

Adult Social Care Annual Complaints Report

April 2017 – March 2018

**London Borough of Bexley
Adult Social Care**

Annual Complaints Report – 2017/2018

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1. Introduction

This report provides information on complaints for London Borough of Bexley Adult Social Care Services for the period 1 April 2017 to 31 March 2018, dealt with through either the statutory social care complaints procedure or the corporate complaints process.

The complaints process provides us with the opportunity to monitor performance, improve service quality and learn from complaints made by our service users. We achieve this by capturing a range of complaint information including, the nature of the complaint, the action we took, the outcome of the complaint and whether we responded to the complaint on time.

By publishing an annual complaint report, we hope to demonstrate our commitment to transparency and a positive approach to dealing with, and learning from, complaints.

1.1 Background

Under statutory regulations, we are required to prepare an annual report about the previous year that examines how well we dealt with adult social care complaints, including the numbers received and how many we upheld.

Our adult social care service is required to operate a statutory complaints procedure in accordance with the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 and the Local Authority Social Services Complaints (Amendment) Regulations 2009. Any complaint, which does not fall under these provisions, we will consider under our corporate complaints procedure instead.

1.2 Headlines

- We believe that dealing effectively with complaints is an essential part of providing good services and we use feedback from complaints to improve our service delivery
- In 2017-18, our adults social care service received 85 Stage 1 complaints. Of these, 49 were statutory complaints and 36 were corporate complaints. Of the 36 corporate complaints, 10 progressed to Stage 2 of our complaints process
- Of the 85 complaints received during the year, only six cases progressed to the Local Government Ombudsman (LGO) for a resolution, which means that we were able to resolve the bulk of our complaints locally.

2. Adult Statutory Social Care Complaints Procedure

The current regulations as of 1st April 2009 introduced a one-stage process for Adult social care statutory complaints.

- At Stage 1, the service area that is the subject of the complaint will investigate and respond to the complainant.
- If the complainant remains unhappy, they are required to escalate their complaint to the LGO to investigate.

2.1 Stage 1

This stage provides the opportunity for the service area who is the subject of the complaint, to try to resolve the issues raised by the complainant. The Head of Service or Service Manager has 15 working days to respond. However, they can extend the deadline in instances where the complaint is complex and requires a more detailed investigation.

3. Complaints received

The table below shows the total number of complaints received from 1 April 2017 to 31 March 2018.

Table 1 - Complaints received for Adult Social Care				
Total	Stage 1 - Local resolution	Stage 2 - Investigation	Ombudsman	Total
Statutory complaints	49	n/a	3	52
Corporate complaints	36	10	3	49
Total	85	10	6	101

The number of complaints has increased from 78 in 2016/17 to 85 in 2017/18. The number of Corporate Stage 2 complaints has also increased from four in 2016/17 to 10 in 2017/18.

However, the number of Ombudsman complaints has decreased from eight in the previous year to six in 2017/18. Five Ombudsman complaints related to Complex Care and Community Commissioning and one to Integrated Rehabilitation.

The Ombudsman has advised us that they received 10 complaints in this financial year. However, four of these complaints do not yet have an outcome. Therefore, we have not included them in this report. If the Ombudsman decides to investigate these four complaints, we will provide the outcome in the 2018/19 Annual Complaints Report. We have provided further details of the six cases the Ombudsman investigated in Section 3.5.

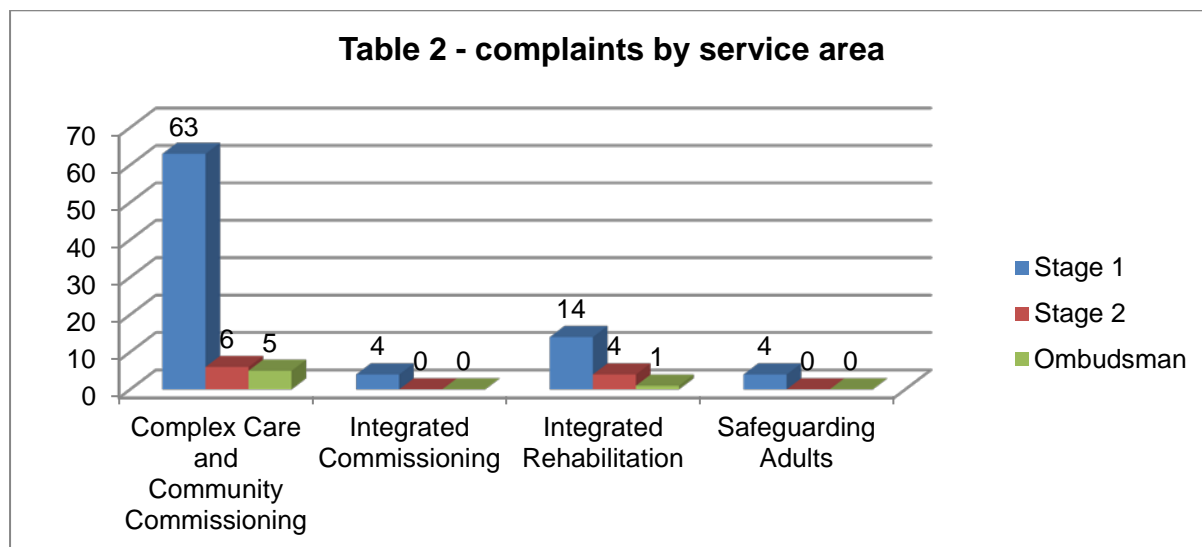
Local benchmarking

In 2017/18, we had the lowest number of complaints referred to the Ombudsman compared with neighbouring local authorities. Bromley had 27 complaints referred to the Ombudsman, Lewisham 17, Greenwich 22 and Southwark had 12.

Adult social care complaints received by the Local Government Ombudsman				
Bexley	Bromley	Lewisham	Greenwich	Southwark
10	27	17	22	12

3.1 Complaints by Service Area

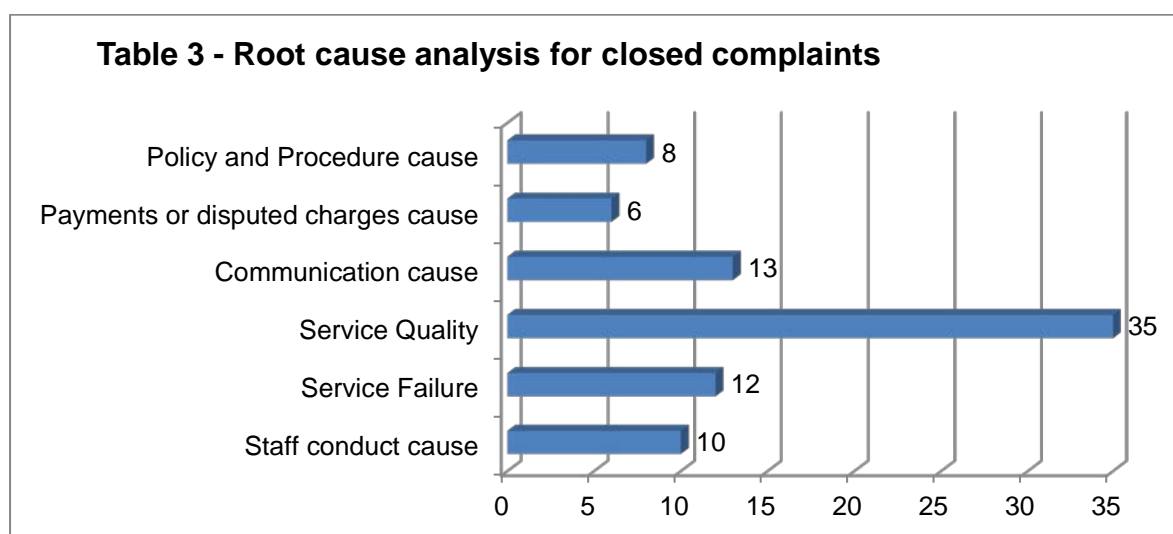
The table below shows the service areas we received complaints about in 2017/18.



Complex Care and Community Commissioning received 63 Stage 1 complaints, which was the highest number of complaints in the year. However, this service area manages the provision of homecare and the majority of our long-term service users. Therefore, we would expect it to receive the highest number of complaints.

3.2 Causes of complaints

The table below shows the root causes of the complaints received in 2017/18. The data below does not match the data in table 1 as it relates to complaints 'closed' in this period and not 'received'.

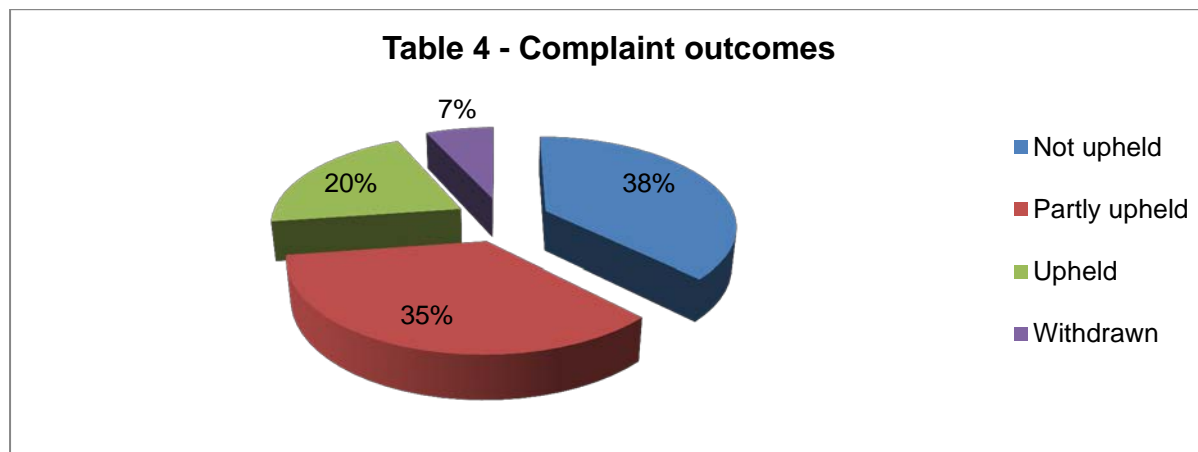


The table above shows that we received the highest number of complaints about 'service quality issues'. Examples, of service quality include allegations of the service failing to meet the expected standard, a delay or failure to do something or an inadequate service provided by a contractor working on behalf of the council. We received 13 complaints about

communication, which includes poor general communication or a delay in responding to service users or the information we provided was incorrect or misleading. We have provided more details about learning from complaints in Section 3.4.

3.3 Complaint outcomes

The table below shows the outcome of the 88 complaints we investigated in 2017/18.



At Stage 1, we did not uphold 33 complaints, partly upheld 31 complaints and upheld 18 complaints. We also decided to withdraw six further complaints.

Ten corporate complaints progressed to Stage 2. Of these, we did not uphold three complaints, we partially upheld six complaints and we upheld one complaint.

Please note that the figures above show the outcomes of complaints “closed” in 2017/18, which does not match the number of complaints we “received” in the same period. Due to the amount of time, it takes to investigate and respond to a complaint, we often investigate them in a different month from when we receive them.

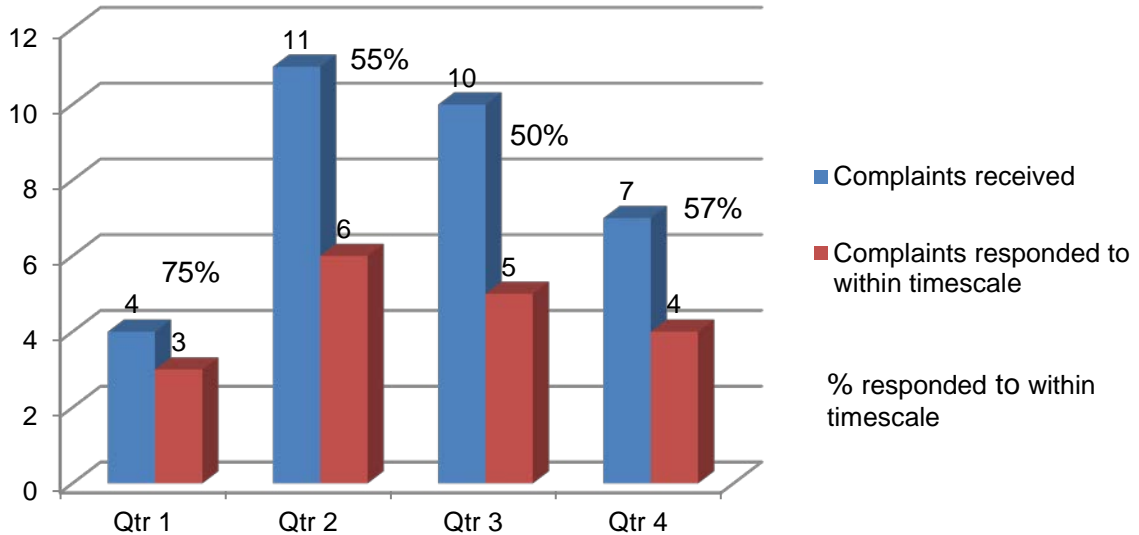
3.4 Corporate complaint performance

The table below shows how we responded to corporate complaints at Stage 1 in 2017/18. Overall, we responded to 56% of complaints on time, which was a 9% improvement on the previous year. You can find more details about our corporate complaint procedure on our website.

Performance fluctuated throughout the year. We performed best in quarter one where we responded to 75% of complaints on time. Our lowest performance was quarter three where we responded to five out of 10 complaints on time.

Although 2017/18 saw a positive improvement in our corporate complaint performance compared with the previous year, the performance overall could still be improved as it fluctuated throughout the year. The Complaints Team will continue to work closely with each service area to improve performance by meeting with senior managers regularly, producing a weekly open case reports and providing detailed complaint analysis reports every month.

Table 5 - Corporate Stage 1 complaints

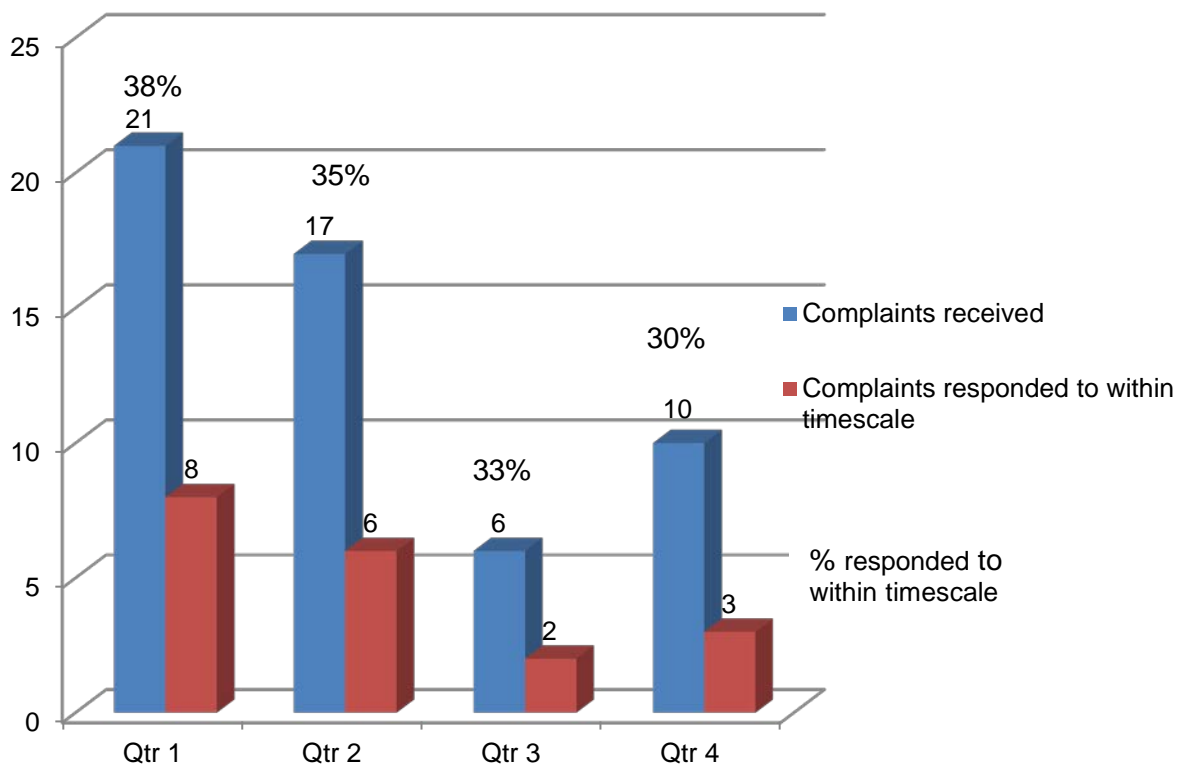


3.5 Statutory complaint performance

In 2017/18, we received 54 statutory complaints, which was a 30% increase from the previous year. Unfortunately, due to this increase we struggled to respond to the majority of our statutory complaints on time. Where we missed a deadline, we apologised to the complainant and provided them with an alternative date when we would reply to them.

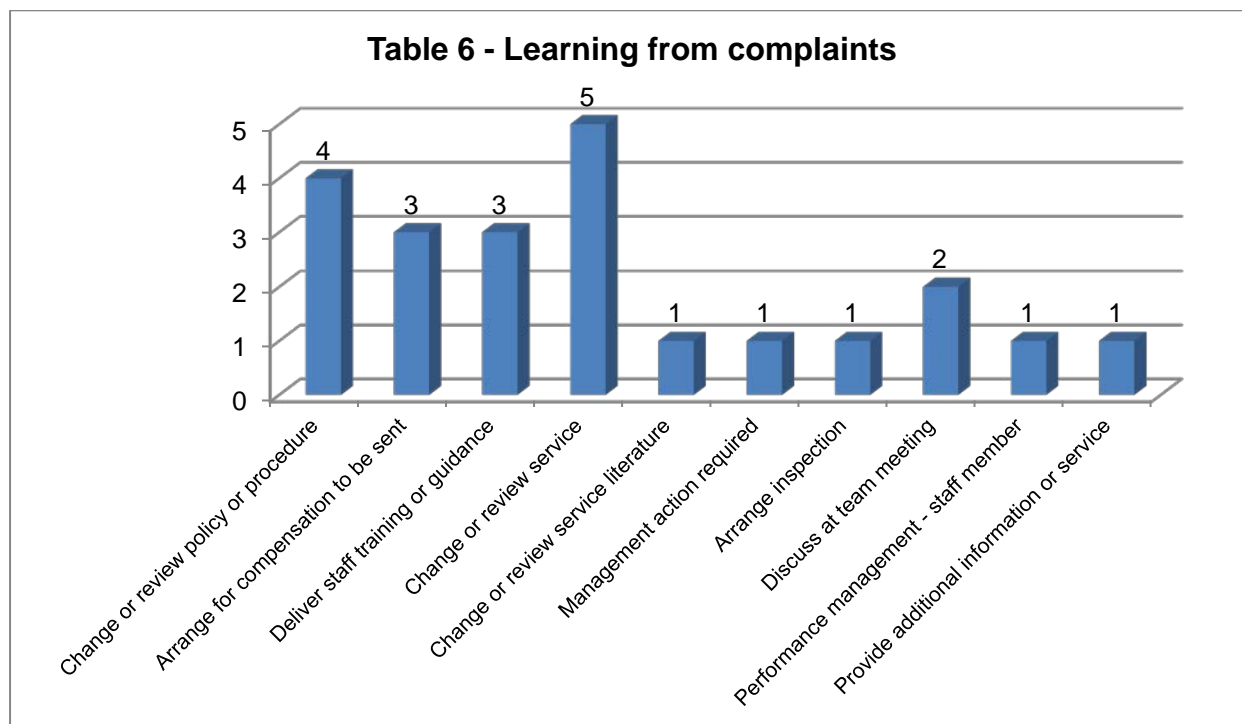
Nevertheless, we recognise this level of performance is not sufficient and we have been working hard this year to improve our response rate through additional monitoring and regular reporting.

Table 6 - Statutory complaints



3.6 Improving and learning from complaints

The table below shows the corrective actions that arose from the complaints in 2017/18



Complaints provide us with a good insight into people's experiences of social care, and an opportunity to improve our services. They also help us improve staff learning and enhance professional development.

Through our handling of complaints in 2017/18, we identified the following learning points and made several changes to our processes and procedures:

1. We changed our handling of emails received outside office hours for all care providers. Any email that we receive after 5pm, now receives an automatic reply advising that a response will be sent on the next working day but in the case of an emergency the person sending the email should contact our 'Out of Hours' Team.
2. We reviewed our transition process and set up a new operating model to enable us to identify and plan for a service user's need at an earlier stage in the transition process. This also enables us to plan and commission services to meet an emerging need of individuals in our care, which is particularly important for people who have issues that are more complex.
3. We carried out a review of the discharge to assess pathway, in order to ensure that we look at the service we provide to individuals at intervals that are more appropriate.
4. We sent reminders to all officers to enter all contact details correctly and to review them regularly to avoid delays in contacting family members.
5. We reviewed the process we have with the Clinical Commissioning Group (CCG) to ensure that families are fully involved in the care and treatment reviews (CTR)

process. We also provided staff guidance in conjunction with CCG about the role of social worker's within this process.

6. Staff reminded that they must deal with all safeguarding concerns quickly and that they reallocate work immediately when an allocated social worker is on extended absence.
7. Procedures updated in the event of a family death to make sure that our social workers contact family members quickly about funeral arrangements. This is to ensure family members have enough time to attend a funeral.

3.7 Local Government Ombudsman

The LGO is an independent organisation authorised to investigate complaints in instances where we have not been able to resolve the issues raised by the complainant.

The person making the complaint retains the right to approach the LGO at any time. However, the Ombudsman's policy is normally that the local authority should have the opportunity to consider the complaint before they get involved.

We received six Ombudsman complaints for Adult social care. Five complaints were about Complex Care and Community Commissioning and one about Integrated Rehabilitation.

Out of the six complaints recorded, the Ombudsman found maladministration and injustice in only one case. In three cases the Ombudsman found no maladministration, they decided not to investigate one case and the other is currently under investigation. We will report the outcome in our annual complaints report next year.

A summary of the six Ombudsman complaints are below:

- 1) In the case in which maladministration and injustice was found, the Ombudsman found fault due to our commissioned care provider overcharging by claiming additional hours which had not been worked. The care provider has now implemented electronic call monitoring to ensure this error does not occur again in the future. We apologised to the service user and refunded the hours that were overcharged.
- 2) The Ombudsman investigated three complaints and found no maladministration. Details of these cases are as follows:
 - a) We received a complaint regarding the way our Complex Care Team dealt with a request for care support. The Ombudsman carried out an investigation but did not find fault in the way the team dealt with their assessment.
 - b) We received a complaint regarding charging for care after a service user was discharged from hospital. The Ombudsman investigated and agreed that we were correct to charge for care after their discharge. This was because there was evidence that this service was chargeable and no fault was found.
 - c) We received a complaint regarding a claim that there was not enough funding to pay for daily assistance with personal care. We made this decision following a new assessment of the service user's care and support needs. The Ombudsman investigated this matter and agreed that we were not at fault to stop making a payment to the service user following the closure of the Independent Living Fund Scheme.

- 3) The Ombudsman decided not to investigate the complainant's allegation that his late father failed to receive a needs assessment. This was because there was insufficient evidence of fault or injustice.
- 4) One case is still under investigation and we will report the Ombudsman findings in the 2018/19 annual complaints report.

Table 7 - Complaints via Local Government Ombudsman (LGO)		
LGO	Number of cases	Outcome
Complaints	6	1 x maladministration and injustice 3 x No maladministration 1 x not investigated 1 x still under investigation
Total	6	

3.8 Compliments received

Between 1 April 2017 and 31 March 2018, we received 65 compliments. We have provided a selection of these below:

- *"I wanted to drop you a line to let you know about how much work and effort Ken has put in over the last month or so sorting out respite care for my father. I always think about how when we are at work we only ever hear about when things go wrong and I would like to make sure in this instance this is far from being the position. My father's application for respite had stalled, initially it was discussed back in February, and it was handed to Ken to take forward at the end of May early June to try and get the necessary documentation together so that panel could make a considered decision on all of the facts regarding the case. I am very pleased to say that respite has been arranged and I do feel this is mainly down to the efforts Ken has put in, quite frankly over and above the norm. This is clearly down to Ken and how he works, however it is also a tremendous reflection on the support and caring attitude of everyone who has played a part in providing the care packages in place for my father since this became necessary a couple of years ago. Please accept my gratitude and in particular at this time note the efforts Ken has taken."*
- *"We have just come to the end of our 6 weeks of re-enablement care. We were lucky enough to be allocated Solange as our carer. She has applied herself to the task with absolute professionalism and good nature. She arrived every day she was due, like a ray of sunshine full of energy and good humour. She quickly established a routine which meant we were able to see to X's needs with minimum disturbance to her comfort and maintain her dignity as far as possible. Thanks to Solange's assistance, we have been able to restore almost full functionality back to the injured hand and we can now concentrate on getting my wife walking again with assistance. Solange is clearly an intelligent, caring individual and is a great asset to the care community and to us in particular. We will miss her smile, her enthusiasm, her friendship and her care and attention. I hope you can see from the above how satisfied we were with the care given. We extend that satisfaction to your own department and Social Services as a whole, who have provided prompt assistance throughout the duration of my wife's recovery since her accident on 10th June. We are all too aware that often*

resources are stretched and budgets create a gap between what you would like to do and what is actually achievable. We can only speak as we find and believe we have received the best care we could expect. Thank you to all involved."

- "I have to say that over the past two years since we first met, I have made so many calls to LB Bexley in relation to X that I have lost count. Unfortunately, on some occasions, we have not had the support or level of assistance and co-operation that most people would expect from their Local Authority and this left me frustrated and angry at times. This is why I then resorted to call X for help on many occasions knowing that X would give advice and re-assurance despite your busy schedule and many times, it would not even be your area of responsibility. Nevertheless, X always went the extra mile and took the time and trouble to answer my problem or come back to me with a helpful solution. X was always there when we needed X and that was so important in our times of need. As you know, the problems associated with aged parents can be stressful and time consuming but your involvement has made the last two years a lot less traumatic than they would otherwise have been. Your professional, courteous and friendly manner make you a wonderful ambassador for LB Bexley. Thank you again for everything."*
- "The staff who helped me are absolutely EXCELLENT to the highest degree. Where I am concerned I live on my own and with absolutely no family in the UK and the valuable help I received from Adult Social Care has proved to me that your department does care and that means the world to me. Trish has been so professional knowledgeable and helpful to me. Thank you so much. Mandy from rehab has also been absolutely wonderful. Your department is presently delivering the BEST service. Bexley Council is outstanding. Adult Social Care Triage Hib - All your staff are SUPER. Thank you ever so much for helping me"*
- "I wanted to make sure that you are aware of my parents and my gratitude for the support provided by Helen in going through the necessary steps to resolve the care requirements for my father since his discharge from hospital just prior to Christmas. Helen has visited my parents on two occasions and on both times has shown tremendous concern and compassion towards them. She has also, by email kept me informed of progress and when arranging meetings taken into consideration our requirements. When we had a very lengthy meeting to talk through the documentation regarding my father I was very grateful for the approach both Helen & Evelyn took, in particular ensuring that my father was the centre of the conversation. We seem to spend most of our time remembering the bad experiences and not praising when things go well. So I wanted to take this opportunity to recognise the work carried out by you staff with my parents. I wanted to thank you, and Evelyn, for your support and assistance when we met to go through the review of dad's current well-being. In particular I must express my appreciation for the obvious concern and interest in the well-being of my dad and also my mum. It is much appreciated by my parents and me. Could you please forward my thanks to Evelyn too"*

4. Work priorities for 2018/19

We continually try to improve the experience of our service users and to achieve this, the Complaints Team are focusing the following areas in 2018/19:

- Work with care managers to ensure smooth running of the statutory and corporate complaints procedures, including providing support and guidance through each step of the process. To ensure the complaints procedure is easily accessible, particularly

to the elderly and adults with disabilities. This will include reviewing our complaints literature and online pages to keep information up to date.

- To monitor all corrective actions that have arisen from complaints and ensure we complete them in a timely manner. In addition, to ensure we disseminate any learnings across the service area and we record evidence of learning correctly.
- Continue to work closely with social care managers to increase complaint performance. This includes sending weekly reports of all open cases to each service manager and attending a monthly meeting with senior members of the team to discuss outstanding or complex cases.
- To work closely with the LGO to ensure we respond to all their enquiries within the relevant timeframe. We action all recommendations promptly and we disseminate any learning the Ombudsman identifies across all service areas.

Please note that if there is anything in this report which requires further clarification please contact the complaints team at Complaints@bexley.gov.uk