

**PORTSMOUTH CITY COUNCIL**

**SOCIAL CARE SERVICES FOR ADULTS AND  
CHILDREN**

**ANNUAL REPORT**

**COMPLAINTS AND COMPLIMENTS FOR THE  
YEAR 2008/09**

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# ANNUAL SOCIAL CARE COMPLAINTS REPORT

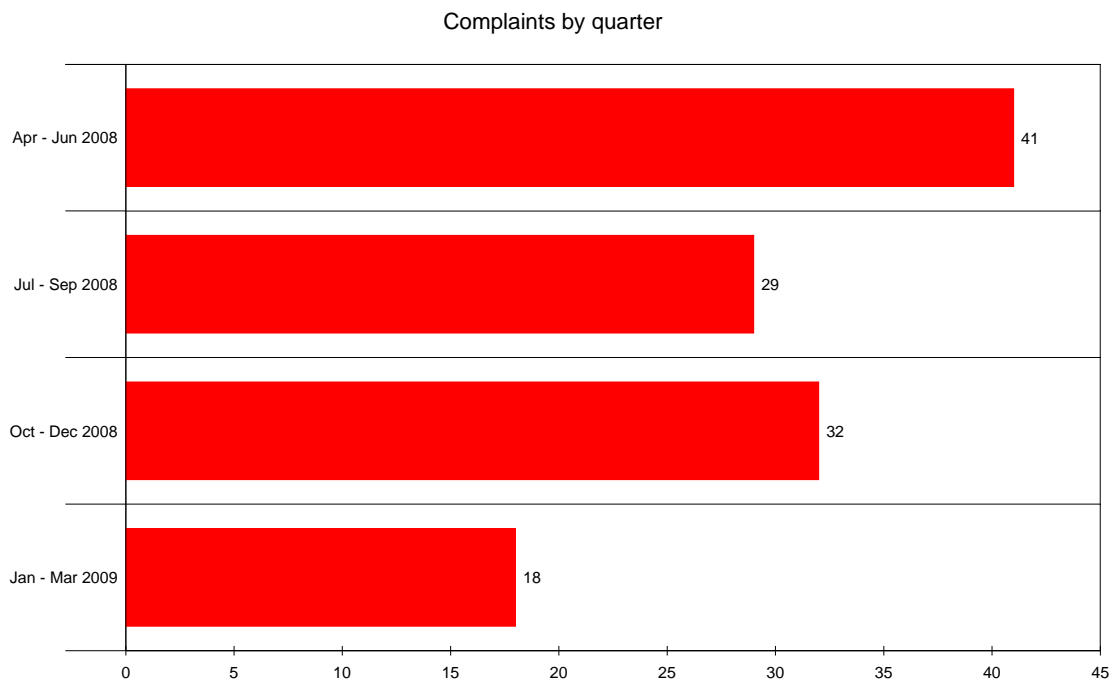
**SUBJECT: COMPLAINTS AND COMPLIMENTS 1 April 2008- 31 March 2009**

## 1. PURPOSE

- 1.1 To provide an analysis of all complaints received during the period 1 April 2008 to 31 March 2009 for social care services provided to Children and Adults and to report on compliments received.
- 1.2 To compare these to the previous 12 months and to report on complaints investigated under Stages 2 and 3 of the procedure.

## 2. ANALYSIS OF COMPLAINTS

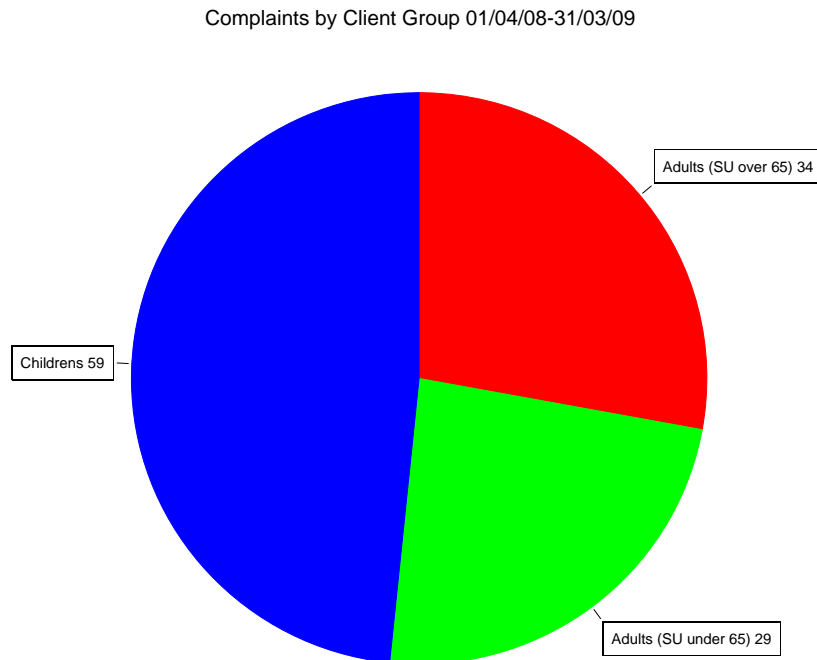
- 2.2 Stage 1 (Informal or Problem Solving stage).
- 2.3 The following Bar Graph shows the number of complaints received by quarter over the past years i.e. between 1 April 2008 and 31 March 2009.



- 2.4 The vast majority of complaints are resolved at Stage 1 of the procedure. The number of complaints received this financial year has decreased compared to last year from 137 to 120 this year. In the financial year 08/09, the greatest number of complaints arose in the first and third quarters.
- 2.4 The percentage of complaints reaching Stage 2 has returned to a lower level this year, at 4.2%. This means that in the majority of cases, managers are successfully resolving complaints at the first stage. Although we aim to resolve as many complaints as possible at Stage 1, there are cases where we are unable to achieve this. Moving to Stage 2, where an external investigator is appointed, is therefore often a positive move both for the complainant and the council.

<b>Year</b>	<b>Percentage of complaints reaching Stage 2</b>	<b>Total number of complaints received</b>
2001/2002	2.1%	145
2002/2003	3.4%	149
2003/2004	3.7%	191
2004/2005	4.5%	157
2005/2006	9.5%	116
2006/2007	7.5%	120
2007/2008	14.5%	137
2008/2009	4.2%	120

2.6 The pie chart below shows the number of complaints received by each client group for the last financial year

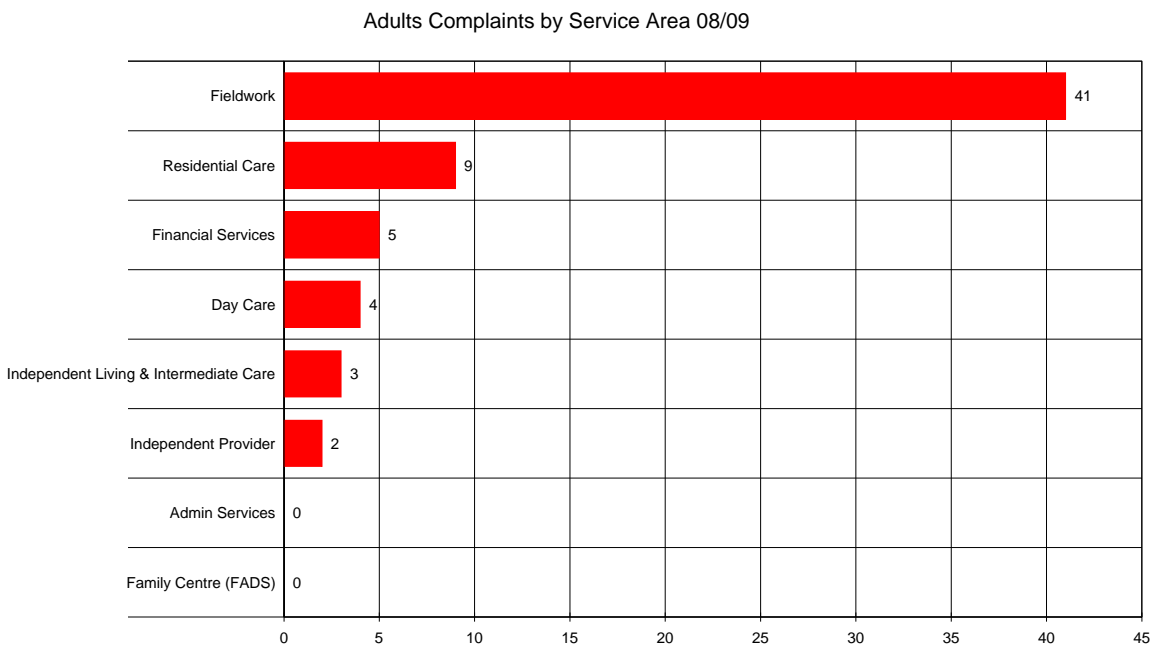
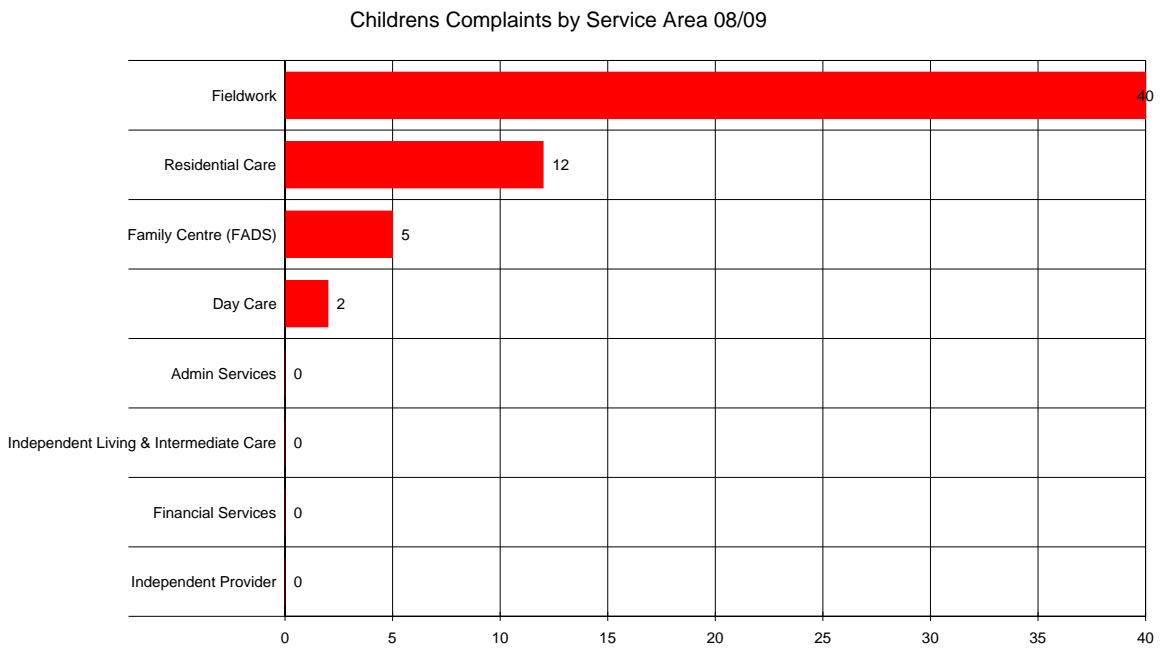


- 48% of complaints this year were about Children's Social Care compared to 34% last year.
- 28% of complaints were about Adult Social Care (where the Service User was over 65) compared to 35% last year.
- 24% of complaints were about Adult Social Care (where the Service User was under 65) compared to 31% last year.

2.7 For the past two years we have seen complaints split almost equally between the three client groups. However this year there has been a return to the previous pattern which shows Children's services accounting for around half the complaints and Adults' services splitting the remainder broadly equally between them.

2.8 In terms of actual numbers, as would be expected with an increase in proportion for Children's complaints, they have increased from 46 last year to 59 this year whilst Adults' complaints have reduced from 91 last year to 63 this year.

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



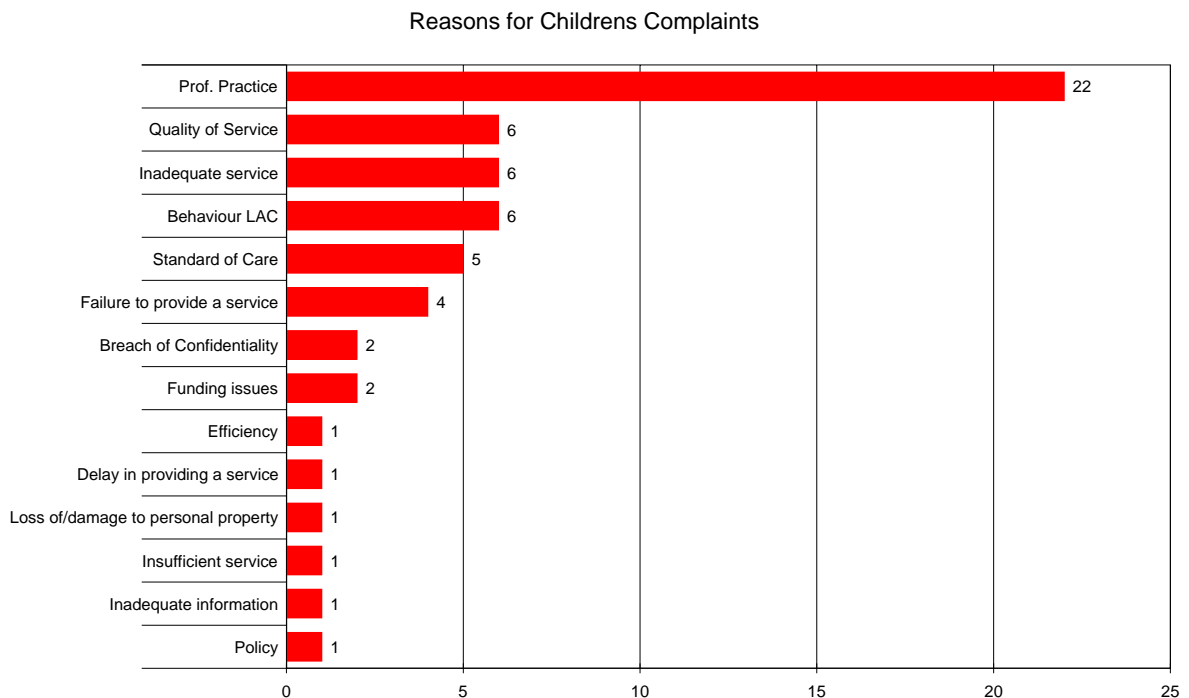
note: The above figures may not equate to the number of complaints received as some complaints affect multiple service areas.

2.10 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 were received for Residential Care and again this follows the pattern of previous years.

2.11 For Children’s Social Care, the remaining complaints were received about Family Centres and Day Care.

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

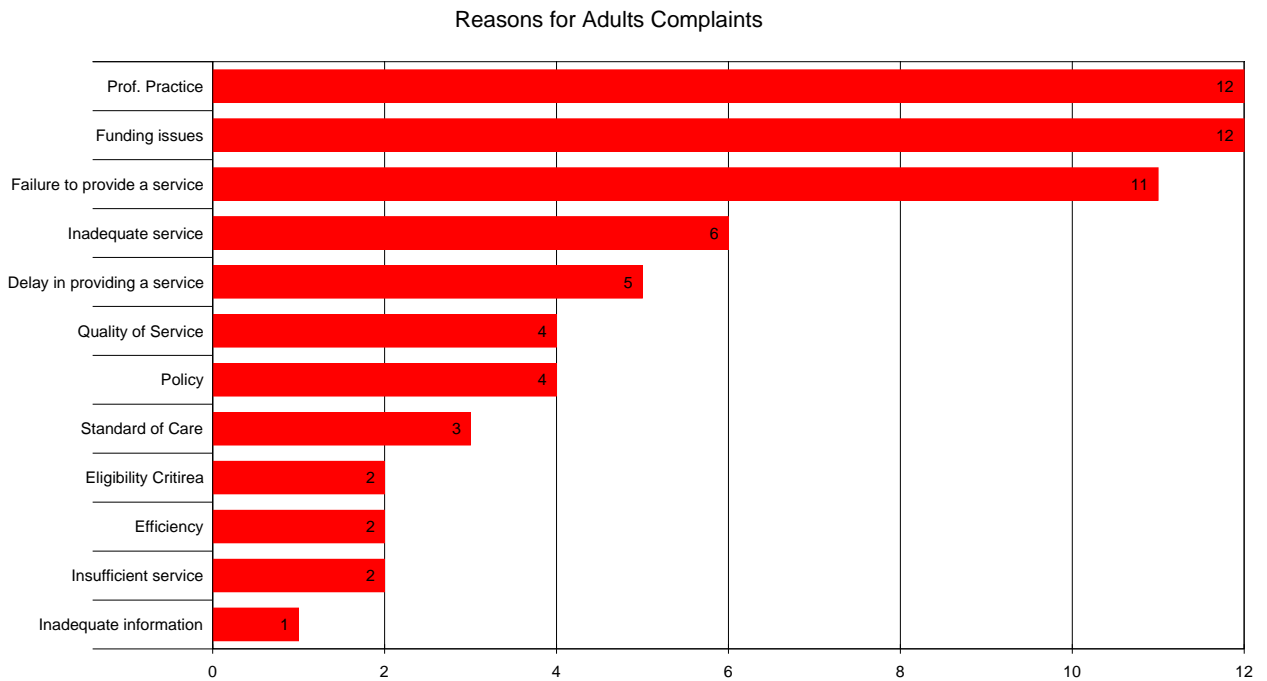
2.13 It is also important to consider the reasons why complaints were made.



notes: “Prof Practice” is an abbreviation for Professional Practice  
 “Behaviour LAC” means the behaviour of a Looked After Child (usually in a children’s home)  
 the above figures may not equate to the number of complaints received as some complaints have multiple reasons.

2.14 As in previous years the most Children’s complaints were received for the category of Professional Practice. Examples of the types of complaint that fall into the category of Professional Practice are:

- Complainant unhappy with recent planning meeting and felt that nothing new was offered
- Complainant frustrated that she could not speak to a particular social worker
- Complainant (mother) asking why she was not told that her children were no longer living with their father and now living with their grandparents
- Complainant (grandmother) unhappy that she cannot see her grandson and feels the bond between them will be broken



note: “Prof Practice” is an abbreviation for Professional Practice  
the above figures may not equate to the number of complaints received as some complaints have multiple reasons.

2.15 The most common reasons for Adults' complaints are Professional Practice and Funding Issues, closely followed by Failure to Provide a Service. Examples of the complaints about Funding Issues are:

- Family felt they should not have been liable for top-up fees
- No financial assistance for mother's care home fees
- Complainant (daughter) felt that nursing home fees should have been paid by NHS
- Complainant (god-daughter) was extremely unhappy that client was no longer fully funded as they could not cover the shortfall
- Complainant (daughter) said that care was reduced without notice or discussion

Examples of complaints that there was a Failure to Provide a Service were:

- Numerous visits and letters but not offered any help
- Client said she was not offered extra help when she had an injury
- No social worker allocated

### 3. PERFORMANCE

3.1 The complaints procedure states that complainants should be sent a full response to their complaint within 20 working days. However, from April 2007 we have been aiming to reply to complaints within 10 working days if possible and we have been measuring this. An indication as to the extent to which the targets have been met can be seen here:

#### 3.2 Adult Social Care

<b>Full Reply Performance</b> (working days)	<b>Financial Year 2007/2008</b>	<b>Financial Year 2008/2009</b>
0-20 days	72% (of which 43% within 10 days)	70% (of which 43% within 10 days)
20 + days	28%	30%

3.3 Performance has reduced slightly for Adult Social Care this year, although it remains good at 70% of complaints being responded to within 20 working days. This year for the second time, we have measured the number of complaints that were responded to within 10 working days which is the same as last year.

### 3.4 Children's Social Care

<b>Full Reply Performance</b> (working days)	<b>Financial Year 2007/2008</b>	<b>Financial Year 2008/2009</b>
0-20 days	76% (of which 57% within 10 days)	76% (of which 39% within 10 days)
20+	29%	24%

- 3.5 Performance has stayed the same for Children's Social Care this year, although the number of complaints responded to within 10 working days has reduced and this is disappointing. Some complaints will legitimately take longer to complete for example, if there are a number of staff to be interviewed. Our main aim is that the length and detail of the response is proportionate to the time taken.

## 4. COMPLAINTS REACHING THE FORMAL STAGE

- 4.1 Complaints reaching Stage 2 (Formal or Registration Stage) of the process. This is where we commission an external investigator, plus Independent Person if necessary to come in and 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 returned to a more normal level after an increase last year. Five Stage 2 investigations were initiated compared to 20 in the previous year. Of these:
- three were for Children's Social Care
  - two were for Adult Social Care

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.

- 4.3 We did not need to hold any Stage 3 Review Panels this year and this is not unusual, as very few complaints reach this stage. Last year we did see an unusually high number of panels as we held six. Under the new Department of Health Regulations effective from 1 April 2009, holding a Stage 3 Review Panel for Adult Social Care complaints will no longer be an option as this has been replaced by referral to the Local Government Ombudsman. For Children's Social Care, we can still hold Review Panels if appropriate and if the complainant remains dissatisfied after a panel, they can refer to the Local Government Ombudsman.

4.4 The number of cases we referred to the Local Government Ombudsman last year was four. In two of those cases, the Ombudsman recommended payment to be made in connection with a failure to monitor and review service provision effectively, resulting in loss of service provided (see the section on compensation payments made). In one of the other cases we are awaiting the final outcome, but the provisional advice is that this complaint will not be upheld. In the final case, we await the outcome and are uncertain what this will be.

## 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. Looked After Children who make a complaint are given the details of the National Youth Advocacy Service with whom the council has a contract and whom the young person can contact for help.

5.2 In practice, two Children's complaints and nine Adult complaints received for this period were made by an advocate on behalf of a service user. This is an increase in complainants using advocates as last year only two complaints received were made by advocates. 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 Stage 1, i.e. the proportion that were considered to be justified to some degree by the manager who responded and investigated.

Category	Adults (last year's figure in brackets)	Children (last year's figure in brackets)
Not upheld	32% (53%)	53.5% (37%)
Partially upheld	45% (27%)	29.25% (43%)
Upheld	15% (12%)	10.25% (13%)
Other (withdrawn, straight to Stage 2, etc.)	8% (8%)	7% (7%)

6.2 This shows that 60% of complaints for Adult Social Care were considered to be justified at least in some way this year compared to 39% last year. For Children's Social Care, the figure is 39.5% this year compared to 56% last year. We therefore accept that this year more than half of Adults' complaints and almost 40% of Children's complaints had some foundation. 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:**

- Staff member will not be involved in any future assessments until they have attended training on dealing with sensitive situations and how to improve communication skills in this situation
- Several complaints were upheld as the clients/families were not given full information about funding arrangements when client first moved into Residential Care. Investigation discovered that there was no information available for social workers to give out to clients and their families after previous leaflets were withdrawn. New leaflets are now being published with the aim of ending confusion in this area.
- A number of changes of working practice for night carers. For example: notes to be handed over by the night service in the morning, and staff to both be responsible for client's house keys. Staff to sign in and out separately on duty and bags to be prepared/replenished/checked at end of each shift.
- Night care service restructured, a third team leader recruited
- The city council to work with Home Care agencies so that we further reduce incidents of clients being overcharged when care not provided

### **7. COMPLIMENTS**

We also receive compliments and thanks for services we have provided. For the period 1 April 2008 to 31 March 2009, we received 47 compliments for Adult Social Care Services and seven compliments for Children's Social Care services.

Adult Social Work Teams received the most compliments (10), followed by Occupational Therapy which received 9. Edinburgh House received the most compliments (6) for a Residential Care home for the second year running. The Sensory Impairment and Deaf Services team also received the same number of compliments. The Royal Albert Day Centre for Older Persons received the most compliments (5) for a Day Service.

### **8. PERSISTENT COMPLAINANTS POLICY**

The council published its new Persistent Complainants' Policy last October, 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 three times and have found it to be a very useful tool.

## **9. COMPENSATION PAID**

Sometimes it is appropriate to pay compensation to a complainant to resolve their complaint. As a result of complaints, we have made the following payments of compensation:

- £1500 for loss of professional earnings
- £100 each for 24 tenants in Supported Living Service
- £250 to two complainants for time and trouble in making their complaints (although neither accepted the cheques which they returned in protest.)

## **10. TRAINING**

The Complaints Managers have started to run half day training sessions called Positive Complaints Handling, which are available for all Social Care staff. These 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. Four 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 for complaints handling.

## **11. REPRESENTATIONS AND COUNCILLOR ENQUIRIES**

Representation is the term we use to describe comments received that are not compliments or complaints. We recorded 57 representations for Adults' Services and 44 for Children's Services during the year. These are mainly enquiries that can be readily resolved without the need to become complaints.

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 43 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.

## **12. 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 66 surveys due to a technical problem with our database that recently came to light. Of the 66 surveys sent, 14 were received back, so as a proportion this is a reasonable return (21%).

A summary of the information on the returned surveys is as follows:

- The majority of those responding found out about the complaints procedure from a member of staff (7 people) while two people said they found out from the leaflet
- Most people (11) said they did not want help to complete their complaints form. One person said they did want help but did not get it. The Complaints Managers are available to help anyone in putting their complaint together, and if an advocate is required, then they can assist in finding a suitable advocate for complainants
- 79% of people said that Social Care staff made them feel it was OK to complain and this is a good reflection of front line staff.
- We ask respondents to set aside the outcome of their complaint and to comment on whether they felt the investigation was thorough. Disappointingly, 57% did not feel that the investigation was thorough, although we feel that in spite of the way the question is worded, the response to this is affected by whether the outcome was what the complainant wanted.
- Seven complainants said they did not go to the next stage of the procedure because they felt it would be a waste of time and would not achieve anything. Five complainants said they did not need to go on to the next stage of the procedure because they were satisfied.
- We aim to keep complainants informed throughout the life of their complaint. Unfortunately, eight complainants felt that the way they were kept informed was at best below average and at worst very poor. On the other hand, six people said they felt the way they were kept informed was above average or very good.
- In terms of their overall experience of the process, four people felt it was very poor and four felt it was very good. Three people felt it was above average, and two felt it was below average or poor. One person felt it was average.

## **SUMMARY**

- Complaint levels have decreased by 12% since last year
- 4.2% of complaints reached Stage 2 of the procedure, which is a return to a normal level after an increase last year
- In terms of complaints about different client groups, we have seen a return to the original pattern of approximately half complaints being for Adult Social Care and half for Children's Social Care
- The top two Service Areas were the same for Adults' and Children's services: Fieldwork and Residential Care
- The reason stated for the greatest number of complaints was dissatisfaction with Staff Professional Practice
- Performance on 20 day responses for Adult Social Care has reduced slightly this year, with 10 day responses staying the same

- Performance on 20 day responses for Children’s Social Care has stayed the same this year, although the proportion of responses being done within 10 days has reduced
- Five investigations were carried out at Stage 2 of the procedure this year
- We did not need to hold any Stage 3 Review Panels this year
- More complainants have used advocacy services this year than last year
- 60% of Adults complaints this year were upheld to some degree, compared to 39% last year. 40% of Childrens complaints this year were upheld to some degree compared to 56% last year
- Adult Social Care received 47 compliments this year which is one more than last year. Children’s Social Care received seven compliments this year compared to one last year
- Social Care complaints team has found the new corporate policy on Persistent Complainants very useful and has invoked it three times
- We have made three offers of compensation to complainants
- Complaints Managers have restarted complaint training sessions for Social Care staff

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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