

PORTSMOUTH CITY COUNCIL

SOCIAL CARE SERVICES FOR ADULTS

ANNUAL REPORT

**COMPLAINTS AND COMPLIMENTS FOR THE
YEAR 2010/11**

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ANNUAL ADULT SOCIAL CARE COMPLAINTS REPORT

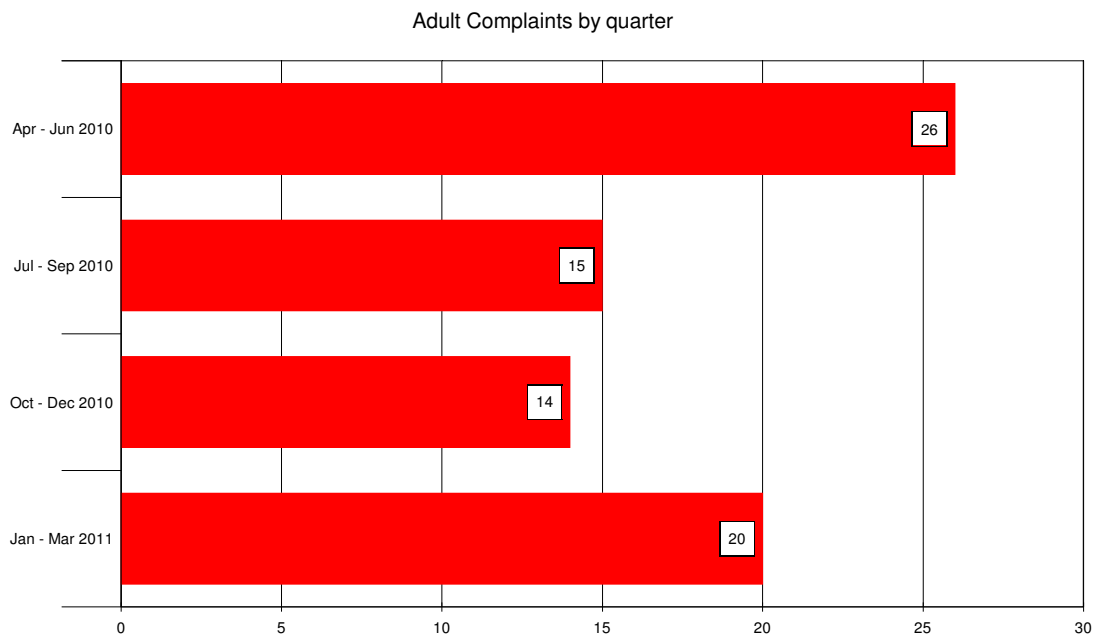
SUBJECT: COMPLAINTS AND COMPLIMENTS 1 April 2010- 31 March 2011

1. PURPOSE

- 1.1 To provide an analysis of all complaints received during the period 1 April 2010 to 31 March 2011 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 2010/2011, there were 75 complaints made about Adult Social Care, compared to 52 in the previous year. This represents a 44% increase in complaints this year. The following bar graph shows the number of complaints received by quarter over the year from 1 April 2010 and 31 March 2011.



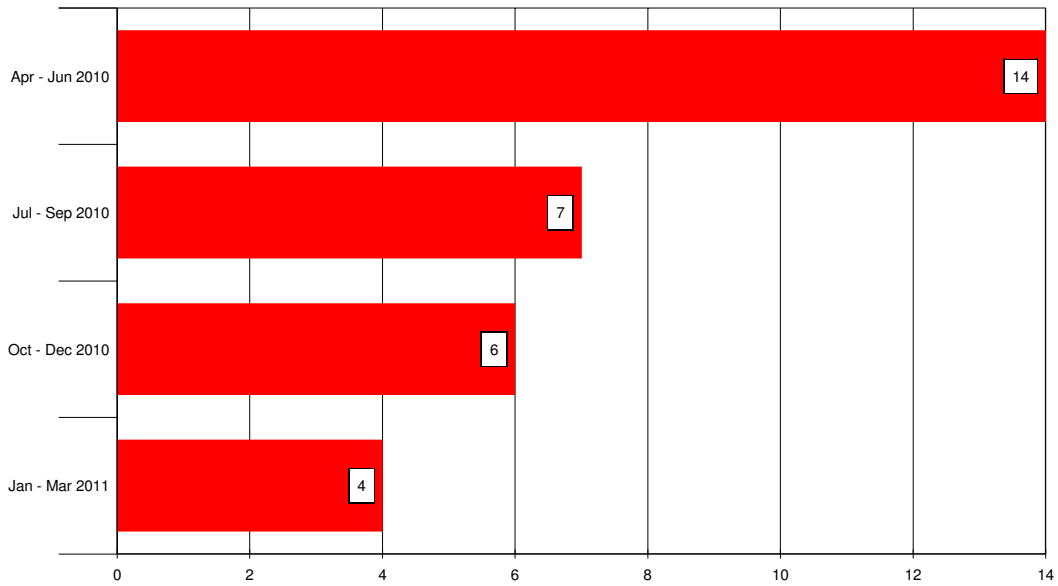
- 2.2 The number of service users for Adult Social Care in the financial year 10/11 was 6182 therefore the 75 complaints represent 1.21% of all the people receiving a service.

- 2.3 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 have the option to commission an external investigator to look into complaints.
- 2.4 If the matter remains unresolved after external investigation, then the complainant can refer to the Local Government Ombudsman for consideration.
- 2.5 The percentage of complaints requiring external investigation has stayed at a low level this year, at 2.7%. 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
2010/2011	2.7%	75

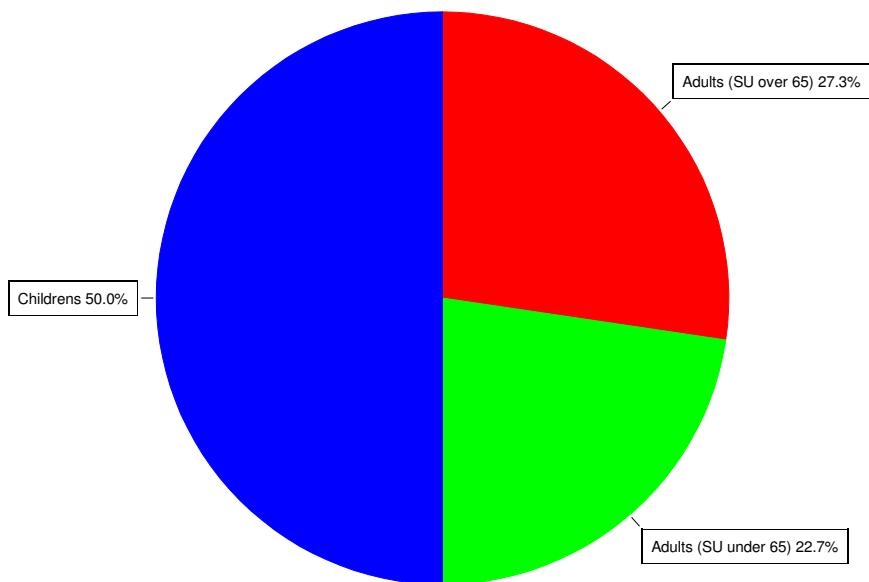
- 2.6 We also log comments that we receive, and we call these Representations. The total number of Representations that we received from April 2010 to March 2011 was 31, compared to 62 in the previous year. Representations are issues that can be resolved quickly without needing investigation, or comments that require action but are not complaints. If a Representation cannot be readily resolved then it will become a complaint.

Adults Representations by month



2.7 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:

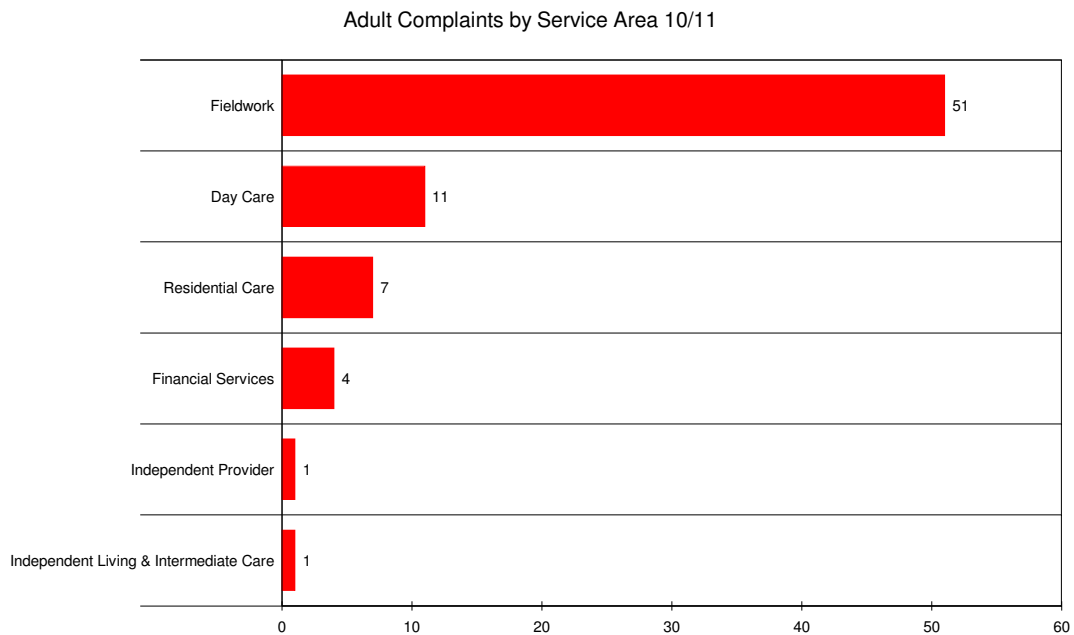
Complaints by Client Group 01/04/10-31/03/11



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

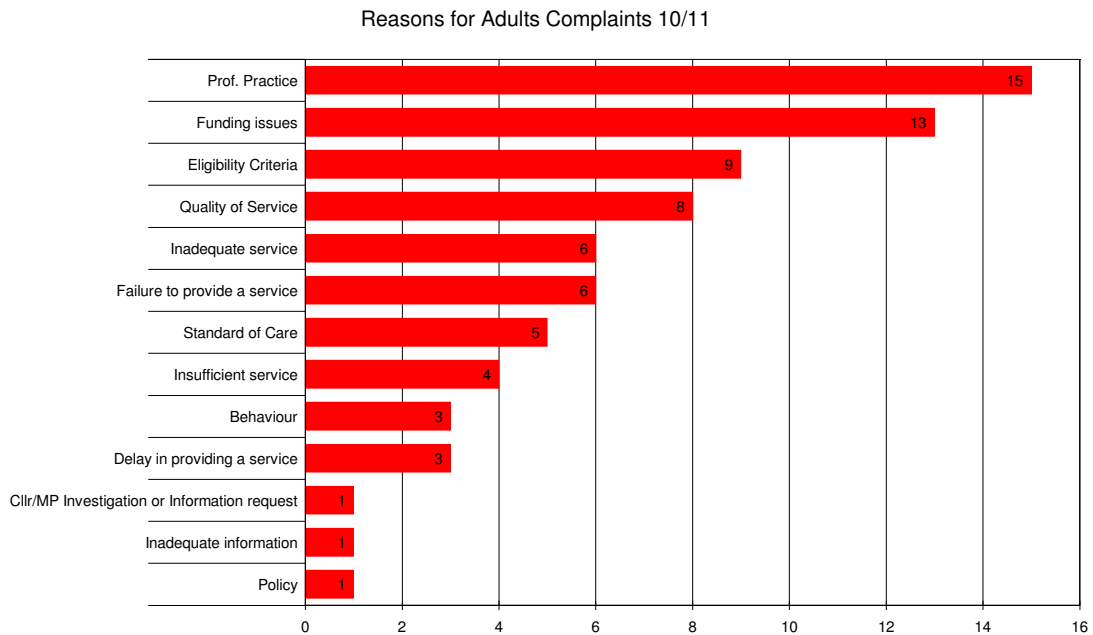
- 27% of complaints were about Adult Social Care (where the Service User was over 65) compared to 30% last year.
- 23% of complaints were about Adult Social Care (where the Service User was under 65) compared to 22% last year.
- 50% of complaints this year were about Children's Social Care compared to 48% 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 Day Care, although this area of work received far fewer complaints than fieldwork. Seven complaints were received about Residential Care and again this is a relatively low number compared to Fieldwork.

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 Professional Practice received the highest number of complaints this year. Examples of the complaints about Professional Practice are:

- Service user’s son unhappy with social worker and felt she was not listening to his mother’s wish to return home (not upheld)
- Complainant thought that a social worker had not given his mother the option to stay at home (partially upheld)
- Joint complaint about Health and Social Care regarding the care planning and discharge for their relative (partially upheld)
- Relative complained that a Face assessment was completed on her mother without her present

Examples of complaints about Funding Issues were:

- Daughter unhappy that the council would not fund her mother’s nursing home place when her funds had been depleted to the threshold (not upheld)
- Not clear about who was funding respite care, even though the social worker organised it (upheld)
- Client unhappy that when she makes the transition from Children’s to Adult Services, she will have to have direct payments to continue using the same services (partially upheld)

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 2009/2010	Financial Year 2010/2011
0-20 days	82% (of which 54% within 10 days)	83% (of which 47% within 10 days)
20 + days	18%	17%

3.3 Good performance has been maintained for Adult Social Care this year. We have replied to 83% of complaints within 20 working days, which is an increase of 1% compared to last year. Our target is 85% so we will continue to work towards that. However, only 47% received their reply within 10 working days, which is a decrease compared to last year's 54%.

We are really pleased that the proportion of complainants receiving a response within 20 working days has remained high, despite a greater number of complaints being received this year. We do accept that some cases will take longer than 10 days to investigate and reply to, if there is a need to interview staff or the matter is complex. However, it is disappointing that fewer complaints were responded to within 10 working days, when our target was to increase to 55%. We should be aiming to send the more straightforward, briefer replies within 10 working days. It is disappointing if there is delay in making a reply that could have been sent in a much shorter timescale.

The Complaints Managers will therefore continue to highlight the importance of dealing with complaints in a timely way and encourage staff to have a positive attitude to complaints handling. Complaints Managers also encourage managers to make a quick initial assessment of a complaint when they receive it, to enable any immediate issues to be dealt with, and to establish that the right person is handling the complaint.

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, we investigated two complaints at Stage 2 of the complaints process. 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 Team for external investigators' fees in the current financial year was £1489.02
- 4.3 The number of Adult Social Care cases referred to the Local Government Ombudsman (LGO) this year was two, compared to seven last year. Of those complaints, one was classed by the LGO as a premature referral, and we have been given the opportunity to resolve this complaint before any further involvement from the LGO. In the other case the Ombudsman did not uphold the complaint and the decision was to "discontinue investigation".

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, two Adult complaints received for this period were made by an advocate on behalf of a service user. One of the advocates was from the South of England Advocacy Projects (SEAP), and one advocate was from the Royal National Institute of Blind People. 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 09/10	Adults 10/11
Not upheld	38.5%	49%
Partially upheld	31%	28%
Upheld	13.5%	20%
Other (withdrawn, straight to external investigation, etc.)	17%	3%

6.2 This shows that 48% of complaints of complaints for Adult Social Care were considered to be justified in some way this year compared to 44.5% 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:

- There were three learning points in respect of one complaint from a father who was concerned at the way his daughter was walked home from day services. Firstly there should be no assumptions by drivers that clients who are walked in will be walked home. Secondly, staff will ring the parent if a service user is late, also staff will consult a map if they are unsure of the route. Finally, staff will not wheel their own bicycle when walking a client home.
- There were several learning points following a case of an older person, who lived at one of our residential homes, but died of a stroke within a week of being told he may have to move out. Firstly staff, that is social workers and residential staff, should never make assumptions and pre-empt their own enquiries and assessments. Secondly, staff should be aware that a person's needs and circumstances may change, so it cannot be assumed that a person's situation will be unchanged from the last review. Thirdly, staff need to check things if they are unsure or unclear and finally, managers need to record their own decisions on client files rather than leaving it to practitioners to record management decisions.

7. COMPLAINTS RECEIVED BY SOLENT NHS TRUST

Our Adult Mental Health Services are jointly run by Portsmouth City Council and Solent NHS Trust. Complainants can contact either organisation if they need to make a complaint. The details of the complaints logged by Solent NHS Trust for Adult Mental Health Services 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 2010 to 31 March 2009, we received 44 compliments for Adult Social Care Services, which is more than 36 last year.

Adult Social Work Teams, including mental health teams, received the most compliments (14), followed by the Independent Living Service which received seven and then Occupational Therapy which had received five compliments. Edinburgh House, Shearwater and Alexandra Lodge all received four compliments. The Orchards (an acute mental health unit) and the Royal Albert Centre received 3 compliments each.

9. PERSISTENT COMPLAINANTS POLICY

The council's Persistent Complainants' Policy 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 twice 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:

- Invoice for respite care written off in acknowledging financial implications not fully explained and delay in instigating financial assessment
- Payment of £2,500 made to a client of the Learning Disability Service. It was made without prejudice to acknowledge problems with support received in managing finances when the service user moved placement

11. TRAINING

The Complaints Managers run 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 any changes in complaints legislation and generally encourage a positive attitude to complaints with avoidance of a blame culture. We run three or four session per year 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.

Recently we have extended the invitation for this course to private providers with whom the council contracts for services. These may be domiciliary care companies or residential homes. New powers came into force from October 2010 for the Local Government Ombudsman (LGO) to investigate complaints from people who arrange their own care. For the first time these "self funders" will have the right to complain to an independent and impartial Ombudsman. We therefore felt that this was a good time to offer private providers the option to come to our training sessions and so far there has been considerable interest in taking this up.

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 59 Councillor Enquiries for Adult Social Care, compared to 25 last year. 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.

Of the 59 Councillor Enquiries received, for 25 of those, we can provide more information on the subject of those enquiries:

Four were about the Learning Disability Team
Four were about the Adults Fieldwork (Medina Cluster)
Three were about Portsmouth Day Services
Three were about Adults Fieldwork (Civic Cluster)
Two were about Occupational Therapy

We will continue to monitor the nature of Councillor Enquiries and will provide more information in next year's report.

13. SATISFACTION SURVEYS

We usually send a survey form to people who have made a complaint or representation once the case has been closed. In the past year we have sent out 56 surveys and received 12 back, so this is a return of 21% which shows quite a good response. Some of the seven responses did not include answers to all questions asked.

We changed the questions in this period and seven of the above returns related to new set of question and the responses were as follows:

Three out of seven responses agreed that it was easy to make a complaint, one strongly agreed, one felt it was neither easy nor difficult, and one strongly disagreed that it was easy to make a complaint. One did not answer.

Three out of seven agreed or strongly agreed that it was made clear to them how their complaint would be handled. One strongly disagreed on this point and one person neither agreed nor disagreed. Two did not answer.

Two out of seven felt they were given good advice by the complaints team, one neither agreed nor disagreed, one disagreed and one strongly disagreed. Two did not answer.

Two were happy with the time taken to deal with their complaint, two neither agreed nor disagreed, and one strongly disagreed. Two did not reply.

Three agreed or strongly agreed that staff were courteous in dealing with their complaint. One neither agreed nor disagreed one strongly disagreed. Two did not reply.

Two agreed that their complaint had been dealt with fairly and thoroughly, one neither agreed nor disagreed and two strongly disagreed.

Two agreed or strongly agreed that they were satisfied overall with the handling of their complaint, two neither agreed nor disagreed, two disagreed or strongly disagreed. One did not answer.

SUMMARY

- Complaint levels have increased by 44% since last year
- 2.7% of complaints reached Stage 2 of the procedure, which is a continuation at a normal level of around 3%
- 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 Professional Practice
- Performance on 20 day responses for Adult Social Care has remained good this year at 83%
- Performance on 10 day responses for Adult Social Care has decreased to 47% this year compared with 54% last year
- Two investigations were carried out at Stage 2 of the procedure
- Two complaints were referred to the Local Government Ombudsman
- Two complainants have used advocacy services this year
- 48% of Adults complaints this year were upheld to some degree, compared to 44.5% last year.
- Adult Social Care received 44 compliments this year which is more than last year's 36
- Social Care complaints team has found the corporate policy on Persistent Complainants very useful and has invoked it twice this year
- We have made two offers of compensation to complainants including one whose outstanding invoice was written off
- Complaints Managers have continued the complaint training sessions for Social Care staff which are being very well received. We have extended the invitation to staff from private providers, and the uptake from them has been good

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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