

ANNUAL REPORT ON
ADULT SERVICES COMPLAINTS-COMPLIMENTS-REPRESENTATIONS
1 APRIL 2014 – 31 MARCH 2015

Introduction

The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 came into force on 1 April 2009. This legislation sets down the procedures that Adult Social Care Services and National Health Services, (NHS), must follow when complaints or representations are made.

Representations may not always be complaints; they might also be positive remarks or ideas that require a response from the Council. Enquiries or comments about the availability, delivery or quality of a service, which are not criticisms, also constitute representations.

As part of the responsibilities set out in the Act, local authorities must produce an annual report on all complaints and representations received. This report fulfils Gateshead Council's obligations and provides information on all representations received about the Council's Adult Social Care Services from 1 April 2014 – 31 March 2015.

There are two steps to the Statutory Complaints Process;

1. Informal (Local) resolution by the Council
2. Independent consideration by the Local Government Ombudsman, (LGO)

All complaints must be assessed and given a grading. Categories of complaint are:

- Green Low-level or minimal risk for either the service user or the Council;
- Amber Moderate or medium risk;
- Red Serious complaint graded as high risk.

There are no prescribed timescales for resolution as the quality of the investigation and outcome is significantly more important than attempting to adhere to a stipulated period.

Publicity and Information

Publicity on how to complain can be provided in several formats, encouraging and facilitating easy access to the complaints process. All new service users receive a complaints leaflet in their information pack. A leaflet is also provided when a service user receives the outcome to an assessment / reassessment of need.

Independent Element

The Council operates an internal investigation procedure. Complaints administration is fully independent of any service delivery to ensure fairness and impartiality.

Advocacy and Special Needs

Vulnerable people receiving a Social Care service are encouraged and supported to express their views and to access the complaints procedure if they wish. In all cases advocacy is offered if it is felt that the complainant would benefit from this service.

Individuals who wish to complain about a Public Health service can obtain free independent advocacy support. This advocacy is Government funded and is exclusively for Health Service complaints.

Training and Employee Development

Training for Investigating Officers is provided on an annual basis. All Adult Social Care Team Managers / Service Managers are expected to have undertaken investigating skills training.

The Investigating Skills Training Course is facilitated by the Local Government Ombudsman. This training concentrates on defining, investigating and resolving complex complaints. It also emphasises the need to identify any improvements that may be necessary as a direct result of individual complaints.

During 2014/15, 19 Managers across Adult Social Care and Commissioning & Business Development completed the Ombudsman's Investigating Skills Training Course.

Equalities Monitoring

Gateshead Council recognises that equality monitoring of service delivery is crucial for effective planning and scrutiny of the services that it provides. This monitoring can identify which groups are using services and gauge their level of satisfaction. The information can then be used to highlight possible inequalities, investigate their underlying causes and address any unfairness or disadvantage.

Information about the complaints process can be made available in key languages and formats. Information for customers with sight or hearing impairment can also be provided.

Statistical Analysis of Representations Received from 1 April 2014 and 31 March 2015.

Main themes of complaints received during this period were;

1. Quality of Service

During 2014/15, quality of service remained the main theme of complaint. Issues raised were;

- The quality of Social Work support given to individuals;
- Disputes when Social Workers did not support the views of family members;
- Disputes when Social Workers were acting in the best interests of the service user;
- Issues about how assessments were carried out. In particular when services have been refused.

2. Lack of / Poor Communication by Services

5 complaints were regarding the lack of or the quality of communication from the services concerned. Issues were about;

- Not receiving feedback after an assessment / review of social care needs;
- Systems not being updated after any significant changes in circumstances, in particular when a service user has moved house, gone into hospital or in some cases has passed away;
- Conflicting information given regarding the Direct Payment Process;
- Lack of feedback after the conclusion of the Safeguarding process;

Communication issues are generally dealt with individually with the staff member concerned or through Team Meetings. This ensures that staff and services are aware of their responsibility for effective and timely communication with service users and their families. Staff are also reminded to update systems as soon as they are made aware of any changes in circumstances.

3. Dispute around Assessed Needs

Disputes about assessed needs accounted for 31% (21) of complaints.

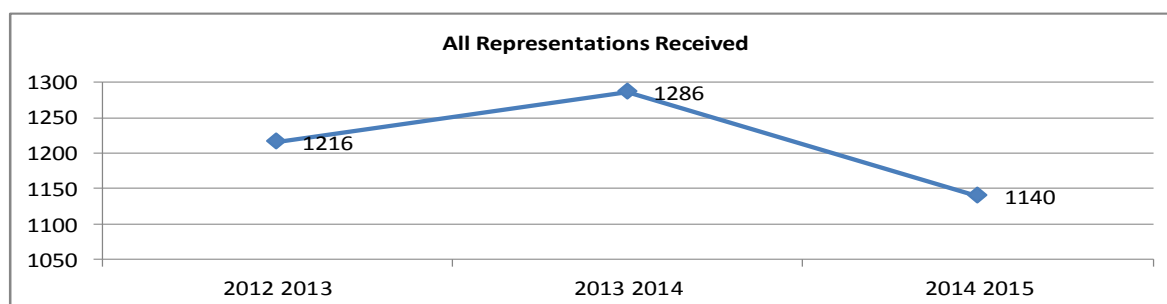
- Complainants often cited the quality of the assessment process as a main cause of complaint. In particular that they had felt that their needs hadn't been fully considered or that the worker hadn't carried out the assessment in line with procedures.

- Public expectation of what can be provided by Adult Social Care remains high and any refusal of service is often unwelcome by the person or their representatives.

Details and numbers of Complaints and representations over the past 3 years

This section deals with the number of complaints and representations received in 2014/15 in comparison with numbers received in 2013/14 and 2012/13

Table 1: All Formal Contacts	2012 2013		2013 2014		2014 2015	
Commissioned Service - Own investigation	0.33%	4	0.08%	1	1.23%	14
Complaints	5.67%	69	6.30%	81	5.61%	64
Complaint Related Queries	4.11%	50	4.43%	57	5.00%	57
Corporate Complaints	0.00%	0	0.00%	0	0.09%	1
Commissioned Services Issues	0.00%	n/a	0.00%	n/a	5.61%	64
Compliments	88.65%	1078	87.71%	1128	80.35%	916
Data Breach	0.00%	n/a	0.00%	n/a	0.18%	2
Health & Social Care Joint Investigations	0.33%	4	0.47%	6	0.44%	5
Finance & ICT Complaints	0.00%	n/a	0.00%	n/a	0.35%	4
Inter-Agency Concerns	0.00%	Na	0.39%	5	0.35%	4
MP / MEP Responses	0.66%	8	0.16%	2	0.18%	2
Safeguarding Alerts	0.25%	3	0.39%	5	0.44%	5
Whistle Blow	0.00%	Na	0.08%	1	0.18%	2
		1216		1286		1140



- There has been a 11% decrease in formal recorded contacts since 2013/14.
- Complaint related queries stayed at the same level as 2013/14, (57).
- Complaint related queries are low-level representations that must be resolved within one working day after receipt.
- Commissioned Service Issues are concerns which are shared with the providers to investigate themselves. This process came into force in May 2014.
- 80% of the representations made during 2014/15 were compliments and only 20% were concerns or complaints.

Table 2: Complaint Categories	2012 2013	2013 2014	2014 2015
Green	30	40	7
Amber	39	40	56
Red	0	1	1
All	69	81	64

- Adult Services complaints decreased by 21% compared to 2013/14 figures.
- This reduction is due to the appointment of a Business Manager within Assessment & Personalisation during 2014/15. The Business Manager is responsible for managing performance within the service and to identify and resolve any areas of concern before they escalate into complaints.
- The number of complaints assessed as Green (minimal risk to the Council or service user) accounted for 11% of the total number of complaints.
- This is a reduction of 38% from 2013/14. This evidences that complaints are becoming more complex and often include more significant issues

Table 3: Service Area	2012 2013		2013 2014		2014 2015	
Assessment & Personalisation	52.7%	36	67.90%	55	40.63%	26
Care Call	Na	Na	3.70%	3	7.81%	5
Commissioning & Business Development	Na	Na	7.41%	6	23.44%	15
Finance & ICT	2.9%	2	2.47%	2	0.00%	0
Health & Housing Support	8.7%	6	2.47%	2	12.50%	8
Provider Services	36.2%	25	16.05%	13	15.63%	10
Total		69		81		64

- During 2014/15, 26 complaints were about the Assessment & Personalisation service.
- This is a 53% decrease since 2013/14, (55).
- 33% (**21**) of these complaints were regarding reductions to care packages or refusal of services after an assessment / reassessment of need.
- This is an increase of 31% in relation to the same issues that were received during 2013/14, (16).
- After investigation, 56% (10) of the complaints which had been responded to were not upheld.
- Only 22% (4) were upheld. As a result, services were provided or reinstated.
- Complaints about Council Provider Services reduced by 23% (10) since 2013/14.
- Provider Services include Promoting Independence Centres, Shared Lives Services and Council homecare.

Table 4: Distribution by Service Division	2012 2013		2013 2014		2014 2015	
Services for People under 65	45%	31	48%	40	36%	23
Services for People over 65	55%	38	52%	44	64%	41
Total		69		84		64

- 64% (41) of complaints were about services for people over 65. This has been consistent over the last three years. 12% (5) of these complaints were made by service users themselves.

Table 5: Issues of Complaint	2012/2013		2013/2014		2014 2015	
Delay	4%	3	6.1%	5	3%	2
Lack of Service	17%	12	2.4%	2	5%	3
Quality of Service	68%	46	72.8%	59	80%	51
Refusal of Service	4%	3	3.7%	3	6%	4
Staff Issues	7%	5	14.8%	12	6%	4
Service User Conduct	0%	0	0%	0	0%	0
Total	100%	69		81		64

- 80%, (**51**) of complaints were around the quality of services received and remains the greatest cause for complaint.
 - Quality of service involves alleged failure of service delivery, for example:
 1. Home carers not turning up;
 2. Non return of telephone calls;
 3. Late or missed social work visits;
 4. Poor response after a request for service.
 - 11% (7) of these complaints were regarding the quality of social work involvement or support.
 - 80% (**4**) of the 5 complaints responded to regarding social work support were either fully or partially upheld.

Table 6: Specific Issues	2011 2012	2013 2014	2014 2015
Disputes about Care Charges	5	10	2
Staff Issues	7	12	4

- **3% (2)** of complaints were around disputes about charges for service provision.
- This is a decrease of 80% since 2013/14, (10).
- Complaints about staff decreased by 67% (4).

- 3 of these complaints were regarding the same staff member.
- After investigation, all 4 complaints were found to be unjustified.

Table 7: Outcomes of complaints	2012/2013		2013/2014		2014 2015	
Outstanding		7		2		8
Closed or withdrawn	0%	0	2.5%	2	1.5%	1
Not upheld	34%	21	43.0%	34	41%	23
Partially upheld	42%	26	31.6%	25	22%	18
Upheld	24%	15	22.8%	18	25%	14
Total		69		81		64

- 41% (23) of complaints were not upheld after investigation.
- 47% of complaints were either fully or partially upheld during 2014/15.
- After initial investigation, 1 complaint was closed and transferred to the Safeguarding Adults Process.
- 29 working days was the average time to investigate complaints during 2014/15.
- The Council expects all complaints to be completed within **30** working days and this timescale has again been achieved during 2014/15.

Table 8: Method of Complaint	2012/2013		2013/2014		2014 2015	
Service Feedback Form	Na	Na	7%	6	7.7%	5
Corporate Complaints Form	6%	4	10%	8	0%	0
Email	33%	23	22%	18	31.3%	20
Letter	32%	22	28%	23	39.1%	25
Personal Visit	6%	4	6%	5	4.7%	3
Telephone	23%	16	26%	21	17.2%	11
Total		69		81		64

- Letters and emails are now the main method of referral accounting for 70% (**45**) of all complaints received, up 10% from 2014/15.
- In response to a request from members of the Physical Disability, Sensory Impairment Forum, it was agreed to set up a Text Messaging Service for complaints and representations in 2014/15. However, despite ensuring that this service is publicised, no text representations have yet been received.

Table 9: Ethnic Status	2012 2013		2013 2014		2014 2015	
White British	100%	69	97.53%	79	96.88%	62
Black/ Black British	0.00%	0	0.00%	0	0.00%	0
Chinese	0.00%	0	0.00%	0	0.00%	0
Mixed	0.00%	0	0.00%	0	0.00%	0
Asian / Asian British	0.00%	0	0.00%	0	1.56%	1
Other White	0.00%	0	2.47%	2	1.56%	1
		69		81		64

- 2 formal complaints and 4 complaint related queries were raised by members of the BME community.
- 11 compliments were given to staff or services from the BME community.
- 14 representations were received from services users with a learning disability.
- 11 of these were compliments, 2 were complaints and 1 was a low level issue which was dealt with by the service themselves.

Specific Areas of Complaint

This section focuses on complaints about other specialised areas of Adult Social Care.

Commissioned Care Services Complaints

Table 10: Com Service	Provider Response		Formal Complaints		Total	
	2013 2014	2014 2015	2013 2014	2014 2015	2013 2014	2014 2015
Home Care	0	10	6	7	6	17
Care Home	0	4	0	1	0	5
Housing Provider	0	0	0	1	0	1
Other	0	0	0	1	0	1
Total	0	14	6	10	6	24

- Between 1 April 2014 and 31 March 2015, 24 complaints were received regarding Commissioned Care Services.
- 17 of which were regarding commissioned home care services.
- 14 complaints were referred to the providers themselves with a request to investigate under their own complaints procedure in the first instance.
- 10 complaints received were investigated and responded to by the Council.
- After investigation, 9 complaints investigated by the Council, were either fully or partially upheld
- 1 complaint was moved to the Safeguarding Adults Process.

Commissioned Care Services – All issues received

Table 11: Issues Received Commissioned Service	2013 2014	2014 2015
Formal Complaints	6	10
Complaint Related Queries	7	8
Commissioned Service Issues	NA	64
Provider – Own Response	1	14
Insurance Claim	0	1
Whistle Blows	0	2
Total	15	99

- During 2014/15, 99 formal issues were received about Commissioned Care Services.
- 82 of these were regarding the quality of home care services.
- Concerns about late, missed or short care visits were the main theme of complaints.
- 11 issues were regarding the quality of the care provided by residential homes.

Once complaints are resolved, Contract Management Officers ensure any proposed actions after complaints are carried out and fully monitored. Complaints are used by the Commissioning and Business Development Team to inform on any changes to current services and how they will be commissioned in the future.

Customer & Financial Services Complaints

Customer & Financial Services are responsible for financial assessments for care packages, management of individual budgets, managing service users' financial contributions, Council Appointeeship and payment of care fees.

During 2014/15, 4 complaints were investigated and responded to by Manager's within Financial Services. After investigation, 3 complaints were either partially or fully upheld and 1 was not upheld. All complaints were about Financial Management and Financial Charging.

Health & Social Care Joint Investigations

The statutory complaints process covers NHS and Social Care Services.

All complaints received regarding services provided by both Health and Social Care, are co-ordinated by either the Local Authority's Complaints Manager or the Complaints Manager responsible for the Health Service area subject to the complaint. The organisation responsible for

the majority of the complaint will take the lead in the investigation and will ensure that a combined response letter is sent to the complainant within the agreed timescales.

5 complaints were around services provided by both Health and Social Care during 2014/15. Complaints that were received included issues about the Queen Elizabeth and Bensham Hospitals. All complaints were about the quality of the discharge process from hospital. After investigation, 2 complaints were fully upheld, 1 was partially upheld and 2 were not upheld.

Safeguarding Adults Concerns

During 2014/15, 4 concerns were received which immediately identified areas of possible abuse against vulnerable adults. All 4 were considered through the Safeguarding Adults Process.

5 complaints were received about the management of the Safeguarding Process. The complaints were all regarding the quality of communication to families or representatives of service users who were the subject of the alleged abuse. After investigation, 80% (4) were not upheld and 1 was judged partially upheld.

Public Health Complaints

During 2014/15, 2 complaints were received regarding Public Health Services. 1 was regarding the child weight management programme, which after investigation was not upheld. The other was about the wellness hub and the delay in receiving a service. This complaint was partially upheld.

Learning from Complaints: Examples of Service Improvements

Learning from complaints is critical to prevent recurrence of the cause(s) of the original complaint. It is important that we make sure that people's experiences help the Council to improve services where possible. Changes can include policy, procedure or employee development.

Complaints about individual practice or failure to follow procedures are dealt with by reinforcement of processes and reiterating customer care standards through Service / Team meetings or individual supervision sessions.

In all cases, any issue regarding attitude or conduct of staff are dealt with in line with internal employment procedures.

Improvements after a complaint include:

Quality of Mental Capacity Assessments

- Due to a lack of clarity around mental capacity assessments, it is now mandatory for all Assessment and Personalisation Social Workers to undertake Mental Capacity Act refresher training.

Inadequate communication between Hospital Social Work Teams and Hospital Ward Staff

- Regular meetings between hospital ward staff and hospital social workers are now held to share any relevant information and to help develop better communication between health and social care. This will identify what barriers are preventing effective communication and how they can be overcome.

Concerns about the quality of the information regarding direct payments

As a result of this complaint:

- Direct Payment training is now mandatory for all relevant staff.
- The booklet, which informs on the Direct Payments process, has now been reviewed.

Charging Issues

A concern was received regarding the obligatory standard 4 hours support within the Extra Care setting.

- As a result of this complaint, the contract between the Council and the provider has been reviewed.

Quality of service provided by Promoting Independence Centres, (PIC)

- Training and development needs of PIC staff, particularly around case recording, are identified, monitored and reviewed as part of the Council's formal supervision process.
- Quality assurance measures are strengthened to ensure records validate a true account of a person's experience and care and support needs during their stay in a PIC.
- Carer consultations are carried out on a regular and timely basis to ascertain satisfaction with the care that had been provided.

Adaptation Process

Clients who are going through the adaptation process are now kept fully informed of any significant developments. Applicants are also provided with regular updates on the progress of their application.

Suitability of Day Services Activities for Individual Service Users

- Users of day services are now provided with a form to register specific requests for activities during the week. These requests will now be included in the day services weekly activity plan.
- Recording and evaluation of individual service user's care plans are now completed with the person present and regularly audited by managers.
- Quality assurance measures have now been implemented to ensure that the aims and objectives of day care services are being met for all service users.

Compliments

Information about compliments is fed into Assessment & Personalisation and Provider Services including the Commissioning & Business Development Team to highlight good practice and whether any possible improvements to services.

There has been a 19% decrease in compliments received compared to the amount received during 2013/14. However, compliments still accounted for 80% of all representations received during 2014/15.

- 34% of compliments, (313), received in 2014/15 focused on the care provided by the Councils Promoting Independence Centres.
- 20%, (182) were regarding Council Domiciliary Care.
- 91% of Council Domiciliary Care compliments were about the START service. The START Service is a short term re-ablement team who concentrate on providing service users with the skills to remain at home. This service can help prevent the need for larger or more long term packages of care.
- 2% (16) of compliments received were from families of services users who were at the end of their life. These compliments expressed the gratitude of family members for the services or individuals involved in their care.
- 80% (**916**) of all representations received during 2014/15 were compliments.

Conclusions

Complaints about Adult Care Services have decreased by 11% since 2013/14.

In 2014, Adult Social Care appointed a Business Manager who is responsible for overseeing service performance and identifying and resolving any potential issues before they become complaints. This has had a direct impact on reducing dissatisfaction as any areas that may cause concerns to service users or their representatives are highlighted and resolved where possible. The service also ensure that any learning from complaints is implemented with improved consistency. Any

changes to practice or processes are then closely monitored to minimise the risk of any reoccurrence of the original issues.

The national profile of Council Commissioned Care Services have been highlighted throughout 2014/15 in relation to either charging for care or about the quality of the care provided. This focus has been reflected in the number of issues received by the Council regarding care providers and accounted for 49% of all concerns received. However, the increase in concerns does not necessarily mean that there are problems with external providers, but that people are more confident in raising dissatisfaction.

Issues around charging for care have decreased with a significant drop of 80% since 2013/14. The Council's Financial Services do deal with queries about invoicing on a day to day basis and in most cases resolve any issues at a local level.

During 2014/15, 31% (21) of complaints were about disputes to assessed needs. Currently these disputes are dealt with through the complaints procedure. However, the regulations set out within the Care Act 2014, gives scope for an appeals process which is to deal with these type of disputes in future. Consultation on how the process will work was undertaken in March 2015, the results of which will help formulate the final guidance in time for the appeals process implementation in April 2016.