

**TITLE OF REPORT:** Adult Social Care and Public Health - Annual Report on Services Complaints, Compliments and Representations - April 2017 to March 2018.

**REPORT OF:** Caroline O'Neil, Strategic Director, Care, Wellbeing & Learning.

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### Summary

Cabinet considered the attached report on 17 July 2018.

Cabinet approved the referral of the report to a meeting of the Care, Health & Wellbeing Overview and Scrutiny Committee, in line with procedure.

It is a statutory requirement that the report is considered by a formal committee to ensure the Council has an effective complaints procedure that follows the legislation set out in The Local Authorities Social Services and National Health Service Complaints (England) Regulations 2009 and the The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.

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### Background

1. The Local Authority Social Services and National Health Service Complaints, (England) Regulations 2009 and The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012 set down the procedures that Adult Social Care Services, National Health Services, (NHS) and Public Health Services must follow when complaints or representations are made. As part of the responsibilities set out in the acts, 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 and Public Health Services between 1 April 2017 – 31 March 2018.
2. Information contained in the report provides a summary of the statistical information of all representations received, together with a review of the effectiveness of the procedures. Some examples of service improvement are also included.

### Annual Report Complaints and Representations

3. The report is consistent with the Sustainable Community Strategy – Vision 2030 and the Council's Corporate Plan. In particular the report supports the Corporate Priority for serving our customers by continuously improving services and targeting areas of under achievement.
4. The report focuses primarily on statutory complaints for Adults Social Care Services and Public Health, with information on complaint related queries and compliments that are received about staff or services. The report covers the period from 1 April 2017 – 31 March 2018.

## **Operation of the Procedure**

5. The Adults Care Complaints Process procedure has two stages:
- Local Resolution by a Team or Service Manager
  - External Consideration by the Local Government Ombudsman.

## **Statistical Analysis**

6. In 2017/18 the number of complaints and representations dealt with was as follows:
- Sixty-five statutory complaints were received during 2017/18. This is a 23% increase on the number of complaints received during 2016/17, (53);
  - Ten of the complaints received were graded as green complaints, which are low level issues that carry a small risk either to the service user or the Council;
  - Fifty-five complaints were graded as amber complaints - moderate issues with medium risk to the service user or the Council;
  - There were no Red complaints received during 2017/18. Red complaints are regarding serious issues which are high risk for either the service user or the Council;
  - The number of low level informal issues received decreased by 26%, (17 from 23).
  - As most complainants now wish for a written response to their concerns, this would account for the decrease in low level issues not requiring an outcome letter and the increase in formal complaints where a written response is a statutory requirement.

## **Points of Interest**

7. The following points may be of interest:
- 42%, (27) 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;
    - Non- return of telephone calls;
    - Lack of or poor communication from services or individual workers;
    - Late or missed social work visits;
    - Lack of timely response after a request for service.
  - 44% (27) of complaints were not upheld after investigation.
  - 15% (9) of complaints were partially upheld.
  - 29% (18) were fully upheld after investigation.
  - 77% of representations made during 2017/18 were compliments and only 23% were concerns or formal complaints.

## **Learning from complaints and representations:**

8. 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 us to improve services where we can. Changes can include policy, procedure or employee development.

## **Examples of improvements identified during 2017/18:**

- That when referring clients to a commissioned care home, all assessing officers / social workers must always ensure that the care home is provided with an up to date Care Plan and contract on admission.

- That all workers within the Single Point of Access Team should be mindful about the way in which service users or their representatives are informed of any delays in respect of the assessment / allocation process. This information should always be shared in a sensitive manner to minimise the risk of any upset or possible dissatisfaction.
- That all Care Call Operators must ensure that they activate the “No Response” procedure should a service user not respond when a Care Call Operator contacts their home.
- That all employees within Adult Social Care should ensure that any sensory needs of a service user and/or their representative is clearly included within the case file. This will ensure that any documentation sent to them is in the correct format.
- That Assessing Officers should always ensure that a service user with capacity will accept a package of care before it starts and that they should ensure that this agreement is recorded on the case file.
- That when arranging an emergency admittance to care, that all workers will ensure that the correct up to date documentation is used.
- Due to the increase in calls to the Single Point of Access and Adult Social Care Direct Teams, several workers have been allocated to work overtime hours each evening to enable the service to deal with the backlog of telephone calls and emails. This will ensure that queries from members of the public are dealt with in a timely manner.

## **Future Objectives**

9. Objectives for 2018/19 are to:
  - a. Continue to meet regularly with Managers from Adult Services and Public Health to consider what further action needs to be taken to;
    - i. Resolve complaints at the earliest opportunity and within local timescales.
    - ii. Improve the number of complaints being investigated and resolved to the complainant’s satisfaction;
    - iii. Ensure that the number of complaints progressing to the Local Government Ombudsman remain low.
    - iv. Ensure that Adult Social Care and Public Health continue to use the outcomes from complaints to drive service improvement.
  - b. Ensure that staff members who receive compliments continue to pass the details on to Social Care Customer Services so that they or their team receive the recognition they deserve.

## **Recommendation**

10. Committee is requested to:
  - I. Consider and comment on the annual report;
  - II. Indicate whether it is satisfied with the performance of Care, Wellbeing and Learning in responding to complaints and ensuring that this results in continuous service improvement