

Adult Social Care Annual Complaints Report

April 2013 – March 2014



LONDON BOROUGH OF
BEXLEY

**London Borough of Bexley
Adult Social Care**

Annual Complaints Report – 2013/2014

Contents

1.	Introduction	3
1.1	Key facts.....	3
1.2	Background	3
2.	Adult Social Care Complaints Procedure	3
2.1	First stage - Local Resolution	4
2.2	Second stage - Local Government Ombudsman	4
3.	Complaints received	4
3.1	Complaints by Service Area.....	5
3.2	Causes of complaints	5
3.3	Complaint performance	6
3.4	Improving - Learning from complaints	6
3.5	Ombudsman’s enquiries and complaints	8
3.6	The future: A vision for social care complaints	9

1. Introduction

This report provides information on complaints for London Borough of Bexley Adult Social Care for the period 1 April 2013 to 31 March 2014 dealt with through either the Statutory Social Care Complaints Procedure or the Corporate Complaints Procedure.

The complaints process provides the Council with an additional means of monitoring performance and improving service quality and provides an important opportunity to learn from complaints.

We have an established IT system in place to capture a range of complaints information including the nature of the complaint, the action taken, the outcome of each complaint and whether there was compliance with the time periods specified in the regulations.

By publishing the annual complaints report, the Council demonstrates its commitment to transparency and a positive approach to dealing with and learning from complaints.

1.1 Key facts

- We believe that dealing effectively with complaints is essential to providing good services and we use feedback from complaints to improve our services.
- In 2013-14, we received 48 complaints about Adult Social Care Services.
- Of the 48 complaints received during the year, five cases were referred to the Local Government Ombudsman for resolution.

1.2 Background

Adult Social Care is required, under statutory regulations, to prepare an annual report for the preceding year, from April to March, on its performance in dealing with complaints including the numbers received and how many were upheld.

Adult Social Care is required to operate a separate statutory complaints procedure in accordance with the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 and the Local Authority Social Services Complaints (Amendment) Regulations 2009 (hereafter referred to as 'the Regulations'). Any complaint which does not fall under these provisions will be considered under the Council's Corporate Complaints procedure.

2. Adult Social Care Complaints Procedure

The new regulations as of 1st April 2009 introduced a two-stage process for Adult Social Care.

- **The first stage is a combination of processes working towards Local Resolution**
- **The second stage is the Local Government Ombudsman.**

2.1 First stage - Local Resolution

The service area which the complaint relates to will ensure all aspects of the complaint are understood as well as the resolution the complainant is seeking. If the matter is complex, a face to face meeting may be held with the complainant. In all cases, the service will seek to agree timescales with the complainant including the date by when the complainant will receive a formal written response.

Once the initial response has been received by the resident, if they remain unhappy, a meeting may be offered to discuss the concerns with the complainant and the Head of Service or Deputy Director and a final decision on the complaint is then sent by the Deputy Director.

2.2 Second stage - Local Government Ombudsman

The Local Government Ombudsman (LGO) is the independent organisation authorised to investigate complaints where the Council's own investigation and response has not resolved the issues to the complainant's satisfaction.

The person making the complaint retains the right to approach the Local Government Ombudsman at any time. However, the Local Government Ombudsman's policy is that the local authority should be given the opportunity to consider the complaint and it will normally refer the complaint back to the Council unless exceptional circumstances apply.

3. Complaints received

The table below shows the total number of new complaints recorded in Adult Social Care from 1 April 2013 to 31 March 2014. This is the first full year of recording complaints using our new IT Complaints Management System therefore the figures will not be directly comparable to previous years.

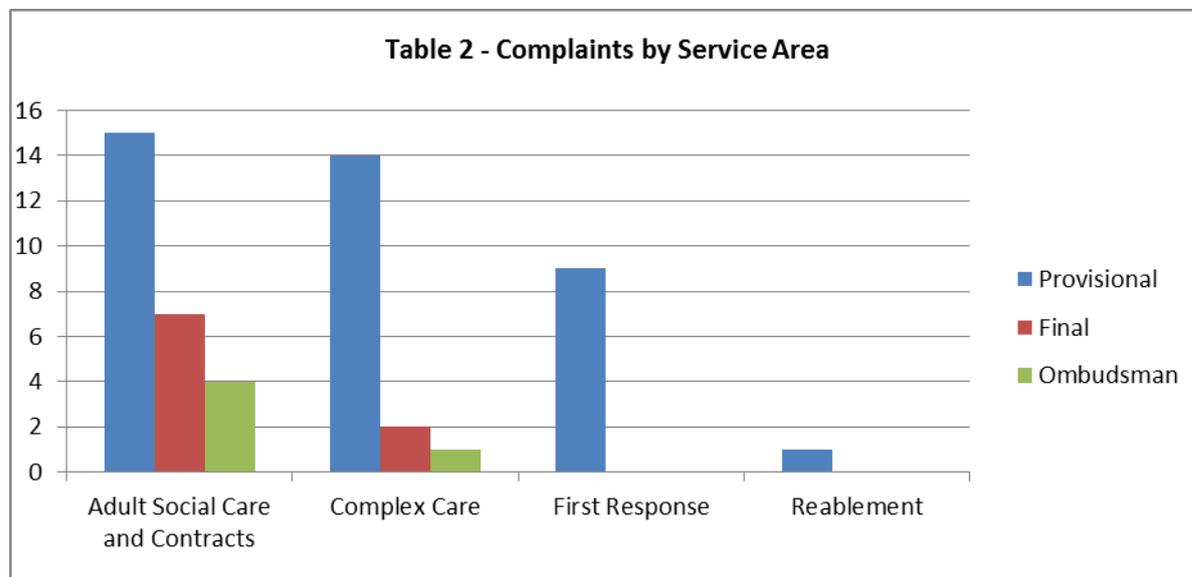
Table 1 - Complaints received				
Period	Provisional	Final	Ombudsman	Total
2013 Qtr 1	14	2	1	17
2013 Qtr 2	8	5	1	14
2013 Qtr 3	9	0	1	10
2014 Qtr 4	8	2	2	12
Total	39	9	5	53

Sourced by iCasework

Bexley have the lowest number of complaints referred to the Ombudsman compared to our neighbouring Local Authorities. Greenwich had seven complaints referred to the Ombudsman, Lewisham 12 and Bromley 30.

3.1 Complaints by Service Area

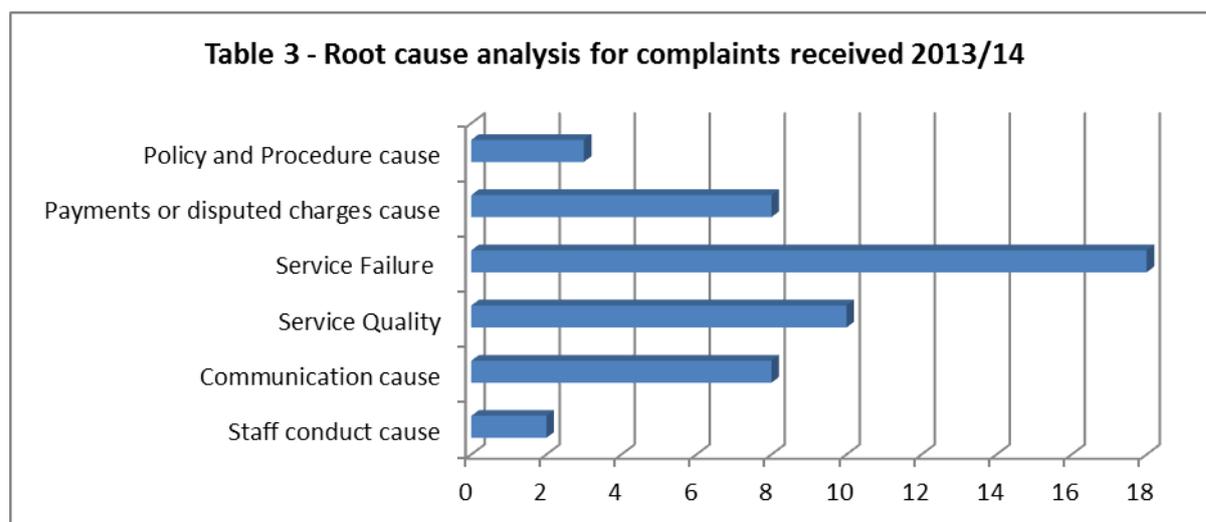
The table below shows the service area that the complaint related to within Adult Social Care from 1 April 2013 to 31 March 2014.



Sourced by iCasework

3.2 Causes of complaints

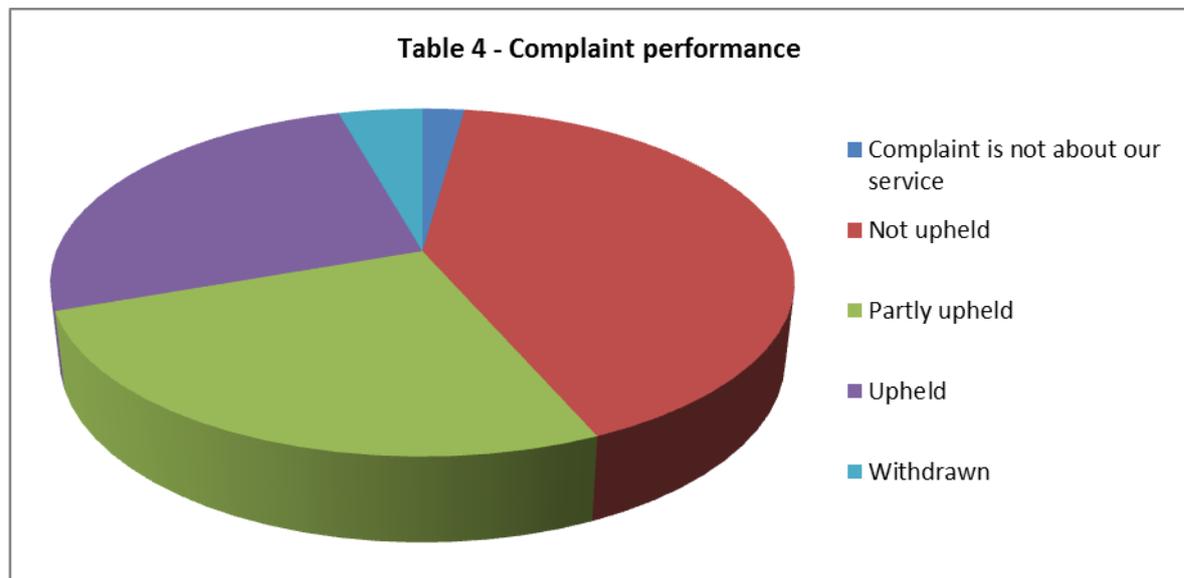
The table below shows the root causes of the complaints within Adult Social Care from 1 April 2013 to 31 March 2014.



Sourced by iCasework

3.3 Complaint performance

The table below shows the number of Adult Social Care complaints that were made from 1 April 2013 to 31 March 2014 that were upheld, partially upheld and not upheld. Two cases were carried forward into the next reporting cycle, these being incomplete at year end.



Sourced by iCasework

3.4 Improving - Learning from complaints

Complaints provide a vital source of insights about people's experiences of Social Care Services, and how those services can improve.

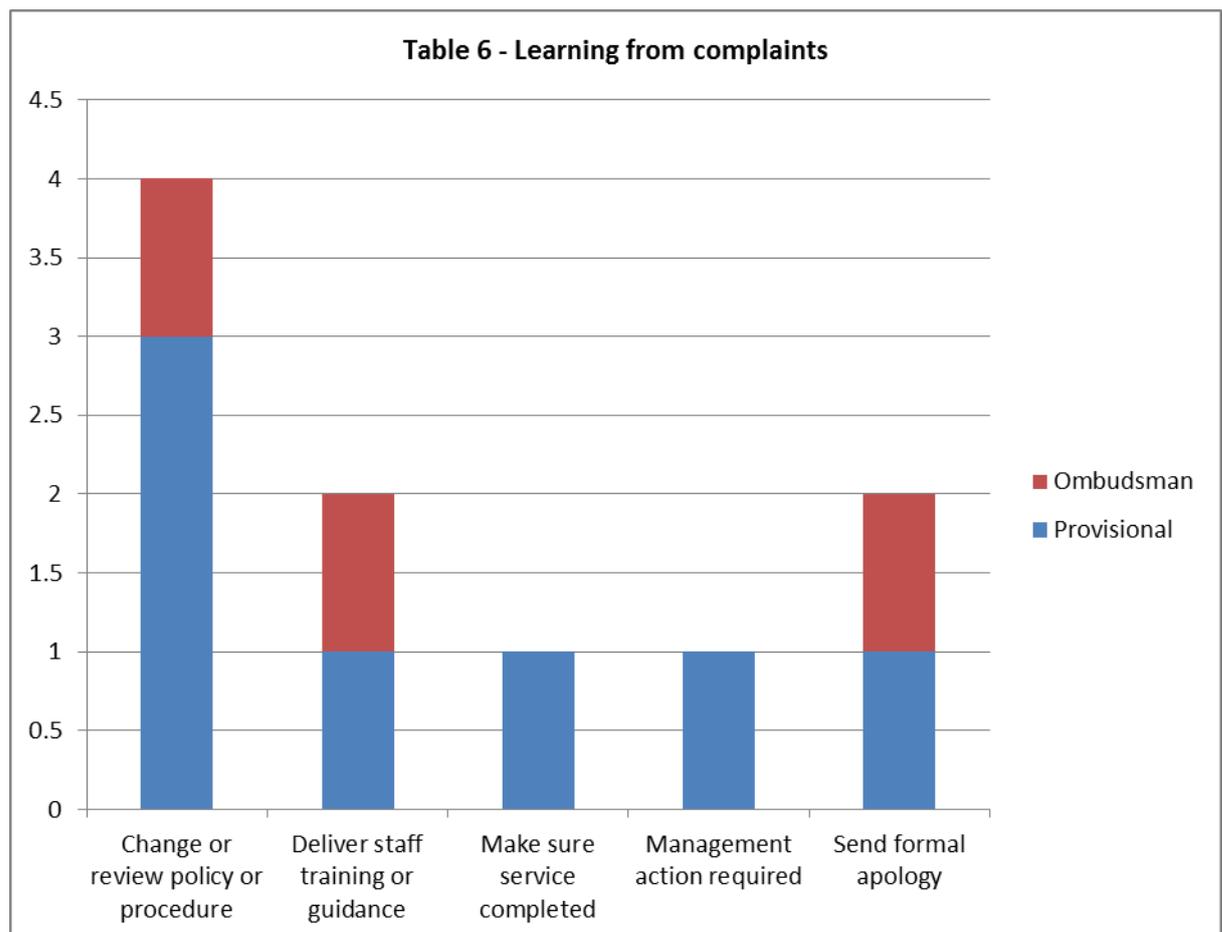
The complaints process enables us to identify service problems and make improvements to the service we work in. It also helps us improve staff learning and enhance professional development.

The following lessons have been learnt from complaints throughout the year, with changes already made based upon the learning, and include proposed changes for the future.

- Quality issues, including timekeeping, attendances and communication with service users and their families have been addressed with home care providers. The providers have taken a range of actions including, in one case, recruiting a new quality assurance manager to ensure that clear policies and procedures are in place to effectively manage these issues. In other cases, the provider has:
 - Reviewed out-of-office staffing arrangements,
 - Reviewed arrangements and processes regarding families arranging respite care.
 - Implemented clear process and flowcharts on how to action respite requests.

- Staff training delivered in respect of discharge arrangements – ensuring that a full assessment has been completed, including having regard to the family’s views, prior to decisions being made.
- Measures were taken to ensure service changes are completed, which includes meetings being held with service users to ensure any changes are clearly explained and the families are kept up to date.
- Management supervision with staff has been improved and feedback provided to members of staff in relation to the complaint. This ensures that members of staff not only learn from complaints, but provides valuable information on areas of development and further training required.
- Formal apologies are sent, outlining the changes that are going to be made within the service area in order to ensure these errors do not occur in the future.

The table below shows the corrective actions that arose from the complaints that were made from 1 April 2013 to 31 March 2014 within Adult Social Care.



Sourced by iCasework

3.5 Ombudsman's enquiries and complaints

This year, we received a total of five Ombudsman enquiries or complaints for Adult Social Care. Four of the complaints related to Adult Social Care and Contracts and one complaint was in respect of Complex Care.

Bexley has the lowest number of complaints referred to the Ombudsman by comparison with our neighbouring local authorities. Greenwich had seven complaints referred to the Ombudsman, Sutton eight, Havering 12, Lewisham 12 and Bromley 30.

Out of the five complaints for Bexley, the Ombudsman decided that they had no power to investigate four of the complaints. Two of these were due to the complaint being over 12 months old, one complaint was referred back to the care provider as the complaints procedure had not been exhausted and on the fourth complaint there was not sufficient injustice caused to justify the Ombudsman's involvement.

On the one complaint that was investigated, the decision made was that fault was found and a remedy agreed. The Ombudsman found fault in the Council not reviewing how a resident's needs would be met. The Council was asked to review the care plan and offer the resident a carer's assessment to determine what support would be needed to help the person look after her daughter.

Table 7 - Complaints via Local Government Ombudsman (LGO)		
LGO	Number of decisions	Outcome
Enquiries	1	1 x Referred back to care provider as complaints procedure not exhausted
Complaints	4	2 x No power to investigate as complaint is over 12 months old 1 x Insufficient injustice caused to justify Ombudsman's involvement 1 x Fault found and remedy agreed
Total	5	

Sourced by iCasework

3.6 The future: A vision for social care complaints

Locally driven improvements

Delivering a social care complaints system that is accessible, effective and accountable will require co-operation from all people and organisations involved with social care. This report has highlighted important questions about the accessibility, effectiveness and accountability of the social care complaints system. Below we have set out the questions that need to be asked at a local level by those that deliver social care services, those that scrutinise social care delivery and those that commission such services.

Table 8 - A Vision for Social Care

	Accessible complaint processes	Effective complaints handling	Accountable services
As a social care provider do you:	<ul style="list-style-type: none"> > provide clear information about how to complain and the role of the ombudsman in a format that meets your customers' needs? > clearly explain to the customer their right to take their concerns to the ombudsman? 	<ul style="list-style-type: none"> > ensure that staff understand their roles in responding to complaints? > have clear management oversight of complaint handling? 	<ul style="list-style-type: none"> > actively seek feedback from the users of your service? > have mechanisms for independent scrutiny of your service?
As a councillor or board member do you:	<ul style="list-style-type: none"> > know what your organisation's complaint procedure is? > have access to information about how many complaints are made and what they tell you about service quality? 	<ul style="list-style-type: none"> > review data on the outcome of complaints? > monitor how many complaints are escalated to the ombudsman? 	<ul style="list-style-type: none"> > use lessons from complaints as an evidence base in your scrutiny of services? > directly engage with service users to understand their experiences?
As a commissioner of services do you:	<ul style="list-style-type: none"> > provide information to users that helps them to understand your continued accountability for the services provided? > ensure that providers have local complaints processes that clearly signpost complaints back to the organisation? 	<ul style="list-style-type: none"> > maintain oversight of complaint handling by providers? > have sufficient access to information from providers to enable an effective consideration of a complaint? 	<ul style="list-style-type: none"> > include complaint handling requirements in your contractual arrangements with providers? > use feedback from complaints as part of your performance assessment of providers?

Sourced by the LGO