

Report to: Lead Member for Adult Social Care

Date of meeting: 24 November 2016

By: Director of Adult Social Care and Health

Title: Adult Social Care Complaints and Feedback Annual Report 2015-2016

Purpose: To provide information about Adult Social Care's performance in listening, responding and learning from complaints and feedback

RECOMMENDATIONS

The Lead Member for Adult Social Care is recommended to:

- 1) note the number and nature of complaints made to Adult Social Care**
 - 2) note the nature and outcome of complaints to the Local Government Ombudsman**
 - 3) note the learning from complaints and progress in the development of improving complaints handling for clients, carers and their representatives**
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1 Background

1.1 The County Council received 995 complaints in 2015/16 of which 387 related directly to Adult Social Care. This represents 39% of the total complaints received. The Adult Social Care complaints process follows the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009. Figures and a detailed review are provided in the Adult Social Care Complaints and Feedback Annual Report attached as Appendix 1.

1.2 Adult Social Care works with large numbers of people throughout the County. During 2015-2016 18,400 working age adults and older people were supported by services. In addition to all the activity undertaken to ensure peoples social care needs are met, the department undertakes significant activity relating to its duties to safeguard people from abuse. The department also received and responded to over 4,000 reports of concerns about adult abuse.

1.3 The Department strives to provide and commission high quality services that meet the needs and circumstances of individuals and their carers. Sometimes things go wrong, however, and because of the personal and complex nature of our services, it is essential that we take all complaints seriously. For all complaints we aim to identify problems and resolve issues if things do go wrong or fall below expectation, at the earliest point.

1.4 Analysis of information about the complaints and feedback received during the year enables us to reflect, act upon, and improve the quality of services delivered to clients and their carers'. The compliments we receive also provide us with rich and valuable insight about the quality of services and what works well for people.

2 Summary

2.1 There was a slight drop (9 fewer) in the complaints received during 2015- 2016 compared to 2014-2015, which represents a 2.3% decrease. There was however a small increase (4%) in the number of complaints upheld or partially upheld and an increase in the complexity of issues where there are a number of elements and services involved. 250 (71%) of the 351 of the complaints with a recorded outcome received a response within the target response time of 10 -20 working days.

2.2 The top three themes of complaints related to:

- **Assessment outcomes and delays**

85 complaints related to assessment functions and 27 (37%) were upheld. Complaints about the outcome of financial and social care assessments however have fallen significantly since last year (75% and 34% respectively). This might be a result of last year's review of the financial assessment process and a more person centred approach to safeguarding, assessment, and care and support planning by social care practitioners.

- **Staff attitude and behaviour**

Of the 49 complaints recorded, 18 (37%) complaints were upheld. Most, related to the manner, attitude or the appropriateness of staff. Often people felt that either their circumstances or views had not been considered appropriately or sufficiently within the care management process.

- **Service provision, quality and delay**

46 complaints were recorded and 20 (43%) of the complaints about the provision of service were upheld.

2.3 Some themes arising from complaints mirrored some of the challenges faced by the department. For example, a 43% increase in complaints was recorded for Strategy, Commissioning and Supply Management. This increase related directly to the services we commission from the independent care sector, including home care and residential care. This reflects the fact that nationally and locally, there are many pressures on the market. Including capacity issues, which can impact on the timeliness of service provision and the level of choice we are able to offer clients and carers. Work is being done at all levels of the market to increase capacity, including increasing the capacity of the Joint Community Reablement Team.

2.4 Some delays in processes were as a direct consequence of implementing the new case recording system for clients and carers. Work is ongoing to ensure the pathways are amended as issues arise.

2.5 Early in the year, the Complaints and Feedback team reviewed the handling of its complaints to ensure the process was client and carer focused. The information leaflet and practice guidance were reviewed with an emphasis upon the use of plain English, a one council approach and resolution focus. This has resulted in fewer complaints about operational services within the year. Managers have appreciated this more proactive support and general feedback has been positive.

2.6 The Local Government Ombudsman writes to the local authority every year with an annual summary of statistics of complaints made to them about East Sussex County Council. This year's annual letter reported that 97 complaints and enquiries were received, of which 51 (52%) were about Adult Social Care. The LGO recognise that the total number of complaints made to them will not in itself provide a clear picture of our response to complaints or the quality of services. Higher numbers of contacts can indicate good signposting within a transparent process. The table below sets out the LGO findings for complaints about Adult Social Care, last year's figures are in brackets.

| Findings | Investigations | | Closed after initial enquiries | Invalid incomplete | Referred back | Total |
|----------|----------------|------------|--------------------------------|--------------------|---------------|---------|
| | Upheld | Not upheld | | | | |
| ASC | 19 (15) | 14 (22) | 13 (7) | 5 (1) | 15(13) | 66 (58) |

2.7 It is of note, 15 (45%) of the complaints investigated related to complaints received in the previous year. Of the 66 complaints reported, 50% were investigated and of these, 58% were upheld. This is the first time that the number of upheld complaints is higher than those not upheld.

2.8 10 (53%) of the investigations upheld were in relation to financial assessments. 2 (11%) of the complaints were jointly investigated by the Parliamentary and Health Service Ombudsman and LGO. Both findings identified shortfalls in communication with the client and/or family when being discharged from hospital. The others covered a range of issues including poor service from home care providers and shortfalls in telling people they would pay a financial contribution to their service. Apologies were given in all complaints upheld, with some people receiving financial redress for any distress caused.

2.9 Far more compliments about services were received than complaints, with a total of 2,498; an increase of 45% compared to last year. The comments show that people valued the support they received and in many cases they describe it as life changing. People appear to have particularly valued Carers Services (564 compliments), Learning Disability Directly Provided Services (323) and the support provided by Neighbourhood Support Teams (275).

3. Conclusion

3.1 We know it is crucial to have in place an effective, accessible and fair means for clients and carers' comments and complaints to be heard, and resolved wherever possible. The complaints process provides this opportunity and is integral to the statutory function of the department. Regrettably, things do go wrong and with increasingly limited resources prioritised to meet the needs of the most vulnerable, complaints will be made. We are seeing a rise in the complexity of complaints and, at times, have fewer options to meet the desired outcome for the complainant.

3.2 The Department has considered the impact this has on clients, their representatives, staff, operational managers and the council as a whole. There is no easy solution, particularly given the grave financial challenges. It is clear, however, that in these times it becomes increasingly important to support and promote the customer service principles of being fair, open, and timely, and to demonstrate clear and compassionate decision making. We are working closely with partners to make sure we handle complaints well and people feel confident to express their concerns. Our learning from complaints also enables us to examine how we can improve our services.

3.3 During next year, the department will review and monitor the process closely. This will ensure our complaints process remains robust and accessible to people as we work to deliver service changes under the East Sussex Better Together and Connecting 4 You programmes.

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BACKGROUND DOCUMENTS

'My expectations for raising concerns and complaints' published by the Parliamentary and Health Ombudsman, Healthwatch England and Local Government Ombudsman (2014)