

NORTH LINCOLNSHIRE COUNCIL

**ADULTS AND HEALTH
CABINET MEMBER**

**ADULT SOCIAL CARE SERVICES STATUTORY COMPLAINTS, COMPLIMENTS
AND REPRESENTATION REPORT - ANNUAL REVIEW 2019-20**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To present the Adult Social Care Services Statutory Complaints, Compliments and Representation Report - Annual Review 2019-20 in line with statutory requirements

2. BACKGROUND INFORMATION

- 2.1 There is a statutory requirement to present an annual report on representations and complaints, which have been addressed under The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, Making Experiences Count. The annual report is attached as an appendix.
- 2.2 These statutory procedures confer on service users, or representatives acting on their behalf, the right to make representations about social care services for older people; people with a physical disability and people with a learning disability.
- 2.3 There is a requirement that local authorities address these representations through a two-stage procedure. The first stage of the process rests with the local authority and applies the principles of a local resolution based on "do it once, do it right". The second stage is a referral to the Local Government and Social Care Ombudsman.
- 2.4 During 2019-20, there were 35 complaints about social care for adults. This is 12.5% fewer than the previous year and represents 2% of service users. The annual report provides a summary analysis of the complaint issues and findings.

- 2.5 After the council's complaints process has been completed, the complainant has a route of appeal to the Local Government and Social Care Ombudsman. Five complaints were escalated to the Local Government and Social Care Ombudsman and 2 of these were upheld. This compares to 4 complaints received in the previous year, 2 of which were upheld. A separate report on the findings of the Local Government and Social Care Ombudsman's Annual Review Letter 2019-20 will be considered by the Resident Engagement and Rural Partnerships Cabinet Member later in the year.
- 2.6 The service uses complaints findings to inform service development and improvement. The report provides an overview of the actions taken as a result of complaints information and demonstrates an overall positive direction of travel for complaints handling.
- 2.7 We will share the report with relevant partner organisations.

3. OPTIONS FOR CONSIDERATION

- 3.1 Option 1: To receive and approve the Adult Social Care Services Statutory Complaints, Compliments and Representation Report - Annual Review for 2019-20.
- 3.2 Option 2: Not to approve the report.

4. ANALYSIS OF OPTIONS

- 4.1 Option 1: Approving and publishing the annual complaints report for Adults Services will meet our statutory duty.
- 4.2 Option 2: Not publishing the annual report will not meet our statutory duty.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

- 5.1 As set out above, there is a statutory requirement to publish an annual report.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

- 6.1 None

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

- 7.1 An integrated impact assessment has not been undertaken as this report presents a summary of findings from complaints that have been investigated in line with statutory requirements.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 None

9. RECOMMENDATIONS

9.1 That the Adult Social Care Services Statutory Complaints, Compliments and Representation Report - Annual Review 2019-20 is received and approved for publication.

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Date: 15 July 2020

Background Papers used in the preparation of this report –

The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.

Adult Social Care Statutory Complaints, Compliments and Representation Report - Annual Review 2019-20

Local Government and Social Care Ombudsman's Complaints 2019-20

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North Lincolnshire Council
**Adult Social Care Services
Statutory Complaints,
Compliments and Representation
Report**

Annual Review 2019-20



**North
Lincolnshire**
Council

Introduction

This is the 2019-20 Adult Social Care Services Statutory Complaints, Compliments and Representation Report, which has been addressed under the terms of: The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, Making Experiences Count.

It outlines the complaints made under the statutory procedure and the actions taken in response.

The report is set out as follows:

Introduction and Executive Summary

- ▼ Section 1: Background
- ▼ Section 2: Compliments Received
- ▼ Section 3: Summary of Complaints
- ▼ Section 4: Statutory Timescales
- ▼ Section 5: Complaints by Complainant Type
- ▼ Section 6: Complaints by Finding & Issue
- ▼ Section 7: Local Government and Social Care Ombudsman
- ▼ Section 8: Learning from Complaints
- ▼ Section 9: Reporting and Monitoring
- ▼ Section 10: Conclusion



Executive Summary

The key highlights for 2019-2020 are set out below:

▼ A wide range of compliments regarding the quality of service were received from service users, families and other representatives in 2019-20.

▼ 35 complaints were received, compared to 40 complaints in the previous year. This represents a decrease of 12.5% and is the lowest level of complaints received in the last 3 years.

▼ The complaints represented 2% of service users, which remains relatively low, and is the same percentage as in the previous year.

▼ Three quarters of complaints received were answered within 20 working days compared to 85% in the previous year.

▼ Half of all complaints received were not upheld, which is comparable to the previous year.

▼ 5 complaints were received by the Local Government and Social Care Ombudsman, of which 2 were upheld. In the previous year 4 complaints were received, and 2 were upheld.

▼ Work has been ongoing in 2019-20 to resolve complaints informally, where possible, and this has been key in their effective and expedient resolution.



SECTION 1 Background

This is the 2019-20 annual complaints report about adult social care services, which has been addressed under the terms of: The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, Making Experiences Count.

It outlines the complaints made under the statutory procedure and the actions taken in response.

The Making Experiences Count procedure applies to social care services that are provided or commissioned by the local authority for: people with a learning disability; people with a physical disability and older people.

The statutory procedure that applies in adult services is a two-stage procedure; the first stage rests with the local authority, the second stage with the Local Government and Social Care Ombudsman.

Services work closely with their service users to ensure that people and their families understand what is happening and what will happen following any contact or request for care and support. There may be occasions where concerns and enquiries are raised from both the service user and their family on their behalf. In the first instance, the service will offer to address and resolve any concerns informally. This may reduce the need for the service user to make a complaint, as issues are addressed as soon as they occur.

Where a more formal response is required, people will be directed to the council's complaints procedure and the Customer Contact and Relationship Manager will act as a central, impartial role to ensure that a thorough investigation is carried out and a full response is given to the complainant or their advocate. The response is delivered as a letter, email or face-to-face meeting, as appropriate to the individual.

Complaints should be concluded wherever possible within 15 working days of the complaint being received; this can be extended up to no more than 20 working days, if the complaint is more complex.





For more complex complaints, or in circumstances where an element of independence is required, complaints are investigated by someone independent of the service, either a manager from another service area or someone who is independent of the local authority. These investigations will report to a senior manager on their findings. A full response is supplied to the complainant and they are kept fully informed throughout the process of the investigation.

The principle in dealing with complaints in one stage is to 'do it once do it right' with the focus on resolution. If the complainant is not satisfied with the response they receive at stage one, then the reason for the dissatisfaction will be reviewed. Where the complaint has been thoroughly looked into and the complainant is unhappy with the outcome then this too will be reviewed to ensure that the outcome is fair and appropriate and that all actions that should be taken have been identified. If the response has been a complete response and no further actions can be taken then the complainant will be referred to the Local Government and Social Care Ombudsman for stage two of the procedure.

There are a number of mechanisms for incorporating the views of people, and the council encourages citizen voice and supports a number of citizen engagement groups, which inform strategic planning and service delivery.

The representations procedure for adult social care services is also a route by which our customers can let us know what they think about our services. The council recognises the value of hearing people's views and concerns and understands that from time to time, despite best efforts, some circumstances warrant the use of the formal complaints procedure. In doing so, the council seeks to ensure that the responses are timely, open and robust so that customers are assured and services utilise learning from complaints to improve and develop service as appropriate.

It is important that access to the complaints procedure is as straightforward as possible for anyone who wishes to use it. Information about the procedure is made public on the council website.

An advocacy service is available to service users and their family when they need assistance with any concerns or complaints they may have with adult services.

SECTION 2 Compliments Received

In capturing compliments, customers express not only their satisfaction with the services but they also convey a wider story of their needs being met and they add a real social value.

Learning from things that have gone right is essential to our service delivery and good practice. Not only does it highlight the good work that is happening service wide but it also enables us to understand what works.

This section of the report contains a few examples of the compliments received in 2019-20. Customers provide feedback by a variety of methods such as telephone, letter and email.

Adult services received 184 compliments in 2019-20.

"Everything went like clockwork. Impressed is not a good enough word, but... we were all so impressed. Mum received such great care."

"I really cannot express how grateful we all are. People could say that she was just doing her job, and yes, I guess that is true but she did it so excellently, I true asset!"

"She made my parents feel at ease at what was quite an emotional and unexpected turn of events regarding my mum. This was really appreciated and shows the worker went the extra mile."

"All the staff were kind, cheerful and very professional - they made mum feel comfortable and confident. Her dignity was maintained at all times and believe me that is one of the most important things to an elderly lady."

"Very polite and easy to talk to. Listened to what I was doing and suggested easy ways of doing things to help me. I got lots of advice to help me achieve independence and maintain my wellbeing. I was spoken to as a person."

"The worker didn't mind explaining again when I didn't understand. We were all fully involved. The service is fantastic."

"We had an informative discussion and exchange of options. The worker was receptive to my specific needs and was a patient listener."

SECTION 3 Summary of Complaints

This section of the report provides a summary of the complaints received within the year 2019-20.

35 statutory complaints were received in 2019-20, which is a decrease of 12.5% in the number of complaints made about adult services compared to the previous year.

This is the lowest level of complaints received in the last 3 years.

The percentage of complaints continues at a low level in comparison to the number of people supported.

Year	Number of statutory complainants	Users of adult services*	Percentage of complaints to service users
2017-18	43	1,685	2.5%
2018-19	40	1,580	2.5%
2019-20	35	1,592	2%

(* The number of adults aged 18+ receiving a long term support service as of the 31st March in the relevant year)



SECTION 4 **Statutory Timescales**

Complaints should be concluded wherever possible within 15 working days of the complaint being received; this can be extended up to no more than 20 working days, if the complaint is more complex.

66% of complaints were responded to within 15 working days and a further 8% were responded to within 20 working days due to the complexity of the complaint.

In comparison, the previous year's response times were 75% of complaints answered in 15 working days and 10% answered in 20 working days.



SECTION 5 Complaints by Complainant Type

This section illustrates the percentage of complaints by complainant type in comparison to previous years.

Consistent with previous years, the majority of complaints have been made on behalf of service users by their relatives. Service users often depend on their family to provide support to make complaint.

In the year, there was a slight rise in service users making complaints in their own right and a decrease in the number of service users using the advocate service to make complaints.

Complainant Type	Service User		Relative		Other eg. Advocate	
	Number	Percentage	Number	Percentage	Number	Percentage
Year						
2017-18	17	39%	26	61%	0	0%
2018-19	6	15%	28	70%	6	15%
2019-20	8	23%	23	66%	4	11%



SECTION 6 Complaints by Finding and Issue

Complaints by Finding

The chart below illustrates that 51% of the complaints received were not upheld, compared to 48% in the previous year.

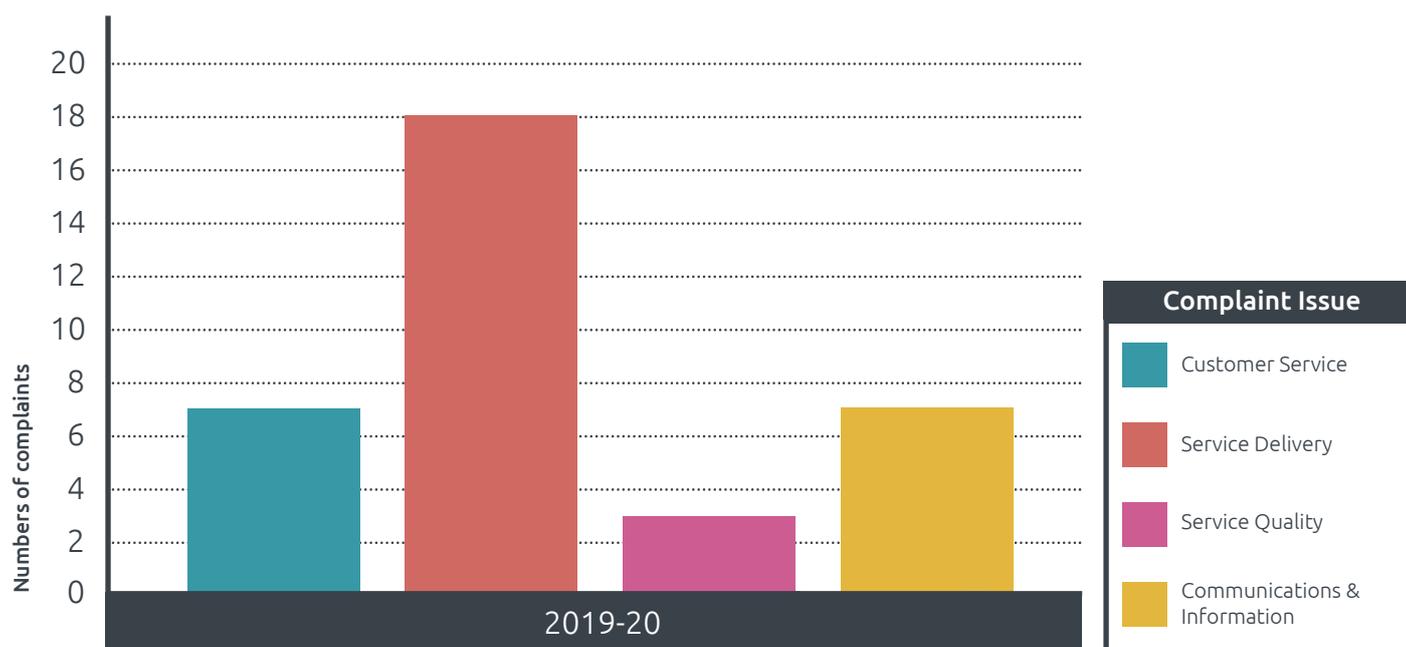
49% of the complaints were upheld in whole or in part, compared to 52% in the previous year.

There were no complaints received this year that have been categorised as “not found”.

Stage 1	2017-18		2018-19		2019-20	
	Number	Percentage	Number	Percentage	Number	Percentage
Upheld Whole	5	12%	5	12%	3	9%
Upheld in Part	13	30%	16	40%	14	40%
Not Upheld	21	49%	19	48%	18	51%
Not Found	4	9%	0	0%	0	0%
Total	43	100%	40	100%	35	100%



Complaints by Issue



Complaints about **Service Quality** arise where there are specific issues, for example with delays or the standard of the service being delivered, rather than concerns about the nature of the service itself. There was a decrease of 6 complaints about service quality compared to the previous year.

Examples of these complaints included:

- Quality of service provided by care workers/care homes.

Complaints about **Service Delivery** are about whether support has been provided or what the complainants consider is the failure to provide a service. This is the primary reason for complaint, with an increase of 4 complaints compared to the previous year.

Examples of these complaints included:

- Delay in Deprivation of Liberty assessments.
- Delay in care needs assessment review.
- Delay in allocating a social worker.
- An assessment, which took too long resulting in care costs that were not expected.

Customer Service complaints relate to standards of customer service and can reflect the way in which complainants consider they have been treated. These are often the most difficult complaints on which to reach a finding as they concern the way in which someone feels about, or their perception of, an event. Complaints about

customer service has shown an increase of 6 additional complaints in this category compared to the previous year.

Examples of these complaints included:

- Perceived attitude of a social worker.
- Lack of contact from some social workers.

Issues of **Information and Communication** relate to complainants' concerns that they are not made fully aware of the service's actions, plans or decision-making. Complaints about information and communication have decreased with 9 fewer complaints in this category compared to the previous year.

Examples of these complaints included:

- Communication issues between families and social workers.
- Being charged for a service that was not considered necessary and the perception of having little communication in the care package that was received.
- Decision making procedure.

Complaints about **Inclusion and Involvement** include complainants and their families feeling they have not been appropriately involved or have been excluded from processes in which they consider they should have been a part of. There have been no complaints under this category.

SECTION 7 Local Government and Social Care Ombudsman

The second and final stage of the statutory procedure for adult services is investigated by the Local Government and Social Care Ombudsman (LG&SCO).

There were 5 LG&SCO complaints received for adult services, compared to 4 complaints in the previous year.

2 of the complaints received this year were upheld, which is the same level as the previous year.

- ▼ 1 upheld complaint related to lack of communication and delays in agreeing care plans, which did not meet the appropriate need.
- ▼ 1 upheld complaint related to discharge from a hospital and the follow-up support provided.

SECTION 8 Learning from Complaints

The following developments have been undertaken as a direct result of receiving complaints:

- ▼ We have taken the learning from individual complaints to inform practice and process changes including service reviews.
- ▼ As a result policies and procedures were updated, to ensure a consistent approach.
- ▼ We have invited people who have shared concerns and complaints back in to the service to see how the service has improved. This has proved beneficial as people can see the changes and enhancements made.



SECTION 9 Reporting and Monitoring

Information from complaints is used and shared in a number of ways:

- ▼ Meetings with senior managers. These meetings review complaints to consider specific issues in relation to individual complaints and identifying any themes and cross cutting issues. This is an opportunity to learn from complaints and improve service delivery.
- ▼ Complaints information is included in regular service performance monitoring reports. Services report on complaints within their routine performance monitoring arrangements, thus informing the service about qualitative aspects of performance and ensuring the information is integral to service monitoring and service development.
- ▼ An Annual Complaints and Representation Report is presented to the Cabinet Member. Reporting at this level allows for consideration of the implications for wider strategic and policy development.
- ▼ We will share this report with partner organisations.

SECTION 10 Conclusion

This report has given an overview of the statutory procedure for compliments and complaints about adult services for the year 2019-20. It has summarised the complaints received over the year and the actions taken to resolve them.

We will continue to develop and improve the complaints process in 2020-2021 by:

- ▼ Continuing to adopt restorative practice methods to help resolve complaints and issues at an early stage.
- ▼ Increase our focus on robust monitoring of responses to complaints so that timescales are met.
- ▼ Continue to use the learning from complaints to inform training and practice development.

