
Meeting: Social Care Health and Housing Overview & Scrutiny Committee

Date: 20 December 2010

Subject: Customer Feedback – Adult Social Care

Report of: Councillor Mrs. Carole Hegley, Portfolio Holder for Social Care and Health

Summary: This report provides an overview of the key issues in complaint handling for Adult Social Care for the period 2009/2010.

Advising Officer(s): Julie Ogley, Director Social Care, Health and Housing

Contact Officer: Sonya Branagan, Customer Relations Manager

Public/Exempt: Public

Wards Affected: All

Function of: Council

CORPORATE IMPLICATIONS
This report is factual and does not include any proposals, therefore the corporate implications are limited to meeting the statutory duty to review the operation of social care complaints.
The role of Customer Relations Manager fulfils the statutory duty to designate a complaints manager to be responsible for managing the procedures in accordance with Regulations.
Council Priorities:
None
Financial:
None
Legal:
None
Risk Management:
None
Staffing (including Trades Unions):
None

Equalities/Human Rights:
None
Community Safety:
None
Sustainability:
None

RECOMMENDATION:
<p>1. that the</p> <p>(a) Social Care Health and Housing Overview and Scrutiny Committee note the report</p>

Introduction

1. The Council's Customer Relations Team, based in the Office of the Chief Executive, manages the council's customer feedback procedures. There are three procedures. Two of the procedures are statutory and are governed by Regulations relating to Adult Social Care Services and Children's Services respectively. The third procedure covers all other Council services.
2. The feedback procedures are the means by which customer compliments, comments and complaints are handled. Customer Relations provides a point of contact for customers wishing to complain via email, telephone or in writing. This provides confidence to those customers who may have lost faith in the services to respond to their issue.
3. The Council is required to monitor statutory complaints procedures and prepare an annual report. The Adult Social Care complaints report must be made available to any person on request.

Adult Social Care Customer Feedback Report

4. The Regulations require that the annual report should include:
 - The number of complaints received;
 - The number that were well founded;
 - The number referred to the Local Government Ombudsman; and

- A summary of the subject matter of complaints received; matters of general importance arising or in the way complaints are handled; any matters where action is to be taken to improve services as a consequence of complaints.
5. The Customer Relations Manger has compiled an annual report on customer feedback about Adult Social Care Services. This addresses the requirements above. The annual report has been agreed by the Director of Adult Social Care.
 6. The annual report covers:
 - (a) The Council's procedure for handling adult social care complaints;
 - (b) Equality and Diversity Monitoring;
 - (c) Summary Statistics including; number of complaints received; number referred to the Local Government Ombudsman; services most complained about; number well founded;
 - (d) Performance;
 - (e) Actions put in place to improve complaints handling; and
 - (f) Service improvements resulting from complaints
 7. To address the need to make the annual report available to anyone requesting it the report will be posted on the 'Feedback' pages of the Council's website. The feedback pages contain information on how to provide compliments, comments and complaints.

Complaints Handling Practice in 2009/10

8. The current complaints procedure was designed in response to changes in Regulations that came into force on the 1 April 2009, with further amendments considered on the 1 September 2009. The new arrangements provided for a significant change to the process for managers and staff. It provided a relaxed framework than the previous 3 stage procedure. The requirement now is to assess each complaint and decide on an appropriate course of action. In addition all complaints made to the Council about commissioned services have to be considered under the Council's complaints procedure. This replaced the previous practice of sending all commissioned service complaints to the provider to respond to under their own procedure.
9. The Customer Relations Manager attended the Adult Social Care provider forums to brief providers on the changes in complaints and the Council's procedure. Going forward the plan will be to engage providers in a joint training session with contract officers.

10. As well as the statutory annual report, weekly, monthly and quarterly reports on customer feedback have been provided based on the Director's requirements for performance reporting. This meant that senior managers had the opportunity to monitor customer feedback for their services. Reports showed that numbers of complaints at the start of the year were low. The Director gave clear direction that complaints recording and handling should be improved.
11. Customer Relations supported the service to improve and; produced guidance and briefings for staff; introduced action plans for all complaints; delivered training in complaints handling to managers. Complaint numbers increased over the period indicating improved capture; an increased opportunity to learn from customer experience; and evidence of service improvements.
12. There was an increase in the number of social care complaints received in the year compared to those received the previous year by the legacy County Council(using 60/40% calculations of 2008/09 figures)
13. 'Top Tips' for complaint letters were introduced. Customer Relations undertook a quality assurance role and response letters were assessed against the 'top tips' and feedback provided to managers on any gaps or areas for learning. This resulted in improved quality of responses to complaints that were more conciliatory and focussed on outcomes, resolution and service improvements. Working to standards improved the quality and consistency of responses for complainants. It also reduced the risk of the need for further more detailed investigations which can be costly and damaging to ongoing relationships with customers.
14. People assessed as being required to pay for their own care (self funders) were not eligible under the complaint Regulations to have their case investigated by the Council. However, Customer Relations consulted with service users to produce tips to guide and support self funders on how to complain effectively. The Local Government Ombudsman has new powers to investigate these types of complaint and it is anticipated they will commence this new role in October 2010.

Conclusions: Key Themes from Complaints

15. The main cause for complaint over the year was care management, including delays in assessments, communication and delays in delivering services. The Occupational Therapy (OT) service experienced complaints as a result of the waiting list for assessments. Senior managers were made aware of the complaints and a review of the OT service was undertaken and actions taken to improve. The service reported that the waiting list has significantly reduced down from a higher of circa 500 to now below 100 and a much improved care pathway with housing.
16. There were also complaints about the quality of services provided by care providers on behalf of the Council i.e. day care and respite/residential. Complaints to the Council were shared with the Adult Services Improvement Group and the Contracts Service.

Whilst each individual complaint was actioned the Contracts Service ensured wider concerns about providers were monitored and managed to address contract and quality issues.

Appendix:

Appendix A – Central Bedfordshire Council Adult Social Care Customer Feedback – Complaints & Compliments Annual Report 2009 / 2010

Background Papers: (open to public inspection)

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

Location of papers: Priory House, Chicksands



**CENTRAL BEDFORDSHIRE COUNCIL
ADULT SOCIAL CARE**

CUSTOMER FEEDBACK –

**COMPLAINTS
COMPLIMENTS**

**ANNUAL REPORT
2009/10**

INTRODUCTION

Central Bedfordshire Council came into being on 1 April 2009. County and District Council services in the area had previously been provided by Bedfordshire County Council, Mid Beds District Council and South Beds District Council.

The purpose of this report is to fulfill the duty to produce an annual report of the complaints procedure for Adult Social Care for 2009/10.

The report provides statistics on the number of cases received; complaint outcomes (upheld/not upheld); learning and improvements resulting from complaints; and cases referred to the Local Government Ombudsman.

Adults Social Care cases are inputted and managed in the 'Icasework' database system. 'Icasework' is a legacy system from Bedfordshire County Council. It is not configured to fully map the current Council services or the procedures and does not reflect changes in Regulations that came into effect from 1 April 2009. As a result there is limited reporting functionality.

The Adult Social Care Service received weekly, monthly and quarterly reports on customer feedback based on their requirements for performance reporting.

EXECUTIVE SUMMARY

The Customer Relations Team manages the procedures for Adult Social Care complaints.

Adult Social Care Complaints Procedure

The procedure is governed by Regulations which provide a loose framework for handling complaints with the emphasis on fully understanding and addressing the complaint at the start; planning the method of handling the complaint to get it right first time; and focusing on improving services where there are failings.

The Council's procedure contains a number of different options to handle complaints. Each has a standard timescale for responding:

- Local resolution by Service Manager – 10 working days
- Mediation – 25 working days
- Conciliation – 10 working days
- Independent Investigation – 25 up to 65 working days

However, it should be noted that timescales can be flexible depending on the nature of the complaint. Extensions to timescales are permitted providing this is recorded in a complaint plan and communicated to the complainant.

There were 66 new complaints received for the Service for the period 1 April 2009 – 31 March 2010.

We closed 55 cases, 42 of the cases were either upheld fully or in part. Whilst individual cases were actioned to remedy them specifically for complainants wider services improvements were also identified in a number of cases. These are detailed in Section 5.

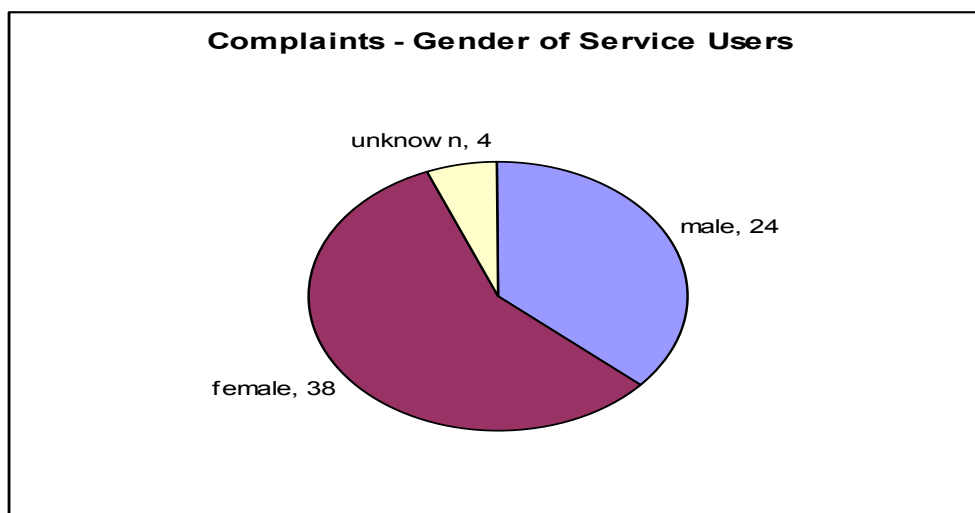
1 EQUALITY & DIVERSITY MONITORING

1.1.1 The purpose of capturing data is to monitor access to the complaints procedure and to ensure services are appropriate for all service user groups. Customer Relations record data about the **service user** for complaints.

1.1.2 The 'I-casework' system used for Adult Social Care complaints has the facility to capture the service user's gender, ethnicity and whether the service user describes themselves as having a disability or not. The recording has not been robust and therefore we have limited information to analyse. Measures have been put in place to improve recording.

1.1.3 There were 7290 clients and carers in receipt of a service during the period 2009/10. 66 new complaints were registered:

1.2 Social Care Complaints – Gender

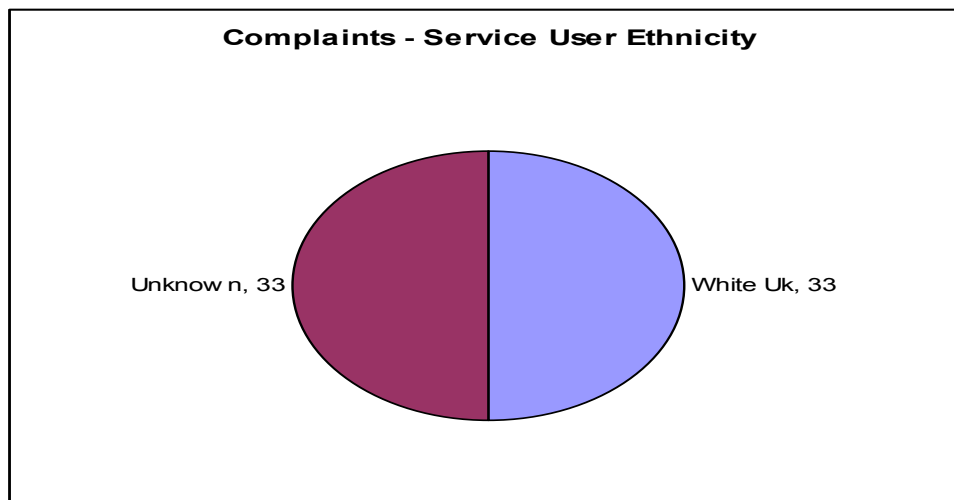


1.2.1 57% of complaints affected female service users, 36% affected males. This evidences that service users of both genders are represented in the complaints procedure.

1.2.2 The trend reflects the thinking that females are more likely to raise concerns than males and also mirrors the proportion of service users accessing services for the year which was; female (62.3%); male (37.7%).

1.2.3 The main cause for complaint was about how services were managed within social care; 40% of these complaints were from males and 60% of these complaints from females. In complaints about external providers 64% were from females and 36% from males. Allowing for the 6% 'unknown' the issues facing complainants appear to be similar for both males and females.

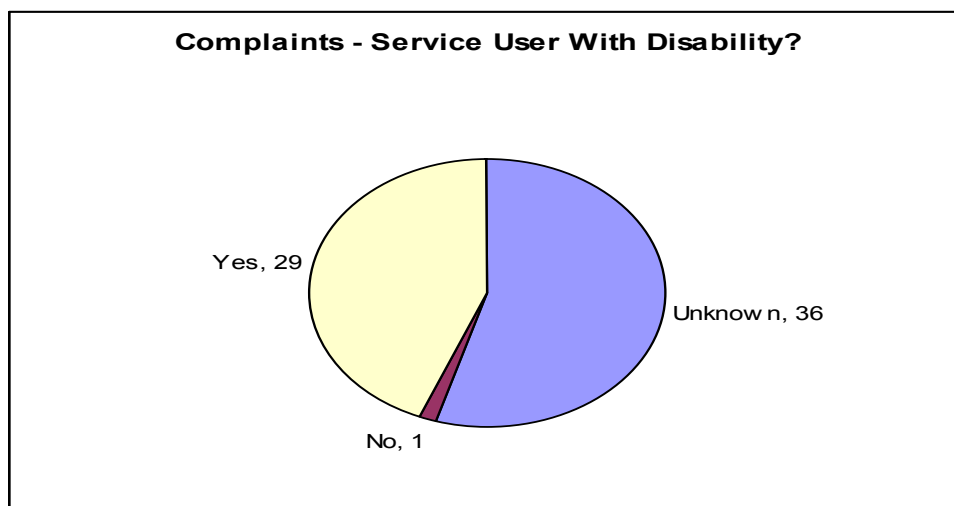
1.3 Social Care Complaints – Ethnicity



1.3.1 Half of the cases recorded were 'unknown' ethnicity. The remaining half was recorded as 'White UK'. With 50% of cases of unknown ethnicity it is not possible to say if complainants with other ethnic backgrounds were represented in complaints, although it is likely.

1.3.2 The figures suggest we have not been robust collecting this data. Officers capturing complaints have been reminded of the importance of recording monitoring data and that they must ask for information in any face to face or telephone cases.

1.4 Social Care Complaints – Disability



1.4.1 In 43% of complaints service users described themselves as having a disability. The services covered included older people, disabilities and adults with learning disabilities. Therefore, it is anticipated that a significant proportion of complainants would describe themselves as having a disability.

1.4.2 The main cause for complaint was about how services were managed within social care; 38% of these complaints were from people who described

themselves as having a disability. The figure demonstrates that people with disabilities are able to access the complaints procedure.

- 1.4.3 A revised leaflet with symbols for adults with learning disabilities was produced. Feedback from services suggests that the leaflet may also be useful for older people and therefore has been made available to relevant teams and customer services.

2 SUMMARY STATISTICS

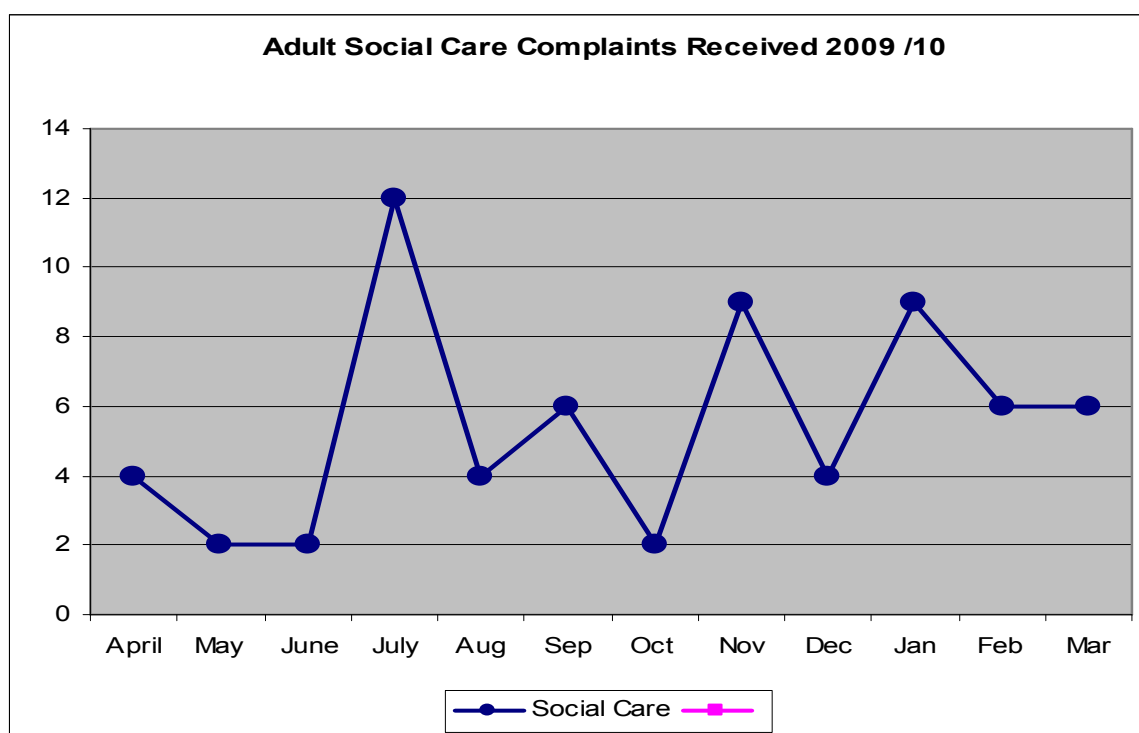
2.1 Headline Data for Customer Feedback

Nature of Feedback Received 2009/10	Q1	Q2	Q3	Q4	Totals
Complaints*	8	22	15	21	66
Compliments	3	1	3	9	16

* Included complaints about financial matters relating to social care issues

2.2 Spread of Complaints Received

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Total
Complaints Received 2009/10	4	2	2	12	4	6	2	9	4	9	6	6	66



- 2.2.1 The legacy Bedfordshire County Council was responsible for social care services in Bedfordshire prior to 1 April 2009. It recorded a total of 55 complaints for

2008/09 for adult social care. The area Central Bedfordshire covers accounted for 60% of the area Bedfordshire County Council covered. Therefore 33 of the 55 complaints for 2008/09 would have been in the Central Bedfordshire Council area.

2.2.3 The Director and social care senior managers were concerned at the start of the period 2009/10 about the low number of social care complaints received given the number of customers accessing services. Work was undertaken to improve capture of complaints. Section 4 provides further details.

2.2.4 The total number of complaints received for Central Bedfordshire social care in 2009/10 was 66. This is an increase of 50% for social care complaints on the previous year using the 60% theory for previous numbers.

2.2.5 The peak for social care complaints was in July which saw 12 complaints received in the month. The peak was largely due to 6 cases relating to Older People complaints 3 of which were about delays in Occupational Therapy (OT) services.

The quieter months were April, June and October with 2 complaints recorded for each month. As we do not yet have comparator data for year on year we are unable to say if these months are generally the quieter periods.

2.2.6 Health and Social Care Joint Complaints
2 complaints received related to both health and social care services. Customer Relations coordinated the responses and provided a single point of contact to the complainant

2.3 Local Government Ombudsman (LGO) Complaints

2.3.1 The Council received 3 complaints from the LGO about its adult social care services. One case was closed with no evidence of fault on the part of the council. Two cases were pending a decision from the LGO at the end of the period.

2.4 Services Most Complained About

2.4.1 The main cause for complaint over the year was about how cases were managed within social care. 29 of the complaints received fell into this category which crossed older people, disability and learning disability services. The complaint issues were spread and covered delays in OT assessments, poor communication, delays in providing services; not providing services and changes to care plans.

2.4.2 There were also complaints about the quality of services provided by care providers on behalf of the Council i.e. day care and respite/residential. Complaints to the Council were shared with the Adult Services Improvement Group and the Contracts Service. Whilst each individual complaint was actioned the Contracts Service ensured wider concerns about providers were monitored and managed to address contract and quality issues.

2.5 Outcomes from concluded Complaints

2.5.1 55 Social Care cases were concluded in the period. 45% (25) were upheld. A further 30% (17) were partly upheld. This meant a total of 75% were deemed to be well founded in full or in part.

Whilst case specific remedies are put in place for individuals Section 5 details wider actions and improvements resulting from complaints.

2.6 Compliments

2.6.1 16 compliments from customers were captured in the Service relating to the quality and timeliness of services and support.

3 PERFORMANCE IN COMPLAINTS HANDLING

3.1 New Regulations introduced in April 2009 meant that there was no longer a statutory timescale in which to respond to complaints. Instead the emphasis is on assessing the complaint at the outset to fully understand the issues, and then agreeing a clear method of handling the complaint to a defined timescale. In response to this local procedures include a range of options for resolving complaints and each has a standard timescale for response. Timescales can be re-negotiated with the complainant if appropriate.

3.2 The legacy database is not configured to reflect the changes and options for handling complaints including relevant timescales. Therefore we can only report generally on days to resolve complaints. This does not include a breakdown of what method was used to handle each complaint. Anecdotally the majority of complaints were addressed through local resolution.

Timescale for Responding to Complaints

Working Days to Respond	0 - 10	11 -20	21 - 30	30+
Number of Cases Respond	15	12	11	17

3.2.1 Of the 17 cases that took the longest to resolve:

- 8 cases had timescales re-negotiated with the complainant. In 2 of these cases this was due to detailed investigations being required. 4 other cases were subject to meetings with the complainant.
- 2 cases were very complex and involved joint social care and health one of which included issues of protection and required detailed consideration.
- 2 cases were subject to meetings with the complainants but there were delays in following up the outcomes in writing.
- 5 cases were subject to delay with no update to the complainant or re-negotiated timescale.

3.3 As a result of the turbulence of becoming a new Council combined with the need to embed new complaints procedures not all social care complaints were dealt with fully in line with the procedures or best practice. Section 4 describes the

practice improvements put in place to address performance in complaints.

4 IMPROVEMENTS - COMPLAINTS PRACTICE

4.1 In order to embed the new Council's complaints procedures and ways of working the following actions were put in place:

- Delivered training in complaints handling to 32 social care managers and seniors;
- CR undertook a programme of consulting with older people on the complaints leaflet and accessibility of the complaints process. This was carried out to support the approach of the Directorate to address the low number of complaints made by older people. The findings will be analysed to identify key areas for improvement and an action plan put in place. We will review the effectiveness of this in the next annual report;
- Action plan template introduced for new complaints to ensure each complaint is assessed to decide the manner of handling and offer to discuss the plan with the complainant; and
- Attended the provider forums to present on the implications of the new complaint Regulations on provider complaints and to promote a focus on resolution.

4.2 We have since seen a rise in the number of complaints being captured. Complaint plans are now put in place which results in clear communication to complainants on how the complaint will be handled, by whom and when. Staff have been more willing to contact customer relations for guidance on complaints to get it right first time.

5 SERVICE IMPROVEMENTS RESULTING FROM CUSTOMER COMPLAINTS

5.1 A complaint related to next of kin raising a challenge to interest charges which resulted in the service improving record keeping of decisions and introducing a review of cases after six months if there has been no contact with the person dealing with the estate of the deceased. This should ensure financial matters are dealt with expediently.

5.2 A complaint issue identified the need to give better information on charging for care to families. As a result social workers have been informed to give written information on the Council's charging policy to clients as soon as an assessment is completed. Progress has been made and the service continues to take action to ensure social workers refer on enquiries regarding charging and benefits to finance and the welfare benefits teams

5.3 A carer administering Direct Payments had experienced delays in the Council processing returns. Two additional members of staff were employed to manage the backlog and reduce processing time from 6 to 3 weeks.

5.4 A review of the OT service was undertaken and actions taken to improve the service. This included recruiting a temporary interim manager to oversee the OT

team and service; a review of the waiting list; and discussions with housing to identify areas for improvement relating to overlap and duplication. The letter to customers about the waiting list was improved. Waiting list has significantly reduced down from a higher of circa 500 to now below 100 and a much improved care pathway with housing.

- 5.5 The learning disability care management team reviewed how they communicated to consider ways of improving communication particularly through the transition process. A transition worker post has been recruited to and this will enable communication to be improved
- 5.6 Following a complaint a provider committed to revising procedures to reduce the risk of missed and late calls.
- 5.7 A complaint that highlighted issues around management of personal care resulted in the Biggleswade Centre making an adaption to the personal care charts to ensure clear communication in cases when there is a need for support for specific personal care needs.
- 5.8 The Commissioning Team monitored complaints about care services and took appropriate steps to manage any concerns. They did this by using the complaint data alongside other relevant information. They liaised with frontline operational staff/SOVA team/Care Quality Commission and other local authorities to support their investigations. In most cases they worked with care providers on action plans and supported them in service improvement.