

# **Adult Social Care Annual Complaints Report**

**April 2015 – March 2016**

**London Borough of Bexley  
Adult Social Care**

**Annual Complaints Report – 2015/2016**

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## **1. Introduction**

This report provides information on complaints for London Borough of Bexley Adult social care services for the period 1 April 2015 to 31 March 2016, 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 made by service users.

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 2015-16, we received 83 Stage 1 complaints about Adult social care services.
- Of the 83 complaints received during the year, three 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 prescribed 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. 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 1<sup>st</sup> April 2009 introduced a two-stage process for Adult Social Care statutory complaints.

- The first stage is for the Adult social care responsible to investigate and respond to the customer.
- The second stage is for the Local Government Ombudsman to investigate.

## 2.1 First stage

This stage provides the opportunity for the service area that has responsibility for the case, to try and resolve issues of dissatisfaction at a local level as early as possible. The complaint is investigated by the relevant Head of Service or service manager. The timescale for resolving complaints at Stage 1 is 30 working days.

## 2.2 Second stage

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 first and it will normally refer the complaint back to the Council to investigate 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 2015 to 31 March 2016.

<b>Table 1 - Complaints received for Adult Social Care</b>					
Total	Stage 1 - Local resolution	Stage 2 - Investigation	Stage 3	Ombudsman	Total
<b>Statutory complaints</b>	53	n/a	n/a	2	55
<b>Corporate complaints</b>	30	4	3	1	38
<b>Total</b>	83	4	3	3	93

Sourced by iCasework

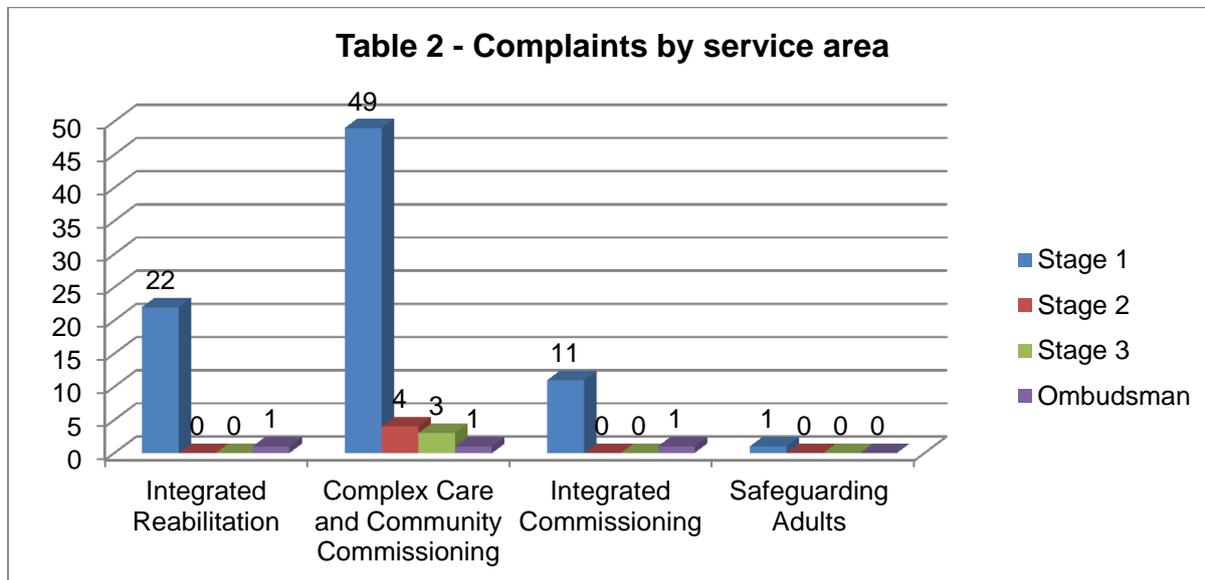
The number of complaints received has increased in 2015/16, compared to 2014/15 during which we received 58 Stage 1 complaints, one Stage 2 and one Stage 3 complaint. However, the number of Ombudsman complaints has reduced from seven received in the previous year.

<b>Adult Social Care Complaints received by the Local Government Ombudsman</b>			
Bexley	Bromley	Greenwich	Lewisham
6	35	16	22

Sourced by the LGO

### 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 2015 to 31 March 2016.

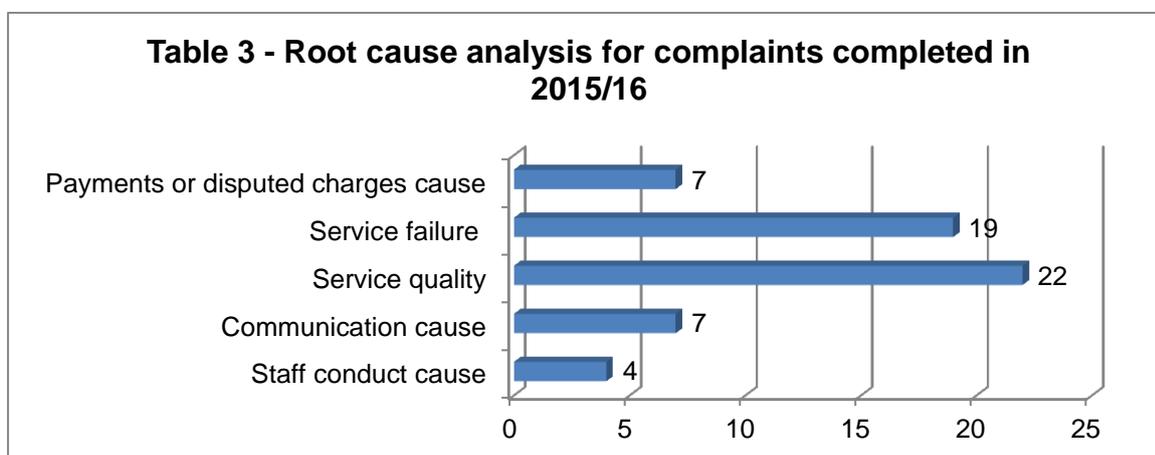


Sourced by iCasework

Complex Care and Community Commissioning received the highest number of complaints, with 49 Stage 1 complaints received during the year. The reason for this service area receiving such a high number of complaints is that it manages the provision of homecare, which is generally the most common area of complaints.

### 3.2 Causes of complaints

The table below shows the root causes of the complaints within Adult social care from 1 April 2015 to 31 March 2016. *(Please note that the data below does not match the data in table 1 as it relates to complaints "closed" in 2015/16 and not complaints "received").*



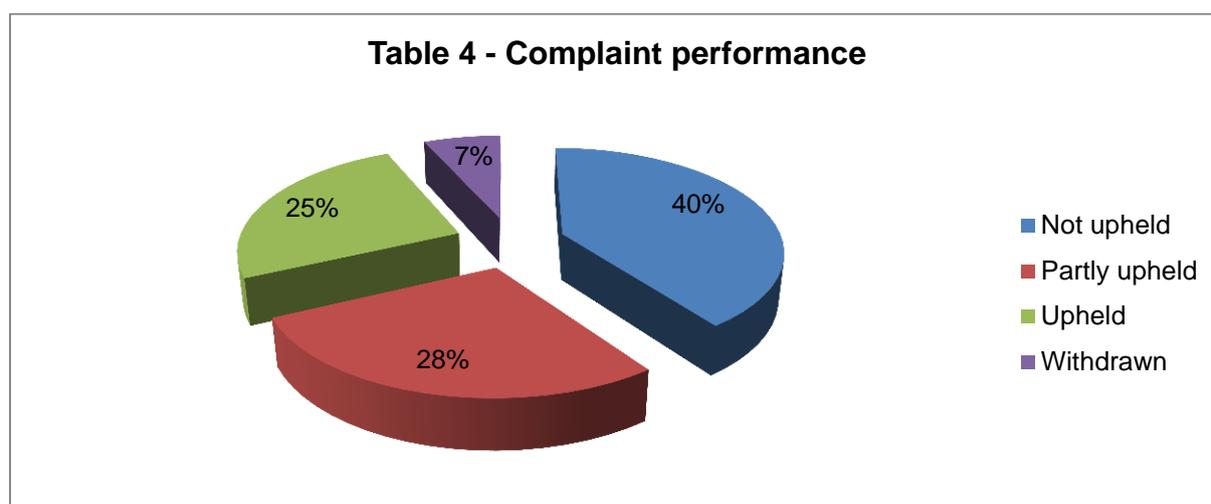
Sourced by iCasework

The figures above show that the highest numbers of complaints were attributed to 'service quality' issues. Overall, 22 of the 59 complaints were due to quality issues. Service Quality causes include allegations of "product or service knowledge"; "poor record keeping"; "not to the quality or standard expected"; and "incorrect information or advice given".

19 complaints related to service failure causes. These include allegations of cancellation or withdrawal of service, failure to deliver a service, and loss of a service.

### 3.3 Complaint performance

The table below shows the number of Adult social care complaints submitted from 1 April 2015 to 31 March 2016 that were upheld, partially upheld and not upheld.



Sourced by iCasework

At Stage 1, 30 complaints were not upheld, 21 were partly upheld and 19 were upheld. Five complaints were withdrawn.

Four corporate complaints progressed to Stage 2. Two were not upheld, one was upheld and one was withdrawn.

One complaint progressed to Stage 3, but was not upheld.

Please note that the figures above show the outcomes of complaints "closed" in 2015/16, and will not directly relate to all complaints "received" in the same period.

### 3.4 Improving - Learning from complaints

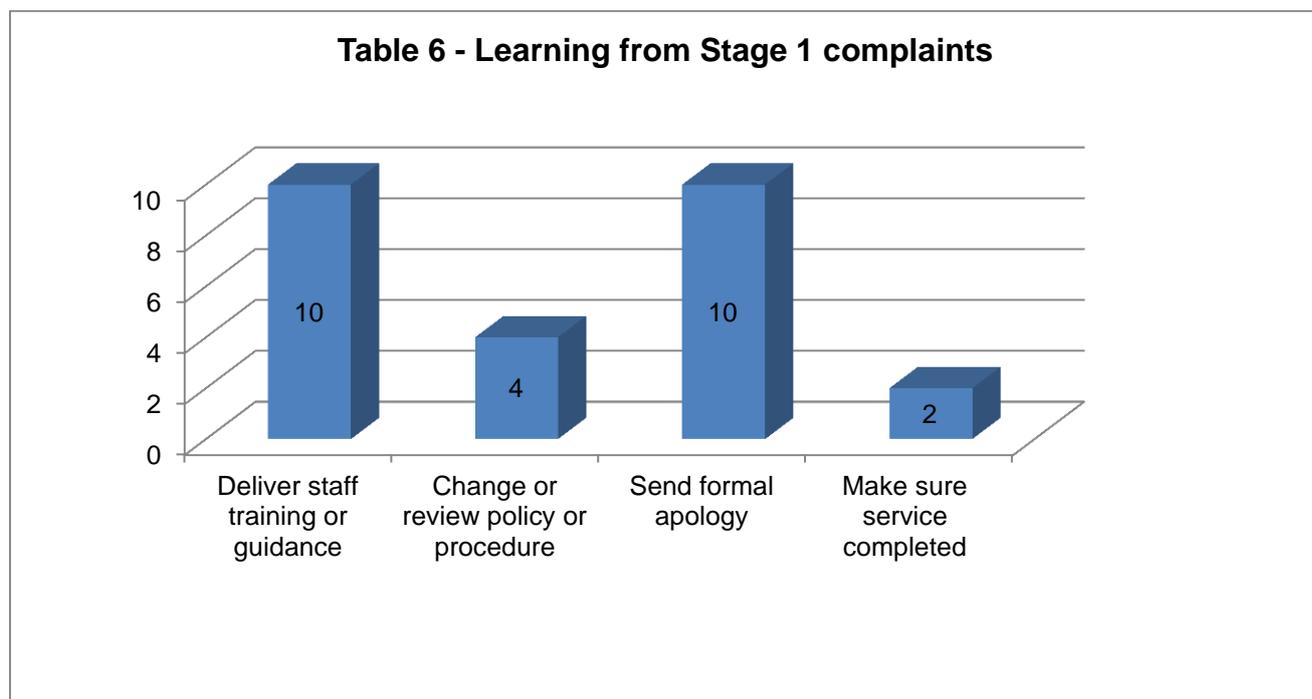
Complaints provide a vital source of insights about people's experiences of social care services, and how those services can improve.

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 service area has identified the following lessons to be learnt from complaints received throughout the year and are proposing the following changes for the future.

1. Policy to be reviewed to ensure that no unnecessary delays occur when hospital beds are requested.
2. Additional training to be provided to care agencies to ensure care plans are shared with service users.
3. Policy to be reviewed to ensure that no unnecessary delays occur when request for any additional care is received by the Reablement team.
4. Better communication between care agencies and service users. This is to include keeping the customer informed of any changes and giving clear explanations for the changes. Also for the care agency to inform the service user if they are going to be delayed.
5. Training to be provided to temporary staff to include the process of how to access respite and the notice required by service users to access this service.
6. Better communication between social workers in the Hospital Integrated Discharge team and the ward. Social workers should carry out an assessment of needs, and not rely on the ward informing them if extra care is required.
7. Better communication between the Hospital at Home team and the community teams. The Hospital at Home team should be able to refer to social care to hand over care responsibilities seamlessly.
8. Training to be provided to social workers in respect of the standards expected when completing assessments.
9. Better communication between teams within Reablement team and the Brokerage service to ensure care agencies are sourced in a timely manner.
10. Complaints to be responded to within timescale.
11. Training to be provided to staff in relation to communication/interpersonal skills. This is to include keeping the customer informed of any changes and giving clear explanations for the changes. Social workers to inform service users when care will be commencing and who will be providing this care.
12. Policy to be reviewed to ensure that no unnecessary delays occur when respite care is requested.
13. Review of safeguarding referral pathways to ensure any referrals are carried out in a timely manner.

The table below shows the corrective actions that arose from the complaints that were made from 1 April 2015 to 31 March 2016 within Adult social care.



Sourced by iCasework

### 3.5 Complaints to the Ombudsman

This year, we received a total of three Ombudsman complaints for Adult social care. One complaint related to Complex Care and Community Commissioning, one related to Integrated Rehabilitation and one complaint related to Integrated Commissioning.

We have been advised by the Ombudsman that they received a total of six complaints, three of which we have not been informed of the outcome and we therefore cannot report on.

Bexley has the lowest number of complaints referred to the Ombudsman by comparison with our neighbouring local authorities. Bromley had 35 complaints referred to the Ombudsman, Lewisham had 22 and Greenwich had 16.

Out of the three complaints recorded, the Ombudsman's decision was that maladministration but no injustice was found in one case and no maladministration was found in the other case. One complaint is still being investigated by the Ombudsman and the outcome will be reported in next year's Adult social care annual complaints report.

- 1) In the first case, in which maladministration but no injustice was found, the Ombudsman found fault due to the Council taking too long to identify a suitable residential placement. However the Ombudsman did not fault the Council's opinion that it would not consider other placements until it assessed the properties that, in its view, were suitable.
- 2) In the second case the Ombudsman did not uphold the complaint as they found no maladministration and decided that there was no fault in the way the Council assessed the care it needed to provide to the complainant and there has been no substantive fault in how it dealt with her complaint.

- 3) The third case is still being investigated by the Ombudsman and the outcome will be reported in next year's Adults annual complaint report.

Table 7 - Complaints via Local Government Ombudsman (LGO)		
LGO	Number of decisions	Outcome
Complaints	2	1 x maladministration, no injustice 1 x no maladministration
<b>Total</b>	<b>2</b>	

Sourced by iCasework

### 3.6 Work priorities for 2016/17

During the year 2016/17 the Complaints Team will focus on:

- Working with Adult social care managers to ensure they understand the statutory and corporate complaints procedure and the support and guidance available to them from the complaints team. This is particularly important this year as we have several new managers that have joined Bexley Council and it is important that the quality of the Stage 1 responses is maintained to a high standard.
- Continue to ensure the complaints procedure is easily accessible, particularly to the elderly and adults with disabilities. This work will include reviewing Bexley Council's complaints literature and online web pages to ensure the information provided is up to date.
- Continue to monitor any corrective actions that have arisen from complaints and ensure they are completed in a timely manner. Also to ensure any "learning from complaints" are disseminated across the service area and evidence of learning is recorded.
- Continue to work closely with the Local Government Ombudsman. This work will include ensuring that any Ombudsman enquiries are responded to within the timescale given. All recommendations to be actioned promptly and any learning from the Ombudsman complaints to be disseminated across the service area.
- The complaints manager to continue attending the London Complaints Managers Group. This is a quarterly meeting, in which Complaint Managers discuss and learn about regional and national issues. This provides opportunities to develop local practice standards; discuss performance and resolve issues. The group also discusses proposed changes to legislation and procedures, and prepares consultation responses where appropriate.