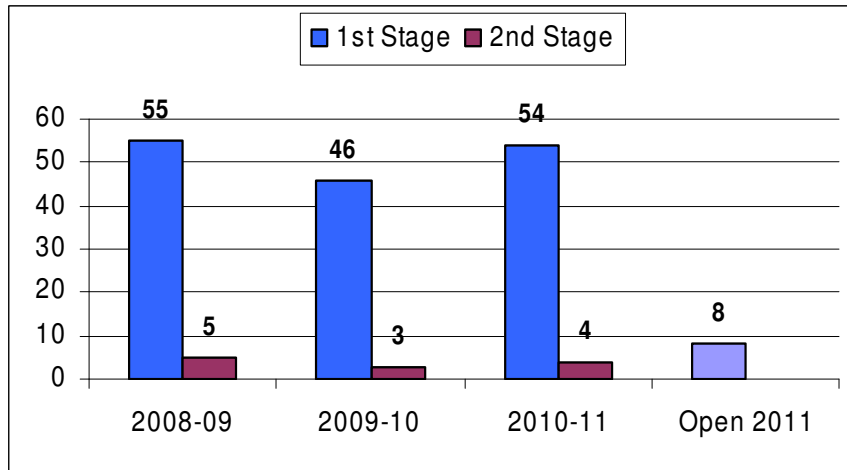


REPORT TO:	Health Policy and Performance Board
DATE:	8 th November 2011
REPORTING OFFICER:	Strategic Director, Communities
PORTFOLIO	Health and Adults
SUBJECT:	Adult Social Care Customer Care Report for the year 1 April 2010 to 31 Mar 2011
WARDS:	All

1.	PURPOSE OF REPORT
1.1	To report and provide an analysis of complaints, compliments and other enquiries processed under The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 and to meet statutory requirement to publish an Annual Report.
2.	RECOMMENDATION
	<p>That members of the Board:</p> <p style="padding-left: 40px;">i) Consider and comment on any of the key learning points identified as a result of complaints.</p>
3.	SUPPORTING INFORMATION
3.1	From April 2009 a common approach to handling complaints in the NHS and Adult Social Care was introduced so that complaints could be tailored to the individual and handled more flexibly. From an organisation viewpoint it allows a more efficient and effective way of responding to, and learning from complaints thus providing the best outcome for the both the individual and for the services.
3.2	The new complaints approach replaced a 3 stage process – an initial investigation and response, a detailed Stage 2 independent investigation and, where requested, a Stage 3 Review Panel hearing, to review the Stage 2 investigation. This has been replaced by a format where, right at the start, the Customer Care Team works with the person making the complaint to agree the details of the complaint and what would resolve it. At that point, how it is to be handled and the likely timescales, taking into account complexity and complainant's availability etc, are explored and agreed, although they can be further negotiated as required.
3.3	The new procedures allow more flexibility, focusing on getting the right outcome rather than satisfying any defined process or timescale; which are now negotiated and agreed with the complainant. We have found through evolving experience, this approach is more person centred and

	encourages greater flexibility in approach in finding solutions to complaints (e.g. mediation).
3.4	This is consistent with the philosophy of the new procedures and early evidence suggests that, whilst it can sometimes take longer than compared to the old scheme timescales, it does encourage greater focus on getting a satisfactory outcome.
3.5	A 2 stage approach is sometimes still appropriate, with the second stage being invoked where it becomes apparent that a more detailed investigation is required, which may still be investigated by an independent person, or a more complex alternative solution explored (e.g. through detailed mediation or including other agencies).
3.6	If a complainant remains dissatisfied with the outcome of this statutory complaints process, they retain the right to refer their complaint to the Local Government Ombudsman.
3.7	The Customer Care Team monitors the responses and records and reports learning from various types of feedback including:
	<ul style="list-style-type: none"> • Statutory Complaints; defined as “an expression of dissatisfaction or disquiet about an action, decision or apparent failings of local authority adult social care services provision, which requires a response” • A Customer Care issue; where people want to raise a concern but not make a formal complaint, or where clarification on an issue or concern has been sought and provided. • MP / Councillor enquiries on behalf of a constituent. • Representations; the term representations is used when making collective reference to Customer Care, MP and Councillor enquiries and they are included in reports to inform learning. • Compliments; it is just as important that we learn what people are happy about so compliments are recorded and reported in the same way.
4.	ANNUAL REPORT 1st April 2010 to 31st March 2011
4.1	As explained in the supporting information, a stage 2 process is sometimes still employed. Consequently they have been reported separately for comparison.
4.2	Statutory Complaints closed at Stage 1 There have been 54, in the year, showing an increase of 8 from the previous year. Of those 54 there were 4 that progressed to Stage 2.



During the year 4936 people received a service following a Social Care Assessment. 55 made a complaint (1.09% approx)

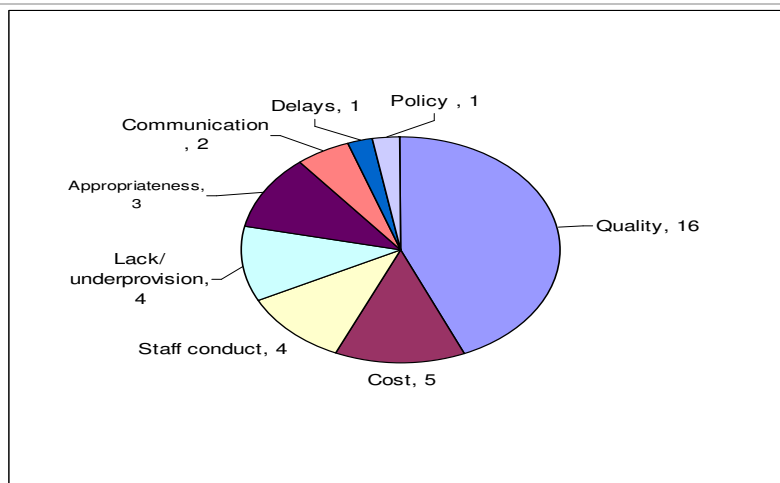
4.3

Outcome of closed Stage 1 Statutory Complaints

Of the 54 Statutory Social Care Complaints, 20 (37%) were upheld and 17 (31%) Partially Upheld, 32% were not upheld.

4.4

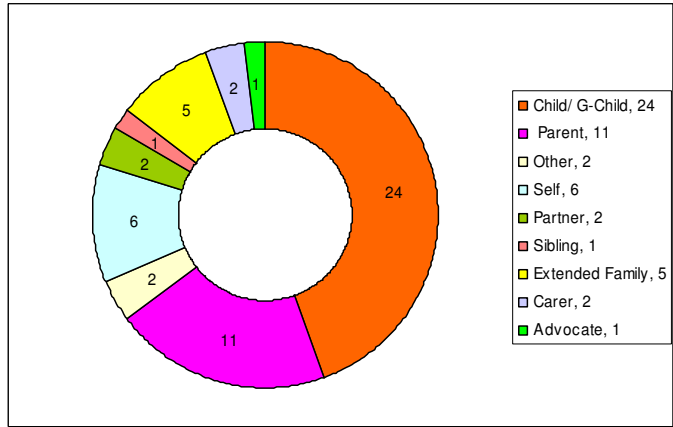
Category of closed Stage 1 Statutory Complaints that were upheld in full or part



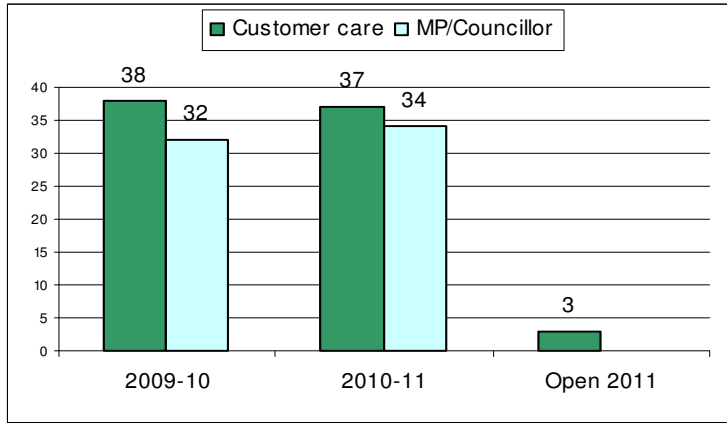
Of the Statutory Complaints upheld in full or part at Stage 1, 29% relate to the Quality of Service, Cost at 9% and Staff conduct at 7%.

NB Complaints may cut across more than one category, for example communication may be linked to lack/ under provision, cost or staff conduct

4.5	Timescales Stage 1 Statutory Complaints																							
	<table border="1"> <thead> <tr> <th data-bbox="373 271 719 331">Complaint Completion Timescales</th> <th data-bbox="719 271 847 331">2006/7</th> <th data-bbox="847 271 975 331">2007/8</th> <th data-bbox="975 271 1102 331">2008/9</th> <th data-bbox="1102 271 1230 331">2009/10</th> <th data-bbox="1230 271 1374 331">2010/11*</th> </tr> </thead> <tbody> <tr> <td data-bbox="373 331 719 392">1. Within time agreed with complainant</td> <td data-bbox="719 331 847 392">N/A</td> <td data-bbox="847 331 975 392">N/A</td> <td data-bbox="975 331 1102 392">N/A</td> <td data-bbox="1102 331 1230 392">N/A</td> <td data-bbox="1230 331 1374 392">93%</td> </tr> <tr> <td data-bbox="373 392 719 452">2. Within 20 days or to successful resolution</td> <td data-bbox="719 392 847 452">65%</td> <td data-bbox="847 392 975 452">76%</td> <td data-bbox="975 392 1102 452">73%</td> <td data-bbox="1102 392 1230 452">80%</td> <td data-bbox="1230 392 1374 452">72%</td> </tr> </tbody> </table>						Complaint Completion Timescales	2006/7	2007/8	2008/9	2009/10	2010/11*	1. Within time agreed with complainant	N/A	N/A	N/A	N/A	93%	2. Within 20 days or to successful resolution	65%	76%	73%	80%	72%
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	<p>*Notes of clarification of the 2010/11 figures</p> <ul style="list-style-type: none"> The new procedures encourage timescales to be agreed with the complainant and the row 1 figure illustrates that those targets were met in 93% of cases. To allow comparisons to be made with previous years, the row 2 figure for 2010/11 has been adjusted to reflect cases where the extended deadline has been agreed (beyond the 20 days target) under the new procedures, specifically to enable a successful resolution to be reached (where previously they otherwise would have likely been closed within 20 days). The 72% figure coincided with unusual influencing factors in the year (including a period where safeguarding referrals doubled following a successful promotional campaign, along with prolonged periods of long term absence and vacancies within the Customer Care Team). Without those influences, it is anticipated that there will be an improvement in this measure in the 2011/12 year. 																							
4.7	<p>Stage 2 complaints</p> <table border="1"> <thead> <tr> <th data-bbox="373 1205 671 1234">ITEM</th> <th data-bbox="671 1205 799 1234">2006/07</th> <th data-bbox="799 1205 927 1234">2007/08</th> <th data-bbox="927 1205 1054 1234">2008/09</th> <th data-bbox="1054 1205 1182 1234">2009/10</th> <th data-bbox="1182 1205 1310 1234">2010/11</th> </tr> </thead> <tbody> <tr> <td data-bbox="373 1234 671 1350">Complaints proceeding to Stage 2 (Independent Investigation)</td> <td data-bbox="671 1234 799 1350">2</td> <td data-bbox="799 1234 927 1350">0</td> <td data-bbox="927 1234 1054 1350">5</td> <td data-bbox="1054 1234 1182 1350">3</td> <td data-bbox="1182 1234 1310 1350">4</td> </tr> </tbody> </table>						ITEM	2006/07	2007/08	2008/09	2009/10	2010/11	Complaints proceeding to Stage 2 (Independent Investigation)	2	0	5	3	4						
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	<p>There have been 4 complaints classified at stage 2. One was an investigation was undertaken by an Independent Investigator with the other 3 being conducted internally by Senior Managers. 3 of these Stage 2 complaints were partially upheld and 1 was completely upheld.</p>																							
4.8	<p>Category of people making the complaint</p> <ul style="list-style-type: none"> 89% of complainants made are by people representing/ supporting the person using the services. 80% are related, this is an increase from 68% last year. Last year 24% were service users compared to this year 11%. This can be attributed to the vulnerability of individuals who access adult social care services. 																							



4.9 **Number of Customer Care and MP/Councillor Enquiries** (see 3.4 definition) closed in the year.



47 of the Customer Care and MP/Councillor enquiries relate to social care issues, with the remainder being housing related. During the year 4936 people were in receipt of a service following a Social Care Assessment with 47 (1% approx) making an enquiry via an MP, Councillor or their representative.

4.10 **Complaints with Dignity and Safeguarding elements**

Complaints are monitored to identify where there are elements relating to the Safeguarding and Dignity of the Service User and, where appropriate, to trigger investigations under the Safeguarding procedures.

4.11 **Provider Monitoring Feedback**

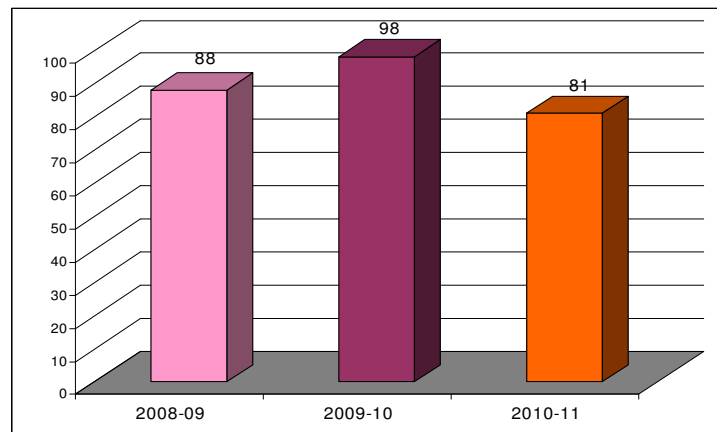
The Contracts Team has a process in place where feedback on providers commissioned by the Council can be provided. Similarly they can be used to trigger any Safeguarding or Dignity issues and the learning is used to monitor and improve service delivery.

4.12 **Learning and Service improvement**

Analysis of all forms of available feedback (complaints, compliments and other comments) allows us to reflect on the lessons that can be learned,

	<p>and use this learning to inform and develop the services we provide and commission.</p>
	<p>During the last year, resulting improvements have included:</p> <ul style="list-style-type: none"> • A new transport reporting system has been developed, that can be updated on a weekly basis to reduce the risk of overcharging. . • Clearer documentation was developed about charges for services which has helped reduce complaints of misunderstanding of this area, • Procedures have been changed to ensure personal assessment and Keysafe details are secure • Introduction of a pilot electronic monitoring project of Provider staff care visits, to monitor for missed, late or short calls. • Following complaints, a Care Agency was placed on intensive monitoring visits by the contracts team. • Halving of complaints regarding the waiting time for an assessment for an adaptation, and the provision of those adaptations. . • Communication between the clients, their family/representative and services is a theme identified in complaints and cuts across all services. Issues involving individual workers are addressed via managers during the supervision process to inform individual learning. • A joint complaints protocol has been agreed, with the 5 Borough Partnership, Halton & St Helen's NHS, Knowsley and St Helens councils and local hospital trusts, on how complaints that concern more than one of the organisations will be handled. Intermediate Care will follow the same principles.
<p>4.13</p>	<p>Feedback from Complainants</p> <p>We evaluate our complaints system by asking people how satisfied they were with the way their complaint was handled. Of those who replied 82% were satisfied with both the response and outcome of their complaint compared to 65% and 55% respectively in the preceding year.</p>
<p>4.14</p>	<p>Compliments</p> <p>Compliments have been received across a broad range of service areas. Illustrative examples include:</p> <ul style="list-style-type: none"> • “Thanks for the caring thoughtful understanding care given by team members after her discharge from hospital also their help to keep her dignity” • “Thanked team for getting banister fitted 2 weeks after initial contact very happy with it don't know how they coped without it.”

- “Words cannot describe the major impact that you have made on my journey to becoming well again....”



5.0 POLICY IMPLICATIONS

5.1 Complaint analysis can highlight where policy needs to be strengthened, reviewed, or amended to improve service delivery. Comments, Complaints and Compliments are essential feedback in developing services and policies. There are no implications identified in this year.

6.0 RISK ANALYSIS

6.1 Failure to implement an efficient service could result in the local authority being challenged for not dealing with complaints in a timely and efficient manner and could result in the customer not receiving a service which could then detrimental to their health, safety and well being.

6.2 Whilst complaints can result in changes for individuals, collectively they are a key source of information to help us develop the services we provide or commission.

7.0 FINANCIAL/RESOURCE IMPLICATIONS

7.1 Learning from complaints has the potential to reduce financial consequences and help inform the development of efficient and cost effective services.

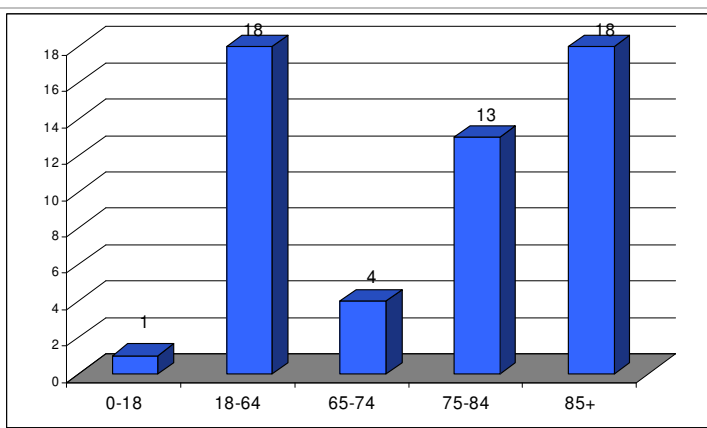
8.0 EQUALITY AND DIVERSITY ISSUES

8.1 No matter who complains they receive the same equality of access and provision. Work is ongoing to improve the complaint pathway for complainants and joint working with our Health Partners through a Regional Customer Care Group.

8.2 All service users who were the subject in a Statutory Complaint had an ethnicity of White British. Data on equality and diversity are recorded and analysed and reported upon if exceptions are noted. There are no exceptions to report since 1 April 2010.

8.3 **The age profile** of service users who were the subject of a complaint shows that 33% are between the ages of 18-64 with 65% being over 65 years.

The age profile of service users generally are that 29% are between the ages of 18-64 with 71% being over 65 years.



* The 1 service user under 18yrs related to housing adaptations.

8.4 **Prevalence of complaints by client group 1/4/10 to 31/3/11**

Learning Disability		Physical & Sensory Disability		Mental Health (inc dementia)		All clients	
Complaints	9	Complaints	31	Complaints	14	Complaints	54
Caseload	384	Caseload	3848	Caseload	610	Caseload	4936
AS %	2.3 4	AS %	0.81	AS %	2.3 0	AS %	1.09

8.5 The above table indicates that those clients, or their representatives, from the learning disability and mental health areas are more likely to complain. The physical and sensory disability caseload reflects the high number of older people with such conditions. These often may be less complex needs with lower level support, which may explain the lower level of complaints received.

9.0 **IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

9.1 **Children and Young People in Halton**

From March 2011 one Customer Care Team now services both Adults and Children's Directorates; this allows close working on relevant complaint issues. There is a close relationship between the social care services particularly to support young people during transition from Children and Young Peoples services to Adult Social Services.

9.2	<p>Employment, Learning and Skills in Halton</p> <p>Social care aims are often closely associated with these, to improve people's life chances and to be as independent as possible. Any findings from a comment, complaint or compliment relating to this priority will be used to inform the relevant service.</p>								
9.3	<p>A Healthy Halton</p> <p>Another core aim in social care is to prevent or delay reliance on institutional care, enabling people to be as independent as possible. Any findings from a comment, complaint or compliment relating to this priority will be used to inform the relevant service.</p>								
9.4	<p>A Safer Halton</p> <p>Adult social care has a close relationship with protection procedures for the vulnerable adults, the frail etc. Any findings from a comment, complaint or compliment relating to this priority will be used to inform the relevant service.</p>								
9.5	<p>Halton's Urban Renewal</p> <p>Many social care initiatives surround housing issues, enabling people to live as independently as possible in their community. Any findings from a comment, complaint or compliment relating to this priority will be used to inform the relevant service.</p>								
10.0	<p>LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972</p>								
	<table border="1"> <thead> <tr> <th data-bbox="368 1328 761 1391">Document</th> <th data-bbox="770 1328 1083 1391">Place of Inspection</th> <th data-bbox="1083 1328 1348 1391">Contact Officer</th> </tr> </thead> <tbody> <tr> <td data-bbox="368 1391 761 1514">The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009</td> <td data-bbox="770 1391 1083 1514">Runcorn Town Hall</td> <td data-bbox="1083 1391 1348 1514">John Gibbon</td> </tr> </tbody> </table>	Document	Place of Inspection	Contact Officer	The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009	Runcorn Town Hall	John Gibbon		
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