



Adult Social Care Complaints, Compliments and Comments Annual Report

1 April 2014 to 31 March 2015

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Introduction

The purpose of this annual report is to inform service users, carers, the public, Council Members and Adult Social Care staff of the effectiveness of the Adult Social Care Complaints, Compliments and Comments Procedure (the procedure).

On the 1 April 2009 the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 (the regulations) came into force following the consultation 'Making Experiences Count' by the Department of Health. The consultation found that the complaints processes for people receiving both health and social care services were overly complex and inflexible.

As a result the legislation introduced radically altered the way in which complaints are handled introducing a single joint complaints process for both social care and health services, with one stage as opposed to the previous three stage process used in relation to adult social care services. The regulations also introduced a duty for health and social care services to cooperate.

The Council implemented a new procedure on the 1 April 2010 providing a local framework to ensure complaints are handled effectively and in line with the regulations.

The procedure aims to:

- (a) Make it as easy and accessible as possible for service users and their carers to raise complaints;
- (b) Foster an organisational culture in which complaints are accepted, owned and resolved as efficiently as possible;
- (c) Ensure high levels of customer satisfaction with complaints handling;
- (d) Resolve individual issues when they arise and reduce the number of complaints referred to the Ombudsman; and
- (e) Enable the Council to identify topics and trends in relation to adult social care complaints and improve services as a result.

The Assistant Director of Adult Social Care is the responsible person for ensuring that the Council complies with the arrangements made under the regulations. They act as the 'Adjudicating Officer', which means they make any important decisions on complaints and ensure that action is taken if necessary in light of the outcome of a complaint.

The Complaints and Information Governance Manager (Complaints Manager) is the responsible person for managing the procedure for handling and considering complaints in accordance with the agreements made under the regulations.

Local Government Ombudsman (and Health Services Ombudsman)

Although complainants can refer their complaints to the Local Government Ombudsman (LGO) from the outset, the LGO will not normally investigate until the Council has conducted its own investigation and provided a response. Where it has not been possible for the complaint to be resolved to the satisfaction of the complainant they may refer the matter to the LGO (or Health Services Ombudsman for some joint complaints).

Information and Accessibility

We are committed to making sure that everyone has equal access to all our services, including the complaints procedure. To help make sure the Council's complaints procedures are easily accessible we have produced two leaflets (one for children and young people and one for adults) covering all Council services to reflect the single point of access for complainants within the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.

Information is available on the Council's website. There is also an electronic form which people can use to make a complaint, pay someone a compliment or pass comment on Council services. People may make a complaint in any format they wish. This can be in writing, by email, via the web, over the phone, in person or by any other reasonable means.

The Complaints Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

Advocacy

The Council has a contract for the provision of Advocacy, RPR (Responsible Person Representative) and IMCA (Independent Mental Capacity Advocate) with Darlington Association on Disability. This service has been provided since 1 April 2013.

Specialist Advocacy / Welfare Rights services for adults with a sensory impairment are provided by NRASS (North Regional Association for Sensory Support). This service has been provided for a number of years.

Summary

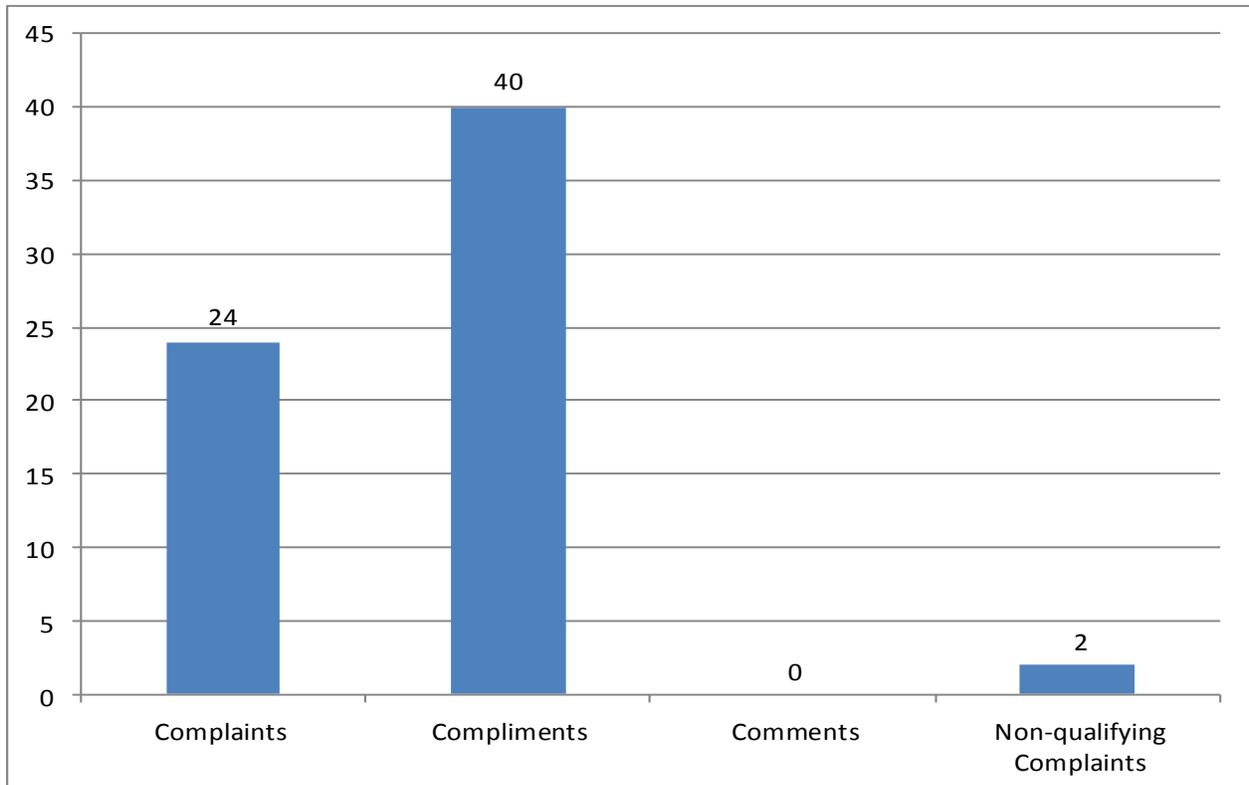
- There has been an increase in overall feedback, from 65 representations in 2013/14 to 66 in 2014/15.
- We investigated 24 complaints under the procedure during 2014/15, a decrease from 26 in 2013/14.
- We received 40 compliments under the procedure during 2014/15, an increase from 39 in 2013/14.
- We received no comments under the procedure during 2014/15, as was the case in 2013/14.
- A further two complaints were received during 2014/15 about issues which could not be investigated under the procedure.
- Four adult social care complaints were progressed to the LGO during 2014/15, compared to two in 2013/14.
- The LGO reached a decision on one complaint during 2014/15.

Review of the Year

Breakdown of all Representations

A total of 66 representations were handled under the procedure during 2014/15. This does not include those representations responded to directly by social care providers i.e care homes and home (domiciliary) care providers as these fall outside the regulations.

Total Complaints, Compliments and Comments Received 2014/15



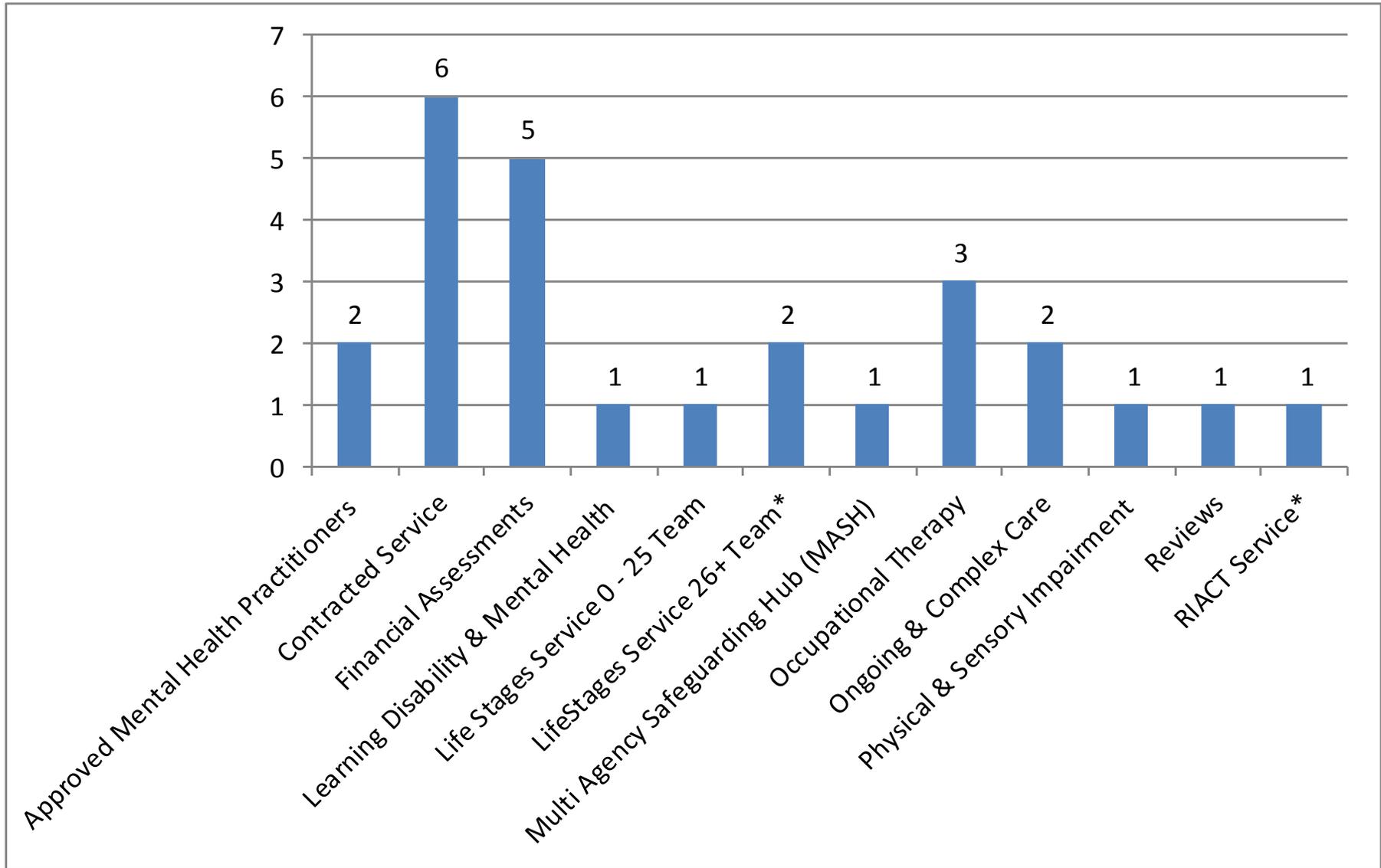
There was a decrease in the number of complaints we investigated, compared to 26 in 2013/14.

There was a slight increase in the number of compliments we received, from 39 in 2013/14.

We received no comments in 2013/14.

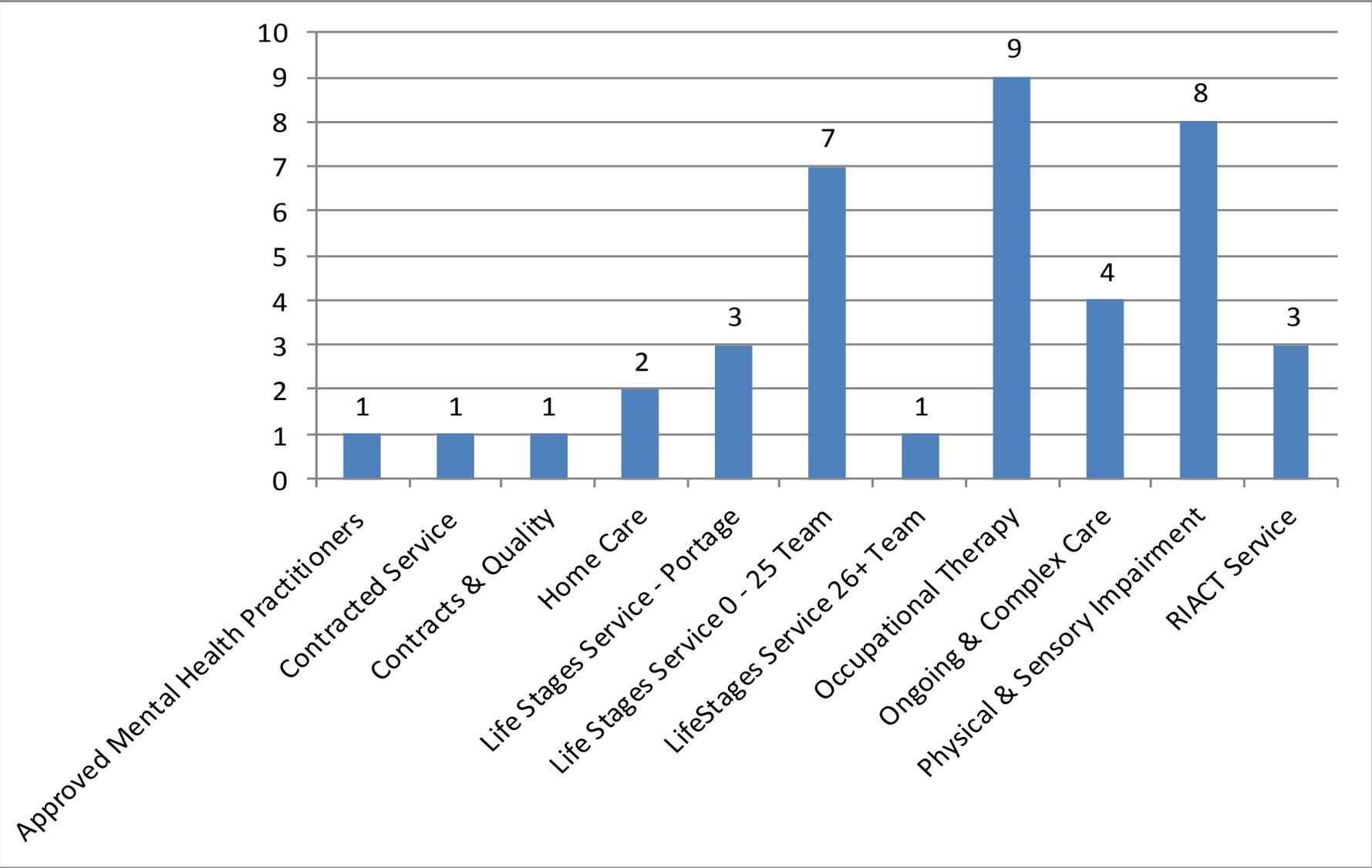
There was a slight increase in the number of non-qualifying complaints received from one in 2013/14. One of these concerned an individual's dissatisfaction with the social care provision for another individual and one was more appropriately dealt with as a safeguarding concern.

Breakdown of Complaints Received by Team

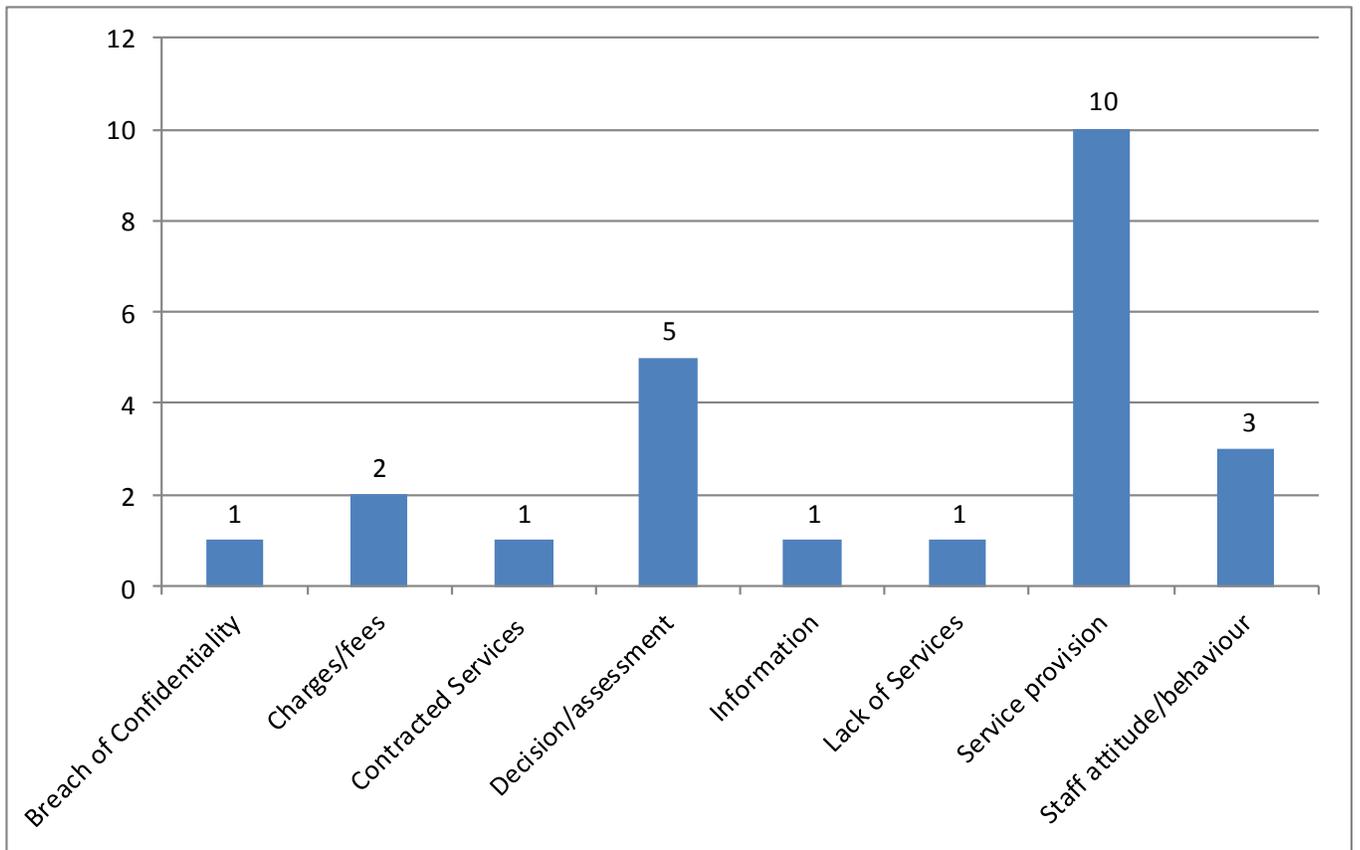


*N.B. *Includes non-qualifying complaints. Those teams that are not listed did not receive any complaints during 2014/15.*

Breakdown of Compliments Received by Team



Breakdown of Complaints Received by Issue



- The most common complaint was people's dissatisfaction with service provision. In total we received 10 complaints about this issue compared to seven in 2013/14.
- While dissatisfaction with the outcome of a decision/assessment remained a common issue complained about this was a reduction from 10 complaints in 2013/14.

Complaint Outcomes

17 complaint investigations were concluded during 2014/15. The outcomes of these complaints are detailed in the chart below.

Service Area/Team	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
<i>Adult Social Care</i>					
Assessment and Care Management					
Ongoing & Complex Care	0	2	0	0	2
Occupational Therapy	0	2	0	1	3
Physical and Sensory Impairment	0	1	0	0	1
Learning Disability & Mental Health					
Approved Mental Health Practitioners	0	1	0	0	1
Life Stages 0 - 25	0	0	0	1	1
Life Stages 26+	0	1	0	0	1
Contracted Service	0	2	2	1	5
<i>Children, Families & Learning</i>					
Social Care & Youth Offending					
MASH	1	0	0	0	1
<i>Neighbourhood Services & Resources</i>					
Finance & Human Resource Management					
Finance Adults/Housing					
Financial Assessment Team	1	1	0	0	2
<i>Total</i>	2	10	2	3	17

Local Government Ombudsman Complaints Received 2014/15

Four adult social care complaints were progressed to the LGO during 2014/15; this was an increase from two in 2013/14. One of these complaints concerned the outcome of an assessment. One concerned delays in processing a Disabled Facilities Grant and issues surrounding a financial assessment and another was about alleged failings on the Council's part in assessing an individual's long term needs to allow them to remain in their own home. The remaining complaint was referred to the LGO prematurely; the Council is now investigating the matter.

Local Government Ombudsman Complaint Outcomes 2014/15

One adult social care complaint was determined by the LGO during 2014/15, compared to two in 2013/14. This complaint was the one detailed above which was referred to the LGO prematurely and which the Council is now investigating. The LGO closed the complaint after their initial enquiries on the basis that the Council was trying to help the complainant and there was nothing the LGO could achieve for the complainant at that time.

Organisational Learning

All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints, several service improvements were made following complaint investigations during 2014/15. Some examples of these are detailed below.

A complaint from an individual open to the Occupational Therapy team, primarily about delays in processing a Disabled Facilities Grant, led to a review of the interface between Occupational Therapy and Mental Health services. Training was also provided to Occupational Therapy and Mental Health staff on the Direct Payments scheme.

Following a complaint for Ongoing and Complex care it was agreed that a review of the training requirements for social care staff in relation to the Mental Capacity Act 2005 would be undertaken.

Following a complaint for Physical and Sensory Impairment it was agreed that further consideration would be given to mentoring/training for staff to fully appreciate the person centered approach to support planning and review.

Following a complaint about a contracted care home a number of measures were put in place to improve the service provided, including better recording of concerns raised by relatives, more robust process to determine/monitor staffing levels and improvements to the personal hygiene regime.

Following a complaint about a contracted domiciliary care agency a number of actions were put in place to improve the service including robust arrangements to prevent calls being missed and training around the handling of medication.

Following a complaint for the Life Stages 26 + Team it was agreed that managers would ensure all staff were aware of the referral route for autism assessments.

Following a complaint for the MASH a communication was sent to all agencies advising that safeguarding referrals should be made via the MASH.

Further recommendations

There are no further recommendations.

Performance against the Procedure

The target for acknowledging receipt of complaints under the procedure is 3 working days.

87% of complaints acknowledged during 2014/15 were acknowledged within the 3 working day timescale, an improvement from 76.9% in 2013/14.

There are no longer any statutory timescales for complaint responses, except that complainants should receive a response within six months. Within the procedure there are three different types of investigation with varying timescales to ensure investigations are completed in a timely manner and within the maximum time allowed. In all cases a response was provided within the six month time limit.

The average length of time a complaint investigation took was 26 days. The longest investigation took 113 working days, with the second longest taking 112 working days. The two shortest investigations took one working day, with the second shortest taking 16 working days.

Performance Targets for 2014/15

In relation to Adult Social Care Complaints our key performance indicator is the number of maladministration decisions we receive from the Local Government Ombudsman. Our target for 2014/15 was zero. We achieved this target.