

BRIEFING NOTE

Agenda Item 8.

TO: Social Care and Inclusion Scrutiny Meeting
DATE: 9 January 2014

RE: Annual complaints report- Social Care and Inclusion

Purpose

The report is required to be published each year in line with the legislation, 'The Local Authority Social Services and National Health Services Complaints Regulations 2009'.

Summary

- Slightly fewer complaints than last year.
- Significant increase in number of compliments received.
- Just over half the complaints were from the Assess, Assessment and Care Management Team.
- Learning from complaints continues to be a significant part of the complaints process where feedback is used to improve services.

Report headings are as below:

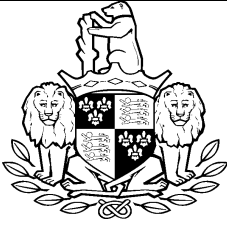
1. Summary
2. Staffing
3. Overview of representations received
4. Comments
5. Statutory complaints
6. Compliments
7. Mediation

Recommendations

- Managers should continue to aim to resolve complaints for the customer at the first point of contact, to avoid formally complaints.
- Learning should continue to be a significant part of the complaints process to improve the quality of services, and avoid further complaints of the same type.

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Walsall Council

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

1st April 2012 to 31st March 2013

Creator Heather Maybury/ Yvonne Jackson

Version Final

Date 7.5.2013

Status Approved

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 2012 and 31 March 2013.

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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 - 5.8 How did the service learn from the complaints?
6. Compliments
7. Mediation

	Summary
1.	<p>Main facts of report</p> <ul style="list-style-type: none"> • The number of statutory complaints received is 123 which is slightly lower than last year's figure of 146, and of the previous year that was 144. • Mediation continues to be a useful method of addressing customer dissatisfaction and has been used successfully by the Customer Care Team to avoid escalation of 2 complaints in this period. • A specific training course has been designed and delivered in conjunction with the Humans Resources section entitled- 'Effective complaints handling'. • The number of compliments received has increased to 149, compared with 110 last year. • Significant learning has been identified by managers as a result of customer complaints.
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 deal with all 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.</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	<p>Training and briefings</p> <p>A number of training sessions have been planned in order to inform staff on how to handle and respond to complaints. However, these have not been delivered due to unavailability of staff. In consultation with the Heads of Service, further sessions are planned for next year.</p>
2.4	<p>West Midlands Complaints Managers Group</p> <p>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.</p>
2.5	<p>Publicity and Information</p> <p>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. 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.</p>

	Complaint information is also available on the Walsall Council web site.
2.6	<p>Advocacy</p> <p>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.</p> <p>Over the last year AgeUK have supported 6 people to make a representation through the complaint process.</p>
3.	Representation received in 2012-2013
3.1	<p>Overview of representations received</p> <p>The total number of representations excluding the LGO enquiries, received by Customer Care Team in the last year is 329, which is higher than the total last year which was 293. 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-</p> <ul style="list-style-type: none"> • Statutory complaints 123 • Statutory compliments 149 • Corporate social care complaints 6 • Corporate social care compliments 8 • Comments 43 • LGO enquiries 8 (after council process)
4.	<p>Comments</p> <p>In the period 2012-2013 a total of 43 comments which includes pre-complaints were received, compared to last year where the number of comments was 29. 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 has prevented a complaint.</p> <p>Examples of these are-</p> <ul style="list-style-type: none"> • Lack of consistency in provision of carers. • Funding to be considered for transport costs to Day centre. • Review of the function of Broadway North Centre. • Lack of communication to relatives regarding an assessment. <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.</p> <p>On occasions comments do become complaints where resolution has not been to the customer's satisfaction.</p>
5.	Statutory complaints
	<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

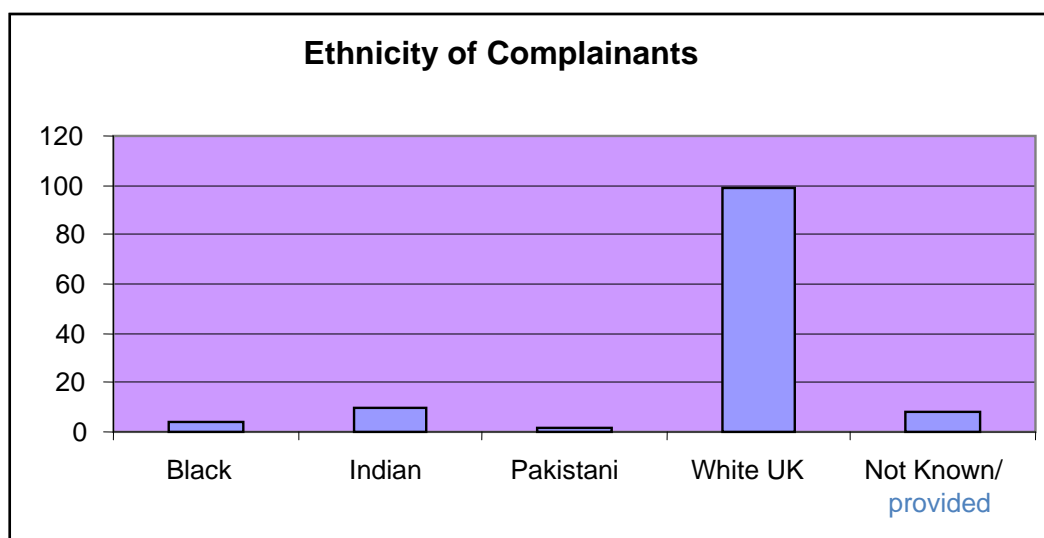
	<p>outcomes they are requesting.</p> <ul style="list-style-type: none"> • Determining in discussion with complainant and managers a realistic time scale to investigate respond to complaints. • Defining the issues raised by the complainant in a complaint handling plan. • Risk assessing the complaint in 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. <p>Since the introduction of the 2009 legislation the process for handling complaints provides 2 stages for formal adult social care complaints which are-</p> <ul style="list-style-type: none"> • STAGE 1-Local resolution • STAGE 2- Local Government Ombudsman <p><u>Local Resolution</u></p> <p>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 and sent to 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 Manger, or Head of Service approval is obtained before the response is sent to the complainant. A 20 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.</p> <p>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.</p> <p><u>Local Government Ombudsman</u></p> <p>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.</p>
5.1	<p>Who made the statutory complaints? Of the 123 complaints made, the majority were made by relatives of service users</p>

with 25% 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. The Customer Care Team ensures all complaints not made directly by the service user are made in their best interests.

5.2 Demographics of service users making complaints

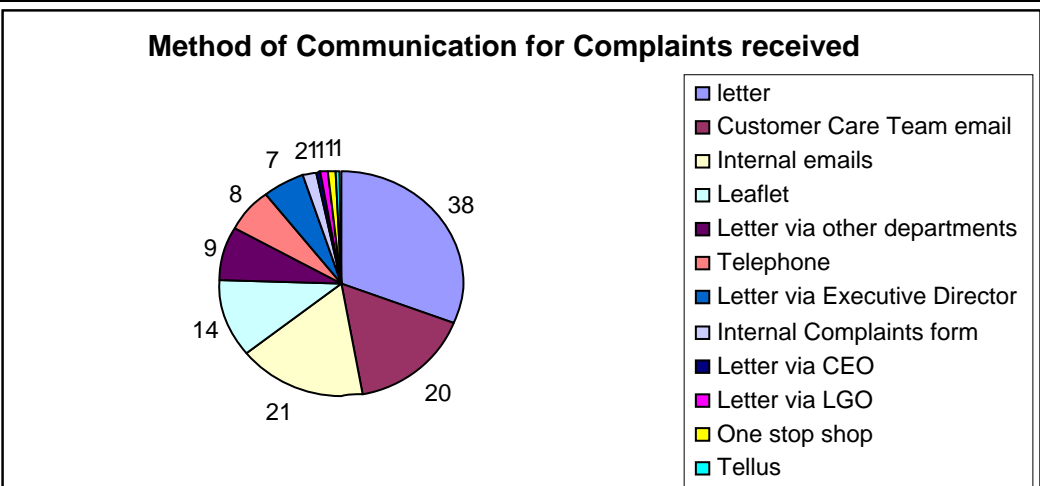
The chart below shows the ethnicity of services users who have made the complaint, or the complaint is made on their behalf. Information about the complaints process is provided in a number of languages, and interpreters are used to enable people from all backgrounds to provide customer feedback. This is an area we will continue to work on in order to encourage the ethnicity of complainants to fully represent the people of Walsall.

ETHNICITY	NUMBER	PERCENTAGE
Black	4	3%
Indian	10	8%
Pakistani	2	2%
White UK	99	81%
Not known/provided	8	6%



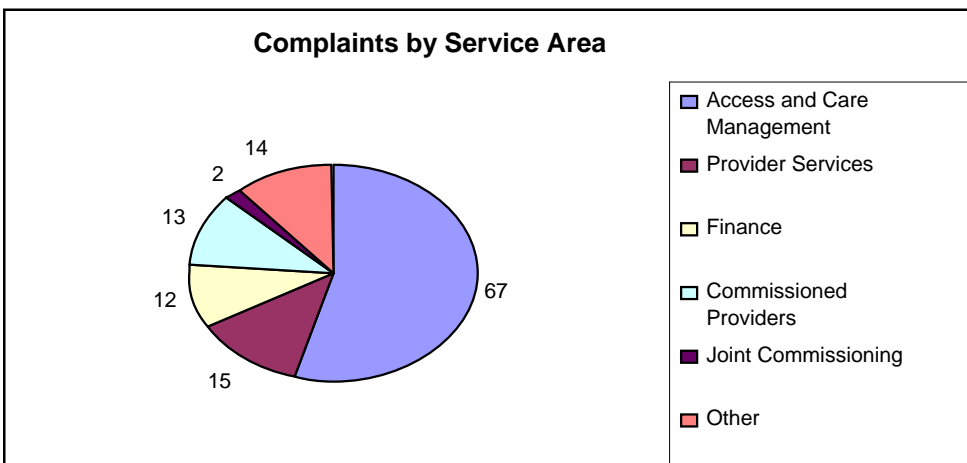
5.3 How were the statutory complaints received?

Letters continue to be the most popular method of submitting complaints with 30% 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.



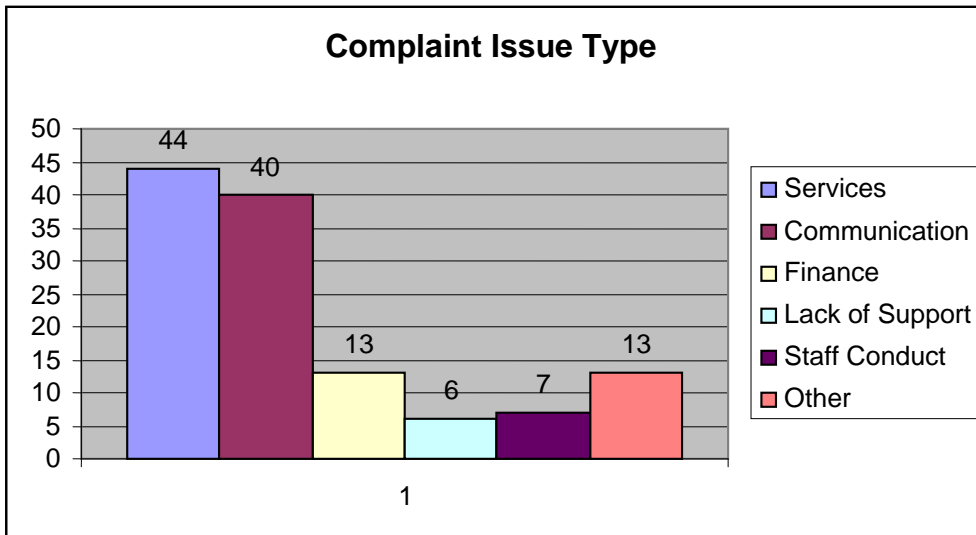
5.4 Which service areas did the complaints relate to?
 The nature of the type of service delivered can predict where complaints are going to be more common. This chart shows that more complaints relate to The Access ,Assessment and Care Management Team than to the other service areas. This area has been 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	67	54.5%
Adult Provider Services	15	12%
Finance	12	10%
Adult commissioned Services	13	10.5%
Joint commissioning	2	2%
other	14	11%



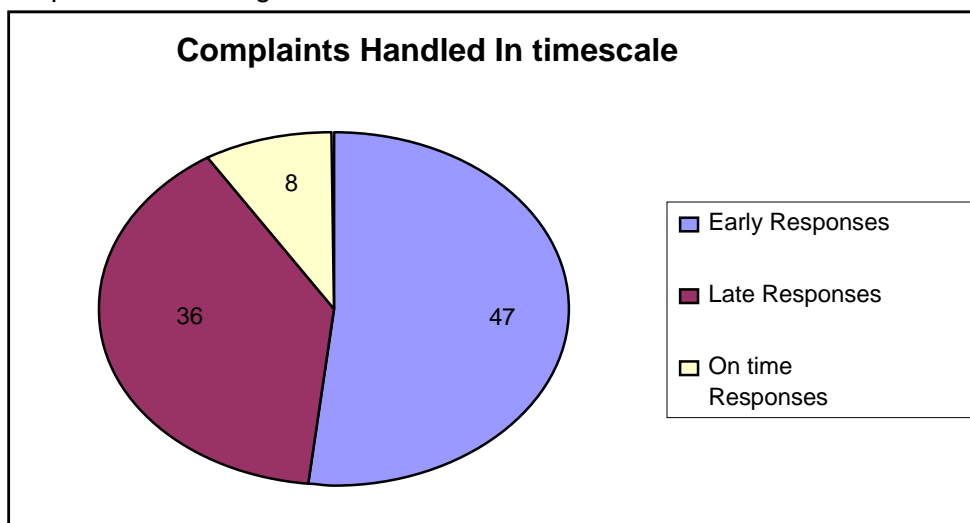
5.5 What types of issues were complained about?
 From the 123 complaints made the issues were varied in nature with some complaints containing 4 or more issues. The following is a breakdown of the types of issue that were complained about.

COMPLAINT ISSUE	NUMBER OF COMPLAINTS	PERCENTAGE
Finance	13	10%
Service issues	44	36%
Communication	40	33%
Lack of support	6	5%
Staff conduct	7	6%
Other	13	10%



5.6 How long did the complaints take to resolve?

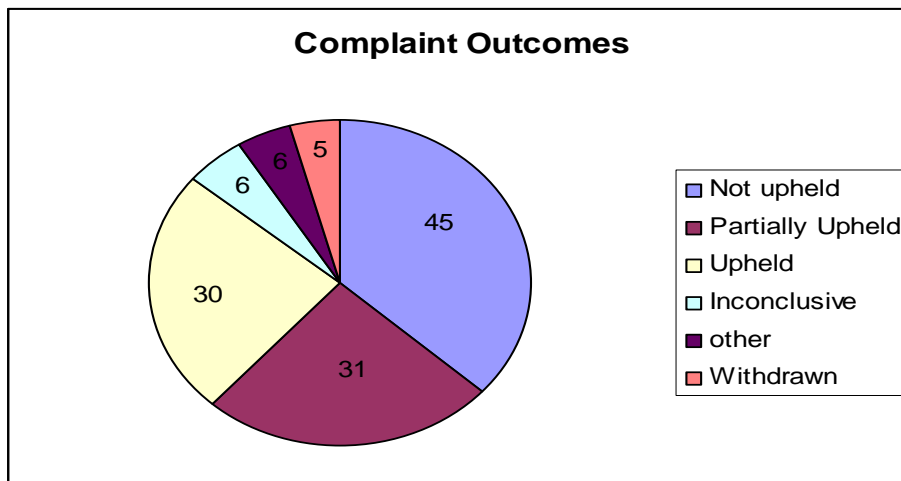
91 complaints that went through the statutory process. This excludes complaints that were withdrawn, led by the Health Complaints Team, or were processed via other procedures. Of the remaining Social Care Complaints 60% were investigated and responded to within the agreed time scale. Delays were due to issues being more complex than originally thought and staff absence impacting on the time required to complete the investigation.



5.7 What was the outcome of the complaints?

The table below shows the overall outcomes from the 123 complaints that were made throughout the year.

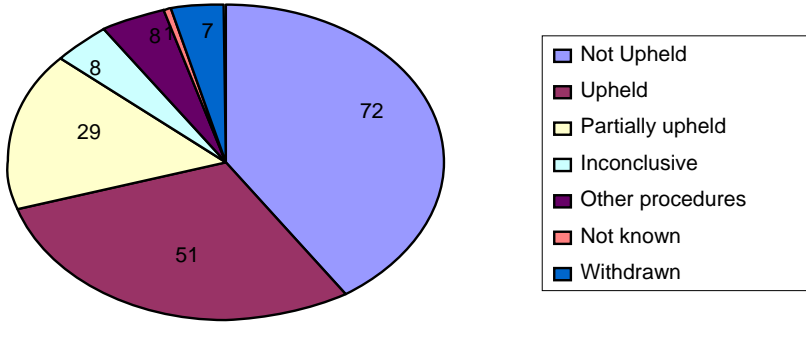
NOT UPHELD	45	37%
PARTLY UPHELD	31	25%
UPHELD	30	24%
INCONCLUSIVE	6	5%
WITHDRAWN	5	4%
OTHER PROCEDURES	6	5%

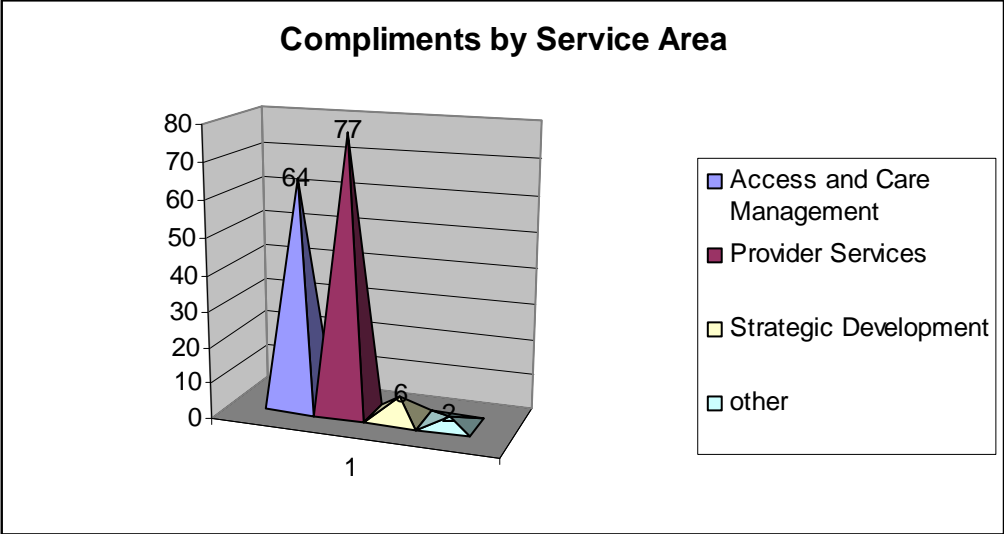


Where complaints have been upheld and partially, upheld managers will reflect on any learning and implement procedures to avoid any similar customer dissatisfaction.

However, from the 123 complaints, there were 176 issues that were raised. The following table shows the breakdown to the resolution of each of the issues.

NOT UPHELD	72	41%
PARTLY UPHELD	29	16%
UPHELD	51	29%
INCONCLUSIVE	8	4.5%
WITHDRAWN	7	4%
OTHER PROCEDURES	8	4.5%
NOT KNOWN	1	1%

	<p style="text-align: center;">Outcomes to Complaint Issues</p>  <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Outcome</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Not Upheld</td> <td>72</td> </tr> <tr> <td>Upheld</td> <td>51</td> </tr> <tr> <td>Partially upheld</td> <td>29</td> </tr> <tr> <td>Inconclusive</td> <td>8</td> </tr> <tr> <td>Other procedures</td> <td>8</td> </tr> <tr> <td>Not known</td> <td>1</td> </tr> <tr> <td>Withdrawn</td> <td>7</td> </tr> </tbody> </table>	Outcome	Percentage	Not Upheld	72	Upheld	51	Partially upheld	29	Inconclusive	8	Other procedures	8	Not known	1	Withdrawn	7
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Withdrawn	7																
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. 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"> • A clear procedure needs to be developed relating to staff handling of money when on transport. This will be discussed and agreed at a managers meeting. • Improve Communication as staff need to convey to service users and their family the correct information relating to support to avoid people going into residential care. Need to consider the value of using advocates as part of this support. • Process to be developed to alert manager if staff are not returning phone calls, to support appropriate level of service. • Continue to train staff on Data Protection. • Changes to service delivery by hand delivering personal data, to include files to be clearly labelled with client's name, and in sealed envelopes. <p>From the 94 complaints that required a Learning From Complaints form to be completed 51 were returned equating to a 54% return.</p>																
6	Compliments																
6.1	<p>In this period there have been a total of 149 compliments. The service areas this relates to can be seen in the chart below.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>SERVICE AREA</th> <th>NUMBER</th> <th>PERCENTAGE</th> </tr> </thead> <tbody> <tr> <td>Provider Services</td> <td>77</td> <td>52%</td> </tr> <tr> <td>Access and care management</td> <td>64</td> <td>43%</td> </tr> <tr> <td>Strategic Development</td> <td>6</td> <td>4%</td> </tr> <tr> <td>Other</td> <td>2</td> <td>1%</td> </tr> </tbody> </table>	SERVICE AREA	NUMBER	PERCENTAGE	Provider Services	77	52%	Access and care management	64	43%	Strategic Development	6	4%	Other	2	1%	
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	<p style="text-align: center;">Compliments by Service Area</p>  <p>It is encouraging that customers have taken the time to communicate positive comments about the service they have received.</p> <p>Examples of compliments made are-</p> <ul style="list-style-type: none"> • 'My Neighbourhood and community Office worker is very professional, caring, kind, compassionate, always willing to go that extra mile.' • 'The Social worker provided a quick and efficient response with my referral.' • 'What would I have done without my Occupational Therapy worker who made me feel comfortable and was easy to talk to.' • 'The aids and adaptations that have been promised have helped me enormously.' • 'Independent Living Centre staff were welcoming and we were treated like VIPS.'
7	<p>Mediation</p> <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. Several managers have engaged with customers to undertake their own mediation in order to resolve issues. 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>

Contact Details.

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