

Good Health Select Committee 28th September 2005

Report of the Director of Adult, Community & Housing Services

The Social Services Statutory Complaints Procedures Annual Report

Purpose of Report

1. To present to the Good Health Select Committee, the Directorate of Social Services Annual Reports on Complaints and Compliments for the period 1st April 2004 to 31st March 2005. [Attached as Appendix 1 & 2]
2. To provide Members with information about the nature, number and outcomes of complaints and compliments received during the period 1st April 2004 to 31st March 2005.
3. To meet the requirements of the Children Act 1989 and the NHS and Community Care Act 1990 with regard to reporting on complaints and representations.
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 Departments response.

Background

5. Both the Children Act 1989 and the NHS Community Care Act 1990 require Local Authority Social Services Departments to appoint a 'designated officer' to ensure the provision of a robust 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.
6. In Dudley, all service users and people who request a service are provided with information on how to complain or make a compliment. All Social Services 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
7. The complaint process currently has three main stages:- Stage 1 is the 'informal – problem solving' stage. The majority of all complaints are resolved at this point. 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. 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.

8. A training programme is offered throughout the Social services Department to enable staff at all levels to understand their role in the procedures.
9. In 2005, the Government published proposals for changes in the Complaints procedures to take account of wider changes in the provision of social services to children and to adults. It has been proposed that responsibility for the current Stage 3 be transferred to the Commission for Social Care Inspection (CSCI.) The likely timescale for this proposed change is late 2006 or early 2007. This is a change to the contribution which Members can make in the process and Members may wish to comment on this.
10. To take account of these changes, the Appendices attached to this Report are in two parts, one for Children's Social Services and one for Adults Social Services. Members will wish to note that during 2004/05 Dudley Social Services Department provided a service to 2,367 Children and their families, the number of complaints received was 117 which indicates that over 95% of children and their families were satisfied with the service provided to them. During 2004/05 Dudley Social Services Department also provided a service to 11,414 adult service users. The number of complaints received was 126, this is a reduction on the previous years figure and indicates that over 98% of adults were satisfied with the service they received.

Summary of Complaints relating to Children Services

11. The total number of children complaints received for Social Services 2004/05 is **117** this compares to **94** for 2003/04 - an increase of **23**. As a percentage this means that less than 2% of children or their families raised a complaint regarding the service provided to them during this period. There are a number of reasons for an increase in complaints received such as:-
 - Greater awareness of, and access to the complaint procedure
 - Increased awareness and use of advocacy services.
 - Increased complaint training for staff.
 - Greater contact between members of the complaints team and young people/advocacy services and also with Social Services teams and establishments.
12. The **117** complaints are individual areas of complaint. They were made by **93** separate young people or their representatives. All complaints are important in their own right and they are viewed as highly valuable in being able to advise and inform on future planning and delivery of services. The information contained in the Annual Report indicates that there does not appear to have been a particular event or incident during 2004/05, which resulted in multiple complaints. It is relevant to note that the complaints received refer to matters affecting the

individual, rather than several young people complaining about the same issue or a specific service at the same time.

13. The majority i.e. **74** of the complaints relating to services provided to children were made or led by Adults. **43** complaints were made by children; this figure includes complaints made by advocates at the direct request of a child.

14. There have been **NO** formal stage 2 complaints for 2004/05. This compares to **2** for 2003/04

15. **1** complaint in 2004/05 proceeded to stage 3 of the complaint process. However, that particular complaint was actually registered in 2003/04.

- **56%** of all complaints were dealt with within 28 days [20 working days]
- **22%** of complaints were dealt with between 28 days and 40 days
- **22%** of complaints took over 40 working days

16. There were **26** registered compliments compared to **14** for 2003/04, an increase of **8**.

Summary of Complaints relating to services provided to Adults

17. The total number of adult complaints received for Social Services 2004/05 is **126**, this compares to **150** complaints for 2003/04. A decrease of **24**. As a percentage this means that 98% of adults in receipt of a service appear to be satisfied with the serviced provided to them.

18. The complaints are individual areas of complaint; they were made by **117** separate service users or their representatives. Again, it is important to recognise that all complaints are important in their own right and that they are viewed as highly valuable in being able to advise and inform on future planning and delivery of services. The information contained in the Annual Report indicates that there does not appear to have been a particular event or incident during 2004/05, which resulted in multiple complaints. The complaints received refer to matters affecting the individual, rather than several adults complaining about the same issue or a specific service at the same time.

19. There have been **5** stage 2 complaints for 2004/05. This compares to **4** for 2003/04

- **59%** of all complaints were dealt with within 28 days [20 working days]
- **15%** of complaints were dealt with between 29 days and 40 days
- **26 %** of complaints took over 40 days

20. There were **241** registered compliments for 2004/05 compared to **197** for 2003/04. An increase of **48**. The compliments received provide evidence of the quality services, high standards and performance delivered by members of staff throughout the service.

21. Local Government Ombudsman:- There have been no findings of Maladministration by the Ombudsman concerning Dudley Social Services complaint matters for 2004/05.

Finance

22. There are no direct financial implications concerning this report.

Law

23. The Social Services complaints procedures are determined by legislation, predominantly involving the:-

- NHS & Community Care Act 1990 (section 50)
- The Children Act 1989
- Health & Social Care Bill 2000
- Local Government Act 2000

Equality Impact

24. Equality & Diversity: This report identifies that the majority of people who currently access the complaint process are of British/ White origin. Use of the process by people from an ethnic minority is growing and further work will be carried out in the coming year to raise awareness and improve accessibility to the complaint process for all Adults and Children in receipt of a service.

Recommendation

25. That the Select Committee note and comment on the information contained in the Directorate of Social Services annual reports on Complaints and Compliments for the period 1st April 2004 to 31st March 2005.



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

Contact Officer: Steve Rice
Telephone: 01384 814723
Email: Stephen.Rice@dudley.gov.uk

List of Background Papers

Appendix 1:- Annual Report April 2004 – 31st March 2005 Compliments & Complaints, Children Services.

Appendix 2:- Annual Report April 2004 – 31st March 2005 Compliments & Complaints, Adult Services.