

**MINUTES OF A MEETING OF THE
ADJUDICATION AND REVIEW COMMITTEE
Town Hall
20 November 2018 (7.00 - 8.30 pm)**

Present:

COUNCILLORS

Conservative Group Maggie Themistocli (Chairman), Ray Best (Vice-Chair),
Joshua Chapman and Jason Frost

Residents' Group Ray Morgon

Labour Group Denis O'Flynn

**Upminster & Cranham
Residents' Group** Gillian Ford

**Independent Residents
Group**

An apology for absence was received for the absence of Councillor Jeffrey Tucker.

All decisions were taken with no votes against.

The Chairman reminded Members of the action to be taken in an emergency.

6 DISCLOSURES OF INTERESTS

There were no disclosures of interest.

7 MINUTES

The minutes of the meeting held on 22 August 2018 were agreed as a correct record and signed by the Chairman.

8 UPDATE ON CORPORATE COMPLAINTS AND STATUTORY COMPLAINTS FOR QUARTER 2

The Committee considered a report which provided an update on complaint handling performance across all council services.

The Corporate Complaint Policy and Procedure was introduced on 1 April 2015. Turnarounds were set to 15 working days for Stage 1 complaints and

20 working days for Stage 2 complaints. Services should aim to respond to 95% of cases within time.

Some changes to the corporate timescales had been made, effective 1 October 2018, and the impact would be explored in greater detail at the next meeting of Committee.

The 2nd quarter performance statistics for all complaints under the procedure was appended to the report as **Appendix 1**.

In summary, the Council received 480 Stage 1 complaints during the period July to September 2018. 80% of them (383) were responded to within 15 days.

The council received 98 requests for escalation to Stage 2 of the process, 84% (82) of them dealt with within 20 days.

This equated to an escalation request rate of 20% however, this was reduced to 4% when considering the number of cases that were not escalated to Stage 2.

Results for Quarter 2 were disappointing, bearing in mind the target was 95%. However, this had been discussed at length at previous meetings and as a result; a review had been carried out into the effectiveness of the timescales set out in the Corporate Complaint Policy. A number of changes were made and this would be reflected in the Quarter 3 reporting period.

Quarters 1 and 2 statutory complaints statistics for Children's Social Care and Adult Social Care were shown at Appendix 2 of the report.

There had been a slight increase in Children's statutory complaints in Q1 (35) and Q2 (23) overall of 2% in 2018-2019 (58) compared to the same period in 2017-18 (57). Adult statutory complaints had seen a slight decrease in 2018-19 for Q1 (20) and Q2 (20) overall of 7% (40) compared to 2017-18 (43) in the same period.

Performance on response times for statutory complaints still required improvement with Adults having 65% (13 of 20) responded to within timescale in Q1 and 55% (11 of 20) in Q2 and Children's having 34% (12 of 35) in Q1 and 61% (14 of 23) in Q2. There was one escalation to Stage 2 in Q1 and 4 in Q2 for Children's Services within the statutory process.

Members noted that there was no Stage 2 process in Adult Social Care complaints. Following Stage 1 complaint the complaint automatically went to the Local Government and Social Care Ombudsman.

Members were advised that there was a new system in place to deal with Housing complaints and that staff were confident of clearing the backlog of work by December 2018.

During Quarter 2 there were 19 decisions by the Local Government and Social Care Ombudsman and the Housing Ombudsman.

The Committee **noted** the contents of the report and its appendices.

9 **ADULT SOCIAL CARE - ANNUAL COMPLAINTS REPORT 2017/18**

The report before Members considered the Adult Social Care Annual Complaints Report 2017/18 which was appended to the report as appendix 1.

Highlights of the report included:

Adult Social Care complaints had decreased slightly in 2017/18 (108) by 11% from 2016/17 (121) with a 13% decrease in formal (75 in 17/18 from 86 in 16/17) and 6% in informal complaints (33 in 17/18 from 35 in 16/17) The number of enquiries however had increased in 2017/18 (34) by 47% from 2016/17 (18).

Ombudsman enquiries had increased slightly from 8 in 2016/17 to 9 in 2017/18. Of these, two were found to be maladministration injustice with penalty regarding financial implications on change of service, one no maladministration after investigation. The remaining enquiries were either closed after initial enquiries, out of jurisdiction or premature.

The highest number of complaints received was for external home care. The total commissioned hours for Adult Social Care for 2017/18 was 707,593 with 15,884 of those hours representing 2% of complaints involving external home care.

The main reason for complaints 'level of service' still remained around disputes on charges, linked to level and quality of service. There were also issues regarding delays in equipment and services and financial assessments/funding. During 2017/18 there were changes in Adult Social Care teams involving a realignment of cases which had an impact and also the Financial Assessment & Benefits Team developed a backlog of assessments to be completed (now resolved)

The number of complaints upheld in 2017/18 was 51 with 52 not being upheld and five being withdrawn. With the introduction of the new social care system in February 2019 the Complaints & Information Team would be able to improve management information, including better categorisation of outcomes to indicate where a complaint is fully upheld, partially upheld or not upheld.

Overall response times still needed to improve, however those that had been responded to within 10 working days improved with 25 being responded, 11-20 working days was at the same level of 32 as 2016/17 and

those responded to over 20 working days reduced to 50 in 2017/18 as opposed to 76 in 2016/17.

Complainants preferred method of contact is via email, letter and telephone. With the new social care system, this may move more towards online with the introduction of the social care portal.

Compliments had decreased by 21% from 62 in 16/17 to 49 in 2017/18. Satisfaction surveys may be re-introduced and teams were reminded to send in compliments to log, which should bring compliments back up in the following year.

Member enquiries had declined from 91 in 2016/17 to 68 in 17/18 with 88% being responded to within timescale.

Members **noted** 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.

Members **noted** the actions identified to improve services and the continued monitoring by the Service and the Complaints & Information Team to ensure these were implemented evidencing service improvements and with a view to reducing similar complaints.

Members **noted** the positive feedback to services by way of compliments received and highlighting good practice.

10 **CHILDREN'S SERVICES COMPLAINTS - ANNUAL COMPLAINTS REPORT 2017/18**

The report before Members considered the Children's Services Annual Complaints Report 2017/18 which was appended to the report as appendix 1.

Highlights of the report included:

The number of Stage 1 complaints decreased slightly in 2017-18 by 2% from 92 in 2016-17 to 90 in 2017-18 with a drop in Ombudsman enquiries also from 6 in 2016-17 to 3 in 2017-18. Complaints made directly by young people increased from 15 in 2016-17 to 18 in 2017-18 and had increased steadily over the last three years. However enquiries had risen from 43 in 2016-17 to 50 in 2017-18 and were not included in figures in the report. There was one escalation from Stage 1 to Stage 2 and no Stage 3 Reviews during 2017-18

Complaints received by the Intervention & Support Services had decreased by 19% from 69 in 2016-17 to 56 in 2017-18, however received the highest number of complaints across teams, with Triage/MASH & Assessment being the next highest. This was reflective of the type of complaints received

from parents around the unwelcomed intervention by Social Workers and decisions made regarding their children.

Complaints received from young people related to the level of support, particularly when leaving care. The Cocoon had provided an informal venue for meetings with young people to discuss their concerns in a positive way resulting in five of the 18 complaints received being withdrawn.

Response times needed to be improved and the cause for the delay needed to be identified. Although it was notable that complaints were complex, involving very emotive situations, they needed to be investigated thoroughly. This had resulted in a reduction of complaints being escalated, however efforts needed to be made to ensure they complied to the statutory timeframe.

Member enquiries had increased from 61 in 2016-17 to 63 in 2017-18 with 62% being responded to within timescale.

The number of compliments was low with 10 being received in 2017-18 from 16 in 2016-17, with Adoption receiving the highest number (3). Staff would need to be reminded to send compliments to the Complaints & Information Team to be logged.

Children's Services had strived forward with their vision for children and young people, with openness to learning and making improvements. This was reflected in the recent Ofsted inspection in which inspectors found improvements across all service areas.

Education complaints had reduced by 67% in 2017-18 from 18 in 2016-17 to 6 and enquiries relating to schools, academies or colleges had dropped by 30% from 60 in 2016-17 to 42 in 2017-18. There were no Ombudsman enquiries in 2017-18.

Those enquiries reported against service areas, related to complaints referred on to the relevant education provision, and Education & Schools received the highest number of these enquiries (26).

Education's response times in 2017-18 were 100% showing an improvement from 72% in 2016-17. Although member enquiry response times were slightly down in 2017-18 at 82% compared to 84% in 2016-17.

Compliments received were very low, and efforts would need to be made to encourage staff to send these for logging, with only four being recorded for 2017-18.

Members **noted** the contents of the attached reports and the continued efforts made by the service to learn from complaints and enable young people to engage with the complaints process.

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Members **noted** the recommendations identified from complaints and continued monitoring of these to ensure that actions were implemented to evidence service improvements.

Members **noted** the positive feedback to services received through compliments, highlighting good practice.

Chairman