



## INDIVIDUALS OVERVIEW & SCRUTINY COMMITTEE – 29 NOVEMBER 2017

<b>Subject Heading:</b>	Adult Social Care Annual Complaints Report 2016/17
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<b>Policy context:</b>	An annual report is required as part of the remit of 'The Local Authority Social Services & NHS Complaints (England) Regulations 2009 and Health and Social Care (Community Health and Standards) Act 2003.
<b>Financial summary:</b>	There are no financial implications as this report is for information purposes and is required as part of the statutory complaints regulations

### The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

### SUMMARY

The Adult Social Care Annual Complaints Report 2016-17 attached as Appendix 1 is for consideration and outlines the complaints, enquiries, compliments and Members correspondence received during the period April 2016 – March 2017.

Adult Social Care Annual Complaints fall within the remit of the 'The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 with a requirement to publish the annual report.

## **RECOMMENDATIONS**

1. That Members note the contents of the report and the continued work in resolving and learning from complaints and the challenges faced by the service with increasing demands.
2. That Members note the actions identified to improve services and the continued monitoring by the Service and the Complaints & Information Team to ensure these are implemented evidencing service improvements and with a view to reduce similar complaints.
3. That Members note the positive feedback to services by way of compliments received and highlighting good practice.

## **REPORT DETAIL**

4. Adult Social Care has seen an increase in the number of complaints in 2016/17 of 30% from 93 in 2015/16 to 121 in 2016/17, although there has been a decrease in the number of service users from 7,684 in 2015/16 to 7,519 in 2016/17. Complaints escalating to the Ombudsman, although decreased overall from 10 in 2015/16 to 8 in 2016/17, four decisions were for maladministration injustice with no penalty, which related to charging disputes.
5. Increases in formal and informal complaints were reflected across all teams and particularly within the community teams who had the most notable increases. The community teams, Adult Community Team (ACT) North and ACT South, went through a major relocation programme during 2016/17, moving into locality areas in partnership with North East London Foundation Trust (NELFT). This impacted on the level of service, which was the main reason for complaint.
6. External provider complaints for home care and residential/nursing homes, increased slightly in 2016/17 by 19% and 11% respectively. Home care commissioned hours increased from 654,024 in 2015/16 to 711,679 in 2016/17 with the number of hours relating to home care complaints accounting for 1% of total care provided. For those within residential/nursing placements, the number of complaints accounted for 1% of the total number (1,098) using these provisions.
7. Information and explanation given still remains the main outcome and Adult Social Care, through learning from complaints, have taken steps to improve these areas, in particular information regarding charging which formed the majority of complaints received. A financial charging case note was

implemented in May 2016 to ensure that staff provides accurate and relevant information at the earliest opportunity. This is being monitored monthly and reported to the Operational Management Team with senior managers reiterating to staff the importance of recording what financial information and advice has been given and when. Although this started with only 10% being completed appropriately recorded in June 2016, by the end of March 2017 this had increased to 58.5%.

8. Continued involvement by the Complaints Team within Quality & Safeguarding meetings and providing support to external providers in dealing and responding to complaints, is anticipated to contribute to the reduction of complaints regarding quality of service, which had risen from 1 in 2015/16 to 9 in 2016/17 for home care and from 1 in 2015/16 to 8 in 2016/17 for residential/nursing placements.
9. Although some complaints relating to quality of service were linked to charging, there was an increase in those relating to the quality of care provided. Adult Social Care recognised the increasing pressures, through increased demand, budget pressures and difficulties in having a sustainable workforce and therefore agreed an uplift for both home care and residential/nursing homes.
10. Response times had not improved as anticipated, however of the 121 complaints received, 78 (64%) involved external agencies. Adult Social Care and the Complaints Team will be exploring how best to work with providers to improve response times.
11. Those aged 85+ showed a 46% increase from 37 in 2015/16 to 54 in 2016/17 which may be reflective of the increase in nursing home placements. Also increases were across ages 18-24 and 35-44. Those with a physical disability showed a significant increase from 8 in 2015/16 to 80 in 2016/17 which includes physical support – personal care and access and mobility. White British remains the highest and increased from 84 (20%) in 2015/16 to 101 in 2016/17. Representations from Asian-Indian and Asian Pakistan in 2016/17 with an increase of Black/Black British African from 1 in 2015/16 to five in 2016/17.
12. Monitoring information for age, disability and ethnicity will in future reports reflect the categories being reported on through the Performance Team.
13. Email was the preferred method of contact in 2016/17, with letter being the next preferred method.
14. Expenditure incurred for 2016/17 was a time and trouble payment of £250.
15. Compliments increased by 22% in 2016/17 and related to help and support, professionalism and quality of service and were across many teams. Some examples of compliments are given in Appendix 1.

16. Member enquiries increased from 56 in 2015/16 to 91 in 2016/17 with 71% being responded to within timescale compared to 73% in 2015/16.
17. Complaints continue to be used by senior management to highlight and identify areas for improvement, along with compliments highlighting good practice within teams.

## **IMPLICATIONS AND RISKS**

### **Financial implications and risks:**

There are no specific financial implications to this report, which is for information only. Costs incurred through complaints will be contained within Adult Social Care allocated budgets. However, the increased volumes of complaints highlighted in the report also increases the risks of consequential compensation payments, which is being managed in the service by ensuring lessons are learned and procedures reviewed to minimise the risk of future complaints that may result in compensation

### **Legal implications and risks:**

There are no apparent direct legal implications arising from noting of this report

### **Human Resources implications and risks:**

Adult Social Care continues to support a personalised approach to customer needs in the Havering community. Training and development opportunities for staff will focus on the skills that are essential for effectively undertaking this responsibility. It is of vital importance that existing, and potential, customers receive the highest quality of service delivery possible. The needs of Adult Social Care staff in relation to implementation of the Care Act, with greater integrated working with health services, have been captured within the new Workforce Development Strategy and Plan.

The Council uses monitoring data from the complaints process as an indicator of how well Adult Social Care is delivering its services to the community. To ensure that there is significant continuity, and consistency in advice, along with other areas of delivery, frontline and support staff across the service teams need to be part of a stabilised workforce that is able to meet service and quality standards. Relevant outcomes from the complaints process have been incorporated into the new Plan in order to aid learning and improve staff performance.

### **Equalities implications and risks:**

We are regularly monitoring the equalities profile of our customers and it is encouraging that disclosure is improving year on year.

The most recent monitoring information has evidenced that the number of ethnic minorities accessing the complaints process is reflective of the population within Havering and therefore accessing information about our Complaints, Comments and Compliments Policy and Procedure or the facilities available to make a

complaint/compliment is available to these groups. Monitoring data shows that there has been a significant increase in complaints made by service users with physical disabilities and this has been linked to the increase in disabled freedom pass complaints, however this will need continued monitoring.

We will continue to ensure that our communication is clear, accessible and written in Plain English, and that translation and interpreting services or reasonable adjustments are provided upon request or where appropriate. We will need to ensure accurate and comprehensive monitoring data is maintained to cross-tabulate complaints data against protected characteristics. This will provide us with more detailed information on gaps/issues in service provision and barriers facing people with different protected characteristics, and will enable us to take targeted actions and make informed decisions on service improvement and future service provision.

**BACKGROUND PAPERS**

There are no background papers