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**Select Committee on Health and Social Care 7<sup>th</sup> July 2009**  
**Report of the Director of Adult, Community & Housing Services**

**The Directorate of Adult Community and Housing, Statutory Adults Social Care**  
**Complaints Procedures - Annual Report 2008 - 2009**

**1. Purpose of Report**

- 1.1 To present to the Select Committee on Health and Social Care, the Directorate of Adult Community and Housing Annual Report on Social Care Complaints and Compliments for the period 1<sup>st</sup> April 2008 to 31<sup>st</sup> March 2009. [Attached as Appendix 1]
- 1.2 To provide Members with information about the nature, number and outcomes of complaints and compliments received during the period 1<sup>st</sup> April 2008 to 31<sup>st</sup> March 2009.
- 1.3 To meet the requirements of the “Local Authorities’ Social Services Complaints (England) Regulations, 2006 and the NHS and Community Care Act 1990 with regard to reporting on complaints and representations.
- 1.4 To assist Members in reviewing the learning about service delivery, which is available from the monitoring of complaints and representations and the quality of the Directorates response.

**2. Background**

- 2.1 The “Local Authorities’ Social Services Complaints (England) Regulations, 2006 requires each Local Authority to appoint a Complaints Manager to ensure the provision of a robust social care complaints and representations procedure to eligible service users, and to provide an Annual Report on the procedures to Members. The Complaint Manager for Dudley is based within the Policy, Performance & Resources Division within the Directorate of Adult Community & Housing Services. The Complaints Team is available for any member of the public to contact regarding a social care complaint, compliment or comment.
- 2.2 In Dudley, all service users and people who request a service are provided with information on how to complain, or make a compliment.
- 2.3 A complaint, or compliment can be made by
  - Letter/Card
  - Leaflet
  - Telephone
  - Email
  - In person to any reception area
  - To any member of staff

- 2.4 Up to 10,000 Complaint and Compliment leaflets were distributed during the year either directly to service users or made available in public areas for people to use. They are the most used method for the public in raising issues of complaint, concern or praise.
- 2.5 All Social Care complaints and compliments are registered, monitored and reported on to senior managers, by the Quality and Complaints team. The information reported includes details of the number and nature of complaints, gender and ethnicity of complainants, trends in the nature and location of complaints and compliments, and performance information about timescales for resolution, outcome and redress

### **3. Finance**

- 3.1 There are no direct financial implications concerning this report.

### **4. Law**

- 4.1 The Social Care complaints procedures are determined by legislation, predominantly involving the:-
- The “Local Authorities’ Social Services Complaints (England) Regulations, 2006
  - NHS & Community Care Act 1990 (section 50)
  - Health & Social Care Bill 2000
  - Local Government Act 2000

### **5. Equality Impact**

- 5.1 Equality & Diversity: All complaints are registered by the Quality & Complaints Team who gather details relating to a person’s ethnicity, disability, age, and gender; this is done in order to evidence that the process is accessible and responsive to any person wishing to raise a complaint, comment or compliment and to assist in continually developing services to local people.
- 5.2 New complaint procedures have been compiled in order to adhere to new complaint Regulations issued by the Department of Health in April 2009. As a result there is a need to complete an Equality Impact Assessment in relation to those procedures.

### **6. SUMMARY OF COMPLAINTS AND COMPLIMENT ACTIVITY 2008/09**

1. The Directorate of Adult Community and Housing Service provided a ‘social care’ service to 12233 adult service users during this year.
2. The total number of complaints received for adult Social Care Services 2008/09 is **189**, this compares to **224** complaints for 2007/08. A decrease of **35** for the year.

3. The **189** complaints received involved **197** separate issues. From the **189** complaints received **225** separate remedies were provided
4. A considerable amount of work goes into resolving complaints and we can report a very satisfactory position in that 96% of all complaints were resolved at the earliest stage without the need for a formal complaint investigation. Only **7** out of the **189** complaints registered during this year, needed to proceed to the formal complaint investigation stage. This is an increase on the previous year where **4** formal complaint investigations took place for 2007/08, **1** for 2006/07, **3** for 2005/06 and **7** for 2004/05.
5. Out of the 189 complaints **1** has progressed to a Stage 3 Complaint Review Panel.
6. The regulations allow up to 20 days to respond and conclude the complaint matters; however in 2008/09 we saw 105 complaints dealt with inside 10 working days. A further 23 complaints were concluded within the statutory timetable of 20 working days. 58 complaints took over 20 days to conclude.
7. There have been **No** findings of Maladministration by the Ombudsman concerning Adult Social Care Services complaint matters for 2008/09, as in all previous years this maintains a highly satisfactory position for the Directorate
8. **COMPLIMENTS.** This year saw one of the highest figures recorded for compliments with **291** for 2008–2009 compared to **236** for 2007/08 and **232** for 2006-2007. **43** separate services received a compliment this year; with the Occupational Therapy service receiving the most with [**52**] indeed this is the third year running that the OT service has received the largest proportion of compliments.
9. **Training** for managers, social workers and other relevant groups was maintained during 2008/09. Formal training was provided to upward of 100 Managers and seniors. This figure does not include overview training provided during visits to teams and various service areas across Dudley this year.
10. 2008/09 saw a great deal of activity and consultation in relation to proposed new complaint Regulations for Adult Social Care users. New Regulations were presented to Councils on the 3<sup>rd</sup> March for implementation on the 1<sup>st</sup> April. New complaint handling Guidance has been compiled and subsequently agreed by Senior Managers. Also, in addition to the revised Guidance a complaint handling protocol between Adult Social Care Services, Dudley Primary Care Trust, and Dudley Group of Hospitals NHS Foundation Trust was approved in May 2009.

## 7. **Recommendations**

- 1] That the Select Committee note and comment on the information contained in the Directorate of Adult Community and Housing annual report on Social Care Complaints and Compliments for the period 1<sup>st</sup> April 2008 to 31<sup>st</sup> March 2009.
- 2] Subject to the Annual Report being accepted; the Select Committee are asked to approve that this report is made available as a public document as required by legislation and guidance.



Linda Sanders.

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**Linda Sanders**  
**Director of Adult, Community & Housing Services**

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**List of Background Papers**

Appendix 1:- **Annual Report April 2008 – 31<sup>st</sup> March 2009 Compliments & Complaints, Adult Services.**