

ANNUAL REPORT 2018/19

ADULT SOCIAL CARE

Complaints, Comments and Compliments

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ADULT SOCIAL CARE ANNUAL REPORT 2018-19

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1. Executive Summary

Adult Social Care complaints fall within the remit of the 'The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009' which includes a requirement to publish an annual report. This report covers the period April 2018 to March 2019.

Complaints have continued to decrease over the last few years with the learning from complaints being embedded in the service and its provision. Adult Social Care continue to have a number of complaints involving finance disputes and steps will need to be taken to make sure that information and communication around financial implications are robust. This should improve with closer monitoring.

Adult Social Care are in the process of moving to a new social care system, Liquid Logic which should be implemented during 2019-20. This should improve recording practices across the service area.

Adult Social Care recognises that the service needs to continue to improve response times to enquiries and complaints, although it is noted that this has improved on the previous year. The main reason that some responses were over timescale is that the complaint/enquiry involved external agencies where information is required to reach decisions around charging disputes. Work is ongoing to continue to improve response times, and also how the Complaints & Information Team and Adult Social Care can work more effectively with external agencies, to ensure timescales are met.

Complaint response times have improved slightly from 2017-18 and continued efforts need to be made to ensure that complaints are responded to within a timely manner. From 2019/20, the Social Care Complaints & Information Team has additional resources to support managing the complaints process. Whilst the number of complaints is lower, complexity is greater, which meant that monitoring and responses throughout 2018-19 was impacted. It is expected that for 2019/20 the team will be more proactive and customer focussed as a result.

In February 2018 Adult Social Care began a period of transformational change, most notably making changes to how incoming work is managed by the Service 'Front Door' and then by the Service as a whole. The Service went live with 'Three Conversations', a model that focusses on building on residents' strengths and family and social networks, and ensuring every opportunity to maximise independence before setting up statutory services). Embedding this across the service was a key priority for 2018/19 and will continue to be for 2019/20.

Within this context, complaints continue to play an important role in highlighting areas of improvement. Learning from complaints is crucial, to ensure the service is able to make improvements to how vulnerable residents and their families are worked with, with the continued emphasis on learning and by evidencing this, improvements to the service can be made

2. Introduction

Under the Local Authority Social Services and NHS Complaints Regulations 2009, made under powers in Sections 113 to 115 of the Health and Social Care (Community Health and Standards) Act 2003, it is a requirement for local authority Adult Social Care and Children's Services to have a system of receiving representations by, or on behalf of, users of those services. Havering Adult Social Care welcomes all feedback, whether this is a comment on improving the service, complaint on what has gone wrong, or compliment about how well a service or individual has performed.

Havering has adopted the statutory guidelines for complaints management as outlined by the Department of Health and good practice principles of the Local Government Ombudsman, and has encompassed this within its new procedures as follows:

Local resolution

Informal- Where a complaint involves a regulated service, is a minor concern, or where a complainant does not wish to take it through the formal process.

Formal - Where the complaint is considered low-medium risk, we aim to respond within 10 working days where possible. Where a complaint is considered medium—high risk, we aim to respond within 10-20 working days. Where a complaint is considered complex and may require an independent investigation, we aim to respond within 25-65 working days. Timescales may vary in agreement with the complainant.

Although there is no longer a Stage 3 Review Panel in the regulations, it has been agreed within Havering to have an option for complaints to be reviewed by a Hearings Panel.

Complainants who remain dissatisfied will have the right to progress to the Local Government Ombudsman.

The time limit for complaints to be made has remained at 12 months.

3. Service Context

Adult Social Care in Havering provides a wide range of support, including information and advice, front line assessment and social work/occupational therapy services for adults who have an identified care and support need, and are eligible for assistance with meeting those needs. We provide support to older people (65+); individuals with a physical or sensory disability; individuals with a learning disability; and individuals with mental health needs. In addition, we have direct delivery of services including day opportunities for people with learning disabilities and physical disabilities. The Service also includes Safeguarding Adults. The Service is further supported through brokerage of care, management of direct payments and client income and managing client finance arrangements, as well as quality and contract monitoring of provider services.

The total number of new contacts received in 2018/19 by Adult Social Care was 9,907 (which may or may not have resulted in services being provided), with around 50% being managed by the Service 'Front Door' and 50% received via the Joint Assessment and Discharge Service based in Queens and King Georges Hospital. Total activity within the service over the year (including for example assessments, reviews, and Deprivation of Liberty) was just under 15,700, in addition to this there were also 1053 safeguarding enquiries undertaken. The key area where the service has seen increased activity is in managing Safeguarding Adults referrals and Deprivation of Liberty Safeguards.

The total number of services implemented for residents in 2018/19 at some point in the year was approx 6,900, including people who received short term services (such as reablement), long term services (such as home care or residential/nursing care), or one off interventions (such as equipment).

4. Complaints Received

4.1 Ombudsman referrals

There were two enquiries resulting in 'maladministration injustice with penalty' relating to change in care provision from respite to permanent, and the treatment of deprivation of assets. The one 'maladministration injustice no penalty', was from 2017-18 with the decision received in 2018-19 relating to home care delivery. Further enquiries during 2018-19 resulted in four being closed after initial enquiries, one out of jurisdiction and one premature.

	Apr18	Apr17	Apr 16
	-	_	-
	Mar19	Mar18	Mar17
Maladministration (no injustice)			
Maladministration Injustice with penalty	2	2	
Maladministration injustice no penalty	1		4
No maladministration after investigation		1	
Ombudsman discretion			
-Cases under investigation/ongoing			
-Investigation not started/discontinued			1

No evidence of maladministration/service failure			1
Closed after initial enquiries: no further action	4	3	
Closed after initial enquiries: out of jurisdiction	1	2	
Premature/Informal enquiries	1	1	2
Total	9	9	8

4.2 Total number of complaints

The total number of statutory complaints has continued to decrease over the last three years, with 91 being received in 2018-19, which is a 16% drop from 2017-18.

Total Number of Statutory Complaints												
2018/19 2017/18 2016/17												
91	108											

4.3 Stages

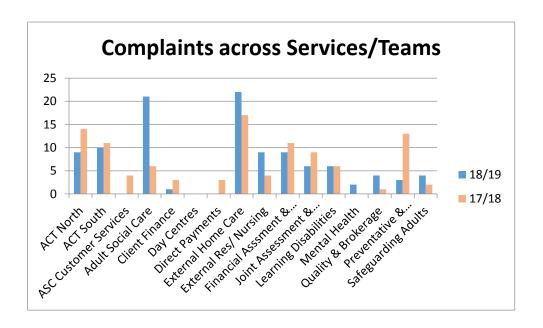
There were decreases during 2018-19, across all stages, with 24 enquiries, 66 formal and 25 informal complaints compared to 2017-18.

	Enquiry	Formal	Informal	Joint health and adult social care formal complaint
Apr 18 – Mar 19	24	66	25	
Apr 17 – Mar 18	34	75	33	

4.4 Teams

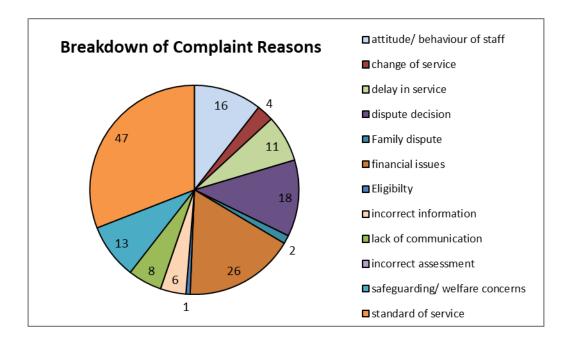
The highest number of complaints in 2018-19 was regarding 'external home care', which was a 23% increase from 2017-18. The total number of commissioned hours for 2018-19 was 699,911. Complaints involving external home care, commissioned hours totalled 16,578.50 and represents 2% of the total commissioned hours for home care.

The next highest were complaints with senior management involvement recorded under 'Adult Social Care'. These complaints required reviewing decisions, resulting in either a change of provision or waiver/ adjustment of fees. There were also increases across 'external residential/nursing homes', Mental Health, Quality and Brokerage (involving commissioning) and Safeguarding. All other teams had a decrease in the number of complaints received.



4.5 Reasons

'Standard of service' is the highest reason for complaints received. It should be noted that categories were streamlined during 2018-19 with some categories being merged into one. Standard of service now includes reasons such as quality of service, level of service and need of service. Many of these complaints related to external home care regarding times of visits, some related to level or quality of care and were linked with charges. 'Financial issues' is the next highest reason and reflects the link between the standard of service following invoices received 'disputing decision'.



The comparison shows that attitude/behaviour of staff has increased in 2018-19 to 16 compared to 4 in 2017-18. Many of these were family members who were not happy with the social worker and decisions made. It has been noted that where a person does have

capacity and family members may not agree with the decision, the social workers will respect the wishes of the service user which is not always welcomed by family members.

There has been an increase in 2018-19 regarding 'financial issues', which as indicated above, refer to invoices/fees of care received which are in dispute, mainly through family members. 'Safeguarding issues' have also increased in 2018-19 these referred to concerns in relation to care received and discharge arrangements.

	attitude/ behaviour of staff	change of service	Data protection	delay in service	delay to implement a service	dispute decision	Eligibilty	Family dispute	financial issues	incorrect assessment	incorrect information	incorrect invoicing	lack of communication	level of service	need of service	non-delivery of a service	quality of service	safeguarding issues	standard of service
2018/19	16	4		11		18	1		26		6		8					13	47
2017/18	4	1		6	7	19			11	3	8	1	14	36	,		23	2	

4.6 Outcomes & Learning

Of the 91 complaints received in 2018-19, 38 were not upheld, 15 were partially upheld and 12 were upheld. Complaints withdrawn were due to either information not being provided or consent not being given. There were a further 14 complaints that were referred to an alternative service/provision in which the outcome is not known.

		Upheld	Partially Upheld	Not Upheld	Complaint Withdrawn
Ī	18/19	13	16	38	12
	17/18	51		52	5

Categories for outcome description below has also been streamlined and therefore some categories below have changed during 2018-19 with 'information/explanation given' and 'apology standards not met' have replaced, 'explanation and apology'. The highest outcome for 2018-19 is 'information/explanation being given'. When exploring further, although information or explanations may have been given, retention of information is always dependent on when this was given as it may have been at a time of crisis for the family. However it is noted that recording practices for financial information being given to clients/families has dipped from 2017-18 when in March 2018, 81.7% finance charging case note were being recorded appropriately whereas in March 2019 this was reported as 64.3%. Staff will need to be reminded to ensure that where financial information is discussed that this is recorded appropriately.

						Complaint	Explanation			No action/						
						Withdrawn/	and		Information	further action						
					Council's	referred to	Apology		/Explanati	required			referred to			
	apology	change in	change of		position	different			on given		Reassess		alternative		Services	
	standards	practice/	allocated	change of	remains	procedure		financial			ment/	records	service/pr	Reimburs	re-	Training
	not met	policy	worker	provision	unchanged			adjustment			Review	amended	ovision	e - ment	instated	identified
18/19	12	5	2	0	15			4	22			2	14			1
17/18		14				5	36	16	11	3	6			6	2	8

4.6.1 Learning from Complaints

During 2018-19 Adult Social Care identified areas which require further improvement regarding assessments and how these are completed, ensuring that budget information is included, start and end dates of provision are accurately shown. Interim measures have been put in place to audit assessments by a senior manager requiring a decision on an individual's care needs. With the introduction of the new Adult Social Care system, this should also ensure that assessments are completed thoroughly and will still require authorisation by a senior manager.

The financial charging case note and checklist will still need to be monitored as recording has slipped slightly and is not at the level it was at the end of 2017-18. It has also been highlighted that care needs to be taken not to rely on financial information given previously when there is a change of need, to ensure clients and family are clear about the financial implications when a change of need is required.

Where direct payments are used for respite placements clear direction/guidance needs to be given to residential/nursing homes. Also contracts in place should be signed by individual or family member, particularly essential for third party top-ups.

There is still a need for staff to ensure clarity of information and communication throughout all service areas so that standards improve.

4.6.2 Learning from the Ombudsman

Change in provision and the financial implications associated with that change needs to be clearly communicated and budgetary information needs to be included within the assessment. Deprivation of assets and property disregard is being highlighted in many LGSCO reports and Adult Social Care will need to take particular care and attention when dealing with these complaints, but also to be mindful of the time taken in dealing with these type of complaints.

4.7 Response times

Of the 91 complaints received, it is noted that 13% (12) were not progressed due to for example either consent/information not being provided. The total number responded to therefore was 79. The number of complaints responded to within the 20 working day timescale in 2018-19 was 61% (48 of 79), 39% (31) responded to over the 20 day timescale.

Of the 91 complaints, 34 involved external agencies, three did not progress. Some complaints were referred directly to the agency to respond, others would require input from the agency to determine whether a financial adjustment would be required.

From early 2019/20, additional resources are now in the Social Care Complaints & Information Team to ensure response times are managed and followed up as they should be. Through 2018/19, due to complexity of the complaints case work, the Team experienced some difficulties in supporting the Service to meet deadlines effectively. Processes are continually being reviewed to improve response times and with capacity increasing the team will be looking to work more closely with managers.

	Apr18- Mar19 % no. 35 25 otal. response time			11-20 day	/S				
	Mar19			Apr18- Mar19 %	Total no.		Apr18- Mar19 %	Total no.	
Informal/Formal	35	28		25	20		39	31	
Total no. 2017/18			32			50			
Of the 2018/19 to providers:	otal, respo	onse tii	mes f	or all com	plaints	invol	ving exte	rnal	
External providers	15	14		7	6		12	11	

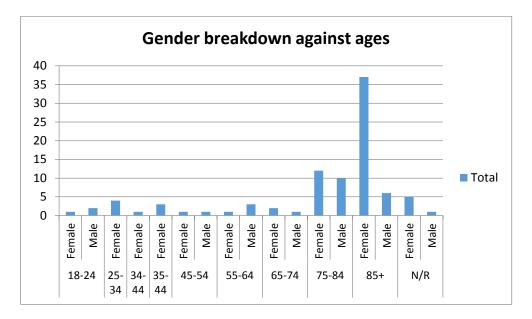
4.8 Monitoring information

4.8.1 Age

There has been a slight increase in those aged 85+ in 2018-19 compared to 2017-18 with significant decreases of 79% and 64% in ages 65-74 and 55-64 respectively with slight decreases in the middle age ranges and those aged 75-84.

	under 18	18- 24	25- 34	35- 44	45- 54	55- 64	65- 74	75- 84	85+	undeclared
18/19		3	4	4	2	4	3	22	43	6
17/18		7	5	5	8	11	14	24	39	2

The gender breakdown below shows that of those aged 85+ there is a particularly high number of females and slightly higher across ages 25-34, 35-44, 65-74 and 75-84.



4.8.2 Disability

As reflected in the number of those aged 85+ many have a personal care support need, as well as difficulties with 'memory and cognition'. The number not recorded has increased slightly and care will need to be taken that information is obtained.

	Access & Mobility	Hearing		Learning Disability	Known					Other Vulnerable People		Visual impairment	Not recorded
18/19	9			4		44		22	1		1	1	9
17/18			1	9	1		74	20	3	1	3		3

4.8.3 Ethnicity

As with the population of Havering, 'White British' is the highest with 77 in 2018-19, although dropped slightly from 2017-18, with a wider spread of those from Black/Black British backgrounds.

	Asian / Asian	Asian British -	Black British -	British/Any	Black British -	Black	White Any other White background		White - English		Not declared
18/19			4	1	1	1		77			7
17/18	1	1	4		1		3	100	1	1	3

4.8.4 Religion

There is a wide cross section of religions that have been recorded during 2018-19, with those from Jehovah's Witness, Jewish and Muslim religions being represented.

				Church of	Jehovah's			No	Not	Not	Other
	Buddhist	Catholic	Christian	England	Witness	Jewish	Muslim	Religion	recorded	stated	religion
18/19		4	6	26	2	2	2	3	30	15	1
17/18	1	11	13	42				2	23	23	

4.8.5 Marital Status

It is encouraging to note that those not recorded has improved in 2018-19 compared to 2017-18 and efforts will need to be continually made to ensure information is obtained. Of the complaints made, 19 were 'married' and 16 were 'widowed'.

			Not					
	Divorced	Married	recorded	Other	Separated	Single	Unknown	Widowed
18/19		19	38	1	1	5	11	16
17/18	1	30	43	1	2	14	6	18

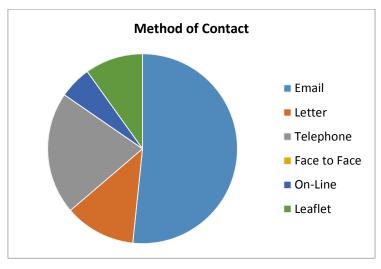
4.8.6 Sexual Orientation

This information may still be perceived by residents as being very sensitive information and therefore the number not recorded is still high at 72 in 2018-19, although lower than in 2017-18 with 13 being 'heterosexual' and 6 'preferring not to say'.

	Heterosexual	Not recorded	Prefer not to say
18/19	13	72	6
17/18	12	92	11

5 How we were contacted

Email has been the preferred method of contact during 2018-19 with telephone being the next preferred method. The new Adult Social Care system has not yet been implemented, however this may have an impact on how clients and their families will be contacting the service in future.



6 Expenditure

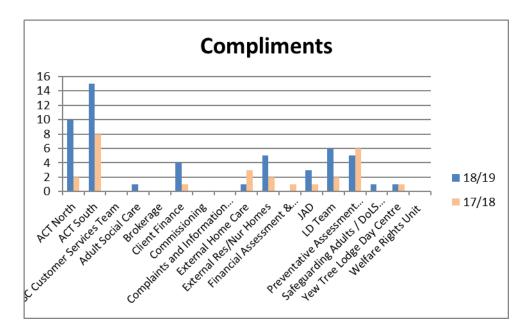
There was publicity expenditure incurred during 2018-19 of £531.25 and a remedy/time and trouble payment of £1,300.

	Publicity £	Payment £	Total £	
Apr 2018- Mar 2019	531.25	1,300		1,851
Apr 2017- Mar 2018	581.25			

7. Compliments and resident satisfaction

Compliments have increased slightly in 2018-19 to 52 from 49 in 2017-8, which is encouraging and staff should continue to send their compliments to log for reporting purposes. There has been an increase across most teams with both the Area Community Teams and Client Finance showing significant increases, as well as increases across external residential/nursing homes, JAD and Learning Disabilities Team. Senior managers who are recorded under Adult Social Care have also received compliments.

7.1 Compliments



Some examples of compliments received are given below:

An appreciative client writes about his social worker 'How can I begin to tell you how much I appreciate all the hard work you've put into caring and guiding me throughout the past seven months..... I cannot express how happy I am and I have tears now because I cannot believe how lucky I am. Thank you, thank you and thank you again.' (ACT South)

A daughter sends a thank you card to her dad's social worker 'I just want you to know how I cannot express how much I appreciate all you have done for my dad and what a great

support you have been to me..... I want you to realise what a difference you made... you showed real emotion and a real passion for your job.' (ACT North)

A friend writes in 'I would like to thank you for the way in which you have managed the arrangements for xxx affairs. We would also like to say how professional and caring the funeral was carried out xxx was treated with great respect and dignity, the service was very personal and touching.' (Client Finance)

A professor writes 'Can I express my thanks to you and your colleagues at Havering....., the quality and responsiveness of Havering's management of this case has been excellent, and is a credit to public services.' (Adult Social Care)

Parents write 'Thank you for all that you have done to support xxxx, that he is progressing so well is I'm sure very much due to your perseverance in obtaining the best possible for him to continue with his development.' (Learning Disabilities)

A husband shows his gratitude 'I would just like to thank you for funding my wife in the care home I am very grateful.' (Financial Assessment & Benefits)

A sister tells of her gratefulness for the support given to her brother '.....so easy to talk to, attentive, patient - explaining things in ways that both my brother and I could understand and so relaxing to be around even my brother spoke up and if you knew my brother you would know that is something that doesn't happen often. Thanks to xxxx my brother has agreed to three personal care visits a week and I feel happy with this and feel that this is going to make a big difference to us both. '(Preventative & Assessment now Havering Access Team/Review Team)

A daughter writes in about the home care for her mother 'I am writing to you to say what an excellent service the company provides to my Mother....

Mum has 4 carers a day and every single one of them is so kind and patient with her.

Since last October Mum has had several serious health issues the main one being a bleed on her brain. Her recovery was remarkable and I truly believe this is because staff were so supportive and very positive with her and our family......I will never be able to thank everyone enough for all their hard work and support so I was hoping this letter would go towards recognizing my gratitude.' (Home Support Services)

A grateful niece writes to a residential home a year after her aunt's death 'I don't know where the time has gone since then but, the passing of time has not diminished the level of gratitude I and the rest of my aunt's family would like to express for the care and compassion shown by the Manager and her team during the time my aunt was in their care..... We were all relieved that Was allowed to spend her final days at Ashgrove as, for her it had become her home.' (Ashgrove Care Home)

7.2 Adult Social Care Outcomes Framework – Survey 2018/19

The annual statutory survey for Adult Social Care shows that there has been a slight increase in people using our services reporting overall satisfaction of 62% in 2018/19 compared to 60% in 2017/18.

Other key outcomes from the Adult Social Care survey for 2018/19 are shown in the table below:

	18/19	17/18
% Service User who are satisfied with their quality of life	78.3%	79.6%
% Service User who have control over daily lives	74.8%	77%
% Service User who feel they have as much social contact as they like	45.6%	45%
% Service User overall satisfaction	62%	60%
% Service Users who find it easy to find information about services	67.9%	74%
% Service Users who feel safe	69.5%	71%
% Service Users who think services make them feel safe	89.8%	88%

8. Members Enquiries

There were 114 member enquiries during 2018-19 which is a 40% increase from 2017-18 (68) with 75% being responded to within timescale.

9. Conclusion

Complaints continues to be a good tool to direct service improvements and Adult Social Care complaints have decreased over the last few years as the learning is taken on board by the Service.

There should not be complacency and continued monitoring and steps taken to ensure that Adult Social Care always strive towards a high quality standard of service,

Although response times have improved slightly, it is acknowledged that there was not the close monitoring and management of complaints during 2018-19 and with continued reviews of processes and closer working with managers within Adult Social Care that further improvements can be made.



APPENDIX 1

10. Complaints Action Plan

Issues Identified	Lessons Learnt	Action to be taken	Department	Timescale	Review
Information about financial assessment process and potential client contribution reportedly not properly conveyed	Improved recording of information given on financial assessment and charges	 Financial assessment case note implemented in 2016/17. Forms introduced to be signed by service user/financial representative (JAD only) Compliance with completion monitored by: Monthly performance reporting 1-1 supervision 	• All	Ongoing	Case note to continue to be used to record information on advice and guidance given, including date. Ensure form signed by service user. Senior management to meet with individuals where case note recording identified as an ongoing concern. Implement in the new care management system
Lack of accessible information about adult social care more generally leading to complaints about level of service / incorrect information	Reviewing information to ensure it is available and accessible, and provided to people in timely fashion	Locality model under review New arrangements at adult social care 'front door' being planned, with strengthened information and advice provision planned at first point of contact.	 Head of Integrated Care Head of Joint Commissioning Unit 	March 2020 and ongoing Implemented February 2018 and for review by March 2020	Redesigned locality model to include other Council departments and external agencies on virtual or co-located basis.
Percentage of complaints responded to within timescales needs to improve	Response times require improvement	 Complaints involving other NHS agencies – adult social care element to be responded to within 20 days. Noted that NHS timescales for response are longer than 20 days. Commissioning to support Complaints Team in getting information from external social care providers back within timescale Raise the profile of Complaints and the learning opportunities 	 All Head of Integrated Care Head of Joint Commissioning Unit 	Ongoing	Quarterly presentation to senior management team on complaints performance. Head of Integrated Care reviews all members enquiries weekly to ensure response within timescale. Improved engagement with providers and other agencies is ongoing.

Issues Identified	Lessons Learnt	Action to be taken	Department	Timescale	Review
		presented by increased attendance at Team Meetings and presence in various forums, (i.e. staff events).			
Quality and level of service received from commissioned providers continue to be affected by recruitment and retention of front line care and support staff		 Proactive work with providers via Quality and Safeguarding Team work and provider forums to identify issues and support resolution, including supporting sustainability of market. Attendance at Provider Forums. 	Head of Joint Commissioning Unit.	Ongoing	Engagement with care home providers: "Working with Care Homes to Understand Costs"
Home care charges need to be ratified when charging for services	Confidence that invoices reflect actual delivery	Brokerage to ensure that invoices provide evidence of actual service delivery	Brokerage Team	Ongoing	New Active Homecare Framework established January 2017. Improved use of CM2000 by providers on the framework
Changes in provision (or funding body ¹) need to identify where there are financial implications and that these are communicated	That financial implications are clear for service users and their financial representatives where there is a change of service	 Assessments needs to be completed with budget information Financial assessments need to be undertaken following change in provision, including where the funding body changes 	Adult Social Care	Ongoing	Adult Social Care need to ensure when multi-disciplinary team is completing an assessment that they give financial information and document accordingly.
The half hour charge in relation to frustrated visits.	 Information to service users and their financial representatives needs to be clear that liability to charging for such visits will remain. 	Updated charging policy –need to implement changes and make sure all are clear.	Care Management, Brokerage and Financial Assessment and Benefits.	March 2020	Non-Residential Charging Policy is being reviewed and consulted on in 2019/20 for implementation by April 2020

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¹ This includes where the funding body changes from the council to the NHS for example

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Issues Identified	Lessons Learnt	Action to be taken	Department	Timescale	Review
Assessments/ Reviews need to be completed appropriately with budget information, relevant signatures, clear recording showing start and end dates of provision.	Assessments need to be completed to ensure compliance with Care Act	Monitoring and authorisation of assessments –this should be picked up via new social care system	• ASC	Ongoing	March 2021. The new Care Management System (Liquid Logic) will go live for ASC in Autumn 2019. It is anticipated this will support improved recording
Respite arrangements via direct payments	Providers need to have clear information of how direct payments should be treated for respite to ensure correct charging levels.	Joint Commissioning Unit to review arrangements	Joint Commissioning Unit	Dec 2019	April 2020
Poor Communication	 Communication between teams i.e. finance and care management needs improving to ensure changes that have financial implications are actioned in timely manner. Clarification when case is closed to an individual rather than the service. Messages taken need to be clear and concise and referred on in a timely manner. 	Service management to pick up with teams and raise in team meetings, 121s etc.	• All	Ongoing	

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Issues Identified	Lessons Learnt	Action to be taken	Department	Timescale	Review
Contracts not being signed for top-up arrangements	Contracts should be signed to ensure compliance with top-up fee arrangements.	A project to review top up arrangements is underway to be completed by April 2020.	Joint Commissioning Unit	April 2020	Sept 2020
Resources	Resources need to be sufficient to ensure timely responses to complaints and that there is sufficient capacity to ensure process is robust.	Senior Management have identified resource issues within the team that has led to a lack of resilience. This has been addressed through deployment of temporary resources with permanent recruitment underway.	Business Management	July 2019	January 2020