

Select Committee on Health and Social Care 23rd November 2006

Report of the Director of Adult, Community & Housing Services

The Directorate of Adult Community and Housing, Statutory Social Care Complaints Procedures - Annual Report 2005 - 2006

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 1st April 2005 to 31st March 2006. [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 1st April 2005 to 31st March 2006.
- 1.3 To meet the requirements of 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 NHS Community Care Act 1990 requires each Local Authority to appoint a 'designated officer' 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. In Dudley the designated complaints officer post is held by the Quality and Complaints Manager. The Quality & 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/Text
 - Email
 - In person to any reception area
 - To any member of staff

- 2.4 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
- 2.6 **The complaint process:-** has three main stages:-
- 2.7 Stage 1 is the 'informal – local resolution' stage. The majority of all complaints are resolved at this point by Managers responding directly to the complainant in good time, and in a positive effort to resolve matters satisfactorily, speedily and effectively.
- 2.8 Stage 2 involves a 'formal' investigation of the complaint matters by a Senior Manager or Manager who is independent of the service involved in the complaint matters. Or, alternatively, this role can be carried out by an external independent Investigating Officer. Stage 2 normally occurs where the complainant remains dissatisfied with the attempts to resolve matters at stage 1 or where the matters are deemed particularly complex requiring detailed investigation. Out of the 119 complaints during 2005/06 three complaints required formal investigation.
- 2.9 Stage 3 occurs where the complainant remains dissatisfied with the outcome of the Stage 2 formal complaint investigation, matters are then presented to a complaint review panel consisting of one Elected Member and two Independent People. The complaint review panel becomes the final opportunity for the complainant to put forward to the Council the reasons for their continued dissatisfaction.
- 2.10 If the complainant feels that matters are not resolved he has twelve months from the date of the complaint Review Panel to write to the Local Government Ombudsman to request further examination of the complaint by his office. The Ombudsman will decide whether he should investigate matters further to determine whether maladministration has taken place. The attached annual report confirms that there have been No findings of maladministration regarding Adult Social Care Services during 2005/06.
- 2.11 The Department of Health has from the 1st September 2006 implemented new regulations and guidance covering Adult Social Care Complaints, Comments and Compliments. The Quality & Complaints Team are revising the Directorate of Adult Community and Housing social care complaint and compliments procedure as a result.
- 2.12 A training programme is offered to all social care staff, at all levels to understand their role in the procedures.

Summary of Complaints relating to services provided to Adults

- 2.13 During 2005/06 Dudley Social Services Department as it was, and the Directorate of Adult Community and Housing Services as now, provided a service to 11,424 adult service users. The number of complaints received was **119**, this is a reduction on the previous years figure of 126 and indicates that over 98% of adults were satisfied with the service they received.
- 2.14 The overriding number of complaints refers to individual areas of complaint; the exception to this during 2005/06 involved a number of complaints from a group of service users in receipt of a meal where the quality of food on the day was poor.
- 2.15 There have been **3** formal Stage Two complaint investigations carried out during 2005/06, compared to **7** for 2004/05 and compared to **5** for 2003/04.
- 2.16 **89%** of all complaints were dealt with within the current statutory timetable of 28 days [20 working days] compared to 59% for the previous year. This is a significant improvement
- 2.17 **4.6%** of complaints were dealt with between 29 days and 35 days. This delay is acceptable if the complainant is in agreement with the delay and reasons for and kept informed.
- 2.18 **4.6%** of complaints were dealt with within 36 to 42 days
- 2.19 **1.5%** of complaints took over 42 days
- 2.20 There were **267** registered compliments for 2005/06 compared to **241** for 2004/05 & **197** for 2003/04. An increase of 26 for the year. The compliments received provide evidence of the quality services, high standards and performance delivered by members of staff throughout the service.
- 2.21 Local Government Ombudsman:- There have been **no** findings of Maladministration by the Ombudsman concerning Dudley Social Services complaint matters for 2005/06.

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:-

- 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.

6. Recommendation

6.1 That the Select Committee note and comment on the information contained in the Directorate of Adult Community and Housing annual report on Complaints and Compliments for the period 1st April 2005 to 31st March 2006.

6.2 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



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List of Background Papers

Appendix 1:- Annual Report April 2005 – 31st March 2006 Compliments & Complaints, Adult Services.