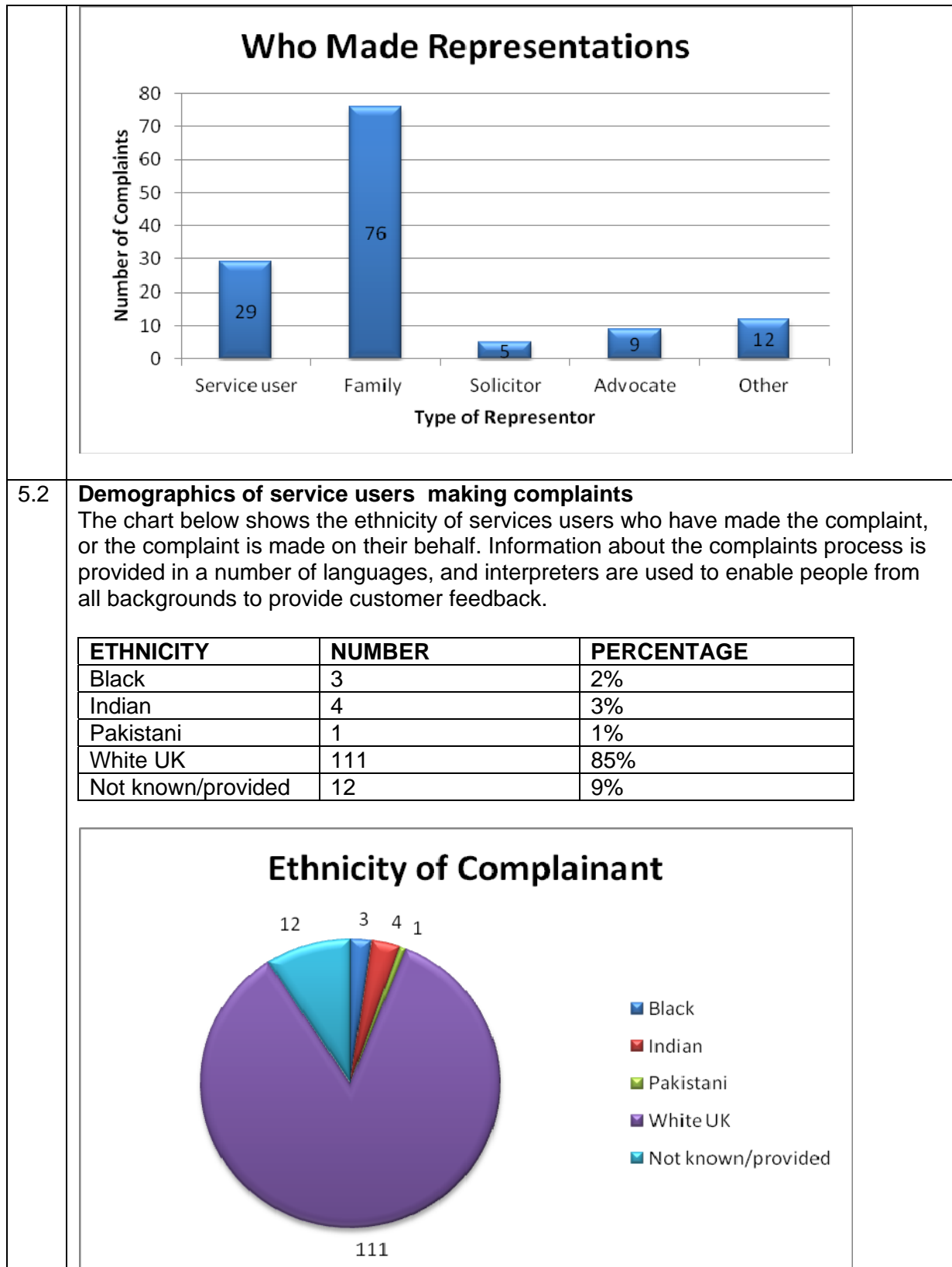
Local Government Ombudsman

The LGO provides a single point of contact for all enquiries. The ombudsman does not normally consider a complaint until the council has first had an opportunity to consider the complaint. The Customer Care Team support managers to produce a robust response with the aim of satisfying the customer and avoid them referring the complaint to the LGO.

5.1 **Who made the statutory complaints?**

Of the 131 complaints made, the majority were made by relatives of service users with 22% of the complaints coming directly from service users themselves. Some service users ask family, friends, staff or an advocate to assist them in submitting their complaints, (65%). The Customer Care Team ensures all complaints not made directly by the service user are made in their best interests and gain their permission to disclose information to the complainant.

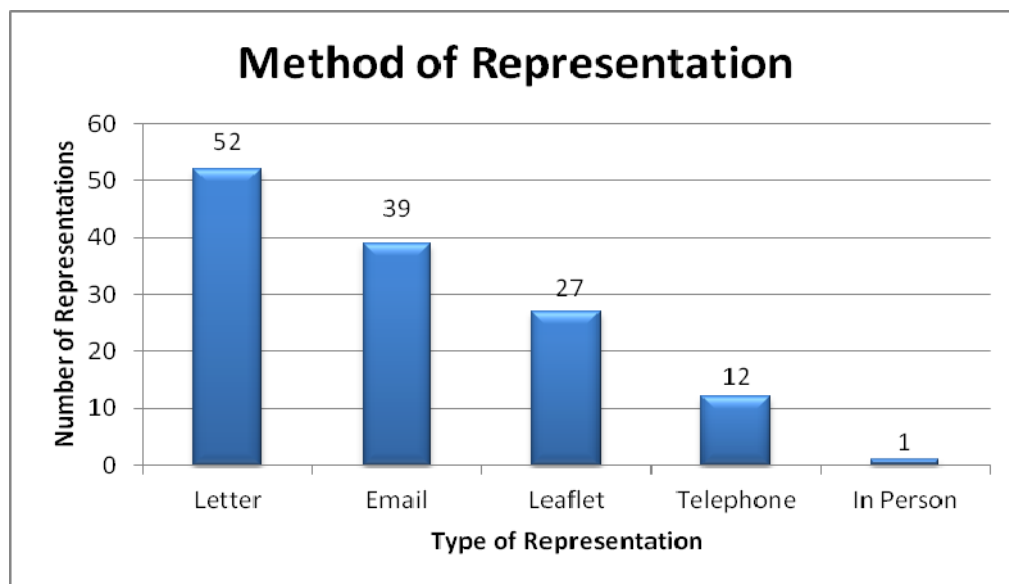
COMPLAINANT	NUMBER	PERCENTAGE
Service user	29	22%
Son/daughter	49	37%
spouse	10	8%
parent	9	7%
sibling	8	6%
solicitor	5	4%
advocate	9	7%
other	12	9%



5.3 How were the statutory complaints received?

Letters continue to be the most popular method of submitting complaints with 40% of the total, but a large number of complaints are now being sent using email. These are sent directly to the Customer Care Team inbox and to the individual teams which are then forwarded to Customer Care. Our Customers are encouraged to use which ever method of submitting complaint best suits them.

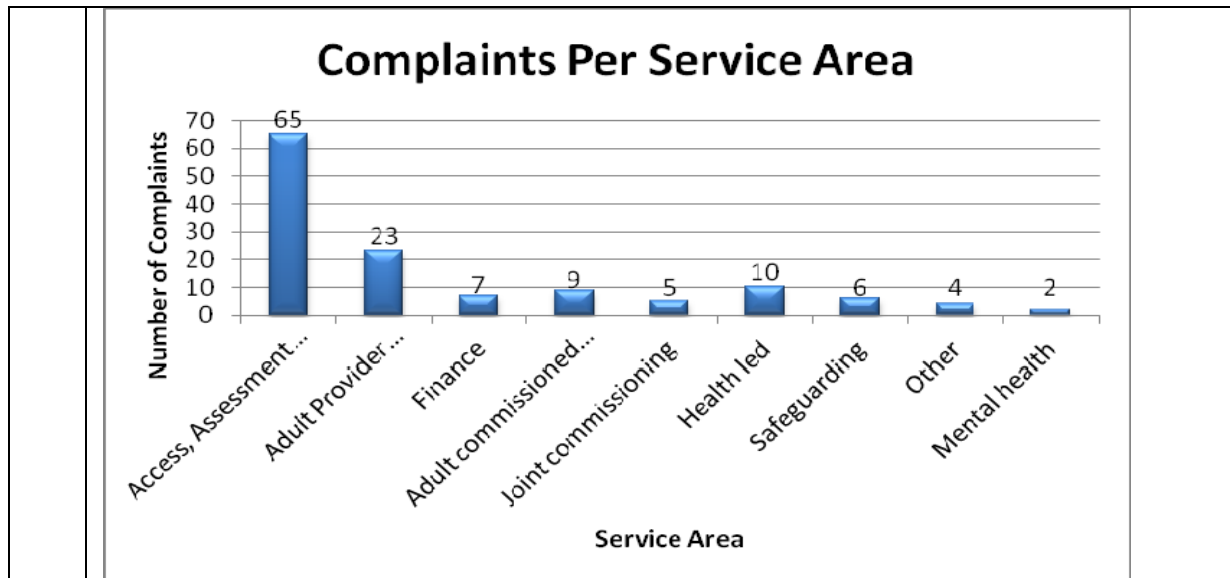
Method sent	Number	Percentage
letter	52	40%
email	39	30%
leaflet	27	21%
telephone	12	9%
In person	1	0%



5.4 Which service areas did the complaints relate to?

The nature of the type of service delivered can predict where complaints are going to be more common. This chart shows that more complaints relate to The Adult provider Team than to the other service areas. This area has been used by a larger number of service users than other areas, which may explain the larger volume of complaints.

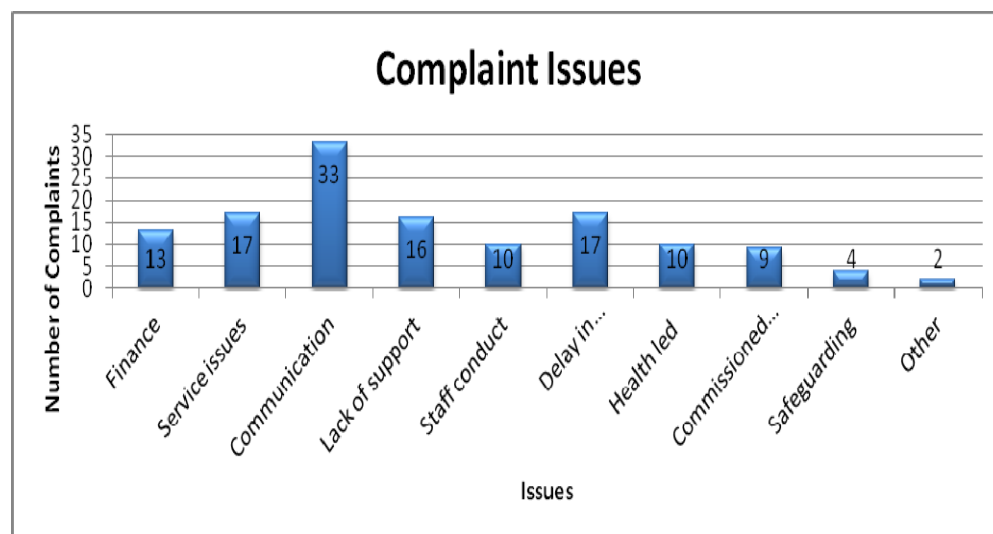
SERVICE AREA	NUMBER	PERCENTAGE
Access, Assessment and care management	65	49%
Adult Provider Services	23	18%
Finance	7	5%
Adult commissioned Services	9	7%
Joint commissioning	5	4%
Health led	10	8%
safeguarding	6	5%
other	4	3%
Mental health	2	1%



5.5 What types of issues were complained about?

From the 131 complaints made the issues were varied in nature with some complaints containing 4 or more issues. The following is a breakdown of the types of primary issues that were complained about.

COMPLAINT ISSUE	NUMBER OF COMPLAINTS	PERCENTAGE
Finance	13	10%
Service issues	17	13%
Communication	33	25%
Lack of support	16	12%
Staff conduct	10	8%
Delay with service/information	17	13%
Health led	10	8%
Commissioned service	9	7%
Safeguarding	4	3%
Other	2	1%



Some examples of complaints made are-

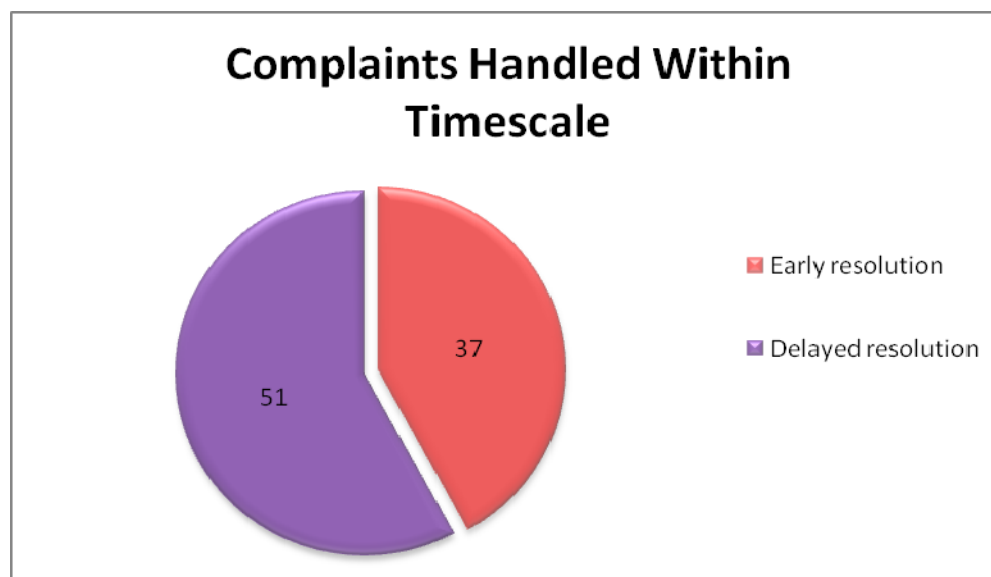
- Phone calls were not returned resulting in delays with receiving support.

- Worker did not attend meeting on the date arranged.
- Outcome of assessment was not communicated to the customer.
- Carer who attended had not received the correct training to provide support.
- Long delay in commencing initial assessment.

5.6 How long did the complaints take to resolve?

88 complaints that went through the statutory process. This excludes complaints that were withdrawn, led by the Health Complaints Team, or were processed via other procedures. Of the remaining Social Care Complaints 42% were investigated and responded to within the agreed time scale. Many of these delays were due to issues being more complex than originally thought and staff absence impacting on the time required to complete the investigation. The Customer Care Team inform customers of any delay and advise when to expect the final response.

Time to resolve	Number	Percentage
Early resolution	37	42%
delayed resolution	51	58%

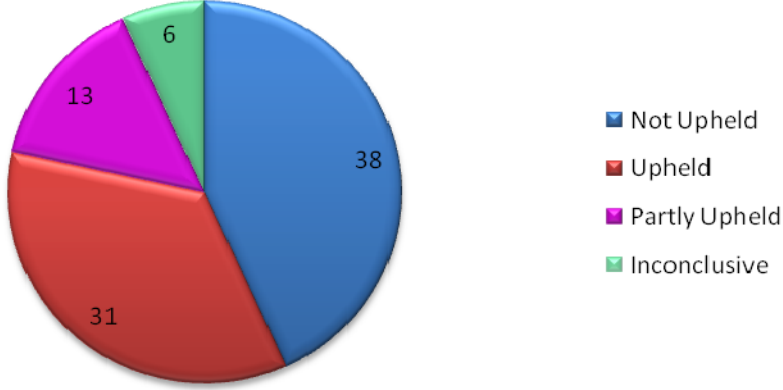


5.7 What was the outcome of the complaints?

The table below shows the overall outcomes from the 88 complaints that were made throughout the year and progressed through the complaints process, as well as those that were withdrawn and went through other procedures. Some complaints do contain multiple issues. This does not include the complaints led by health, withdrawn complaints and the complaints relating to commissioned services.

The complaints found to be upheld relate to several service areas and issue types. This highlighted poor communication as the area with the greatest finding of upheld and therefore requiring improvement.

Resolution	Number	Percentage
NOT UPHELD	38	43%
PARTLY UPHELD	13	15%
UPHELD	31	35%
INCONCLUSIVE	6	7%
WITHDRAWN	14	N/A
OTHER PROCEDURES	4	N/A

	<p style="text-align: center;">Complaint Resolution</p>  <p>A 3D pie chart titled 'Complaint Resolution' showing the distribution of complaint outcomes. The chart is divided into four segments: a large blue segment for 'Not Upheld' (38%), a red segment for 'Upheld' (31%), a purple segment for 'Partly Upheld' (13%), and a small green segment for 'Inconclusive' (6%). A legend to the right of the chart identifies each color with its corresponding outcome.</p> <table border="1"> <thead> <tr> <th>Outcome</th> <th>Count</th> </tr> </thead> <tbody> <tr> <td>Not Upheld</td> <td>38</td> </tr> <tr> <td>Upheld</td> <td>31</td> </tr> <tr> <td>Partly Upheld</td> <td>13</td> </tr> <tr> <td>Inconclusive</td> <td>6</td> </tr> </tbody> </table> <p>Where complaints have been upheld and partially, upheld managers will reflect on any learning and implement procedures to avoid any similar customer dissatisfaction. It is encouraging that more complaints were found to be not upheld than upheld.</p>	Outcome	Count	Not Upheld	38	Upheld	31	Partly Upheld	13	Inconclusive	6
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Not Upheld	38										
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5.8	<p>How did the service learn from complaints?</p> <p>As part of the investigation and response all managers are requested to identify learning for the service. Where possible and appropriate learning is explained to the customer in the complaint response letter. Learning is an important part of the process and is taken seriously as all customer feedback is valuable. All learning is reported to senior managers to ensure it is embedded into the related service to improve service quality and avoid further complaints. Examples of this significant learning are as follows:-</p> <ul style="list-style-type: none"> • <u>Complaint that documents were delivered to wrong address.</u> Staff to attend update training on data protection process. • <u>Complaint that worker did not inform family about summer scheme for people with autism.</u> Staff to improve knowledge of services available for people with autism. • <u>Complaint relating to lack of parking for people with disabilities using the ILC.</u> Amendments to be made to car parking maps for blue badge holders. • <u>Complaint that call bell prevented service user sleeping.</u> Call system at Holly bank house to be modified to prevent disturbing residents. • <u>Complaint about refusal of OT equipment.</u> Staff to clearly explain to customers the criteria and reasons for refusal. Criteria for equipment approval to be discussed in team meetings and supervisions. • <u>Complaint about poor assessment of service users needs before hospital discharge.</u> Staff must complete full assessment of service users needs, and where possible involve family. • <u>Complaint that worker did not return phone calls to family over 8 week period.</u> Process to be developed to alert manager if staff are not returning phone calls, to support appropriate level of service. 										

	<ul style="list-style-type: none">Complaint that carer used same gloves to assist with personal care and undertake food preparation. Check that all Reablement officers have refresher training in food hygiene. <p>From the 88 complaints that went through the statutory process 31 of these complaints identified significant learning for the service area.</p>																				
6	Compliments																				
6.1	<p>In this period there have been a total of 175 compliments. The service areas this relates to can be seen in the chart below.</p> <table><tr><th>SERVICE AREA</th><th>NUMBER</th><th>PERCENTAGE</th></tr><tr><td>Provider Services</td><td>109</td><td>62%</td></tr><tr><td>Access and care management</td><td>63</td><td>36%</td></tr><tr><td>Other</td><td>3</td><td>2%</td></tr></table> <div><p>Compliments by Service Area</p><table><tr><th>Type of Service Area</th><th>Amount of Compliments</th></tr><tr><td>Provider Services</td><td>109</td></tr><tr><td>Access and care management</td><td>63</td></tr><tr><td>Other</td><td>3</td></tr></table></div> <p>It is encouraging that customers have taken the time to communicated positive comments about the service they have received.</p> <p>Examples of compliments made are-</p> <ul style="list-style-type: none">Special thanks to the reablement officer who assessed my progress and has excellent people skills.The social worker has worked tiresely for us and we have no complaints about him.The worker listened to our concerns and recommended solutions. The alarm pendant and call times have transformed our lives.The worker was superb in the care she displayed and her patience in dealing with government departments.	SERVICE AREA	NUMBER	PERCENTAGE	Provider Services	109	62%	Access and care management	63	36%	Other	3	2%	Type of Service Area	Amount of Compliments	Provider Services	109	Access and care management	63	Other	3
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7	Mediation <p>Mediation continues to be an important part of addressing complaints. This method has been used successfully by the Customer Care Team to resolve 2 complaints in the last year, avoiding these progressing to the LGO. A number of managers have engaged with customers to undertake their own mediation in order to resolve issues.</p>																				

	<p>The fact that staff in the Customer Care team speak to each complainant in order to gain a better understanding of the issues they are raising, provide an opportunity to explain the merits of mediation to the customer. We will continue to encourage this method of resolution where customers are willing to engage.</p> <p>Managers in Social Care and Inclusion frequently use mediation meetings to prevent and resolve complaints.</p>
8	<p>Joint health complaints</p> <p>When complaints contain elements of health and social care the services work together as recommended by the legislation to resolve the issues satisfactorily for the customer. Good relationships have been developed with health colleagues in their complaints teams and we work in partnership to provide resolution for these joint complaints.</p>
9	<p>Local Government Ombudsman Investigations</p> <p>All Complainants are advised that if they are not satisfied with the response to their complaint they have the right to seek advice from the LGO.</p> <p>In the period 2013-2014 the LGO have investigated 17 social care complaints. Many of these were found to be robust and investigated to the required standard. 4 of these complaints were investigated by the LGO and the final decision was maladministration.</p> <p>This includes a complaint where a family were told that the residential care would be 'fully funded' when they were required to pay a top up fee. In another case the council, delayed assessing the needs of a service user which resulted in the appropriate services not being provided, and unnecessary distress to the individual and their family. These cases have provided learning for Social Care and Inclusion which has been implemented to avoid similar injustice.</p>

Contact Details.

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