

Coventry City Council
Adult Social Care Complaints and Representations Annual Report
1st April 2014 to 31st March 2015.

1. Introduction

Local Authorities are required by law (National Health Services and Community Care Act 1990) to have a system for receiving representations by or on behalf of people in need of Adult Social Care support who have a range of support needs due to a disability or frailty. Services cover assessment and case management, direct service provision or the arrangement of a range of services, including: support at home, day opportunities, supported housing, intermediate, residential and nursing care or provision of equipment.

This report will provide information from comments, compliments and complaints in relation to Adult Social Care services responded to under the Statutory Complaints Procedures, during the period 1st April 2014 to 31st March 2015 with specific reference to:

- The range of representations received and responses to them
- Specific trends and issues that emerged in the reporting year

The Local Authority Social Services and National Health Services Complaints Regulations (England) 2009 changed the process for handing of complaints within Adult Social Care on the 1st April 2009. The purpose of the revised regulations was to align the complaints processes for Adult Social Care and Health to enable joint handing of complaints across health and social care where appropriate. This also meant that the process for dealing with complaints via the statutory procedures was streamlined from a three stage process to a one stage process. The statutory regulations focus on regular dialogue and mutually agreed timescales.

2. Summary

- There were 33 statutory complaints made within the year. 21 (64%) of these complaints were fully or partially upheld compared with 57.4% in 2013/14. More complaints were recorded in 2013/14 (61), however this figure is believed to include some enquiries that were resolved informally or dealt with through other corporate procedures and some complaints that were withdrawn.
- The Local Government Ombudsman considered 13 enquiries regarding Adult Social Care, one of which was upheld.

3. Promoting Access and Responding to Feedback

Representations from people who use our services and their families provide a useful source of information about quality of service delivery, professional practice and the outcome of management decisions. A key part of the complaints process is how, as an organisation, we learn from negative experiences and use this to improve service delivery. Adult Social Care Services always welcomes feedback. There are a number of ways people can make their views known.

These include:

- Telephoning or emailing the main City Council Contact Centre
- Telephoning the People Directorate Office
- Direct to the service if the issue has not been resolved.
- Writing or E-mail to the Adult Social Care Customer Relations Team
- The Coventry City Council Website (accessible via the home page and social care page) provides information on how to make a complaint, advocacy services and the statutory complaints process
- The corporate Speak Up We're Listening leaflets are available at all Council reception points and made available off site on request

As with previous years, most complaints have been received through the Contact Centre.

4. Complaints

Where possible issues/complaints are handled at point of delivery. It is when a person feels that they are still not satisfied then it is recorded as a formal complaint.

The number of complaints has decreased, from 61 in 2013/14 to 33 in 2014/15. The number of upheld complaints is detailed below.

Decision	Upheld	Part Upheld	Not Upheld
Complaints	9	12	12
%	27%	36%	36%

4.1 Complaints investigated

The 33 formal complaints received in relation to Adult Social Care represent less than 0.5% of 9,747 people who contacted Adult Social Care in 2014/15. Where possible issues/complaints are handled at the point of delivery, and it is only when a person feels that they are still not satisfied that it is recorded as a formal complaint. The length of time to investigate and resolve complaints depends on their complex nature. The process involves agreement of a complaint resolution plan and jointly agreed timescales.

4.2 Statutory Complaints about external providers.

There is a statutory responsibility for providers of residential and domiciliary care services to have a complaints procedure that complies with the Care Homes Regulations 2001, the Care Standards Act 2000 and the National Minimum Standards. There is an expectation that the client pursues a complaint with provider organisations through their own complaints procedures. However, if the client is dissatisfied with the response of the provider or if they wish to pursue the complaint through the statutory adult social care complaints process, they have the right to do so. This was previously through case law, but in October 2009 this was embedded in the regulations. Where possible, we do encourage complainants to utilise the providers' complaints procedures in the first instance.

In relation to external providers, the Adult Social Care Commissioning Team investigates these complaints and, where required, action plans are put in place to ensure service standards were improved. In some cases the representations are routed via the safeguarding procedures and not dealt with as a complaint.

4.3 Timescales

There are no prescribed timescales for resolution. The only stipulation within the regulations is that timescales were reasonable and that the complaints process should be concluded within 6 months. It is acceptable to extend this deadline with the agreement of the complainant. The focus is on mutually agreed timescales by the Investigating Officer and the Complainant. Where originally agreed timescales have been extended, the complainant has been contacted and given an explanation for the delay.

In October 2014, it was agreed that an aspirational target of 20 working days would be set for completion of adult social care complaints. Performance against this target for the second half of the year (since the target was implemented) is as follows.

Timeliness	In 20 working days	Over 20 working days
Complaints	5	12
Total	29.4%	71%

Unfortunately the current process for co-ordinating complaints does not collect specific reasons why timescales were not met. It is believed that this is due to the complex nature of the complaint, meaning that responses have to be more comprehensive and meaningful and take some time to investigate.

4.4 Ombudsman Enquiries

The Local Government Ombudsman during 2014/15 received 13 enquiries/complaints about Adult Social Care in Coventry, 4 of which were assessed as requiring investigation. A report "Complaints to the Local Government Ombudsman 2014/15" was received by the Cabinet Member (Policy and Leadership) earlier in the year. Analysis of the 4 investigated is shown below;

Category	Count
Upheld	1
Not Upheld	3
Total	4

The upheld ombudsman complaint was regarding a delay in carrying out a review of the complainant's care needs. The Council did not take steps to address their social isolation after the scheduled activities stopped. The Council agreed with the Ombudsman's recommendations.

5. Messages, Learning Points and Service Improvements

Social Care services are committed to learning from customer feedback. Where complaints highlight that things have gone wrong, managers must identify any remedial and developmental action required to improve service delivery. Feedback from compliments provides an equally valuable message; clearly affirming when services make a difference and personal qualities have added value to the outcome for users and carers.

Complaints are classified in terms of specific areas of activity including, Adult Protection, Communication and Information, Discrimination, Environment and Equipment, Management Decisions, Professional Conduct and Service Delivery. However complaints often have several elements within them. This section reflects users views on the 4 most common areas of feedback.

Compliments around Adult Social Care are not routinely sent to the relevant team for recording. This is regretful as compliments give a useful insight into the quality of our services. Further work is needed to ensure that compliments are encouraged from service users, and then collected and recorded appropriately.

5.1 Most Common Areas of Feedback

The themes of these complaints can be summarised as follows:

Category	Count	%
Standards of Service	28	85%
Communication	21	64%
Staff Conduct/Performance	8	24%
Finance-assessments	5	18%
Other	2	6%

Please note that a complaint will usually cut across multiple themes, and will have more than one complaint category recorded.

5.1.1 Standards of Service

Central to the Adult Social Care function, standards of care and service delivery, eligibility for services, timeliness in receiving services, characterise the feedback in this category. In keeping with previous years, the majority of feedback falls into this group. 85% of complaints received were in some way related to service delivery and this has to be considered against the impact of meeting or exceeding user and carer expectations and timeliness.

5.1.2 Communication and Information

When users and their families are referred for support, they require information about things they have not encountered before. They also need to be kept informed of progress and decisions. Representations of this nature are categorised in terms of the provision, quality, method and timelessness of information as well as accuracy. The most common complaints are from users or family members who feel they have not been kept informed or when there has been a delay to information being provided or feel officers are not getting back to them.

64% of complaints received were about communication and information. This aspect of work needs constant attention by managers and staff, as the importance of quality and timely communication can never be underestimated and to keep service users and other stakeholders informed is often an additional contributing factor in the other recorded areas such as service delivery and professional conduct.

5.1.3 Staff Conduct/ performance

24% of complaints included an element of staff conduct. When people complained in this category it also involved other elements, the major additional contributing factor being communication. Where fault was found, supervision, training and where necessary Human Resources procedures enacted were the most common actions taken by managers.

5.2 Conclusions

.Whilst the numbers are low we are striving to improve services and have analysed the complaints received and drawn the following conclusions;

5.2.1 Volume

The number of complaints is lower, however, normally there is more than one issue to be resolved. This is reflected in the time taken to respond to a complaint.

5.2.2 Learning

Timely and clear communication is important to delivering an excellent service as maintaining a sense of support and empowerment. Communication can have a significant impact on the user and carer perception of service delivery can be the catalyst for overall dissatisfaction whilst the user sees it as a lack of service delivery. This area of practice needs constant reinforcement for all managers and staff and this is will be taken on board in relation to the customer journey.

There is no current formal mechanism for learning from complaints at a whole service level. There would be benefits to reviewing how learning from complaints can be discussed by managers at various levels of the service.

5.2.3 Resolution

Apologies and explanations are a standard basis for resolution and a feature of formal responses. Outcomes in 2014/15 have included Re-assessment, reimbursement, and changes to the way care homes are visited by council staff to ensure the health and safety of residents.

5.2.4 Service Improvement/Developments for the coming year.

Some consideration need to be given to any changes that will be required as part of the continuous implementation of the Care Act. There were indications in the draft regulations that there could be changes and it has been noticed that changes have already taken place in relation to Social Services Complaints Procedure (Wales) Regulations 2014 involving adding an independent role before escalating to the ombudsman.