

Report to: **Scrutiny Committee for Adult Social Care**  
Date: **25 November 2005**  
Title of Report: **Social Services Complaints Procedure Annual Review 2004-2005**  
By: **Director of Adult Social Care**  
Purpose of Report: **To report on the functioning and effectiveness of the Complaints Procedure**

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**RECOMMENDATION - to note the complaints procedure annual review report for 2004/2005.**

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**1. Financial Appraisal**

1.1 The cost of responding to complaints in 2004/2005 was contained within the Department's budget.

**2. Supporting Information**

2.1 It is a statutory requirement that a report on the operation and effectiveness of the social services complaints procedure is submitted annually to an appropriate Committee. The attached report (**Appendix 1**) provides information about the complaints received by Adult Social Care and related finance and support services. This reflects the separation of social services into Adult Social Care and Children's Services respectively.

2.2 The complaints procedure provides a mechanism for problems to be identified, corrected and services to be improved. The department does view complaints very positively and the complaints unit plays an active role in monitoring and informing the learning from complaints.

2.3 The numbers of compliments received by Adult Social Care staff are also reported as they too, provide valuable information regarding the quality of services we provide.

2.4 In the preparation of the report, there was consultation with those who have used the procedure, or have an interest in its functioning.

**3 Complaints and Compliments**

3.1 Adult Social Care services received 415 complaints, an increase of 20% on the previous year, when 334 complaints were recorded. Significantly, the Independent Living Teams located across the County both in the community and hospitals experienced a rise of 28% (see section 4.3)

3.2 275 (66%) of the complaints related to older people. Proportionately the number of complaints related to services for older people reduced by 2% on last year's figure.

3.3 Finance & support services recorded 33 complaints for 2004/05, a decrease of 15% from last year.

3.4 Of the 448 complaints received, 97% were resolved at the local resolution stage of the complaints procedure. The average time for responding to complaints was 16 calendar days, which is well within the 21-day timescale. This reflects the Department's emphasis on resolving complaints at the earliest possible opportunity. As complaints are often complex and sensitive, this also demonstrates the time, effort and commitment of staff in trying to resolve problems.

3.5 In total, 46% of the complaints received were upheld and 22% were partially upheld. Only 14 complaints were not able to be satisfactorily resolved at the local resolution stage and moved into the formal investigation stage. Half of the complaints formally investigated involved learning disability services.

3.6 During 2004/05, a Complaints Panel, comprising an independent chairperson, an elected member and a senior officer reviewed 3 complaints. This is one more than the previous year.

3.7 Nine complaints regarding Adult Social Care were referred to the Ombudsman. On these, two settlements were made to achieve a satisfactory outcome for the complainant.

3.8 During 2004/05, the Department received 366 compliments. The majority of compliments related to staff working with older people and their families. The compliments recorded in 2004/05 present a 66% decrease over 2003/04 (826). However, this is not necessarily a sign of lesser satisfaction with services, but could be an indication of the changing role of Adult Social Care from a provider of care to a facilitator (direct payments); a commissioner of services (independent providers) and, where services are provided directly, the emphasis is on offering short-term interventions (respite care).

#### **4. Themes & Learning from Complaints**

4.1 Whilst wanting to provide a consistently good standard of service, managers know that sometimes things do go wrong, or, there is misunderstanding about what Adult Social Care can provide. The feedback from complaints is a crucial management tool to assist in the continuous improvement of the experiences of those eligible for and receiving social care services.

4.2 The main complaint themes for 2004/05 were delay in releasing funding, quality of services and communication.

4.3 In total 37% of complaints received concerned funding issues. The delay in releasing funding became increasingly dominant as the year progressed. The majority of complainants' referred to the stress and anxiety caused by the delay, fears of losing the vacancies identified in residential or nursing homes and the negative impact the delay had on service users' wellbeing.

4.4 The attached Annual Review Report gives further details about themes and learning from complaints. Examples of learning include:

- Review of standard letters sent out to inform service users of delays
- Re-introduction of information leaflet about 'Paying for Services'
- Review of the professional supervision support offered in integrated mental health teams.

#### **5. Change**

5.1 Following the Department of Health consultation 'Learning from Complaints' a reformed adult social services complaints procedure, due in April 2005, was deferred until October 2005. At the time of writing, in light of the proposed inspection reform, Ministers have agreed to a further deferment to allow for consideration of the implications for health and social care complaint procedures. In the meantime, Local Authorities will continue to operate existing procedures until further notice.

#### **6. Conclusion and Reason for Recommendation**

6.1 The Complaints Procedure Directions 1990 states that the Council will monitor the operation of the complaints procedure. The Representations Procedure guidance states that an annual report dealing with the operation of the complaints procedure should be compiled and presented to an appropriate committee. This is the annual report for the period 1 April 2004 to 31 March 2005.

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Local Members: All

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#### **BACKGROUND DOCUMENTS**

None