

# Individual Decision

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The attached reports will be taken as  
Individual Portfolio Member Decisions on:

**Monday 14 September 2015**

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<b>Ref:</b>	<b>Title</b>	<b>Portfolio Members</b>	<b>Page No.</b>
ID3017	<b>Annual Report on Complaints Activity in Children's Social Care 2014 -15</b>	Councillor Lynne Doherty	3 - 22
ID3018	<b>Adult Social Care Compliments and Complaints Annual Report 2014-15</b>	Councillor Hilary Cole	23 - 40



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## Individual Executive Member Decision

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<b>Title of Report:</b>	<b>Annual Report on Complaints activity in Children's Social Care 2014-15</b>
<b>Report to be considered by:</b>	Individual Executive Member Decision
<b>Date on which Decision is to be taken:</b>	14 September 2015
<b>Forward Plan Ref:</b>	ID3017

**Purpose of Report:** To report on the statutory complaints process for 2014/15

**Recommended Action:** To consider and approve the report, including lessons learned and actions.

**Reason for decision to be taken:** Local Authorities must, each financial year, publish an annual report in order to keep the Local Authority informed about the operation of its complaints procedure.

**Other options considered:** None

**Key background documentation:** "Getting the Best from Complaints" DfE-Social Care Complaints and Representations for Children, Young People and Others".  
Statutory guidance to accompany the Children Act 1989 Representations Procedure (England) Regulations 2006 (Statutory Instrument 2006/1738)

Portfolio Member Details	
<b>Name &amp; Telephone No.:</b>	Councillor Lynne Doherty - Tel 07783 877111
<b>E-mail Address:</b>	ldoherty@westberks.gov.uk
<b>Date Portfolio Member agreed report:</b>	

Contact Officer Details	
<b>Name:</b>	Rachel Brickman
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## Implications

<b>Policy:</b>	The complaints policy for Children & Young People (Social Care) is compliant with the requirements of the relevant legislation.
<b>Financial:</b>	None
<b>Personnel:</b>	None
<b>Legal/Procurement:</b>	None
<b>Property:</b>	None
<b>Risk Management:</b>	None
<b>Corporate Board's Recommendation:</b>	N/A

<b>Is this item relevant to equality?</b>	Please tick relevant boxes	<b>Yes</b>	<b>No</b>
Does the policy affect service users, employees or the wider community and:			
• Is it likely to affect people with particular protected characteristics differently?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Is it a major policy, significantly affecting how functions are delivered?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Will the policy have a significant impact on how other organisations operate in terms of equality?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to an area with known inequalities?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Outcome</b> (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)			
Relevant to equality - Complete an EIA available at <a href="http://intranet/EqIA">http://intranet/EqIA</a>			<input type="checkbox"/>
Not relevant to equality			<input checked="" type="checkbox"/>

## Consultation Responses

### Members:

**Leader of Council:**

**Overview & Scrutiny  
Management**

**Commission Chairman:**

**Ward Members:**

**Opposition  
Spokesperson:**

**Local Stakeholders:**

**Officers Consulted:** Children's Services Management Team  
Communities Directorate Leadership team

**Trade Union:** N/A

<b>Is this item subject to call-in?</b>	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
<p>If not subject to call-in please put a cross in the appropriate box:</p> <p>The item is due to be referred to Council for final approval <input type="checkbox"/></p> <p>Delays in implementation could have serious financial implications for the Council <input type="checkbox"/></p> <p>Delays in implementation could compromise the Council's position <input type="checkbox"/></p> <p>Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months <input type="checkbox"/></p> <p>Item is Urgent Key Decision <input type="checkbox"/></p> <p>Report is to note only <input checked="" type="checkbox"/></p>		

## Supporting Information

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### 1. Background

- 1.1 This report contains a summary of the data produced by the Children's Social care complaints procedure between 1 April 2014 and 31 March 2015. It highlights how the service has performed in relation to statutory timescales and key principles as well as in respect of learning and service improvements identified through the analysis of the complaints process in previous years.

### 2. Findings

- 2.1 During this period 71 initial contacts were received either from adults complaining on behalf of a child or by a child or young person accessing the complaints procedure on their own behalf. Of these 54 complaints and 13 representations were made by adults and 4 complaints and no representations were made by young people. This is directly comparable to 87 initial contacts in 2013-14.
- 2.2 Of the 71 complaints raised in 2014/15, 6 were upheld, 17 were partially upheld and 36 were not upheld. In 6 cases no finding was made, in the majority of these cases the complainant was satisfied that their complaint had been addressed following an initial conversation. 3 complaints were directed to other agencies and a further 3 complaints straddled the year end cut of date.
- 2.3 95% of stage 1 complaints were acknowledged within 3 working days.
- 2.4 59% of complaints were responded to within 10 working days and a further 26% were responded to within 11-20 working days. Thus in 2014/15, 85% of stage 1 complaints were responded to within the 20 working day timescale specified in the Children Act (1989).
- 2.5 15% of the complaints brought in 2014/15 exceeded the 20 day period. The main reason for this was that there were a number of clusters of family complaints in which 3 or 4 different family members were submitting similar, but slightly different complaints, at slightly different times.
- 2.6 Unfortunately this clusters were received at a time when the Complaints Managers post was vacant, so although each aspect of all the complaints had been responded to, the dissemination of responses to all those concerned, did not always occur within timescales.

### 3. Lessons Learned and Actions

- 3.1 The Complaints report is considered by the Quality Assurance board, who monitor and evaluate practise against the required lessons learned and actions. This includes identifying lead officers and timescales for any further remedial actions.
- 3.2 During 2014 the Complaints Manager post was vacant until October 2014. Whilst this has caused some difficulties in managing the complaints service consistently at times, it has also prompted a re-examination of the systems which were in place within the complaints service.

- 3.3 As a result of this re-examination, new tools for capturing data have been introduced. These systems include electronic running records, a quarterly report and learning log which will be presented to the Quality Assurance Board.
- 3.4 Other areas of concern which became apparent towards the end of 2014/15 were delay in families receiving paperwork and complaint management. The number of complaints which include a concern around late paperwork will continue to be monitored in 2015/16.
- 3.5 When the Complaints Manager came into post a number of complaints appeared to be running well over timescales and left to drift. The complaints were re-examined and although individual complaints were responded to, a number of complaints involved several family members raising new complaints and re-visiting complaints that had already been addressed.
- 3.6 Lessons learned during 2014/15 were the need for professionals to be clearer about the fact that they are making professional decisions based on likelihood, probability and experience. That the decisions being made are in the best interest of the child and that decisions may not necessarily be in line with a parent's wishes.
- 3.7 A high number of the complainants state at some point during the complaints discussions, "I haven't been given a reason why". This would suggest that providing more written information might be beneficial, some preliminary work around this has been undertaken.
- 3.8 It is also important that professionals do not lose sight of the fact that many service users are not well versed in social work procedures and language and that as a result of this, it is important to give clear explanations particularly when different terminology might be used by different professionals to mean the same thing.

#### **4. Conclusion**

- 4.1 There has been a decrease in the overall number of complaints and representations made during 2014/15. It is likely that in part this fall reflects that fact that complaints were being addressed within the social work teams whilst the post of the Complaints Manager was vacant.
- 4.2 2 complaints were progressed to Stage 2 and 2 complainants made use of the Local Government Ombudsman Service.
- 4.3 Responses times have improved on those of the last financial year, with 85% of complaints now being responded to within timescales.

## **Appendix**

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Appendix A – Complaints Report Children's Social Care 1<sup>st</sup> April 2014 – 31<sup>st</sup> March 2015

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# Complaints Report

## Children's Social Care

1st April 2014 - 31st March 2015



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## **Executive Summary**

This report contains a summary of the data produced by the Children's Social Care complaints procedure between 1 April 2014 and 31 March 2015. It highlights how the Service has performed in relation to statutory timescales and key principles as well as in respect of learning and service improvements identified through the analysis of the complaints process in previous years.

During this period 71 initial contacts were received either from adults complaining on behalf of a child or by a child or young person accessing the complaints procedure on their own behalf. Of the 71 initial contacts received, 54 complaints and 13 representations were made by adults and 4 complaints and no representations were made by young people. This is comparable to 87 initial contacts received in 2013-2014.

The complaints and representations received encompass multiple issues, the key themes of which can be identified as: -

- Service Provision
- Professionalism of staff
- Communication
- Confidentiality
- Contact
- Assessment
- Fostering
- Referral
- Care planning
- Delay in paper work
- Family problems
- Child Protection Measures
- Other
- Not known

This list is used throughout the year to track the nature of the complaints and is now monitored quarterly, with the most pressing concerns identified and included in a quarterly report which is presented to the Children's Quality Assurance Board. This enables any necessary changes to procedures to be discussed and implemented during the year.

Of the 71 complaints raised in 2014/15, 6 were upheld, 17 were partially upheld and 36 were not upheld. In 6 cases no finding was made, in the majority of these cases the complainant was satisfied that their complaint had been addressed following an initial conversation. 3 complaints were directed to other agencies and a further 3 complaints straddled the year end cut off date.

95% of Stage 1 complaints were acknowledged within 3 working days.

59% of complaints were responded to within 10 working days and a further 26% were responded to within 11 – 20 working days. Thus in 2014/15, 85 % of Stage 1 Complaints were responded to within the 20 working day timescale specified in the Children Act (1989). These figures demonstrate an overall increase of 8% in the number of responses being provided within timescales when compared to the previous financial year.

The biggest improvement can be seen in meeting the 10 day timescale where the response rate has risen from 46% in 2013/14 to 59% in 2014/5.

15% of the complaints brought in 2014/15 exceeded the 20 day period. The main reason identified for this was that there were a number of clusters of family complaints in which 3 or 4 different family members were submitting similar, but slightly different complaints, at slightly different times. Unfortunately these clusters were received at a time when the Complaints Manager post was vacant, so although each aspect of all the complaints had been responded to, the dissemination of responses to all those concerned, did not always occur within timescales. This was exacerbated on occasions by an unwillingness of complainants to engage effectively with the complaints process, a factor which can be seen to have significantly extended response times.

In 2014/15, 2 Complaints were progressed to Stage 2 and 2 complaints were referred to the Local Government Ombudsman.

## **Complaints Process**

The framework for managing complaints is set out within the Children Act (1989), Regulations 2006 and consists of 3 stages: -

- Stage 1: Local Resolution

- Stage 2: Independent Investigation
- Stage 3: Review Panel

Although the Children's complaints process was designed with children in mind the majority of the complaints across the Country are brought by adults rather than children and young people. How more young people might be encouraged to make use of the complaints process is currently of widespread concern. West Berkshire is currently involved in a multi disciplinary piece of work looking at how the number of children and young people who are actively engaging with Children's Services can be encouraged to raise any concerns they may have. This work is still at an early stage, with a proposal and action plan being anticipated in the summer 2015.

The fundamental principles that underpin the Children's Social Care Complaints Procedure are: -

- Using clear and straightforward systems to capture complaints
- Ensuring that the complaints process is readily accessible to users
- Ensuring that Complaints are managed effectively at all stages of the procedure
- Making considered decisions as quickly as possible
- Using lessons learnt to inform service improvements

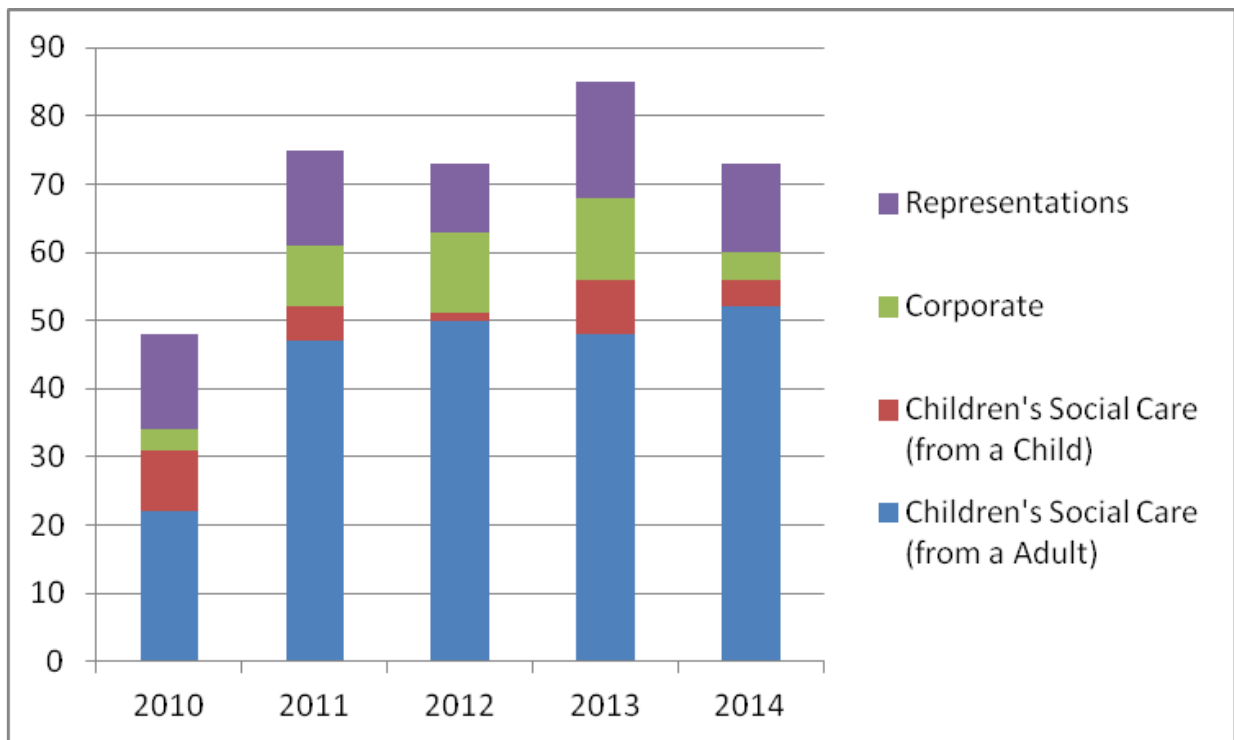
If having exhausted all reasonable avenues within the Council's complaints procedure, the Complainant still remains dissatisfied they may ask the Local Government Ombudsman (LGO) to consider their complaint. (A complaint lodged with the LGO before a Council has had a reasonable opportunity to respond will be deemed 'premature' and will be referred back to the Local Authority).

A summary of the Children's Social Care Complaints Process is at Appendix A.

## Analysis

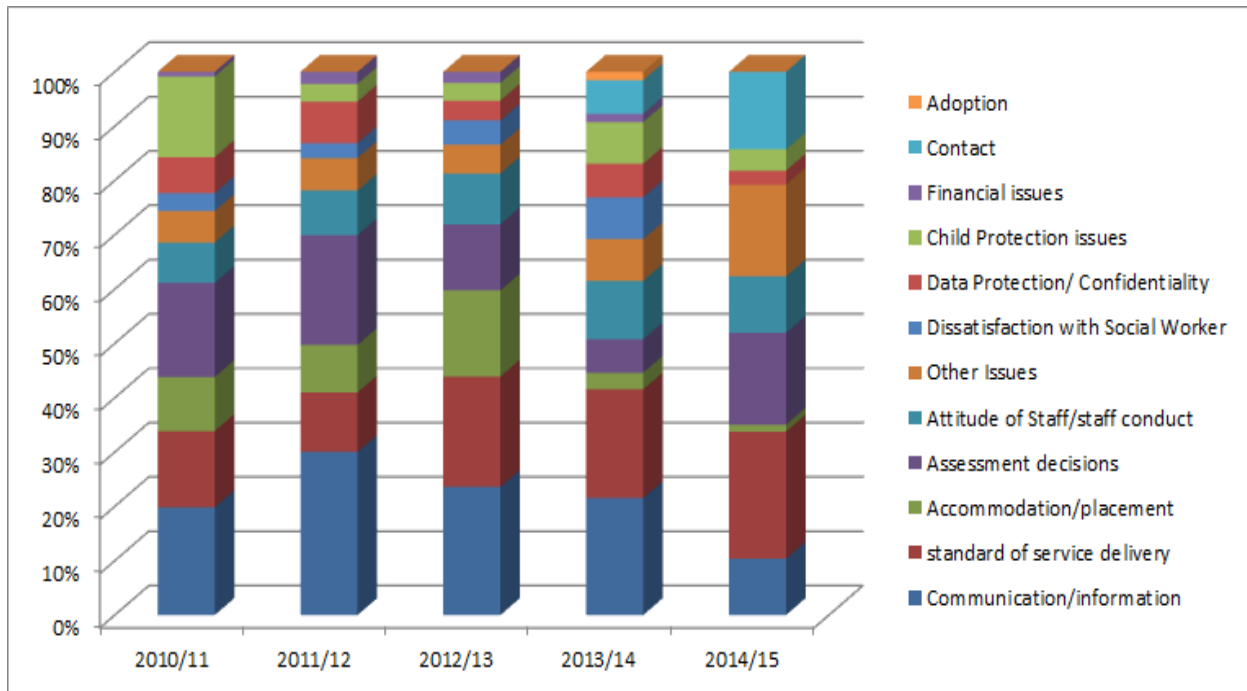
During 2014/15, 71 initial contacts were received. Of these 54 complaints and 13 representations were made by adults and 4 complaints and no representations were made by young people. This represents a significant fall in the number of complaints received in 2013-2014. (It is likely that this fall in the number is the result of complaints being dealt within the social work teams whilst the complaints post was vacant rather than a decrease in the number of concerns being raised).

### Complaints and Representations for 2014/15



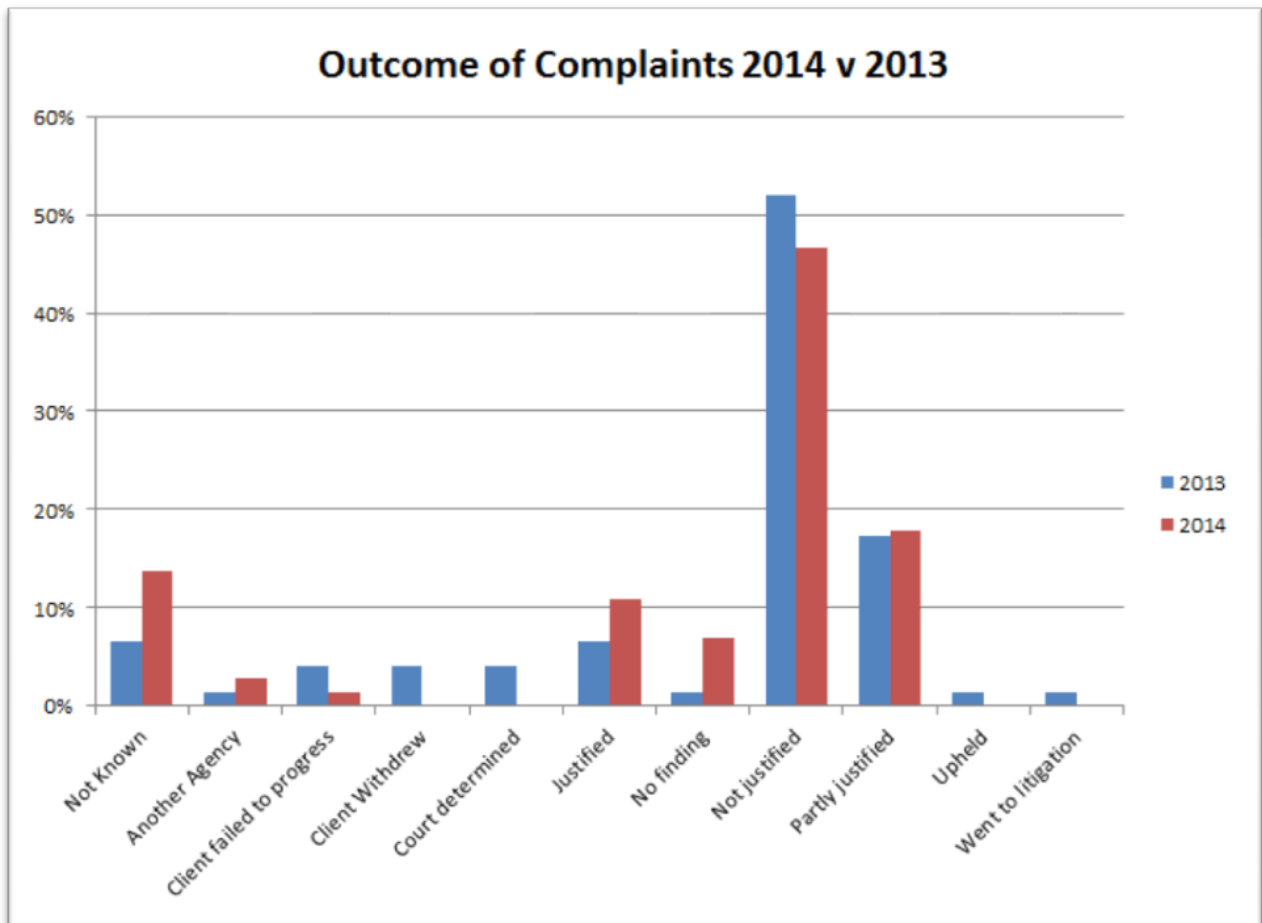
Of the Stage 1 complaints received in 2014/15, 2 progressed to a Stage 2 Investigation, compared to 1 in the previous year and 2 complaints were taken to the LGO, neither were found to be justified.

### Key Themes for 2014/15



A significant number of the complainants who bring complaints are unhappy with court decisions – this is not an area which can be addressed through the Children’s Services complaints process.





Of the 71 complaints brought in 2014/15, 6 were found to be justified, 17 were judged to be partly justified and 36 were found to be not justified. In 6 cases no finding was made and 3 cases were referred on to other agencies. 3 further cases straddled the year end cut off point.

### Advocacy

The advocacy service was offered to 2 of the young people who made complaints, each of these young people made use of this service.

### Timescale for Responses to Stage 1 Complaints

95% of Stage 1 Complaints were acknowledged within 3 working days. This remains the same as the figure for 2013-2014.

In 2014/15, 85% of the complaints brought to the attention of the complaints service were responded to within the statutory 20 day timescale, 15% of complaint responses exceeded these timescales. Whilst there is still scope for improvement in meeting the 20 day timescale, there has been a 6% increase in the number of complaints which have been responded to within timescale compared to that which was achieved in 2013/14.

## **Stage 2 Complaints**

In 2014/15, there were 2 Stage 2 complaints.

A considerable amount of effort is put into providing a full written response to stage 1 complaints and meeting complainants where necessary. Whilst this approach can be time consuming, the outcome is more satisfactory for the complainant. This approach does, however, rely on the complainant being willing to engage in dialogue and negotiation, as well as the issues which are being complained about being open for negotiation.

## **Compliments**

“A is very young but takes on every task with passion and I can only see her growing and moving to be one of the best social workers I've seen for a long time. Thank you very much for all your hard work. I look forward to working with you in the future.”

“The feedback and communication from EDS and CAAS was excellent.”

“D is a really good social worker we couldn't have done better.”

“Thank you for working with us over the years, thank you for making us stronger as a family.”

“I just wanted to pass on my thanks and my appreciation for the service. I am a SENCo at a primary school and the service and conversions with all members of the team have been fantastic. “

“Thank you so much for all of the time and effort, both myself and the family involved really appreciate it.”

“We would like to take this opportunity to thank you for your help and support with this family. We feel that for the first time since our collective involvement with this family that our concerns have been truly listened to and taken seriously.”

“N has helped my daughter to overcome a hard period in her life. She demonstrated effective communication and empathy and great support. Thank you.”

“I wanted to email to say I was at Theale Library last Thursday to see ‘My Untidy Life’. I found the performances incredibly moving and the young carers involved should be very proud. “

## **Conclusion**

There has been a decrease in the overall number of complaints and representations made during 2014/15. It is likely that in part this fall reflects the fact that complaints were being addressed within the social work teams whilst the post of Complaints Manager was vacant. 2 complaints were progressed to Stage 2 and 2 complainants made use of the LGO service.

Response times have improved on those of the last financial year, with 85% of complaints now being responded to within timescales.

The majority of complaints during 2014/15 were made by adults.

## **Lessons Learned and Actions**

During 2014 the Complaints Manager post was vacant until October 2014. Whilst this has caused some difficulties in managing the complaints service consistently at times, it has also prompted a re-examination of the systems which were in place within the complaints service.

As a result of this re-examination, new tools for capturing data have been introduced and the analysis and dissemination of the learning from complaints have been developed and piloted ready for introduction in 2015/16. These systems include electronic running records, a quarterly report and learning log which will be presented to the Children’s Quality Assurance Board. This will ensure that the learning from complaints is discussed regularly in a forum, which has the authority to effect change and that the learning and issues from complaints are more widely visible.

Other areas of concern, which became apparent towards the end of 2013/14 were: -

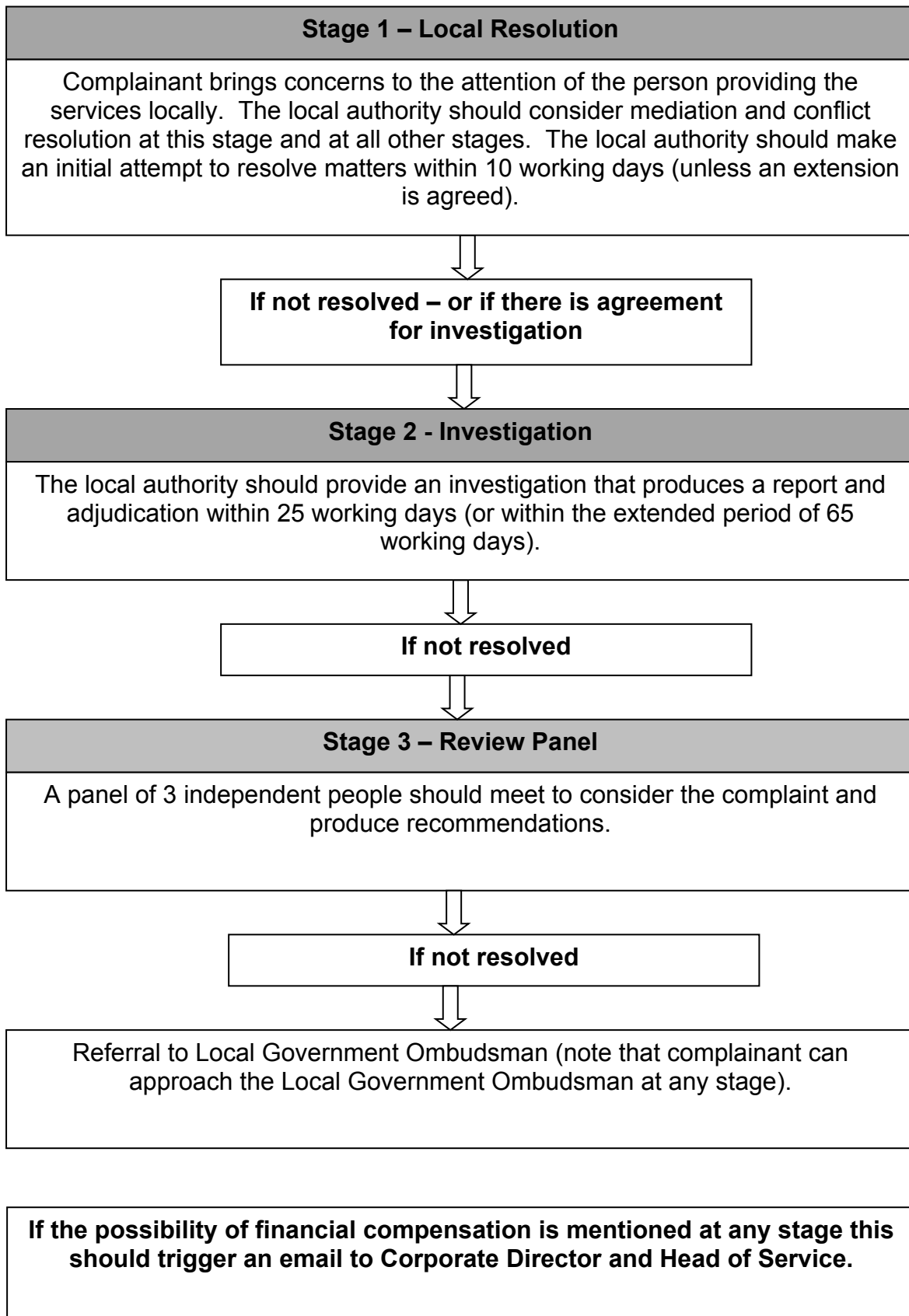
1. **Delay in families receiving paperwork.** Further investigation demonstrated that while meeting notes and plans were being produced in line with statutory timescales, these were then failing to be forwarded to families quickly enough. This concern was raised at the Quality Assurance board and a new system for distribution was agreed. The number of complaints which include a concern around late paperwork will continue to be monitored in 2014/15 to ensure that the new measure has been successful.
2. **Complaint Management.** When the Complaints Manager came into post a number of complaints appeared to be running well over timescales and left to drift. The complaints were re-examined and although individual complaints were responded to, a number of complaints involved several family members raising new complaints and re-visiting complaints that had already been addressed. All complaints were consolidated and agreement sought as to which if any remained outstanding. As a result of this pattern, clusters of complaints are now identified as each complaint is logged so that a single consistent approach can be adopted so helping to avoid confusion and delay.

In addition the following areas were identified as lessons learned: -

- The need for professionals to be clearer about the fact that they are making professional decisions based on likelihood, probability and experience. That the decisions being made are in the best interest of the child and that these decisions may not necessarily be in line with a parent's wishes.
- A high number of the complainants state at some point during the complaints discussions, 'I haven't been given a reason why...' This would suggest that providing more written information might be beneficial. Some preliminary work around how this might be achieved for PLO meetings has been undertaken.
- It is also important that professionals do not lose sight of the fact that many Service Users are not well versed in Social Work procedures and language and that as a result of this, it is important to give clear explanations particularly when different terminology might be used by different professionals to mean the same thing. (for example, TAC group/ Core group)

# Appendix A – The Children’s Social Care Complaints Process

## Complaint Procedure and Escalation Process





## Individual Executive Member Decision

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<b>Title of Report:</b>	<b>Adult Social Care Compliments and Complaints Report 2014/15</b>
<b>Report to be considered by:</b>	Individual Executive Member Decision
<b>Date on which Decision is to be taken:</b>	14 September 2015
<b>Forward Plan Ref:</b>	ID3018

**Purpose of Report:** To provide statutory information about the number and type of complaints  
 To highlight the number and nature of compliments received from April 2015 to March 2015  
 To illustrate how complaints and compliments are logged and monitored, and review the actions taken as a result of the lessons learned.

**Recommended Action:** To note the analysis of Adult Social Care Complaints function for the financial year 2014/15

**Reason for decision to be taken:** For Information only

**Other options considered:** None

**Key background documentation:**

Portfolio Member Details	
<b>Name &amp; Telephone No.:</b>	Councillor Hilary Cole - Tel 01635 248542
<b>E-mail Address:</b>	hcole@westberks.gov.uk
<b>Date Portfolio Member agreed report:</b>	

Contact Officer Details	
<b>Name:</b>	Mary Page
<b>Job Title:</b>	Adult Complaints and Public Liaison Manager
<b>Tel. No.:</b>	01635 503391
<b>E-mail Address:</b>	mpage@westberks.gov.uk

## Implications

<b>Policy:</b>	Local Authority Social Services and National Health Complaints (England) regulations 2009.
<b>Financial:</b>	None
<b>Personnel:</b>	None
<b>Legal/Procurement:</b>	None
<b>Property:</b>	None
<b>Risk Management:</b>	None
<b>Corporate Board's Recommendation:</b>	N/A

Is this item relevant to equality?	Please tick relevant boxes	
	Yes	No
Does the policy affect service users, employees or the wider community and:		
• Is it likely to affect people with particular protected characteristics differently?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Is it a major policy, significantly affecting how functions are delivered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Will the policy have a significant impact on how other organisations operate in terms of equality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to an area with known inequalities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Outcome</b> (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)		
Relevant to equality - Complete an EIA available at <a href="http://intranet/EqIA">http://intranet/EqIA</a>		<input type="checkbox"/>
Not relevant to equality		<input checked="" type="checkbox"/>

## Consultation Responses

### Members:

**Leader of Council:**

**Overview & Scrutiny  
Management**

**Commission Chairman:**

**Ward Members:**

**Opposition  
Spokesperson:**

**Local Stakeholders:**

**Officers Consulted:** Adult Social Care Management Team  
Communities Directorate Leadership Team

**Trade Union:** N/A



<b>Is this item subject to call-in?</b>	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
<p>If not subject to call-in please put a cross in the appropriate box:</p> <p>The item is due to be referred to Council for final approval <input type="checkbox"/></p> <p>Delays in implementation could have serious financial implications for the Council <input type="checkbox"/></p> <p>Delays in implementation could compromise the Council's position <input type="checkbox"/></p> <p>Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months <input type="checkbox"/></p> <p>Item is Urgent Key Decision <input type="checkbox"/></p> <p>Report is to note only <input checked="" type="checkbox"/></p>		

## Supporting Information

---

### 1. Background

- 1.1 This report contains a summary of the data produced by the Adult Social Care complaints procedure between 1 April 2014 and 31 March 2015. It highlights how the service has performed in relation to statutory timescales as well as in respect of learning and service improvements identified through the analysis of the complaints process in previous years.

### 2. Findings

- 2.1 During this period 97 complaints were received either directly from Service users, their families or representatives.
- 2.2 95 complaints were successfully investigated and resolved through our Adult Social Care Management Team, 1 complaint was investigated and resolved by an Independent Investigator and 1 complaint was progressed to the Government Ombudsman for consideration. Neither were upheld.
- 2.3 The number of provider complaints has fallen from 32 in 2013/14 to 23 in 2014/15, this is partly due to more robust early intervention and proactive visits carried out by the Care Quality team, who work with and support providers to improve their services and improve the quality of care being delivered.
- 2.4 100% of complaints were acknowledged in 3 working days and 99% of complaints were responded to within agreed timescales
- 2.5 The key themes identified from complaints were:
- Quality of care
  - Lack of support
  - Invoicing/charging
  - Staff attitude
  - Dispute over assessed care package
  - Communications
  - Care planning
  - Changes to care team
  - Delayed discharge
  - Missing item
  - Personal budget
  - Service user attitude/behaviour
  - Waiting for services
  - Not being kept updated
  - Delayed / poor discharge planning
  - Reports being sent out late
  - No minutes of meeting shared
  - Staff not returning phone calls
  - No feedback
  - Not carrying out tasks
  - Changes to Care Manager

2.6 In 2014/15 the Service received 221 compliments from service providers, families and partner agencies.

### **3. Lessons Learned and Actions**

3.1 The complaints report is considered by the Adult Social Care Management Team, who will monitor and evaluate practise against the required lessons learned and actions. This will include identifying lead officers and timescales for any further remedial actions.

3.2 The actions relating to the complaints received during 2014/15 cover the following areas:

3.3 Workers need to proactively communicate with clients and take greater care when using "consent to share" proforma.

3.4 Workers need to communicate more effectively with individuals and families involved in meetings with professionals, to ensure families understand what is being discussed and more importantly agreed.

3.5 Key worker systems to be adopted by the four West Berkshire care homes to enable families to have confidence in a single point of contact.

3.6 Revise information and simply guidance notes provided to clients regarding potential charges for services.

### **4. Conclusion**

4.1 There has been a decrease in the overall number of complaints with 98% of complaints being resolved locally and only 2% going to either an independent investigation or the Local Government Ombudsman.

4.2 The overall management of complaints is robust and undertaken with sensitivity, which meets the required regulations. Complaints are taken seriously and resolution is sought at the earliest opportunity resulting in less stress for the complainants and their families. However, the service is not complacent and recognises that good communication and standard of service deliver are areas of ongoing improvement.

### **4.3 Appendices**

Appendix A - Adult Social Care Compliments and Complaints Report 2014/15

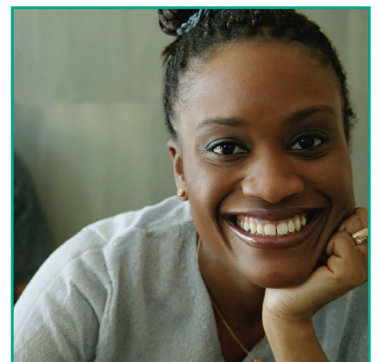
Appendix B - Adult Social Care Procedure.

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# Adult Social Care

## Compliments and Complaints

Annual Report  
2014 -15



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## 1. Executive Summary

This report contains a summary of the data produced by the Adult Social Care complaints procedure between 1 April 2014 and 31 March 2015. It highlights how the service has performed in relation to statutory timescales as well as in respect of learning and service improvements identified through the analysis of the complaints process in previous years.

During this period 97 complaints were received either directly from Service users, their families or representatives. 95 complaints were successfully investigated and resolved through our Adult Social Care Management Team, 1 complaint was investigated and resolved by an Independent Investigator and 1 complaint was progressed to the Government Ombudsman for consideration neither were upheld.

The complaints received encompass multiple issues, the key themes of which can be identified as:-

- Quality of care
- Lack of support
- Invoicing/charging
- Staff attitude
- Dispute over assessed care package
- Communications
- Care planning
- Changes to care team
- Delayed discharge
- Missing item
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- Staff not returning phone calls
- No feedback
- Not carrying out tasks
- Changes to Care Manager

This list has been used throughout the year to track the nature of the complaints. However it is recognised that the themes above are too broad and work has now taken place to ensure themes are more explicit for 2015/16. In addition a quarterly report will be produced and presented to the Management Team within Adult Social Care to ensure that emerging themes are identified and where necessary action is

taken to improve.

100% of complaints were acknowledged in 3 working days and 99% of complaints were responded to within agreed timescales.

In 2014/15 the Service received 221 compliments from service providers, families and partner agencies. A small selection of these are shown later in the report.

## **2. Complaints Process**

The framework for managing complaints is set out within the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.

The fundamental principles that underpin the Adults Social Care complaints procedure are:-

- Listening
- Responding
- Improving

If having exhausted all reasonable avenues within the Council's complaints procedure, the complainant still remains dissatisfied; they may ask the Local Government Ombudsman (LGO) to consider their complaint.

A summary of the Adult Social Care Complaints Process is at Appendix A.

## **3. Analysis**

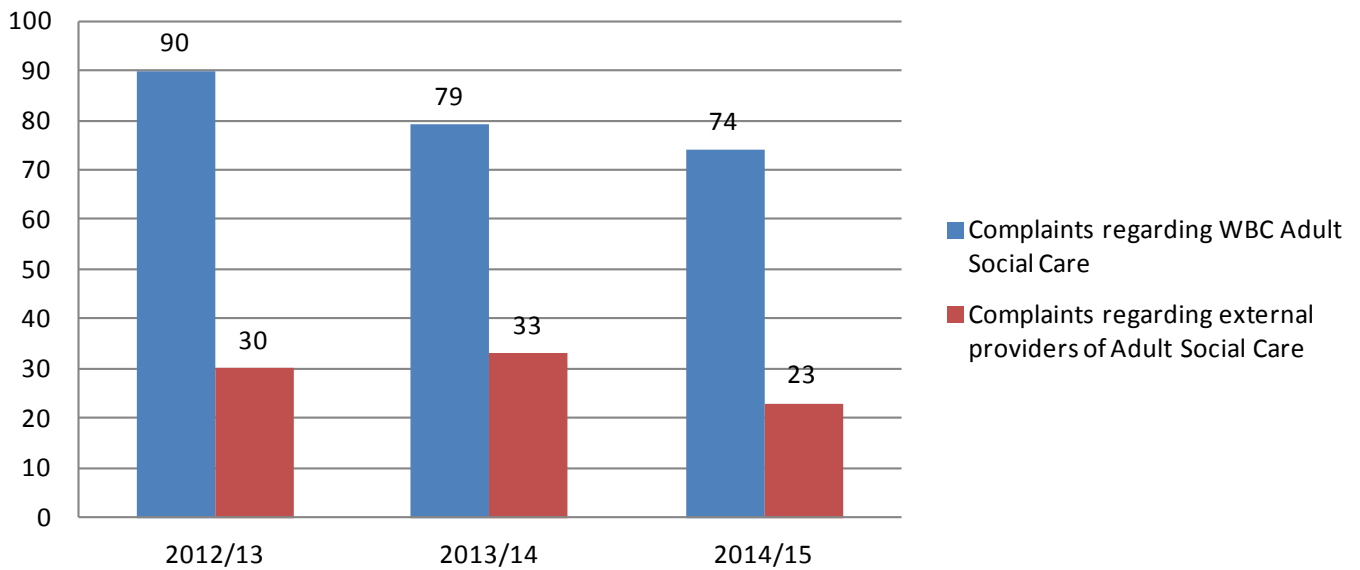
During 2014 -15, 97 complaints were received. Of these 74 were about Adult Social Care and 23 were about external service providers.

Of the 97 complaints received, 95 were successfully resolved by the Adult Social Care team, 1 complaint was investigated via an Independents Investigation and 1 complaint went to the Local Government Ombudsman, neither were upheld.

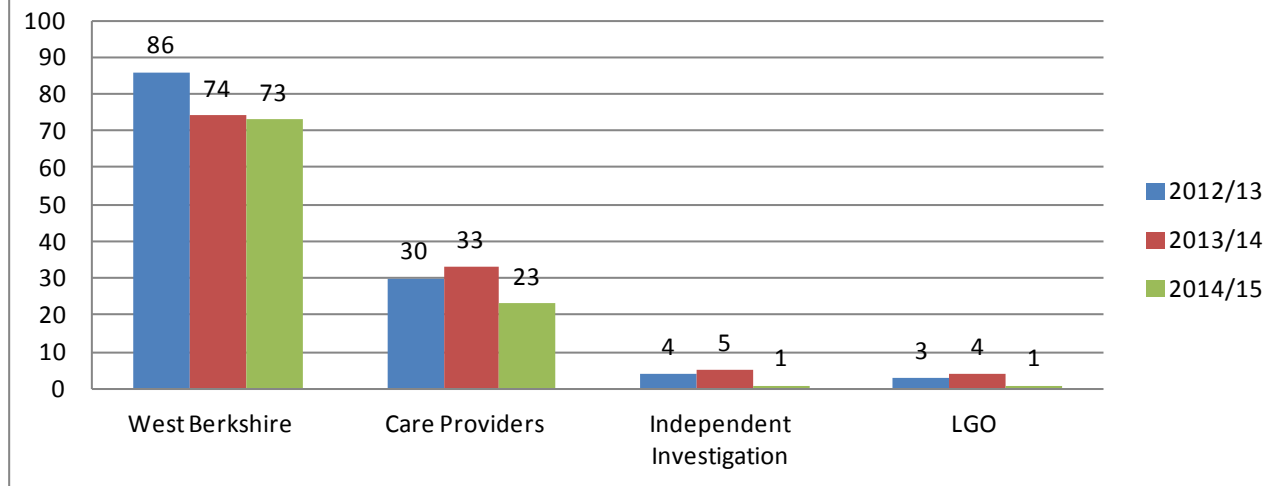
The number of provider complaints has fallen from 32 in 2013/14 to 23 in 2014/15, this is partly due to more robust early intervention and proactive visits carried out by the Care Quality team, who work with and support providers to improve their services and improve the quality of care being delivered.



## Volumes of Complaints



## Complaint by resolution



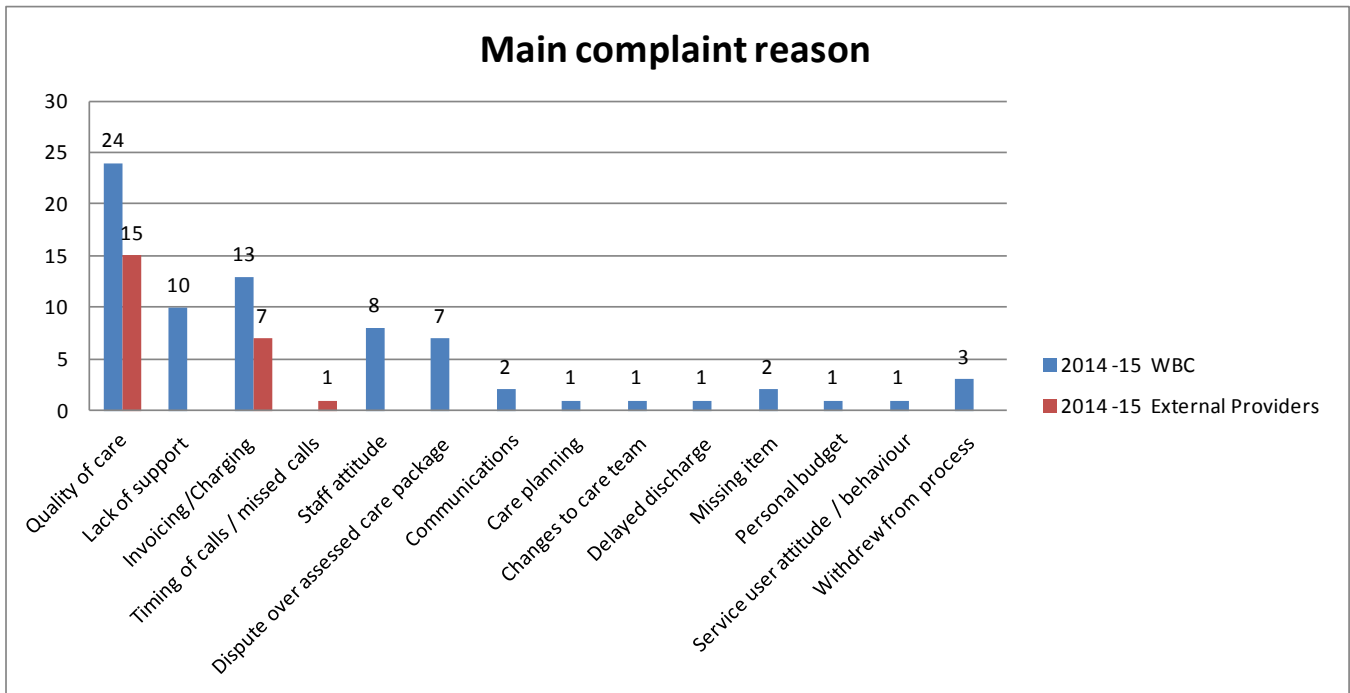
### 4. Timescale for Responses to Complaints

100% of complaints were acknowledged within 3 days and 99% of complaints were responded to within the agreed timescales.

### 5. Themes

The complaints received encompass multiple issues with the main areas being: quality of care, lack of support, charging and staff attitude. It is recognised that

these themes are too broad and work has now taken place to ensure themes are more explicit for 2015/16. In addition a quarterly report will be produced and presented to the Management Team within Adult Social Care to ensure that the number of complaints and emerging themes are identified, monitored and where necessary action is taken to improve.



## 6. Conclusion

There has been a decrease in the overall number of complaints with 98% of complaints being resolved locally and only 2% going to either an independent investigation or the Local Government Ombudsman.

Within the graph above the headings quality of care and lack of support are generic headings where a number of issues have come in from a single complainant. During 2015/16 the headings will be more defined, they will also include new categories being introduced due to the implementation of the Care Act.

The overall management of complaints is robust and undertaken with sensitivity, which meets the required regulations. Complaints are taken seriously and resolution is sought at the earliest opportunity resulting in less stress for the complainants and their families. However, the Service is not complacent and recognises that good communication and standard of service delivery are areas of ongoing improvement.

Whilst it is important to reflect on the themes of complaints and areas for ongoing improvement, we also need to recognise where the service has worked well. During 2014/15 the Service received 221 compliments from service providers, families and partner agencies.

## 7. Lessons Learned

The complaints received during 2014-15 have identified the following as areas of improvement:-

- **Staff Attitude** - More pro-active communication with clients plus greater care when using consent to share proformas.
- **Lack of support & staff attitude** - More effective communication with individuals and families involved in meetings with professionals, to ensure a greater understanding of what is being discussed, and agreed. This will empower families to contribute more effectively and understand outcomes and consequences.
- **Lack of Support & Quality of Care** - Key worker systems to be adopted by the 4 x West Berkshire Care Homes to enable families to have confidence in a single point of contact.
- **Charging** - Revise information and simplify guidance notes provided to clients regarding potential charges for services.

### Example of lessons learned:-

**Complaint 1:** A Care Manager telephoned a family home and spoke to clients' adult son about his Mother's condition and ability to manage personal care/requirement for a DFG. A "consent to share" form had been signed. However, the son and husband had the same name and Client was very upset as she had not shared the full extent of her illness with her son as she wanted to protect him.

**Lessons Learnt:** If a request from a family member is received, we should speak to them directly, rather than client, but where the client has capacity we still need to obtain the client's permission.

**Management Action:** Confidentiality was discussed in all team meetings in Adult Social Care to remind staff about the importance and it was agreed that the "consent to share" form should be reviewed, and staff should be reminded to complete the form if it has not already been completed by another team.

**Complaint 2:** During a "best interest" meeting the husband of a client was very vocal and disruptive, not allowing other family members to share their views. The extended family felt that the Manager was unable to control the meeting resulting in

the family not being able to fully contribute to the meeting.

**Lessons Learnt:** The Manager chaired and took the minutes, which impacted how the meeting was run and the opportunities for all family members to participate.

**Management Action:** A dedicated person will be present at all future “best interest” meetings to take minutes. .

**Complaint 3:** When a service user went into a residential home, the family were unsure who they should be speaking to about their father’s care when the Manager was not around. When they approached care staff they seemed unable to answer their queries.

**Lessons Learnt:** It is important that all staff have the confidence to respond to family requests and that residential homes have a robust system for passing on requests from family.

**Management Action:** The Registered Manager of a residential home will set up and monitor “ key worker system” and all relatives will be notified of the named key workers and the expectations that they can have of the key worker/s. Compliments

During 2015/16 the theme categories will be re-visited, monitored and presented to the Adult Social Care Management Team on a quarterly basis to ensure learning is cascaded throughout the Service.

## 8. Compliments

Below is a small selection of the 221 compliments we received about the service our staff provide from families and partner agencies: -

“We want Social Services to know how much we appreciate your being there in our times of need, so much appreciated. You should be so proud, keep up the great work.”

“I am wiring to offer my gratitude to you and your team for the help and continued support with the care of my mother in law.”

“Mum feels very lucky to be in an area of the country where the elderly are so well looked after by the local council. She has been singing your praises to anyone she meets- I wanted to take this opportunity to thank all those involved for the quality service provided.”

“I think you all need to know what a fantastic job the team does. The carers are simply wonderful; helping with personal care, and in our case, working to give Dad the confidence to try and do things for himself again, in fact in the 3 weeks he has been home he has gone from being mostly bedridden to walking on a

frame. The whole package you provide is a credit to West Berkshire.”

“Thank you for your email and telephone call. This information will help me and my brother to move my parents forward and reduce the stress on us. You have been very helpful, and it is comforting to know that I can contact you and receive sound advice.”

*“First, I cannot adequately express my thanks to you all. Knowing that the Council/Social Services often receive negative comments I want it on record that you did everything you could to find somewhere suitable for my mother and were, throughout, patient and understanding. You found her somewhere really lovely and very comfortable.”*

## **Appendix A – Adult Social Care Procedure**

From 1<sup>st</sup> April 2009, a single approach to handling complaints across Health and Adult Social Care was introduced. The new regulations:

- 1- enable organisations to develop more flexible and responsive complaints process, providing a more personalised response
- 2- Introduce single local resolution stage, replacing the tiered stages
- 3- Introduce a new single system for independent review (Health Service Ombudsman or Local Government Ombudsman)

The statutory complaints procedure is structured around three main principles: 'LISTENING', 'RESPONDING', 'IMPROVING'

These principles help the Authority to take a more active approach to deal with complaints more effectively and use the information received to learn and improve services for all its service users.

### **LISTENING**

A proactive approach will be taken to LISTEN to people about their complaint, to:-

- make sure that we really understand the issues
- find out what they want to happen as a result
- obtain the right information to assess the seriousness of a complaint

In doing this, people will feel more valued, they will have more confidence in our organisation, and we will be able to manage their expectations, so that the outcome is more likely to be to the satisfaction of everyone involved.

It is a statutory requirement for all complaints to be acknowledged within **3 working days**.

A clear statement of the complaint and **Action Plan** of how it is proposed to investigate the complaint will be sent to complainant.

The Complaints Manager will negotiate timescales for responses on an individual basis.

### **RESPONDING**

The Complaints manager will risk assess the seriousness of each complaint, to assist in ensuring the right action is taken.

The Investigating Manager will respond to the complainant within the agreed timescales.

If a complaint is established as very serious or of high complexity or has not been resolved by a local investigation an independent investigator/ mediator will be appointed.

If after completion of the independent investigation the complainant is still not happy they have the right to ask the Local Government Ombudsman to consider their complaint.

### **IMPROVING**

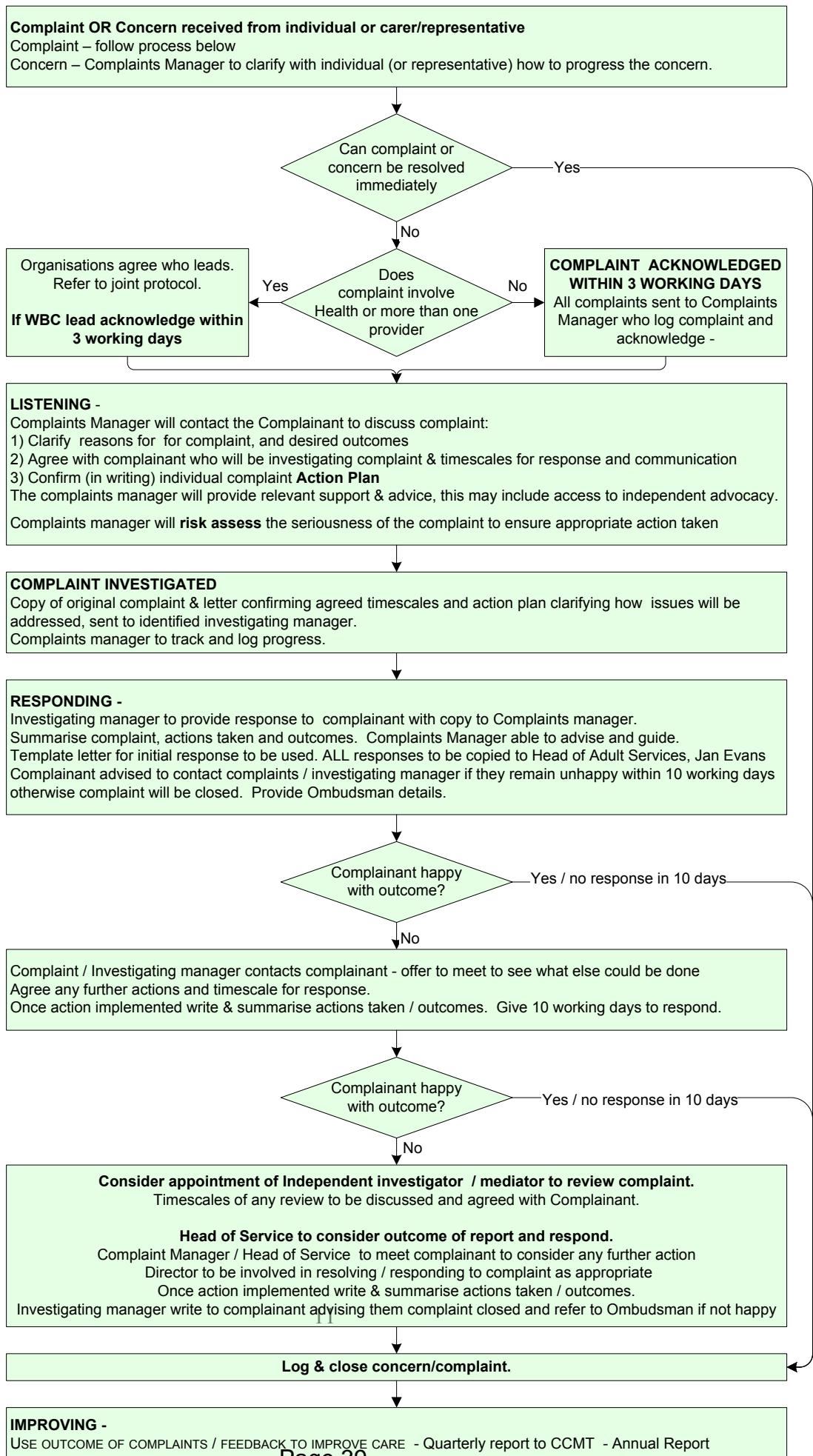
Complaints provide a vital source of insight about peoples experiences.

We will use this feedback to assist in making improvements to the service we work in and improve staff learning and professional development.

The resolution of any complaint is seen as a continuous process responding to individual needs, ***please refer to the flowchart overleaf***

# Listening, Responding, Improving – WBC Adult Social Care complaints process

LISTENING  
RESPONDING  
IMPROVING



**Safeguarding Adults**  
If any Safeguarding issues are identified then the Safeguarding process is activated & the complaints process frozen until the Safeguarding issues are resolved.  
Complaints Manager to notify complainant in writing.

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