

# **Adult Social Care Annual Complaints Report**

**April 2018 – March 2019**

**London Borough of Bexley  
Adult Social Care**

**Annual Complaints Report – 2018/2019**

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## 1. Introduction

This report provides information on complaints for the London Borough of Bexley Adult Social Care Services for the period 1 April 2018 to 31 March 2019, that were dealt with through either the statutory social care complaints procedure or the corporate complaints process.

The complaints process provides us with the opportunity to monitor performance, improve service quality and learn from complaints made by our service users. We achieve this by capturing a range of complaint information including, the nature of the complaint, the action we took to resolve it, the outcome of the complaint and whether we responded to the complaint on time.

Under statutory regulations, we are required to prepare an annual report about the previous year that examines how well we dealt with adult social care complaints, including the numbers received and how many we upheld. We hope this report also demonstrates our commitment to transparency and our positive approach to dealing with and learning from complaints.

Our Adult Social Care Service is required to operate a 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 that does not fall under these provisions, we will consider under our corporate complaint's procedure instead.

### 1.1 Key points

In 2018/19 we received 31 Stage 1 complaints. This is a 64% decrease from the previous year in which we received 85 Stage 1 complaints. We also responded to 59% of complaints on time, which is up 3% from the previous year.

- Out of the 16 corporate complaints received, three progressed to Stage 2 and three progressed to the Local Government Ombudsman.
- 59% of complaints were responded to within the target of 15 working days.
- The main complaint reason was due to 'service quality' because the complainant felt the service they received was not to the standard they had expected.
- We found some degree of fault in 70% of complaints we investigated at Stage 1.
- Only 10% of complaints progressed to Stage 2, which shows that we were able to resolve most complaints first time around.

## 2. Adult Statutory Social Care Complaints Procedure

The current regulations as of 1<sup>st</sup> April 2009 introduced a one-stage process for adult social care statutory complaints. Stage 1 provides the service area that is the subject of the complaint with the opportunity to resolve the issues raised by the complainant.

The service area has 15 working days to respond, however, this can be extended in instances where the complaint is complex and requires a more detailed investigation. If the complainant remains unhappy, they can escalate their complaint to the Local Government Ombudsman (LGO).

### 3. Complaints received

The table below shows the total number of complaints received.

Type	Stage 1	Stage 2	Ombudsman	Total
Statutory complaints	15	n/a	2	17
Corporate complaints	16	3	1	20
Total	31	3	3	37

The total number of complaints has decreased significantly compared with 2017/18 during which we received 85 Stage 1 complaints and 10 Stage 2 complaints.

Three Ombudsman complaints were received compared to the six received in the previous year. In total, the number of complaints received has decreased by 64 (63%) compared to last year.

The Ombudsman received seven complaints in this financial year, however, four of these complaints do not yet have an outcome therefore we have not included them in this report. If the Ombudsman decides to investigate these complaints, we will provide the outcome in the 2019/20 annual report. We have provided further details of the three cases the Ombudsman investigated in Section 8.

#### How we compare

We continue to have the lowest number of complaints referred to the Ombudsman compared with other neighbouring local authorities. This year we also received three less complaints from the Ombudsman compared with 2017/18.

#### Adult social care complaints received by the Local Government Ombudsman

Bexley	Bromley	Lewisham	Greenwich	Southwark
7	21	12	8	13

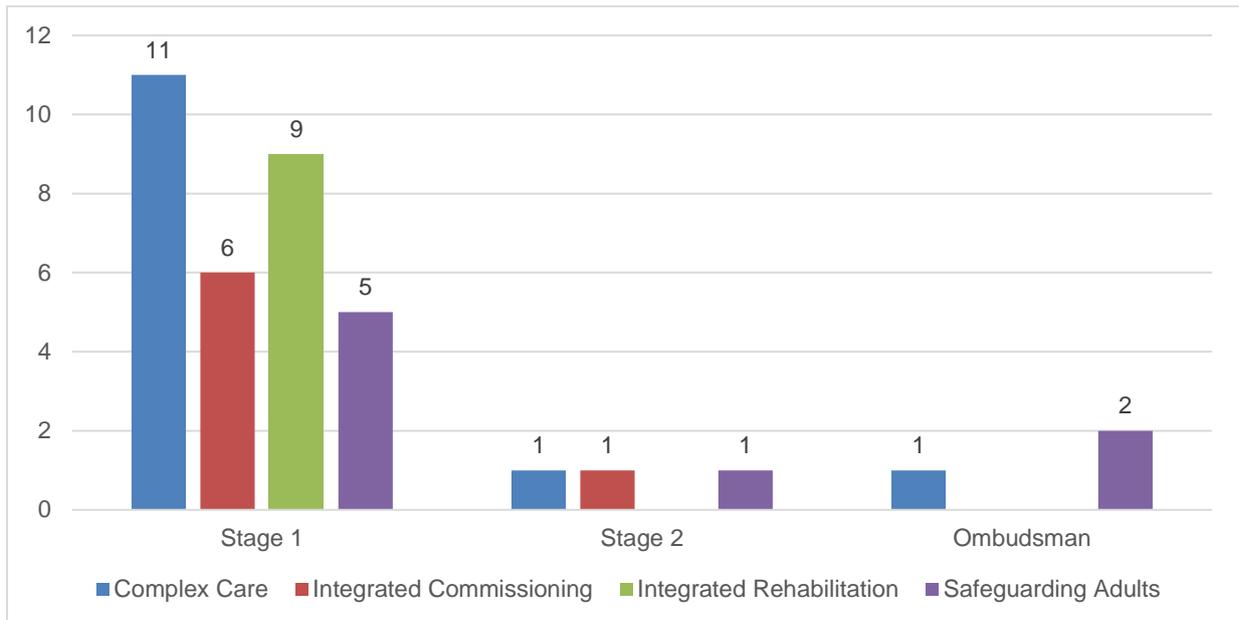
Whilst we acknowledge that all local authorities are different, we believe we have had the fewest referrals to the Ombudsman because of our determination to resolve complaints fairly by providing reasonable resolutions.

#### 3.1 Complaints by service area

Adult Social Care comprises of the following four service areas:

- Integrated Rehabilitation
- Integrated Commissioning
- Complex Care
- Safeguarding Adults

The table below shows complains by service area in 2018/19.



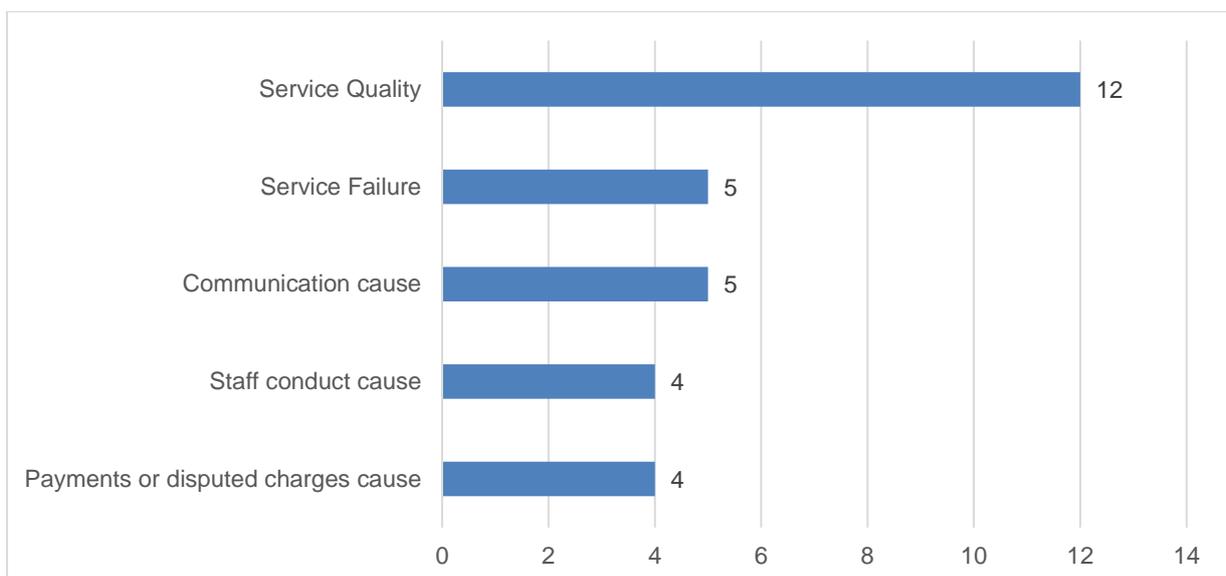
Complex Care received the most Stage 1 complaints as we would expect. This is because the service area covers the provision of homecare and the majority of our long-term service users.

#### 4. Causes of complaints

The table below shows the root causes of the complaints.

Please note that the data below does not match the data in table 1 as it relates to complaints 'closed' in this period and not complaints 'received'.

#### What was complained about in 2018/19



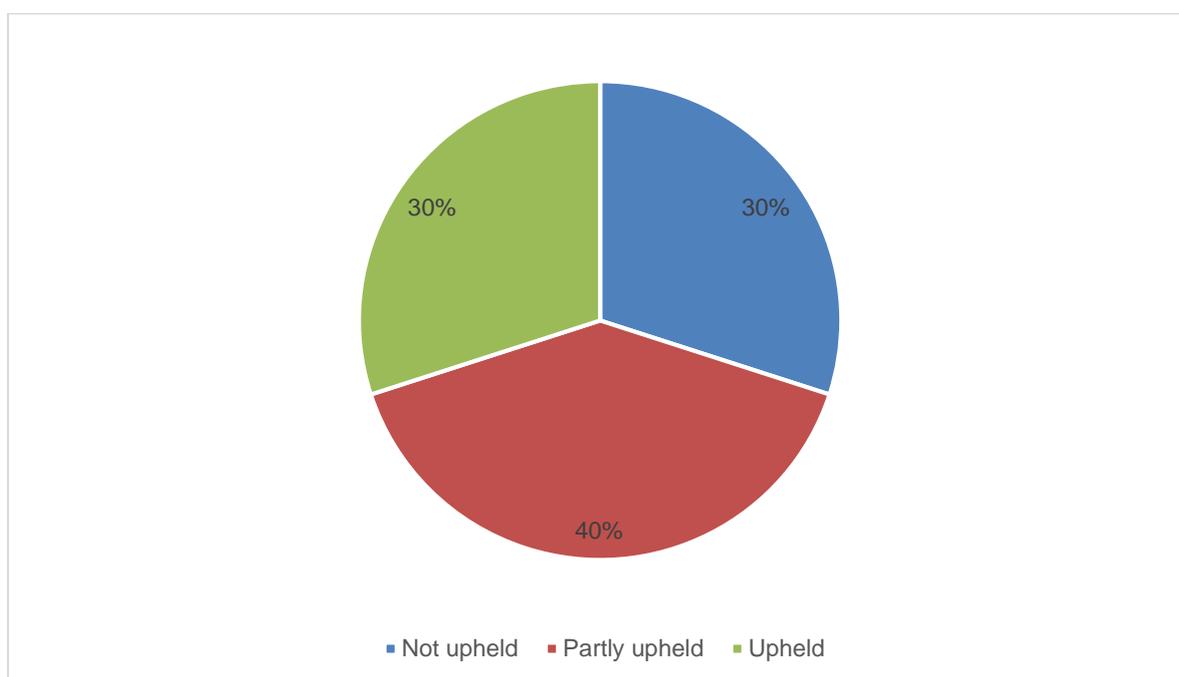
#### Analysis

- We received the highest number of complaints about the quality of service. ‘Service quality’ includes allegations of ‘insufficient service knowledge’, ‘poor record keeping’, ‘service received not to the quality or standard expected’ and ‘incorrect information or advice given by a member of staff.
- Five complaints were due to the service failure, where the complainant felt we did not provide the service expected and a further five were due to poor communication.
- Four complaints were about staff conduct and a further four complaints were due to a dispute with a payment or a charge we had levied.

## 5. Complaint outcomes

The tables below show the percentage breakdown of our complaint decisions in 2018/19.

### Stage 1 outcomes 2018/19



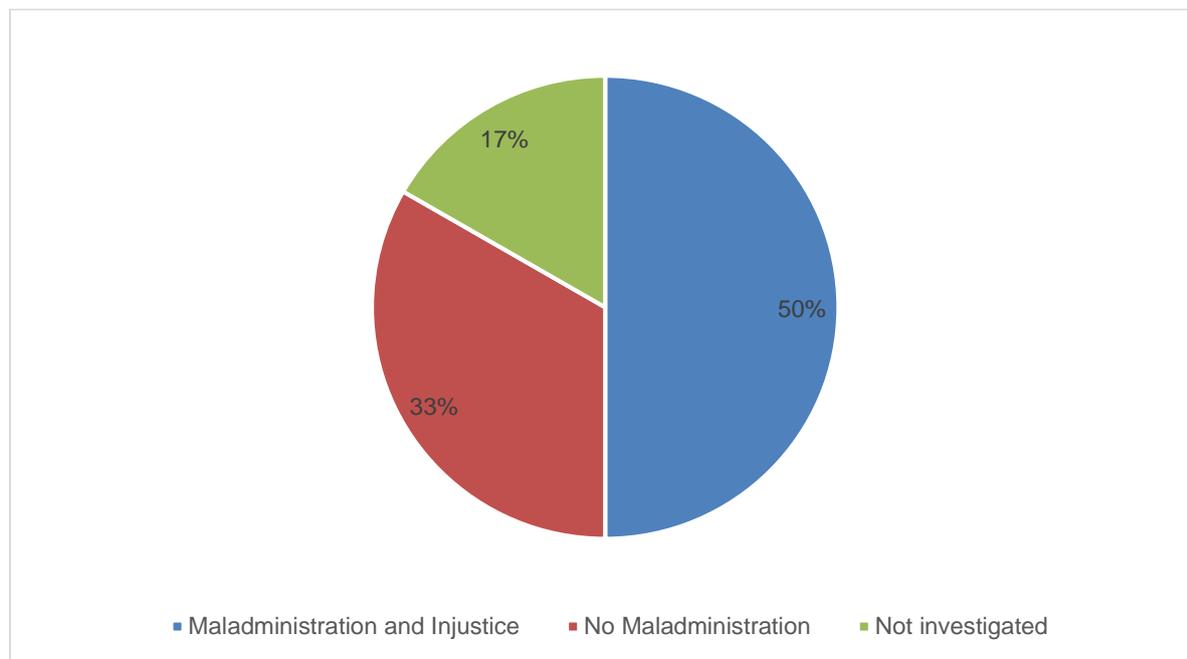
### Stage 1 complaint outcomes in numbers

Decision	Number
Not upheld	9
Partly upheld	12
Upheld	9
<b>Total</b>	<b>30</b>

### Stage 2 outcomes in 2018/19

Decision	Number
Not upheld	0
Partly upheld	0
Upheld	1
<b>Total</b>	<b>1</b>

### Ombudsman outcomes in 2018/19



Decision	Number
Maladministration and Injustice	3
No Maladministration	2
Not investigated	1
<b>Total</b>	<b>6</b>

Please note these figures are for Ombudsman cases closed during this period. Some of the complaints were however initially received in the previous financial year.

### Analysis

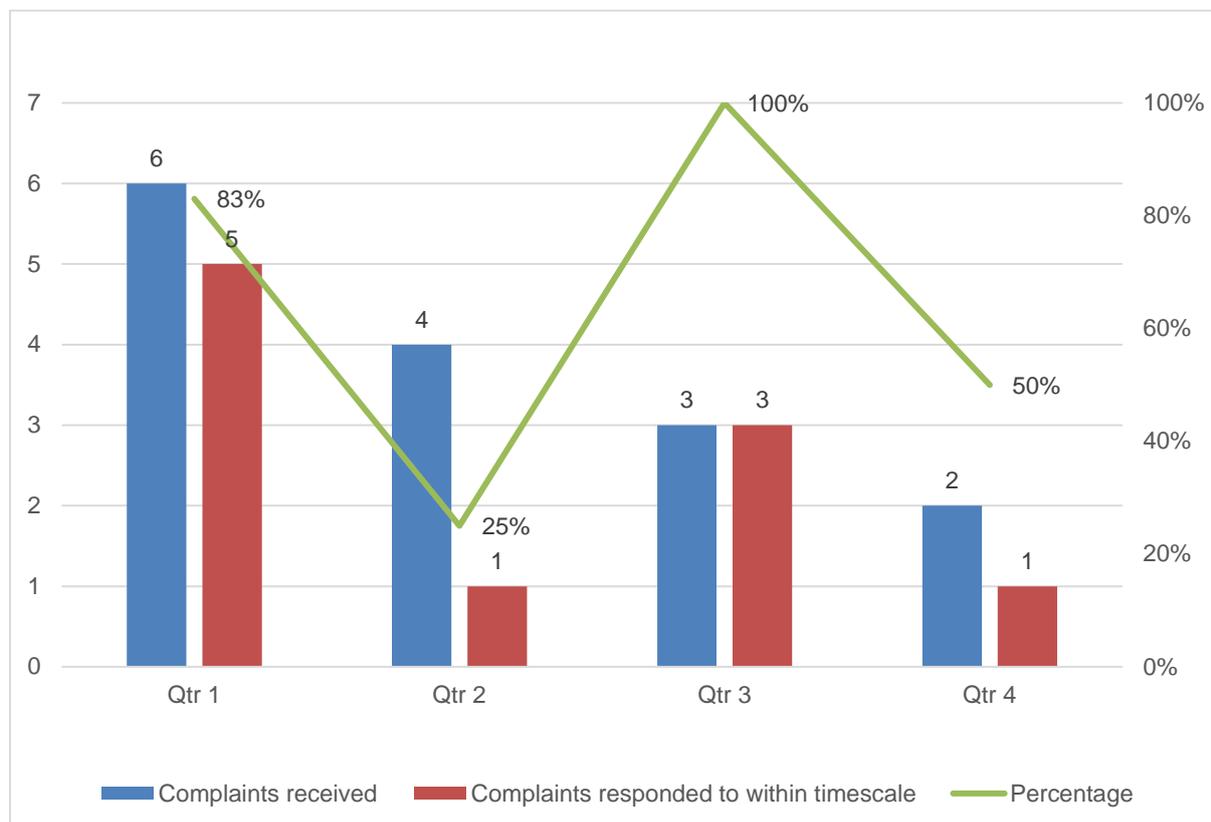
- The tables above show that we found fault in 70% of complaints investigated at Stage 1.
- The one complaint that progressed to Stage 2 was changed from partially upheld to upheld. The other two complaints were closed in 2019/20 and will be reported on in next year's annual report.
- The Ombudsman found fault in 50% (3) complaints.

Please note that the figures above show the outcomes of complaints "closed" in 2018/19 and will not directly relate to all complaints 'received' or the 'performance' in the same period. This is due to the time it takes to investigate and respond to a complaint.

## 6. Corporate complaint performance

The table below shows the total number of Stage 1 corporate complaints we received and the percentage of complaints that we replied to on time.

We dealt with 67% of Stage 1 complaints on time, which was an increase of 11% from last year. However, whilst performance improved significantly compared with the previous year, it fluctuated greatly throughout the year due in part to staff availability and caseload.

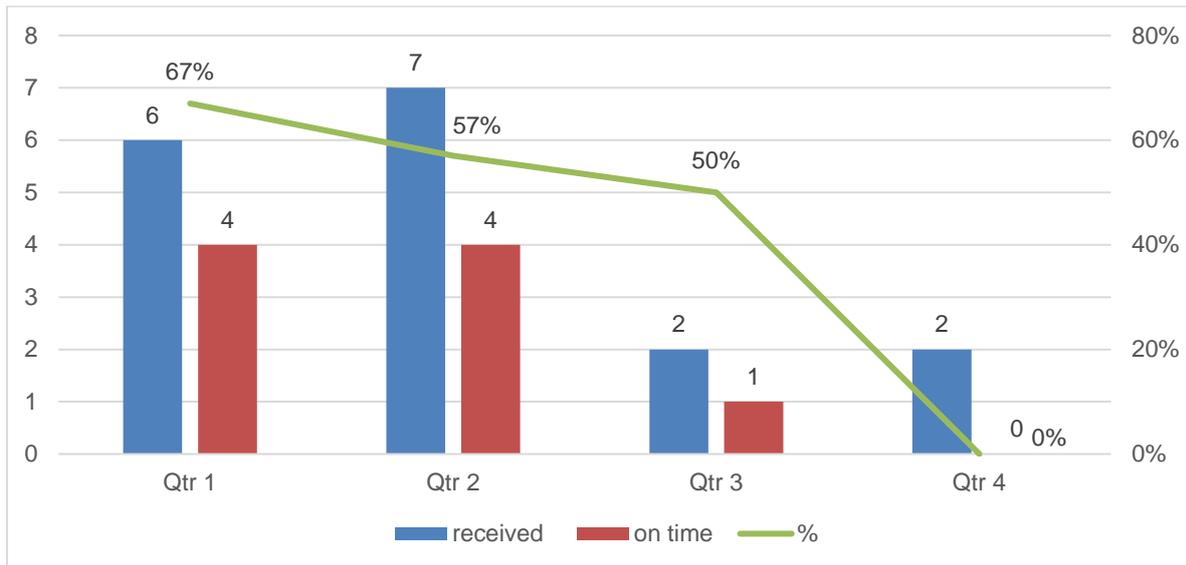


### 6.1 Statutory complaint performance

The table below shows the total number of Stage 1 statutory complaints we received and the percentage of complaints we replied to on time.

We dealt with 53% of Stage 1 statutory complaints on time, which was an increase of 18% from last year. Although performance improved significantly, it was not consistent, and this is something we need to address to provide a better service for our service users.

#### Statutory complaint performance



We dealt with 59% of complaints on time when statutory and corporate complaints are combined. Whilst this represents an improvement on the previous year it falls short of where we would expect to be.

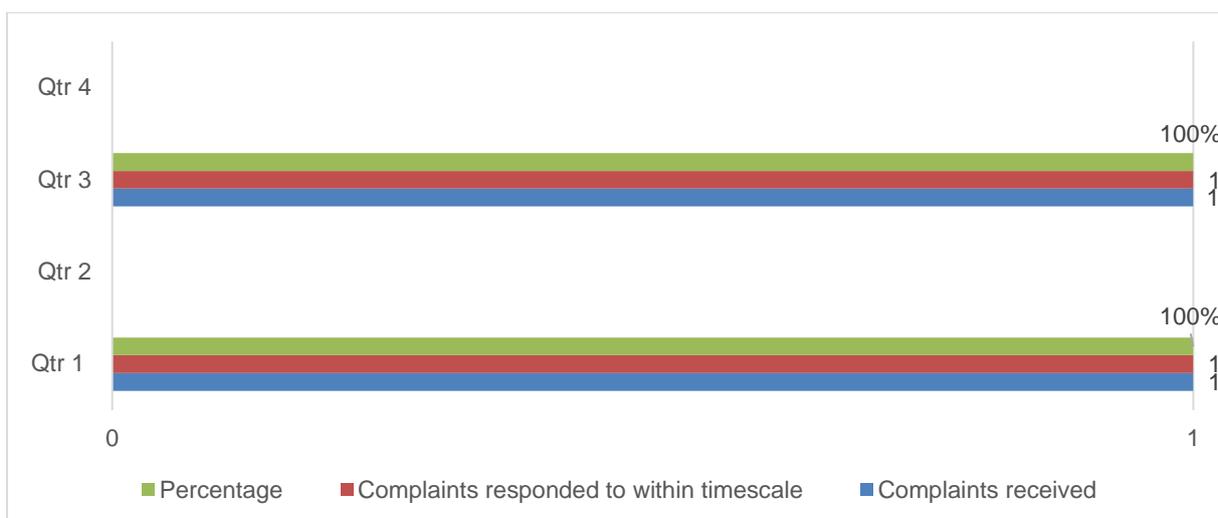
The Complaints Team will continue to work closely with each service area to improve performance by meeting with senior managers, producing weekly open case reports and providing detailed complaint analysis reports every month.

## 6.2 Stage 2 corporate complaint performance

The table below shows the total number of Stage 2 corporate complaints received and the percentage of complaints we replied to on time.

Overall, we dealt with 100% of Stage 2 complaints on time, which was an increase of 40% from last year. There were no Stage 2 complaints received in Quarter 2 or Quarter 4.

### Stage 2 complaint performance



## 7. Improving and learning from complaints

Complaints provide a vital source of information about people’s experience of our Adult Social Care services. They help to show us what we do well and how we can improve.

The complaints process enables us to identify service issues that affect our service users and to make improvements. It also helps us improve staff learning and enhance professional development.

To improve service quality, we encourage managers who respond to complaints to identify areas of improvement within their service and to inform the complainant of any actions they have taken to prevent a recurrence of the event or events that led to the complaint.

We assign all resolution and actions arising from our complaint investigations to the service managers and we monitor progress against those actions through our complaints management system. This ensures that we have an accurate record of any improvements we identify during the complaints process, and the service area is aware of any outstanding tasks.

Some examples of learning we have identified that have led to changes in procedures are set out below:

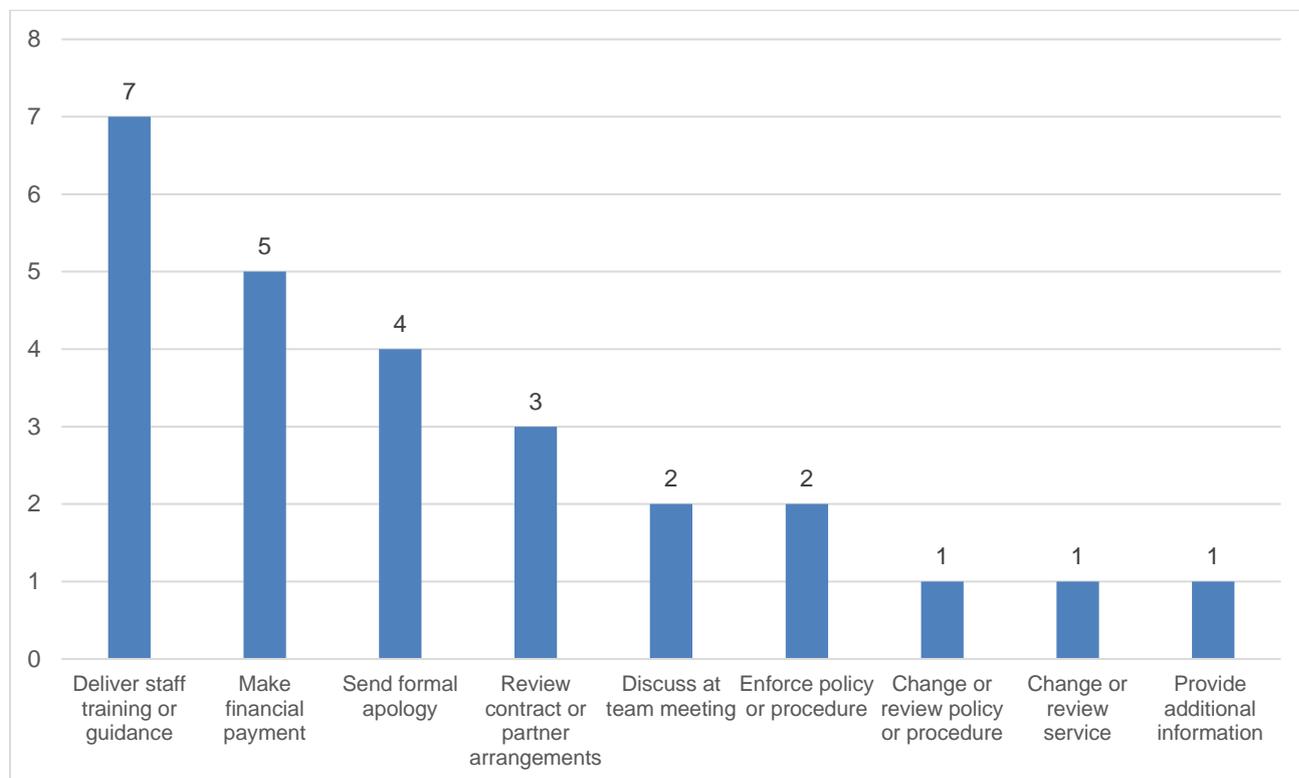
### Key learning points identified

Action	Learning
<b>Review of procedures</b>	Management oversight reporting arrangements developed and implemented.
<b>Training</b>	Training provided to ensure referrals to Bexley twofold are appropriate. We also provided support to Bexley twofold to improve identification and onward referrals of people's whose needs they are not able to meet.
	Training provided to improve communication with service users, especially around delays
	Training provided to ensure staff are better aware of the financial upper threshold for people financing own care
	Reminder to DoLS Assessors need to check London Ambulance Service to ensure all persons to contact are identified at earliest point.
<b>Review contract or partner arrangements</b>	Training provided regarding ordering slings in the correct size and how to use the hoist correctly.
	Audit of blue badge decision making carried out to improve future decisions
<b>Enforce policy or procedure</b>	Team manager to reinforce that staff should liaise with family members prior to commencing care support and discharge from acute services.

The team manager agreed to ensure the team follow best practice and involve families in emergency care planning to minimise preventable mistakes.

The table below shows the corrective actions that arose from complaints.

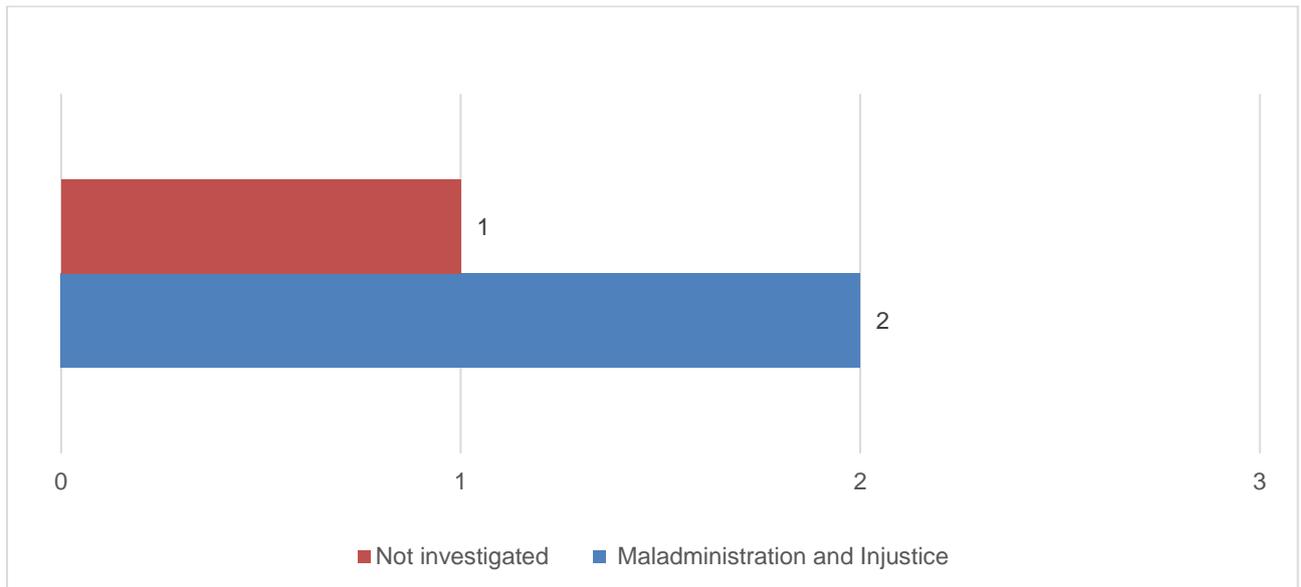
### Corrective actions arising from complaints



## 8. Ombudsman complaints

We received and closed three complaints for Adult Social Care from the Ombudsman. The Ombudsman found maladministration and injustice in two cases and decided not to investigate the other.

### Complaints from the Local Government Ombudsman



Details of the three Ombudsman complaints are summarised below:

1. The complainant was unhappy as there was an eight-week delay in referring her son to speech therapy.

In response, we apologised to the complainant for the delay and confirmed that we were looking to recruit more experienced transitional social workers. We would also be undertaking training with existing staff, and monitoring records more rigorously.

2. The complainant was not happy because we failed to monitor and review the new placement for her son. The complainant felt the new placement did not meet her son's needs and some of the care provided was poor quality. A safeguarding alert that that raised was not dealt with properly and the complainant believed that we did not keep proper records.

We apologised to the complainant for the failure to keep appropriate care records and paid compensation to remedy the complaint. We also carried out policy and procedural improvements to ensure the same mistakes would not happen again.

3. The complainant believed we had taken her friend into residential care against her will.

The Ombudsman did not investigate this complaint because it was the Police who were responsible for this action. There was also no evidence that the complainant had gained the permission of the person in care to complain on their behalf.

## 9. Compliments received

We received 132 compliments in this period and a small selection of these are detailed below by service area.

### Complex Care

"Many thanks for yesterday's phone and email conversations advising me of the Panel's decision agreeing to Mums continuing placement at Groveland Park. I am now aware just how concerned I have been over this matter and I am so pleased that, with your help and

commitment, the desired outcome has been achieved. I feel I should place on record, together with all the family, our sincere thanks for all your help in this matter. You may be newly qualified, but I thought the care and compassion you extended to Mum was first class, a quality that is natural and difficult to learn. You carefully explained the procedures to us and answered any questions we raised in a helpful manner, at the same time pointing out that you were gathering information for others to make decisions. I wish you well in your future career and I am sure, given your dedication and attitude, success will come your way."

### **Integrated Commissioning**

"Eleanor carers first came into our lives when my wife was discharged from QE some 10 months ago. The carers were brilliant. The level of personal care given to my wife was excellent, so much so that I was determined to do whatever I could to keep the same caring team after the initial assessment Eleanor office staff need a big thank you for delivering a superb service, ensuring that service users always get the level of care they deserve; it cannot be easy juggling the needs of the service user with that of the personal lives of the carer. You and your team seem to manage admirably, it's a seamless service. Thank you so much."

### **Integrated Rehabilitation**

"Very often aids are required but people are unaware of what can be provided to help. An assessment is easy to have, and knowledgeable staff help with the process. My assessment and the follow up call and aids provided have helped my healing process immensely. Your staff were excellent at a time when I needed so much help and advice on aids. The assessment process is simple and the After Visiting Care was great. The aids were ordered and delivered quickly. Thank you for all you do."

### **Safeguarding Adults**

"Just a quick note to say how wonderfully kind and compassionate a member of your team was with my mother yesterday. At a time when everyone struggles to find time generally to deal with the day to day things, she was incredibly careful to go over each step with a woman who is struggling deeply with the early consequences of dementia. Her manner empathy and softheartedness were so helpful and reassuring for me."

## **10. Work priorities for 2019/20**

We continually try to improve the experience of our service users. To achieve this the Complaints Team are focusing on the following areas in 2019/20:

- Providing support and guidance to social care managers to ensure all complaints are dealt with through the statutory and corporate complaints process.
- Producing performance reports for senior officers detailing corporate and directorate performance in line with statutory and corporate targets, including analysing and interpreting data records.
- To identify any corrective actions that need to be implemented to ensure we can evidence any lessons learnt and what improvements have been made as a result of our complaint investigations.

- Provide weekly open case reports to senior managers to help increase the number of complaints closed on time.
- Attend monthly senior manager meetings to highlight complex cases and those that are overdue so that they can be resolved quickly.
- Produce a quarterly complaint learning report that identifies service failure through investigating complaints. The report aims to evidence any lessons learnt and suggests improvements to stop similar complaints from recurring.
- Continue to work closely with the Local Government Ombudsman and make sure we respond to their enquiries in full and on time. We will also ensure that all Ombudsman recommendations are carried out and that we provide them with evidence to show that they were completed properly.

If there is anything in this report which requires further clarification please contact the complaints team at [Complaints@bexley.gov.uk](mailto:Complaints@bexley.gov.uk)