

PORTSMOUTH CITY COUNCIL

SOCIAL CARE SERVICES FOR ADULTS

ANNUAL REPORT

**COMPLAINTS AND COMPLIMENTS FOR THE
YEAR 2009/10**

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ANNUAL ADULT SOCIAL CARE COMPLAINTS REPORT

SUBJECT: COMPLAINTS AND COMPLIMENTS 1 April 2009- 31 March 2010

1. PURPOSE

- 1.1 To provide an analysis of all complaints received during the period 1 April 2009 to 31 March 2010 for social care services provided to Adults and to report on representations and compliments received.
- 1.2 To compare these to the previous 12 months and to report on complaints investigated at the external investigation stage of the procedure.

2. ANALYSIS OF COMPLAINTS

- 2.1 For the financial year 2009/2010, there were 52 complaints made about Adult Social Care, compared to 63 in the previous year. This represents a 17% reduction in complaints this year. The following bar graph shows the number of complaints received by quarter over the year from 1 April 2009 and 31 March 2010.



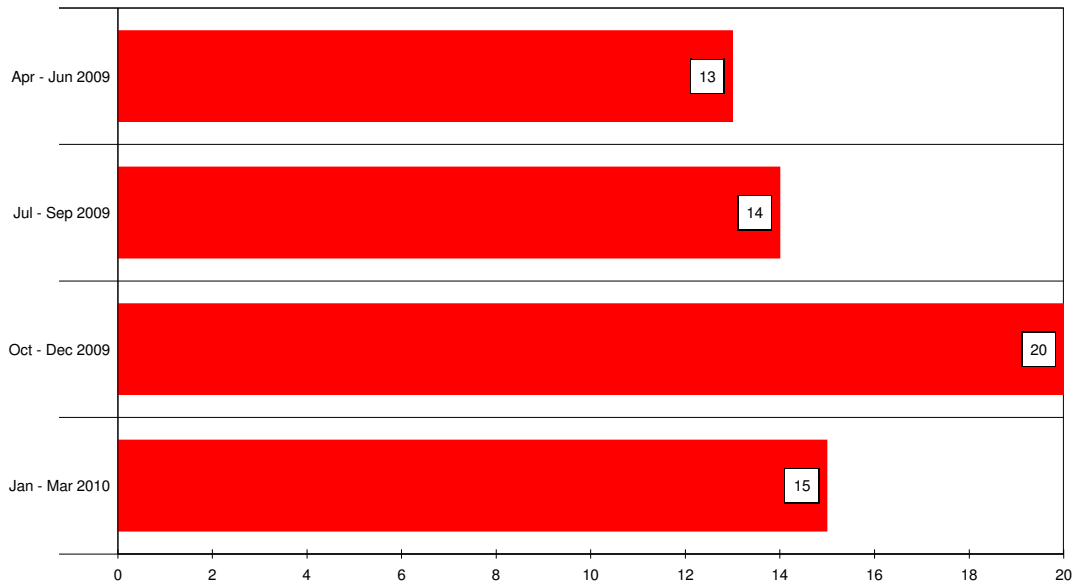
- 2.2 The number of service users for Adult Social Care in the financial year 09/10 was 6814, therefore the 52 complaints represent 0.76% of all the people receiving a service.
- 2.3 From April 2009, the Department of Health guidance on Adult Social Care complaints handling changed. We no longer have a fixed three stage procedure; we now have more flexibility to decide, in agreement with the complainant, how we handle individual complaints.

- 2.4 The majority of complaints continue to be resolved at the early stage of the procedure through work by the team manager or senior manager. However, where resolution is not possible in this way, we retain the option to commission an external investigator to look into complaints (this was formerly Stage 2 of our procedure).
- 2.5 However, if the matter remains unresolved after external investigation, then we no longer hold Review Panels, which used to be Stage 3 of our procedure. We now refer these cases to the Local Government Ombudsman for consideration.
- 2.6 The percentage of complaints requiring external investigation has stayed at a low level this year, at 3.6%. This means that in the majority of cases, managers are successfully resolving complaints themselves. Although we aim to resolve as many complaints without external intervention, there are cases where we are unable to achieve this. Commissioning an external investigator is therefore often a positive move both for the complainant and the council.

Year	Percentage of complaints requiring external investigation	Total number of complaints received
2006/2007	3.7%	81
2007/2008	16.5%	91
2008/2009	3.1%	63
2009/2010	3.6%	52

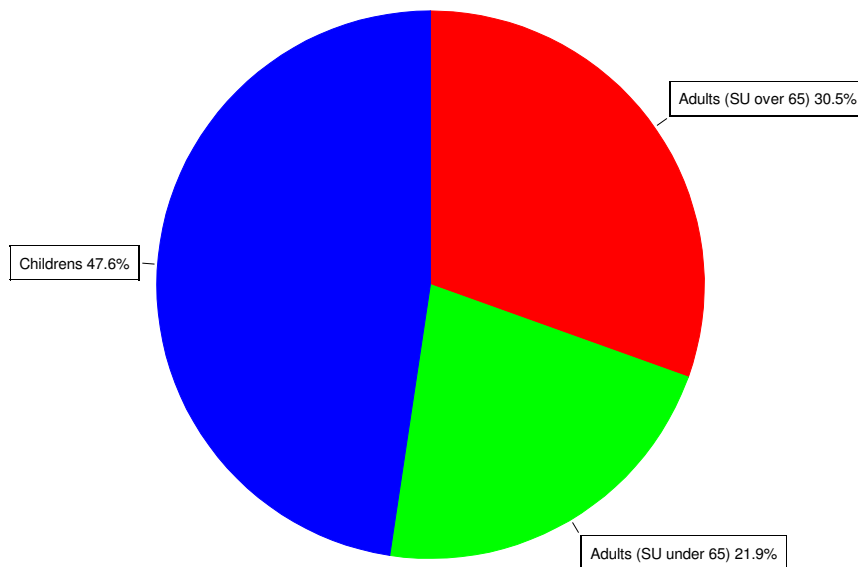
- 2.7 We also log comments that we receive, and we call these Representations. The total number of Representations that we received from April 2009 to March 2010 was 62, compared to 57 in the previous year. Representations are issues that can be resolved quickly without needing investigation, or comments that require action but are not complaints. If a Representation cannot be readily resolved then it will become a complaint.

Adults Representations by month



2.8 To set the complaints figures in context, the pie chart below shows the number of complaints received not only by Adult Social Care, but also by Children's Social Care for the last financial year. These figures also show the proportion of Adult Social Care complaints where the Service User was over 65 and under 65.

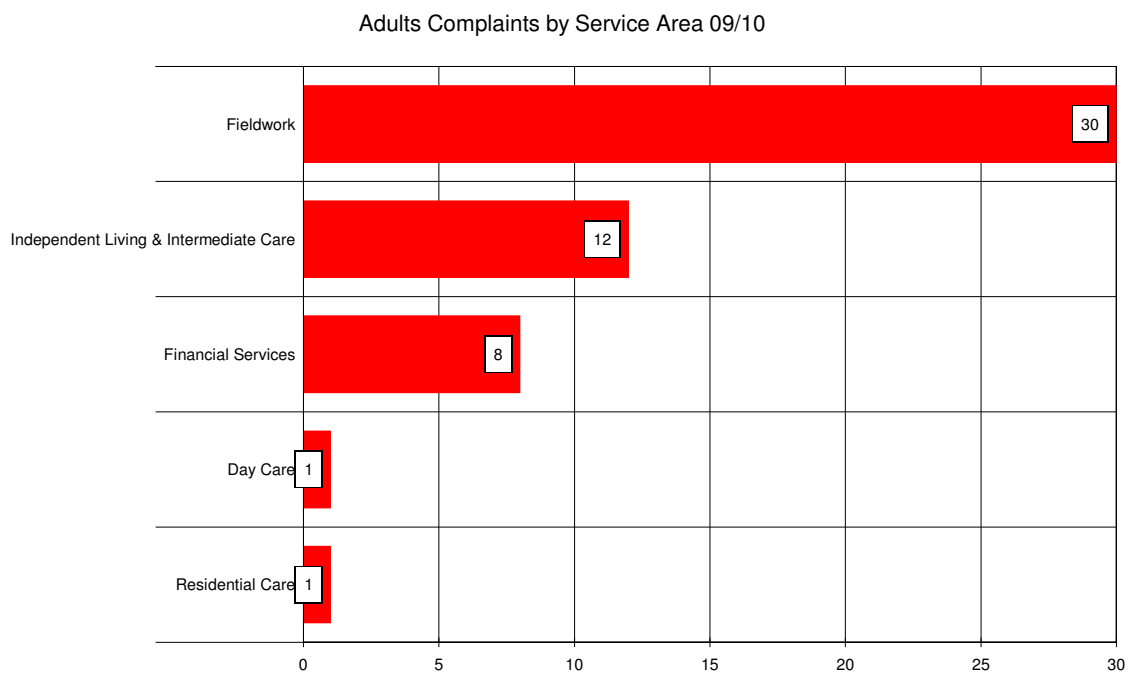
Complaints by Client Group 01/04/09-31/03/10



2.9 The proportions have stayed broadly the same this year, compared to last year:

- 48% of complaints this year were about Children’s Social Care which is the same percentage as last year.
- 30% of complaints were about Adult Social Care (where the Service User was over 65) compared to 28% last year.
- 22% of complaints were about Adult Social Care (where the Service User was under 65) compared to 24% last year.

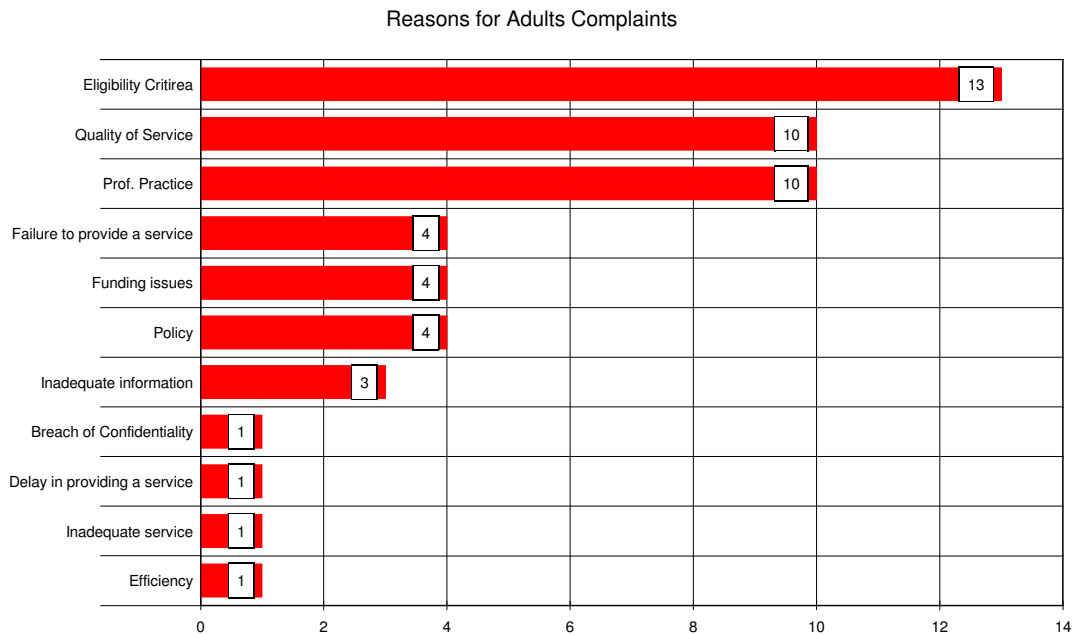
2.10 It is interesting to review how many complaints relate to the different service areas.



2.11 As in previous years, the greatest number of complaints received relate to fieldwork. By fieldwork we mean issues about social work. The second highest number of complaints this year were received for the Independent Living and Intermediate Care service; a service that received only 3 complaints last year. Of the 12 complaints received for this service, seven were related to the change in provision at the Horizon Centre.

2.12 The other service areas that received complaints were Financial Services, Day Care, the Independent Living and Intermediate Care service and Independent Providers.

2.13 It is also important to consider the reasons why complaints were made.



note: “Prof Practice” is an abbreviation for Professional Practice

2.14 For the first time, the most common reason for Adults’ complaints was Eligibility Criteria. Of the 13 complaints in this category seven related to changes at the Horizon Centre. The service provided by Horizon needed to change in line with the government’s agenda to maximise people’s independence, fully utilising community based services, rather than traditional day care facilities. The overall aim was to provide a rehabilitation-focused service for the majority of service users. As expected, the changes were met with some opposition initially, although now service users understand the implications of the changes, the situation appears to be much improved.

2.15 Professional Practice and Quality of Service Issues received 10 complaints each. Examples of the complaints about Professional Practice are:

- Complaint about assessment and decision not to admit relative to hospital (Adult Mental Health Services)
- Complainant thought that a Social Worker’s report was poor and inaccurate
- Relative felt that mother should go into Residential Care while Social Workers wanted to support client at home
- Various issues around a service user’s discharge from hospital and the actions of the Social Worker at that time

Examples of complaints about the Quality of Service provided were:

- Unhappy with treatment and time taken for application for Access to Records.
- Too many changes of worker
- Client complained that further assessment needed even though she had just had one, and only needed 6 weeks extra care
- Package of care did not start when it should have and Social Care did not contact relatives
- Three appointments made and cancelled at short notice by Financial Assessment and Benefit Team. Further assessment promised but did not happen

3. PERFORMANCE

3.1 Under the complaints procedure, we aim to send complainants a full reply within 10 working days if possible, or if the matter is more complicated, the target timescale is 20 working days. We encourage staff to ensure their responses are proportionate to the time they have taken to investigate the matter and write the letter. The extent to which we have met the timescales can be seen here:

3.2 Adult Social Care

Full Reply Performance (working days)	Financial Year 2008/2009	Financial Year 2009/2010
0-20 days	70% (of which 43% within 10 days)	82% (of which 54% within 10 days)
20 + days	30%	18%

3.3 Performance has improved significantly for Adult Social Care this year. We have replied to 82% of complaints within 20 working days, which is an increase of 12% compared to last year. Further of those, 54% received their reply within 10 working days which again is a great improvement over last year's 43%.

We are really pleased with this as we know that the message from the complaints team about the benefits of positive complaints handling is reaching colleagues. This has led to staff throughout Adult Social Care appropriately prioritising complaints and to more complainants receiving a timely response.

4. COMPLAINTS REQUIRING EXTERNAL INVESTIGATION

- 4.1 If we have been unable to resolve a complaint in-house, we can commission an external investigator, plus Independent Person if necessary, to investigate the complaint. The investigators have full access to all the files and to any staff who need to be interviewed.
- 4.2 During the period, as we saw earlier, the number of Stage 2 Investigations continued at a similar level to last year. We feel that Stage 2 investigations are a positive move in certain cases where the department feels they have done everything they can to resolve a complaint but the complainant remains dissatisfied. The amount paid out by the Complaints Department for external investigators' fees in the current financial year was £7,859.41, and part of this included payment for a complaint that was received in the financial year 08/09. Part of this also included a complaint that was logged as Children's Social Care, but involved the transition to Adult Social Care, so the latter met half the cost of the investigation.
- 4.3 From April 2009, holding a Stage 3 Review Panel for Adult Social Care complaints has no longer been an option as this has been replaced by referral to the Local Government Ombudsman. Therefore, as would be expected, the number of cases being referred by complainants to the ombudsman has increased.
- 4.4 The number of Adult Social Care cases referred to the Local Government Ombudsman was seven this year compared to four last year. Of those complaints, we have received decisions from the Ombudsman on four of them and for three we are awaiting decisions.

The four Ombudsman decisions were:

- Two decisions of no or insufficient maladministration found
- Two decisions that the complaints were premature. This means that the City Council had not been given sufficient opportunity to try to resolve the complaints. Both of these cases were subsequently resolved without further intervention from the Ombudsman.

5. ADVOCACY

- 5.1 In our complaints leaflet we tell people that they can get help if they need it to make a complaint. This can be an informal arrangement with a friend or family member or more formally through an advocacy organisation.
- 5.2 In practice, three Adult complaints received for this period were made by an advocate on behalf of a service user. The advocates in these cases were all from South of England Advocacy Projects (SEAP). Some complaints continue to be made by relatives on behalf of service users or by service users' friends or carers. Councillors and MPs also sometimes make complaints on behalf of their constituents.

6. PROPORTION OF COMPLAINTS UPHELD

6.1 It is interesting to review the percentage of complaints that were upheld at the first stage i.e. the proportion that were considered to be justified to some degree by the manager who responded and investigated.

Category	Adults 08/09	Adults 09/10
Not upheld	32%	38.5%
Partially upheld	45%	31%
Upheld	15%	13.5%
Other (withdrawn, straight to external investigation, etc.)	8%	17%

6.2 This shows that 44.5% of complaints for Adult Social Care were considered to be justified in some way this year compared to 60% last year. We therefore accepted that a significant proportion of Adults' complaints had some foundation, and in some of these cases, actions will have been proposed to improve the situation for the future.

6.3 Examples of the types of improvements made or actions taken as a result of Social Care complaints are:

- Various actions to be taken to improve the IT suite at the Horizon Centre. These included repairing printers and building a new machine
- Access to Records- offer service user the option to collect documents in person or if they are posted, send them recorded delivery. If delay, notify service user and retain copy of all records supplied
- There were changes in the service provided by the Horizon Centre, which led to seven complaints being received. Some learning points were identified across these complaints, mainly issues around communication. Specifically, where there is a change in service provision, we will ensure we acknowledge that service users may find any change unsettling, even though in the long term they may find it acceptable. In these cases, meetings were arranged with the relevant managers and service users to allay fears and these appeared to be very successful.
- In terms of organisational learning, we are now more aware that when we receive complaints from relatives on behalf of service users, we need to be sure of the service users' views and wishes too. Clearly it is important to address relatives' concerns, but if the issues raised in a complaint affect the care of the service user, then we ascertain their views and take them into account.

7. COMPLAINTS RECEIVED BY SOLENT HEALTHCARE

Our Adult Mental Health Services are jointly run by Portsmouth City Council and Solent Healthcare. Complainants can contact either organisation if they need to make a complaint. For the year 2009/2010, Solent Healthcare logged 66 complaints for Adult Mental Health Service. Further detail will be included in their Annual Report.

8.COMPLIMENTS

We also receive compliments and thanks for services we have provided. For the period 1 April 2009 to 31 March 2010, we received 36 compliments for Adult Social Care Services, which is slightly down compared to 47 last year.

Adult Social Work Teams received the most compliments (15), followed by Occupational Therapy which received five. The Independent Living Service received three compliments, as did Longdean Lodge which received the most compliments among our residential care homes this year. In the previous two years, Edinburgh House received the most compliments of our residential homes but this year Edinburgh House, The Lodge and Alexandra Lodge received two compliments each. The Mental Health Services team at Acorn Lodge also received two compliments. The Horizon Centre and Hilsea Lodge received one compliment each.

9. PERSISTENT COMPLAINANTS POLICY

The council published its new Persistent Complainants' Policy in October 2008, which provides guidance on dealing with the small number of complainants who take up an unwarranted amount of council resources or impede the investigation of their complaint. In Social Care this year we have invoked the policy once and have found it to be a very useful tool.

10. COMPENSATION PAID

Sometimes it is appropriate to pay compensation to a complainant to resolve their complaint. Also, sometimes we will reduce the amount of a complainant's invoice to resolve a complaint, which is similar to compensation. As a result of complaints received in this period, we have made the following payments of compensation:

- **£5,040 invoice written off in acknowledging financial implications not fully explained and errors made in instigating financial assessment**

11. TRAINING

The Complaints Managers had been running half day training sessions called Positive Complaints Handling. Due to the good feedback received for these courses and the amount of material we aim to cover, we have now (from 2 July 2010) made this a full day course, which is available for all Social Care staff.

Since September 2009, we have used a training tool which is in a board game format, called "Complaints Made Easy". This makes covering the subject of complaints handling more appealing and retains the participants' interest throughout the day. We provide a refresher on complaints handling, outline the recent changes in complaints legislation and generally encourage a positive attitude to complaints with avoidance of a blame culture. Nine sessions have been run to date and the feedback has been very encouraging. Further, the impact has been noted in the workplace where attendees have returned with renewed enthusiasm and confidence in complaints handling.

12. COUNCILLOR ENQUIRIES

Another way in which service users may contact us is through their Councillor. If a complaint is made by a Councillor it will be included in the complaints figures shown earlier in this report. However, if it is an enquiry it is not included in these. In total for this period we recorded 25 Councillor Enquiries for Adult Social Care. The responses provided in respect of these, may have meant that for some people their issues were resolved and did not need to move on to become complaints.

13. SATISFACTION SURVEYS

We usually send a survey form to complainants once their complaint has been closed. In the past year we have sent out only 27 surveys due to a technical problem with our database that re-emerged without us realising. Of the 27 surveys sent, only one was received back, so as a proportion this is a poor return (4%). There is therefore no significant data that we can take from surveys this year.

SUMMARY

- Complaint levels have decreased by 17% since last year
- 3.6% of complaints reached Stage 2 of the procedure, which is a continuation at a normal level after an increase in 07/08
- In terms of complaints about different client groups, we continue to see a return to the original pattern of approximately half complaints being for Adult Social Care and half for Children's Social Care
- The top Service Area for Adults' Services was: Fieldwork which was the same as last year
- The reason stated this year for the greatest number of complaints was Eligibility Criteria

- Performance on 20 day responses for Adult Social Care has improved significantly this year from 70% last year to 82% this year
- Performance on 10 day responses for Adult Social Care has also improved this year with 54% of responses being sent within 10 working days this year compared to 43% last year
- Two investigations were carried out at Stage 2 of the procedure this year and one of these was carried out at the request of the Assistant Head of Service and funded by him instead of the Complaints department
- Seven complaints were referred to the Local Government Ombudsman
- Three complainants have used advocacy services this year
- 44.5% of Adults complaints this year were upheld to some degree, compared to 60% last year.
- Adult Social Care received 36 compliments this year which is less than last year's 47
- Social Care complaints team has found the new corporate policy on Persistent Complainants very useful and has invoked it once this year
- We have made one offer of compensation to a complainant whose invoice was written off
- Complaints Managers have continued the complaint training sessions for Social Care staff which are being very well received

The Complaints Managers will continue to support operational staff and managers in handling and responding to complaints in the future. We aim to continue to increase our learning from complaints, to disseminate good practice and to achieve more service improvements as a result.

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Complaints Managers for Social Care

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