

ANNUAL REPORT 2019-20

ADULT SOCIAL CARE

Complaints, Comments and Compliments

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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 2019 to March 2020.

Changes have been made in practices regarding arbitrary limits which was a big learning curve for Adult Social Care during 2019-20 as part of the Ombudsman's recommendations. Reviews were undertaken and changes in guidance and practice are to be implemented.

There has been steady improvements in response times which is welcomed across both complaints and member enquiries and it is hoped that this will continue in this way, although mindful of the current situation with Covid-19 and how this may impact complaints in 2020-21.

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 these 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.

Adult Social Care continues to use 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.

The continued dedication of staff within Adult Social Care has been echoed in the rise of compliments received during 2019-20 with some exceptional examples of staff going above and beyond.

It is not clear with Covid-19 what impact this will have on Adult Social Care, as it continues to affect not only financial resources but our staffing resources also, who have tirelessly worked towards assisting those most vulnerable in our community.

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.

4. Complaints Received

4.1 Ombudsman referrals

The number of Ombudsman referrals have increased slightly by one, from the previous year to 10 during 2019-20. Three found maladministration with injustice, regarding a care provider, personal budget allocation and deferred payments.

	Apr19 – Mar20	Apr18 – Mar19	Apr17 – Mar18
Maladministration (no injustice)	1		
Maladministration Injustice with penalty	3	2	2
Maladministration injustice no penalty		1	
No maladministration after investigation			1
Ombudsman discretion			
-Cases under investigation/ongoing			
-Investigation not started/discontinued			
Not upheld no maladministration/service failure	2		
Closed after initial enquiries: no further action	1	4	3
Closed after initial enquiries: out of jurisdiction		1	2
Premature/Informal enquiries	3	1	1
Total	10	9	9

4.2 Total number of complaints

In 2019-20 there were 74 statutory complaints, an 18% drop from 2018-19 (91). The steady decrease in complaints over the last few years has continued. It should be noted however, that with the current Covid situation, this could impact on figures for 2020-21.

Total Number of Statutory Complaints		
2019-20	2018-19	2017/18
74	91	108

4.3 Stages

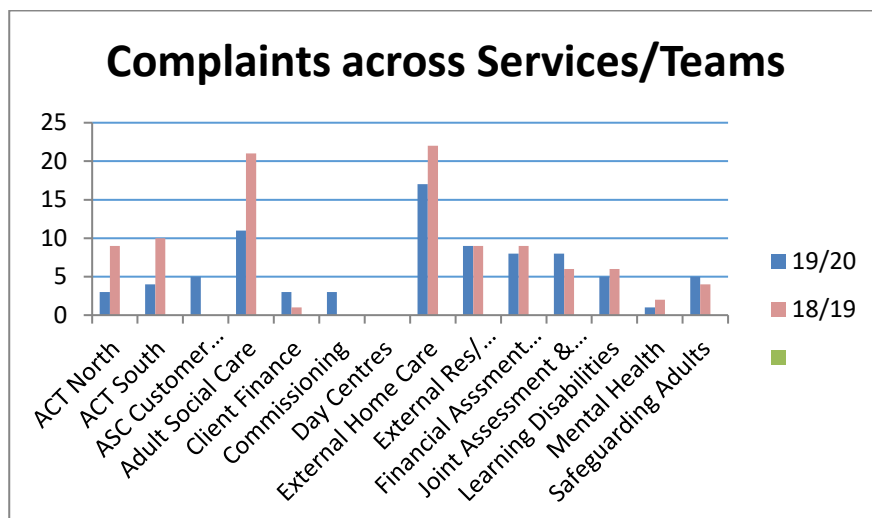
Although the number of statutory complaints have decreased, includes both Formal and Informal complaints, the number of enquiries have more than doubled. Enquiries made to Adult Social Care that do not fit within the statutory complaints process, still require a response either by the Service or by the Social Care Complaints Team.

	Enquiry	Formal	Informal	Joint health and adult social care formal complaint
Apr 19 – Mar 20	52	50	24	
Apr 18 – Mar 19	24	66	25	

4.4 Teams

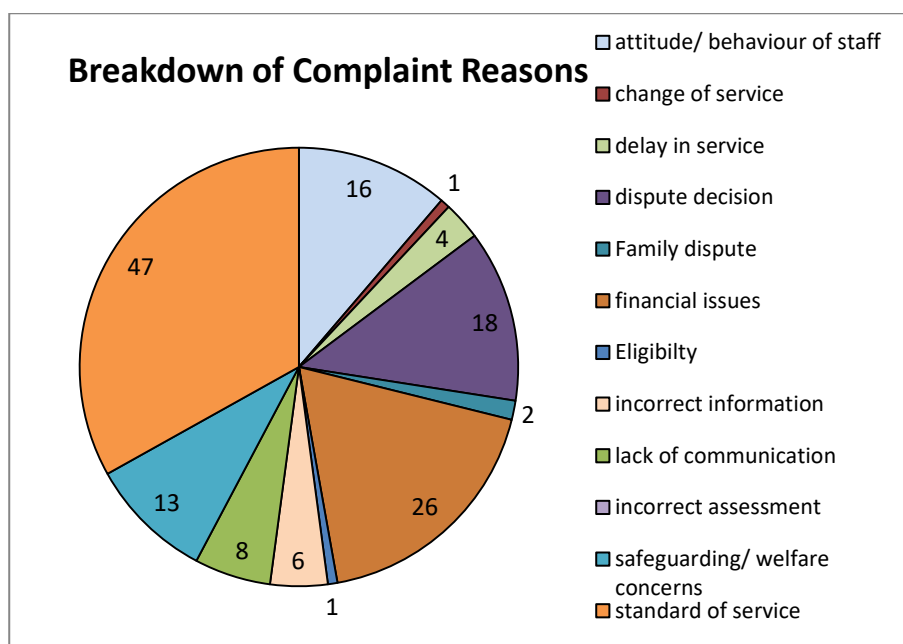
Across nearly all teams there has been a decrease in the number of complaints, with the following service areas seeing a small increase; Client Finance, Commissioning, Joint Discharge Team (JAD) and Safeguarding.

External home care has received the highest number of complaints during 2019-20 (17). This is low in comparison to the number of home care clients (1,694) during 2019-20 and equates to 0.71% complaints. The total commissioned hours for complaint cases in 2019-20 totalled 10,486, and the commissioned hours for all home care clients in 2019-20 totalled 703,822. Complaints' commissioned hours therefore represented 1.49%.

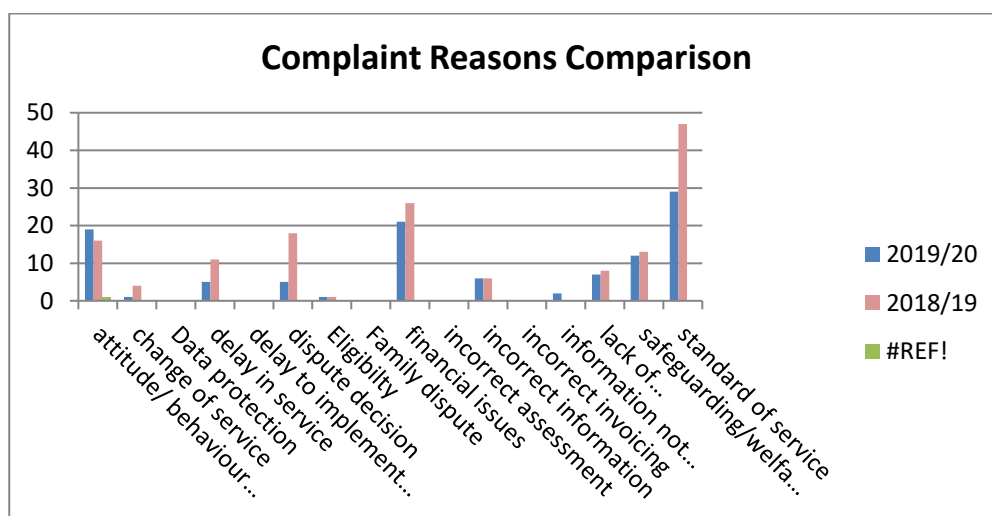


4.5 Reasons

In 2019-20 'standards of service' continued to be the highest reason for complaint, with the majority of those complaints relating to timing of care visits and quality of care provided, many complaints resulting from requests for reductions or cancellation of invoices. This is also reflects on 'financial issues' being the next highest reason.



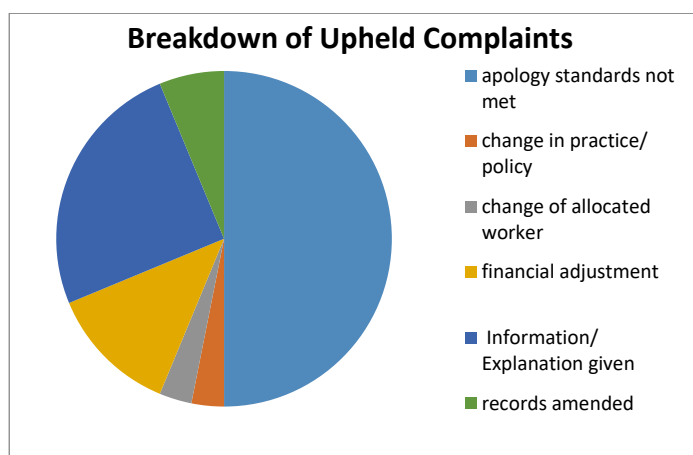
Compared to 2018-19 there has been a slight increase in the number of complaints related to attitude/behaviour staff from 16 to 19 in 2019-20. On further interrogation, many of these complaints were to do with the complainant not being happy about carers, level of charges, outcome of assessment or family member not agreeing with a decision.



4.6 Outcomes & Learning

Of the 74 complaints during 2019-20, 9 (12%) were upheld and 11 (15%) partially upheld. Those complaints either upheld or partially upheld, where the expected standards were not met, an apology was provided with further explanation or information as shown the in the breakdown below.

	Upheld	Partially Upheld	Not Upheld	Complaint Withdrawn	Referred to Alternative Service – outcome unknown	Total for year
19/20	9	11	34	20		74
18/19	13	16	38	12	14	91



4.6.1 Learning from Complaints

During 2019-20, complaints highlighted areas of improvement for cross communication between teams i.e. social care teams and finance/brokerage regarding changes in provision, and consistency of start and end of provision recording. This should be negated with the new Liquidlogic social care system being embedded, and improvement may become more evident in 2020-21.

Further engagement with Health to explore improved communications at an earlier stage where responsibility for funding transfers from health to the local authority, resulting in charging implications for service users.

4.6.2 Learning from the Ombudsman

A review of service users who may have been affected by arbitrary limits was undertaken and the practice that led to arbitrary upper limits was stopped. Clients have been identified who are currently in receipt of live in care. It has been identified that there is a variation in rate depending on client need and placement start date.

Individual reviews are still to be undertaken. To date, one package has been reviewed and a new costing negotiated based on assessed need.

A project approach will be taken to review the costing models for all live in care currently commissioned and an approach will be presented for the funding of future live in care packages based on assessed need and package structure.

The timeline for this activity has been impacted by COVID.

Following an assessment or review, copies of the assessment/review were not provided in a timely manner. This is an area requiring improvement. With the implementation of Liquidlogic for Adult Social Care records, this may have some impact to help improve this area. However, it also should be noted that with the increasing pressures following the Covid-19 outbreak this may impact on this.

4.7 Response times

Response times of complaints during 2019-20 has improved, with 64% of total complaints (47 of 74) responded to within 20 working days. However when looking at the number of complaints for Adult Social Care only, response times within 20 days for 2019-20 were

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72% compared to 61% in 2018-19. There were 28 complaints involving external providers, which have a 25 working day timeframe.

	Within 10 days	%	11-20 days	%	20+ days	%	25+ days	%	Total
Informal/ Formal	21	28	26	35	9	12	18	24	74
Adult Social Care	12	26	21	46	7	15	6	13	46
External Providers	9	32	5	18	2	7	12	43	28

4. Monitoring information

4.8.1 Age

The figures below represent service users involved in complaints, three of which were involved in more than one complaint, therefore for monitoring information counted as one individual.

There has been a significant drop in those aged 85+ in 2019-20 (25) compared to 2018-19 (43), and this may be reflective of the drop in those 85+ receiving Adult Social Care services. Slight increases in 2019-20 across ages 18-24; 45-64 and 65-74.

	18-24	25-34	35-44	45-54	55-64	65-74	75-84	85+	undeclared
19/20	5	5	3	4	6	4	19	25	
18/19	3	5	3	2	4	3	22	43	6

4.8.2 Disability

There was an increase in 2019-20 for those with access and mobility issues and those with a learning disability of 18% and 50% respectively compared to 2018-19, while those with personal care support and memory and cognition decreased.

	Access & Mobility	Hearing impairment	Learning Disability	Personal care support	Memory and Cognition	Mental Health	Social Support	Visual impairment	Not recorded
19/20	11	1	8	31	14		1		5
18/19	9		4	44	22	1	1	1	9

4.8.3 Ethnicity

White British remains the highest and reflects the borough's population make up. Representations across a number of varying ethnic backgrounds continue to access the complaints process, although there has been no representation in 2019-20 of those of Black/Black British African compared to 2018-19.

	Asian / Asian British - Any other Asian background	Asian / Asian British - Indian	Black / Black British - African	Black British/Any other black background	Black / Black British - Caribbean	Mixed - Other / Multiple Ethnic Background	Mixed - White & Black Caribbean	White Any other White background	White - British	Not declared
19/20	1	2		1		1	1	1	63	1
18/19			4	1	1		1		77	7

4.8.4 Religion

The number of representations across a number of differing religions has decreased in 2019-20 from 2018-19 and reflective of the decrease in the number of complaints received. There were 20 not recorded in 2019-20 which improved from 2018-19 and continued efforts need to be made to capture this information.

	Buddhist	Catholic	Christian	Church of England	Church of Scotland	Jehovah's Witness	Jewish	Muslim	No Religion	Not recorded	Not stated	Other religion
19/20		2	5	25	1	1	1	1	5	20	10	
18/19		4	6	26		2	2	2	3	30	15	1

4.8.5 Marital Status

In 2019-20 the increase in those that were single is notable compared to those that were married which has shown a decrease in 2019-20. Compared to 2018-19 in which those that were married was higher than those that were single.

	Living with Partner	Married	Not recorded	Other	Separated	Single	Unknown	Widowed
19/20	1	9	23	2		16	5	15
18/19		19	38	1	1	5	11	16

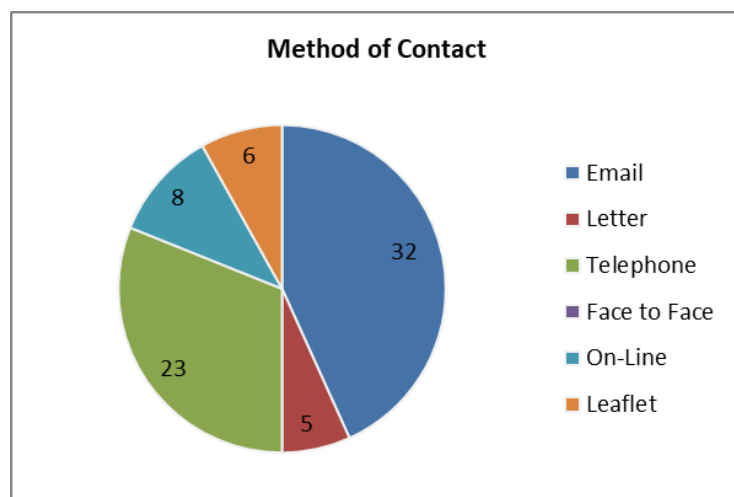
4.8.6 Sexual Orientation

There has been a significant improvement in the recording of this information, with only two 'not recorded'. There is a high number recorded as 'not known' and would need some exploration as to why.

	Heterosexual	Not disclosed	Not known	Not recorded	Prefer not to say
19/20	6	5	58	2	
18/19	13			72	6

5 How we were contacted

Email continued to be the preferred method of contact in 2019-20 (43%) as in 2018-19 (51%), with telephone contact being the second preferred method (31%), which has shown an increase from 2018-19 (21%).



6 Expenditure

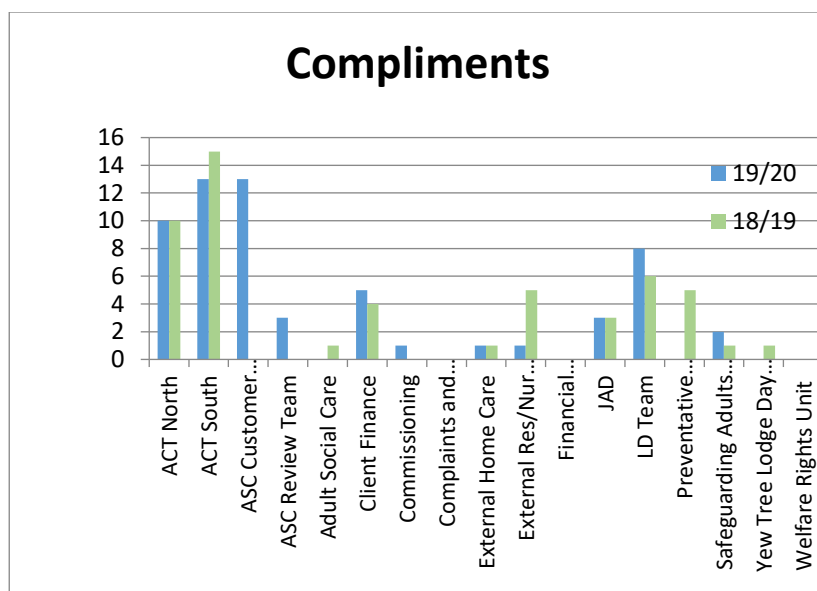
Payments shown below include reimbursement and time and trouble payments resulting from Ombudsman recommendations.

	Publicity £	Payment £	Total £
Apr 2019- Mar 2020		8,609.21	8,609.21
Apr 2018- Mar 2019	531.25	1,300	1,851

7. Compliments and resident satisfaction

7.1 Compliments

The number of compliments increased in 2019-20 to 60 from 52 in 2018-19. The Havering Access Team (previously ASC Customer Services) is the first point of contact and received the highest number of compliments, along with ACT South. It is encouraging to that compliments continue to increase and teams are making every effort to ensure they forward these to the Social Care Complaints Team.



Some of the outstanding work of teams/staff are shown by a few examples given below:

“Following many difficult years within the NHS care and social services system...my voice my families voice and most importantly my mothers voice and now her best interests have finally been heard...I cannot begin to find the right words and thank & your immediate team for your help advice and support during the most recent weeks..... you an asset to the NHS & Social Services..I wished you could continue to be apart of our family case...you will be missed and thank you kindly from the bottoms of my & our hearts...my Dad is a changed man we hope and somehow your kindness and professionalism has helped our family” – **ACT North**

‘We feel truly blessed to of had you walk into our lives. Your sincere love, tenacious efforts and actions to support and guide me and my family in helping my Nan have the best comfort and care towards the end of her life was received so gratefully in my heart that after our phone calls I would cry with relief knowing that you were there for us.

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You were always going that extra mile as if my Nan were your own family and would always get back to me with reassurance or positive results.

I know that you probably don't get praised enough in your job but please continue being an earth angel for others in need at the darkest moments of their life because you do make a difference.

I hope life treats you well because you really do deserve the best. – **ACT South**

'I felt I needed to get in touch with you to commend an employee of yours who I feel went above and beyond what could have been expected of him.... I can't commend him highly enough for how good he was in the way he treated ... with respect. He has natural ability for showing the right amount of understanding, compassion and persuasion.' – **Havering Access Team (ASC Customer Services)**

'I just thought I needed to drop you a quick line as generally people are very quick to criticise and slow to give praise when something is done right.

This is one of those cases where thanks are totally justified. ... 'The transition from home to her new home was both professional easy and caring for Special thanks must be given to several key people' – **Learning Disabilities Team**

'Recently a disabled family member passed away, who was looked after by a neighbouring council, but after an extremely stressful long line of telephone calls, I began to lose hope of finding anyone to help me with my enquiries.

In desperation I happened to call Havering Council in the hope that they held some responsibility towards my family member. It turned out Havering didn't, but when I called, I was passed to

..... was the most helpful, kind, considerate staff member, who went above and beyond to assist in my time of need.

I cannot stress enough how helpful he was and how his relentless hard work brought me straight to the team that would assist and thanks to him, we were able to arrange the funeral and we will now be able to lay our uncle to rest.' – **Client Finance**

7.2 Adult Social Care Outcomes Framework – Survey 2019-20

At the time of writing the report the Adult Social Care Outcomes Framework report for 2019-20 was being finalised, however the figures are provided below.

	19/20	18/19
% Service User who are satisfied with their quality of life	90.2%	88.4%
% Service User who have control over daily lives	74.9%	74.8%
% Service User who feel they have as much social contact as they like	48.3%	45.6%
% Service User overall satisfaction	65.4%	62%
% Service Users who find it easy to find information about services	72.4%	67.9%
% Service Users who feel safe	71.7%	69.5%
% Service Users who think services make them feel safe	86.8%	89.8%

8. Members Enquiries

The number of MP/Councillor enquiries received in 2019-20 was 95, a 17% decrease from 2018-19 (114), with 88% (84) being responded to within timeframe in 2019-20, compared to 75% in 2018-19.

9. Conclusion

Adult Social Care have continued to embrace complaints as a learning tool, and has senior management buy-in to ensure that improvements are embedded in the service. The improvements in response times has also been a joint effort between the Social Care Complaints Team, which increased its capacity during 2019-20 and Team Managers and has reflected in the increase of complaints being responded to within timeframes.

Although it is hoped that this will continue in 2020-21 with the current situation regarding Covid-19 it has already had an impact on complaints, with more being seen, and increased complexity. The move towards using the social care system for statutory complaints has been delayed, again due to Covid-19 implications.

It is very encouraging to note the compliments that are being received by teams and staff and at a time when many may criticise Adult Social Care, there are also many that take time to thank and appreciate the good work that individuals and teams undertake. This should give staff and teams a morale boost to the very difficult role they have.

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	<ul style="list-style-type: none"> Improved recording of information given on financial assessment and charges 	<ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> Monthly performance reporting 1-1 supervision 	<ul style="list-style-type: none"> All 	Ongoing	Case notes 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	<ul style="list-style-type: none"> Reviewing information to ensure it is available and accessible, and provided to people in timely fashion 	<ul style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> Head of Integrated Care Head of Joint Commissioning Unit 	March 2020 and ongoing Implemented February 2018 and for review by March 2020 Review delayed due to COVID-19	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	<ul style="list-style-type: none"> Response times require improvement 	<ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> 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.

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Issues Identified	Lessons Learnt	Action to be taken	Department	Timescale	Review
		care providers back within timescale <ul style="list-style-type: none"> Raise the profile of Complaints and the learning opportunities presented by increased attendance at Team Meetings and presence in various forums, (i.e. staff events). 	Complaints Manager		Improved engagement with providers and other agencies is ongoing.
Quality and level of service received from commissioned providers continue to be affected by recruitment and retention of front line care and support staff		<ul style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> Confidence that invoices reflect actual delivery 	<ul style="list-style-type: none"> Brokerage to ensure that invoices provide evidence of actual service delivery 	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> That financial implications are clear for service users and their financial representatives where there is a change of service 	<ul style="list-style-type: none"> 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. Case file audits and Practice Audits undertaken regularly (although frequency in 2020 has dropped due to COVID-19). Next Practice audits to start 26/11/2020, for one month.

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.	<ul style="list-style-type: none"> Assessments need to be completed to ensure compliance with Care Act 	<ul style="list-style-type: none"> Monitoring and authorisation of assessments –this should be picked up via new social care system 	<ul style="list-style-type: none"> ASC 	Ongoing	<p>March 2021. The new Care Management System (Liquid Logic) went live for ASC in August 2019.</p> <p>Case file audits and Practice Audits undertaken regularly (although frequency in 2020 has dropped due to COVID-19). Next Practice audits to start 26/11/2020, for one month.</p>
Poor Communication	<ul style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> Service management to pick up with teams and raise in team meetings, 121s etc. 	<ul style="list-style-type: none"> All 	Ongoing	<p>Case file audits and Practice Audits undertaken regularly (although frequency in 2020 has dropped due to COVID-19). Next Practice audits to start 26/11/2020, for one month.</p>
Contracts not being signed for top-up arrangements	<ul style="list-style-type: none"> Contracts should be signed to ensure compliance with top-up fee arrangements. 	<ul style="list-style-type: none"> A project to review top up arrangements is underway to be completed by April 2020. 	<ul style="list-style-type: none"> Joint Commissioning Unit 	<p>April 2020</p> <p>Completion of work delayed due to COVID-19</p>	April 2021

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Issues Identified	Lessons Learnt	Action to be taken	Department	Timescale	Review
Resources	<ul style="list-style-type: none"> Resources need to be sufficient to ensure timely responses to complaints and that there is sufficient capacity to ensure process is robust. 	<ul style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> Business Management 	July 2019	January 2020 – Additional resources were put in place, alongside a process review. However during 2020 the implications of Covid-19 and other staffing matters have resulted in the need for a further review of resourcing levels.