

Decision Maker: **Adult and Community Policy, Development And Scrutiny Committee**

Date: **14 June 2011**

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **ANNUAL REPORT ON ADULT & COMMUNITY SERVICES COMPLAINTS RECEIVED APRIL 2010 TO MARCH 2011**

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Chief Officer: Terry Rich

Ward: Boroughwide

1. Reason for report

This report provides Members with an overview of the main issues raised and lessons learnt from this year's Annual Report on Adult and Community Services Complaints received April 2010 to March 2011 (Appendix 1)

2. **RECOMMENDATION(S)**

The Committee are asked to consider and comment on the contents of this report.

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Excellent Council.
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Financial

1. Cost of proposal: N/A
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: Complaints service - Quality Assurance Mgr- Aileen Stamate
 4. Total current budget for this head: £63,050
 5. Source of funding: Existing revenue budget
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Staff

1. Number of staff (current and additional): 1.72 FTEs
 2. If from existing staff resources, number of staff hours: as above
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Legal

1. Legal Requirement: Statutory requirement.
 2. Call-in: Call-in is not applicable.
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): During 10/11 just over 8200 received adult social care and there are approx. 7000 residents on the Bromley housing register.
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 The annual report (Appendix 1) details complaints information received over the year from all areas of the Adult & Community Services Department. Formal adult social care complaints are dealt with under the Local Authority Social Services and National Health Service Complaints (England) regulations, 2009; complaints about housing and other adult and community services are dealt with under the Council's corporate complaints procedure.
- 3.2 Both complaints procedures follow the same process, which involves investigation, resolution, and outcomes. If complainants remain dissatisfied with the Council's response, they may refer their complaint to the Local Government Ombudsman. This year we received 15 Ombudsman enquiries; 10 relating to adult social care, 3 to housing and 2 to blue badge applicants who continued to challenge their eligibility following the Council's appeals process.
- 3.3 The Department received a total of 275 formal complaints this year of which 185 related to adult social care and 90 to housing, strategy & performance and the Drug Action Team.
- 3.4 The complaints received, provide helpful information about service quality which helps to inform future planning and performance management. The complaints team records informal complaint information in order to capture details of underlying issues before they become more serious or escalate into formal complaints. Complaints made and resolved orally within 48 hours are considered informal complaints.

4. ADULT SOCIAL CARE COMPLAINTS

- 4.1 The number of complaints received by adult social care in 2010/11 was 185. This compares to 253 in 2009/10, a decrease of 27%. During 2010/11, 8,261 people are receiving a range of adult social care services and 2,381 people had an assessment of their needs. Given the volume of social care services provided to people in Bromley, there are inevitably times when service delivery may not fully meet intent or expectations. The number of people making complaints is therefore a small but significant number, equating to just fewer than 2% of service users. Those whose complaints are then upheld/ partially upheld equates to less than 1% of service users.
- 4.2 The significant drop in complaints received about adult social care last year, can be attributed to quicker assessment turnaround times within the Learning Disabilities Support & Assessment Team and Transition Team. In addition, complaints about charging dropped by half this year, following service improvements made by the charging teams.
- 4.3 Of the 185 adult social care complaints received during 2010/11, 74% (136) were resolved within twenty working days, which is a marked improvement on the previous year's total of 66%. Response times by staff have improved because of increased awareness and the skills training in complaints resolution. Complaints are closely monitored and assistant directors are regularly informed about the progress with complaints in their service areas. Social care complaints are often complex and it is sometimes necessary to seek agreement with service users, to extend the timescale. This enables complaints to be resolved locally, avoiding unnecessary recourse to the Local Government Ombudsman.
- 4.4 The number of complaints regarding adult social care resolved before reaching the Local Government Ombudsman (LGO) is high, at 95%. The LGO investigated 10 adult social care complaints during 2010/11. Four were partially upheld and one was not upheld. The remaining five are still being investigated by the Ombudsman.
- 4.5 Of the 185 adult social care complaints resolved, 54% were either upheld or partially upheld. 46% of adult social care complaints received this year were not upheld.

- 4.6 As might be expected most complaints each year relate to operational services; and this year we received 160 (86%). Of those, the largest number relate to the quality of service provided and this is further broken down into various categories; including care plans not being followed and poor English language skills. We received 35 complaints about quality of service. This was followed by complaints about disputed decisions (30) and 'one off' incidents involving late or missed calls by domiciliary care staff (22). As detailed in the Quality Monitoring of Domiciliary Care Services PDS Committee report, 2nd November 2010, external providers are introducing electronic monitoring systems and electronic monitoring of care worker arrival and departure times is in place for just over 20% of the Borough's domiciliary care service users.
- 4.7 The lessons learnt from past experience of how major changes can affect our service users has contributed to the successful implementation of the Reablement Service; together with the effective management of extra care housing closures and the transfer of residents to the new site at Crown Meadow Court. There have been very few or no complaints relating to these
- 4.8 Between April 2010 and March 2011, the complaints team has trained over 50 members of staff in complaints handling skills and plans on continuing this training over the coming year. The complaints team continues to offer regular complaints surgeries for managers and heads of service requiring assistance in complaint handling. As a result of these surgeries, the department has seen an improvement in the quality of responses and response times.
- 4.9 The complaints team manage a customer satisfaction survey for service users who have made formal complaints this year. This provides an opportunity for customers to share with us their experience of the complaints handling service and help us make continued improvements in how complaints are managed. The aim is to ensure all but the most serious and complex complaints are resolved locally at an early stage and resources are not unnecessarily stretched as a result of ineffective complaints handling.

5. HOUSING AND CORPORATE COMPLAINTS

- 5.1 Of the 90 corporate complaints received for Housing, Strategy & Performance and the Drug Action Team, 37 (41%), were either upheld or partially upheld. The remaining 53 were not upheld. Overall, housing services received 83 complaints, which is an increase from last year's total of 69. It is noted housing complaints improved their response times this year, with 65% (54) resolved in twenty days compared to 60% (41) last year. The increased number of complaints relates to additional demands on the service, due to the economic downturn. There are approximately 7,500 people on the Housing Register (compared to 5,000 last year) and approximately 3,100 households working with the Housing Advice and Options Team. The number of complaints received equates to less than 1% of people receiving housing services.
- 5.2 Of the 3 complaints taken to the Local Government Ombudsman this year about housing, 1 was partially upheld and 2 remain active while the Ombudsman completes his investigation.

6. CHANGES AS A RESULT OF LESSONS LEARNT

- 6.1 There is a requirement for health & social care to deliver equipment to service users within 7 days of being ordered. One complaint received by the Orpington Older People's Team was due to a delay in receiving community equipment. At the time this was caused by high demand. Following the complaint, senior management implemented an escalation process, to ensure timeliness of service. Since this was put in place, the service has not received any similar complaints.
- 6.2 Following complaints last year from blue badge applicants challenging their mobility assessments, an appeals process has been implemented. If applicants still feel they qualify for a blue badge after they have been found not to be eligible, the mobility assessments can now be reviewed independently by a qualified senior occupational therapist. This provides the

applicant and the Council the assurance that eligibility has been fully assessed and process correctly followed.

- 6.3 As a result of a complaint, which highlighted errors in the recording and processing of direct payment information, the procedure for setting up the payments has been updated and improved. Fresh guidance has been issued to care managers to ensure information systems are accurate.
- 6.4 Following a complaint about poor food preparation, an agency has introduced new training for care workers, specifically regarding food types and food preparation. This follows concerns raised about carers' understanding of the typical local diets of their clients. The aim of the course is to instruct carers on food preparation, local diets and how to cook the kinds of dishes typically preferred by their clients.
- 6.5 In addition, following concerns raised about poor levels of spoken English, the agency now ensures all care workers undergo the International English Language Testing System (IELTS), before allowing them to work for the agency. The Council manages a training consortium of which 14 of the 28 domiciliary care agencies registered to work in Bromley are already members. This year the consortium scheduled a specific course in English used in the care scenario to address concerns around the English language proficiency of care workers across agencies.
- 6.6 The Housing Solutions Team is implementing a new Housing Allocations Scheme and an automated banding system will also be introduced so the service is in a better position to respond to those who approach the Council for assistance. The new Housing Allocations Scheme is due to be implemented by November 2011.

7. POLICY IMPLICATIONS

The provision of an effective complaints procedure and the regular monitoring of this process with a view to improvement, are consistent with the key aims of the Council as set out in Building a Better Bromley and the Adult and Community Services Portfolio Plan.

8. FINANCIAL IMPLICATIONS

There is no specific budget identified for resolving complaints, and any compensation payments are covered from within service budgets. During 2010/11 a total of £4,650 in compensation was paid as a result of the Ombudsman decisions to uphold complaints.

9. LEGAL IMPLICATIONS

- 9.1 The Social Services Department of a Local Authority is required under the provisions of The Local Authority Social Services Act 1970 (as Amended) and The Local Authority Social Services (Complaints Procedure) Order 1990 to have in place a complaints procedure to deal with matters brought to the Authority's attention.
- 9.2 In 2009/10 Social Care complaints for adults and older persons were dealt with using the Local Authority Social Services and National Health Service Complaints (England) regulations, 2009.

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	[Title of document and date]