

INDIVIDUALS OVERVIEW & SCRUTINY SUB-COMMITTEE - 26 NOVEMBER 2020

Subject Heading:	Adult Social Care Annual Complaints & Compliments Report
SLT Lead:	Barbara Nicholls
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Policy context:	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.
Financial summary:	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 2019-20 attached as Appendix 1 is for consideration and outlines the complaints, enquiries, compliments and Members correspondence received during the period April 2019 – March 2020.

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

1. Adult Social Care complaints have continued to decrease over the last few years. In 2019-20 the number of statutory complaints were 74 an 18% decrease from 2018-19 (91). However enquiries through the Social Care Complaints Team have more than doubled from 24 in 2018-19 to 52 in 2019-20.
2. Ombudsman enquiries increased by one in 2019-20 (10) compared to 9 in 2018-19. Three found maladministration, injustice with penalty and one maladministration no injustice. The remaining enquiries, were premature (3), closed after initial enquiries (1) and were not upheld and found no maladministration (2).
3. External home care complaints continue to be the highest area for complaints, in 2019-20 (17), however this represents 0.71% of service users receiving home care and 1.49% of the total commissioned care hours throughout 2019-20. Home care complaints tended to be linked to 'standards of service', the highest reason for complaints and 'financial issues' usually arising from invoice disputes and requests for reductions or cancellation of invoices.
4. Those complaints upheld(9) or partially upheld(11) represented 12% and 15% respectively of the total complaints for 2019-20, with 34 not upheld and 20 complaints withdrawn.
5. Learning from complaints continues to be at the forefront of Adult Social Care and as a result of recommendations by the Ombudsman a review of service users was undertaken in 2019-20 that may have been affected by arbitrary limits. Clients have been identified who are in receipt of live in care and individual reviews are still to be undertaken. A project approach will be

taken to review costing models for all live in care currently commissioned and funding for future live in care packages will be based on assessed need and package structure.

6. The Liquidlogic social care system went live during 2019-20 and service areas across Adult Social Care. Statutory complaints are to be included on Liquidlogic however implementation has been impacted due to Covid-19.
7. Response times for complaints improved in 2019-20, with 72% of complaints involving Adult Social Care only (46) responded to within 20 working days, compared to 61% in 2018-19. Complaints involving external providers (28) with a timeframe of 25 working days, had 43% of complaints responded to over the 25 working day timeframe.
8. Monitoring information represents service users and shows less than the total number of complaints due to service users involved in more than one complaint. There has been a decrease in the numbers of those aged 85+ and 75-84, those requiring personal care support and have support for memory and cognition. Although it is notable that the number of those with access and mobility issues and learning disabilities increased slightly in 2019-20.
9. There is wide representation across varying ethnic backgrounds in 2019-20, with White British the highest and reflective of the borough's population make up, with no representation for Black/Black British African in 2019-20. Representations across various religious groups is evident in 2019-20 and those 'not recorded' improved in 2019-20. In 2019-20 'single' people more than doubled in 2019-20 (16) compared to 2018-19 (5), while those 'married' decreased from 19 in 2018-19 to 9 in 2019-20. There was improvement in recording of sexual orientation in 2019-20 with only two 'not recorded', compared to 72 in 2018-19, with 58 'not known'.
10. The preferred method of contact in 2019-20 continued to be by email(43%), with telephone(31%) the next preferred method which increased by 21% from 2018-19. Expenditure on complaints in 2019-20 resulting from Ombudsman recommendations totalled £8,609.21 for reimbursements and time and trouble payments.
11. Compliments increased in 2019-20 to 60 compared to 2018-19 (52). The Havering Access Team, previously known as Adult Social Care Customer Services, along with the Adults Community Teams received the highest number of compliments, with most teams across Adult Social Care receiving compliments. Examples of some of the compliments received by individual staff or team is included within Appendix 1.
12. Member enquiries decreased by 17% in 2019-20 (95) compared to 2018-19(114) with 88% (84) being responded to within timeframe.

13. Learning from complaints continues to be a focus within Adult Social Care. The implementation of Liquidlogic to improve recording practices should be more evident in 2020-21. Joint efforts between the Social Care Complaints Team and Team Managers have improved response times. However it should be noted with the current Covid-19 situation it has already had an impact on complaints, although it will not be clear how much of an impact until 2020-21.
14. It is even more important that compliments continue to be received by Adult Social Care, which provides a welcome morale boost in very difficult times.

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, despite the reduction in the number of complaints highlighted in the report, there is still a risk of consequential compensation payments, which is being managed in the service by ensuring lessons are learned and procedures reviewed to minimise the risk of compensation arising from future complaints.

Despite the number of complaints decreasing, costs to the Service of investigation of Ombudsman enquiries, and the added risk that these may increase in the future, needs to be considered.

Legal implications and risks:

There are no apparent legal implications from noting of this report.

Human Resources implications and risks:

The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

Equalities implications and risks:

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants. 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.