

**DIRECTORATE OF ADULT COMMUNITY &
HOUSING SERVICES**

COMPLAINTS, COMMENTS & COMPLIMENTS

**ADULT SOCIAL CARE SERVICES
ANNUAL REPORT**

April 1st 2008 – 31st March 2009

Policy Performance & Resources Division



Produced by the Quality & Complaints Team May 2009

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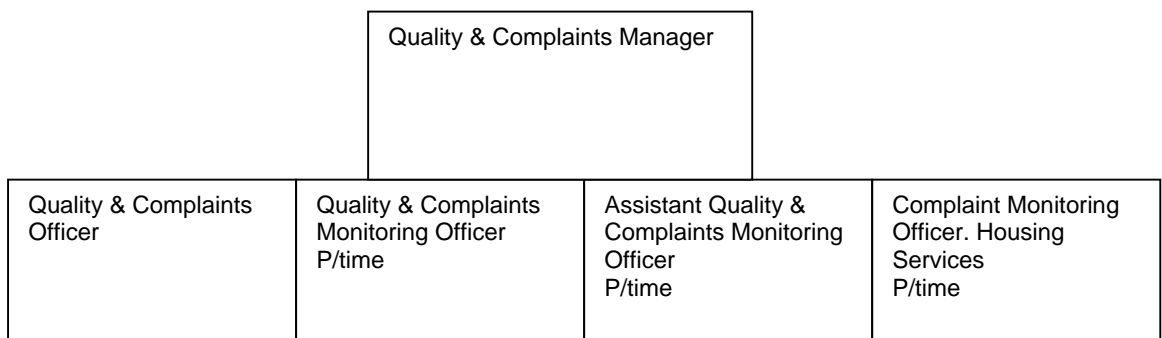
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1. INTRODUCTION

- 1.1 This Report provides information relating to the Adult Social Care Complaints, Comments and Compliments Procedure, during the period 1 April 2008 to 31 March 2009.
- 1.2 The Social Care procedure for Adult's complaints 2008/09 fell within the:-
- Local Authorities Social Services Complaints (England) Regulations, 2006
 - NHS & Community Care Act 1990
 - Health & Social Care Act 2000
 - Local Government Act 2000
- 1.3 As From April 2009 the Regulations for Adults Social care complaints are covered by 'The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009'.
- 1.4 Every Local Authority with a responsibility for Social Care Services is legally obliged to provide an Annual Report into the workings of the complaints and representations procedures.
- 1.5 All adult social care service users and people who request a service are provided with information on how to complain, or to comment on services or make a compliment. Complaint information is displayed in all public reception areas. It is also given out at different stages by staff to adult social care service users. Approx 10,000 complaint & compliment leaflets were provided to service users or their relatives during 2008/09

1.6 THE QUALITY AND COMPLAINTS TEAM

- 1.7 The Quality & Complaints Team is part of the Policy Performance & Resources Division, within the Directorate of Adult Community and Housing Services. The following structure chart shows the Quality & Complaints Team. We are responsible for the day to operation and management of all Social Care complaints for Adult and Children services and in addition we manage Housing Services complaints for the Directorate.



- 1.8 Our key objective in the management of all complaints is to achieve appropriate and effective resolutions within the shortest possible timescales. Every effort is made to ensure that each complaint is dealt with close to the point of service delivery. We are committed to a positive and proactive approach to complaint handling. We view complaints as a mechanism for ensuring that we continually improve the quality of our services.
- Enabling the Directorate to learn from complaints, comments and compliments, and to change, review or maintain services accordingly.
 - Ensuring that complaints and comments are properly recorded and acted upon, and that where necessary things that have gone wrong are put right promptly.
 - Ensuring that staff and service users understand their rights, and responsibilities within the complaint process.

2 THE COMPLAINT PROCEDURES UP UNTIL 2008 / 09

- 2.1 The complaints procedure for Adult Social Care Services during 2008/09 had 3 stages,
- Stage One. Problem solving - Local resolution.
 - Stage Two. Formal Complaint investigation.
 - Stage Three. Independently chaired Review Panel
- 2.2 Stage One:- The majority of all complaints were 'registered' at Stage 1. The statutory timescale for concluding an adult complaint at stage 1 was 20 working days, however, the Directorate made every attempt to resolve the complaint within ten working days. In most situations the manager of the service concerned carried out informal enquiries, leading to a written response to the complaint which has resolved matters.
- 2.3 Stage Two:- Complaints which are not resolved at Stage 1 can proceed to Stage 2 – Formal Complaint Investigation. Adult services complaints allows 25 working days at stage 2 for the investigation of the complaint by a complaint investigator and the response by the Assistant Director. This timescale for investigation can be extended to a maximum of 65 days with the knowledge and approval of the complainant. The role of the investigating person is to look into the complaint matters with thoroughness, fairness and objectivity.
- 2.4 Stage Three:- If the complainant remains dissatisfied after the Stage 2 process, they can request that matters move to Stage 3. This process requires the Complaints Manager to establish a Stage 3 Review Panel to hear the complaints.

2.5 The Director then provides a final written response to the complainant within 15 days following the Review Panel.

2.6 If the complainant remains dissatisfied following the stage 3 response they can, within twelve months of the panel hearing, approach the Local Government Ombudsman seeking further investigation to be carried out into the complaints by that office. If the Ombudsman determines that the complaint has not been looked into fairly and correctly by the Directorate, or that the service user has suffered an injustice in the services [S]he has received, then the Ombudsman will reach a finding of Maladministration. 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.

2.7 CORPORATE COMPLAINTS:-

2.8 We also have a duty to comply with general complaints against the Council which do not fall within the boundaries of the Statutory Social Care Complaints process. These complaints are called corporate complaints and are dealt with under the Council's own Corporate Customer Feedback Procedure.

3. OVERVIEW - SUMMARY OF COMPLAINTS AND COMPLIMENT ACTIVITY 2008/09

- 3.1 The Directorate of Adult Community and Housing Service provided a 'social care' service to 12233 adult service users during this year.
- 3.2 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.
- 3.3 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.
- 3.4 Out of the 189 complaints **1** has progressed to a Stage 3 Complaint Review Panel.
- 3.5 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.
- 3.6 The Directorate for Adult Community and Housing Services provides a wide range of help and advice to a large number of people in the Borough of Dudley and receives many compliments. This year saw one of the highest figures recorded for compliments with **291** social care compliments received for 2008–2009 compared to **236** for 2007/08 and **232** for 2006-2007.
- 3.7 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.

Training courses included:-

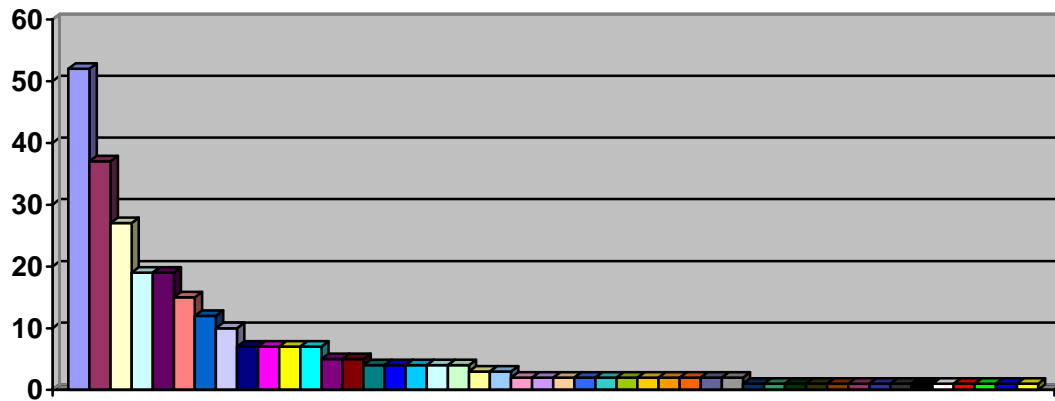
- A half day course to inform front line staff of their responsibilities when a complaint is made.
- Training managers and other senior team members in responding to complaints at Stage 1 of the procedures

- A course for Managers and Senior Managers who may be required to undertake a Stage 2 complaint investigation.
- Training for 'front line' staff, newly appointed staff in how to respond to complaints.
- Overview training to Teams/Establishments. Brief training events to explain the complaint process.

3.8 In April the Directorate implemented the new Department of Health complaint Regulations. 'The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009'.

3.9 In May 2009 a Protocol for handling complaints which relate to both Adult Social Care and Health Services was approved and implemented. This enables Social Care services and Health Services to provide a co-ordinated, joint response to complaints which refer to both health and social care services.

4 **COMPLIMENTS.** The total number of compliments for this year is **291** this can be compared to **236** for 2007/08 and **232** for 2006/07. We can see that some **43** separate services received a compliment this year, the Occupational Therapy service received the most with **[52]** indeed this is the third year running that the OT service has received the largest proportion of compliments.



Occupational Therapy (52)	Sheltered Housing (37)
New Swinford Hall (27)	Falls Team (19)
Stourbridge District Office (19)	Vision Support Services (15)
Halesowen District Office (12)	Disabled Living Centre (10)
Tiled House Lane (7)	PULSE Team (7)
Hospital Social Work Team (7)	START Team - H'Owen/S'bridge (7)
Netherton District Office (5)	Community Care Mainstream S'Bridge (5)
START Team - Sedgley/Dudley (4)	Community Care Mainstream Bri Hill (4)
Hearing Impairment (4)	Sedgley District Office (4)
Community Equipment Stores (4)	Policy Performance & Quality (3)
Russell Court (3)	Moving and Handling Team (2)
Rowan Lodge Day Centre (2)	Reablement Team (2)
START Team - Brierley Hill (2)	Community Care Mainstream H'Owen (2)
Queens Cross Day Centre (2)	Community Care Mainstream Dudley (2)
Pathways Team (2)	Accountancy & Finance (2)
Wallbrook House (2)	Shenstone (2)
Community Care Mainstream Sedgley (1)	Commissioning (1)
Brierley Hill CMHT (1)	Community Transport (1)
Private Sector Housing (1)	Sedgley CTLD (1)
Glebelands (1)	Dudley CTLD (1)
Amblecote House (1)	Lower Gornal SEC (1)
Brett Young Day Centre (1)	Executive Support (1)
Queens Cross Day Centre (1)	H'Owen CTLD (1)

Examples of Compliments Received.

- We feel that we must congratulate PULSE on what they have helped our daughter to achieve...she has learning difficulties and a severe hearing loss, she was very withdrawn, found communication difficult, has no confidence whatsoever and we had begun to experience behavioural problems.. Her placement was at a local playgroup, and with help from the staff was very successful. She has learnt to swim properly her vocabulary has improved beyond our expectations, she is assertive and oozes confidence in all she does
- I wanted to inform you that in my opinion the care my mum receives is excellent, her two main carers S and G are very kind to her and very helpful. Mums situation would be impossible without them.
- On behalf of my wife this is to record our grateful thanks and appreciation for the help you have provided i.e. stair handrail, commode, toilet extension and bath hoist. Staff at the Jack Newell Court were friendly, considerate and anxious to help, and the appliances have indeed been most helpful. Many thanks.
- We seldom get first class attention these days, but when I attended Dudley Assisted Living Centre, I couldn't have asked for better attention, thanks for the help, kindness and courtesy shown to me I am very impressed and very very grateful.
- Further to the completion of our bathroom we would like to take this opportunity to express our thanks for the difference our bathroom has made to our lives. We are now able to address our hygiene needs without difficulties. Again many thanks.
- We write to thank you for the numerous personnel from Dudley Social Services who, without exception, from the very first contact we made in April through to the present, have been nothing short of magnificent....we must particularly thank; AJ (SW Netherton), and Russell Court. In addition to their professionalism, and to some extent even more importantly they have all constantly displayed a caring attitude to help fellow beings in their 'hour of need'.

POEM RECEIVED:-

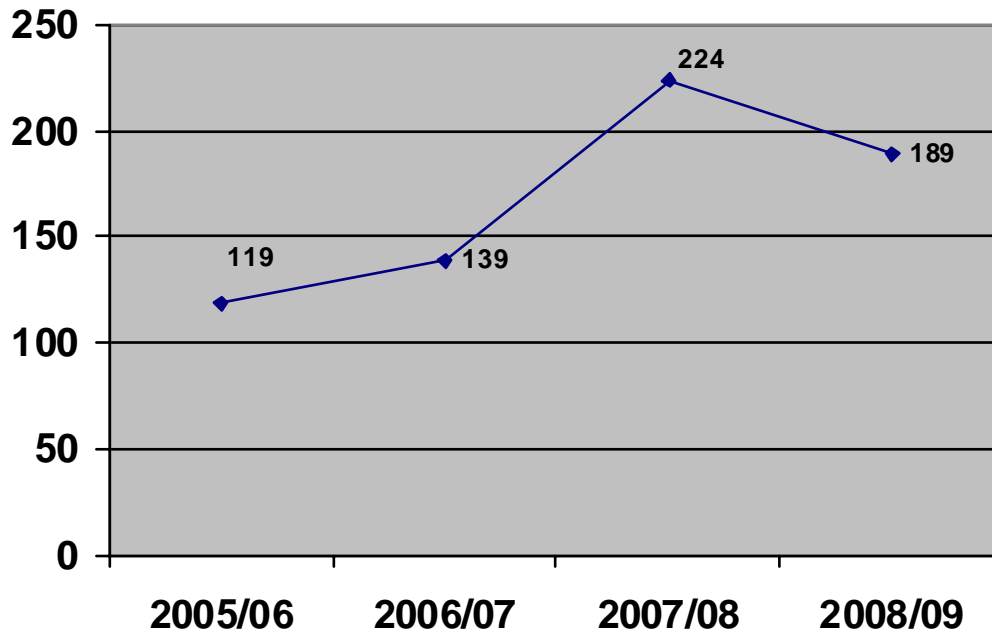
Bless Their Hearts

Cars abandoned by the roadside
Works and schools empty one did find
A blizzard it came over night
And left the ground all covered in white
Then through the day it froze and froze
As the snow kept falling it rose and rose
Everything completely ground to a halt
But our dear carers your couldn't fault

Thinking of their clients they didn't shirk
They made the effort and walked to work
Also the tuckins with determined grit
They battled on!!! They're not ones to quit
Covered in snow from head to feet
They've got hearts of gold
Just wouldn't be beat
As they struggled on through this terrible state
We're so sorry they said!!! For running so late
No need to be sorry at last you came
So thank you staff and carers too
We're so grateful for what you do
By putting us first you showed true blue
So from the bottom of our hearts we thank you

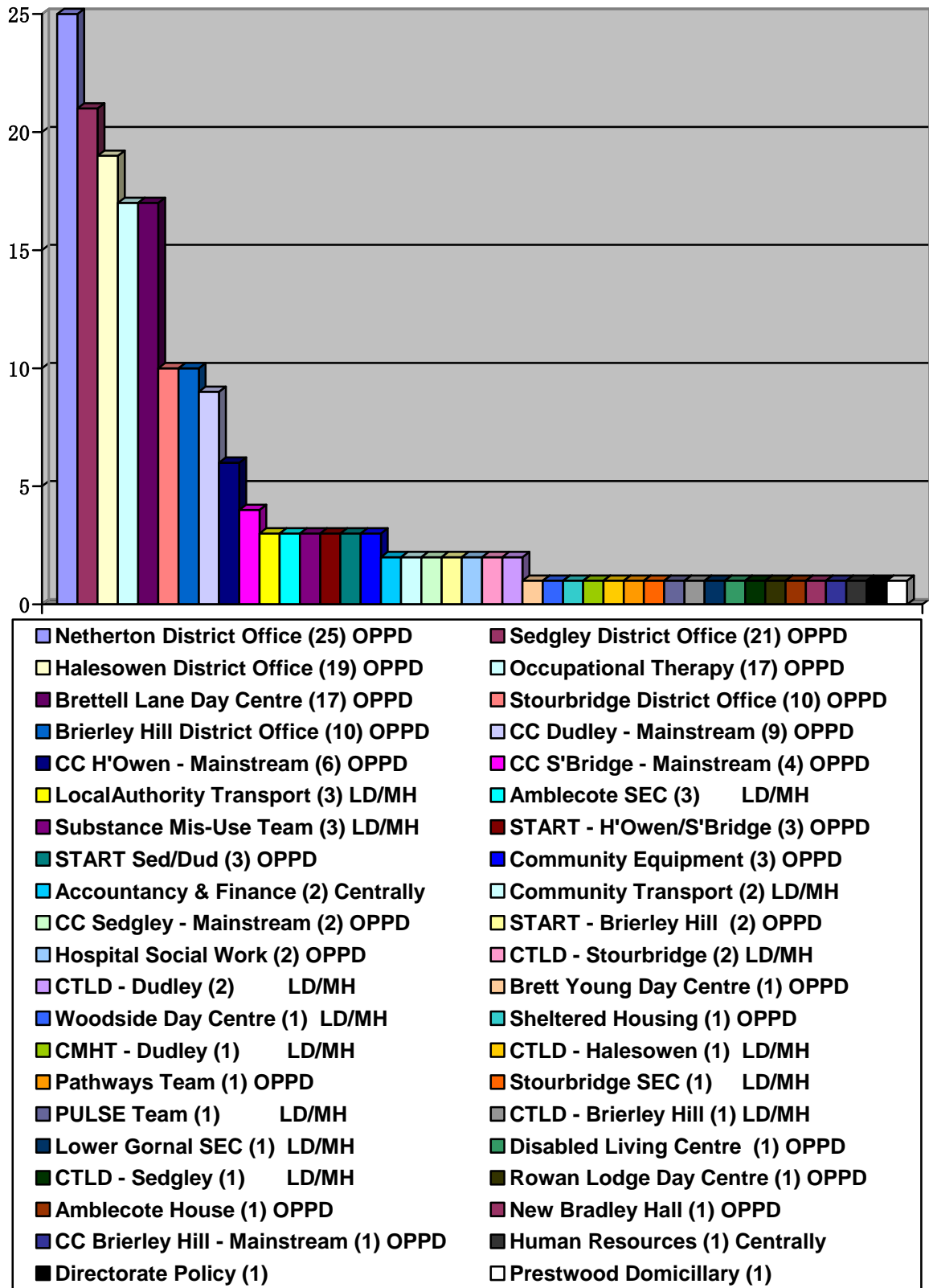
5. COMPLAINT DATA 2008 / 09

5.1 COMPARISON:- NUMBER OF ADULT SOCIAL CARE COMPLAINTS RECEIVED OVER THE LAST 4 YEARS.



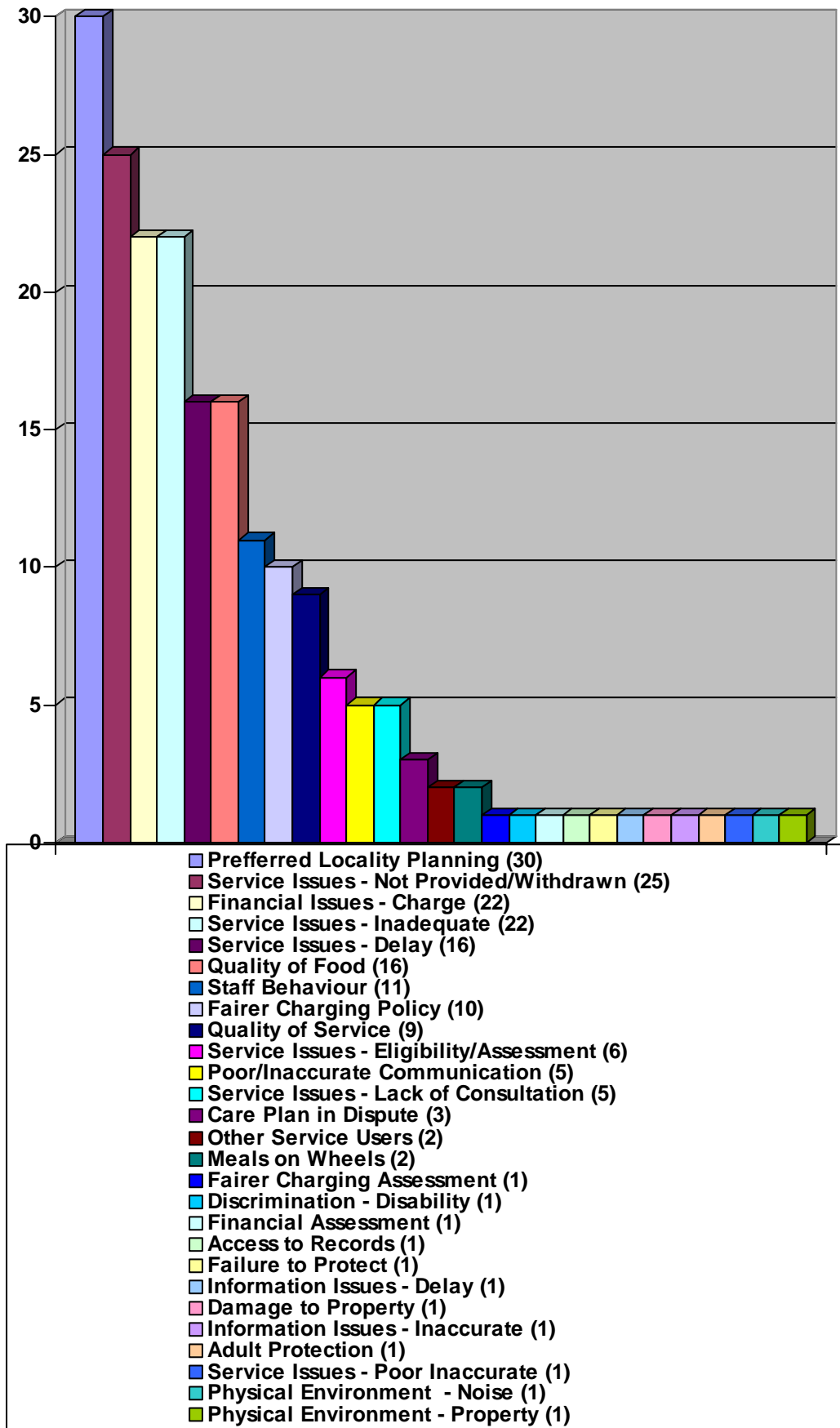
5.2 As can be seen the numbers of complaints received this year are down by **35** compared to the previous year.

6. SERVICE AREAS IN RECEIPT OF A COMPLAINT:-



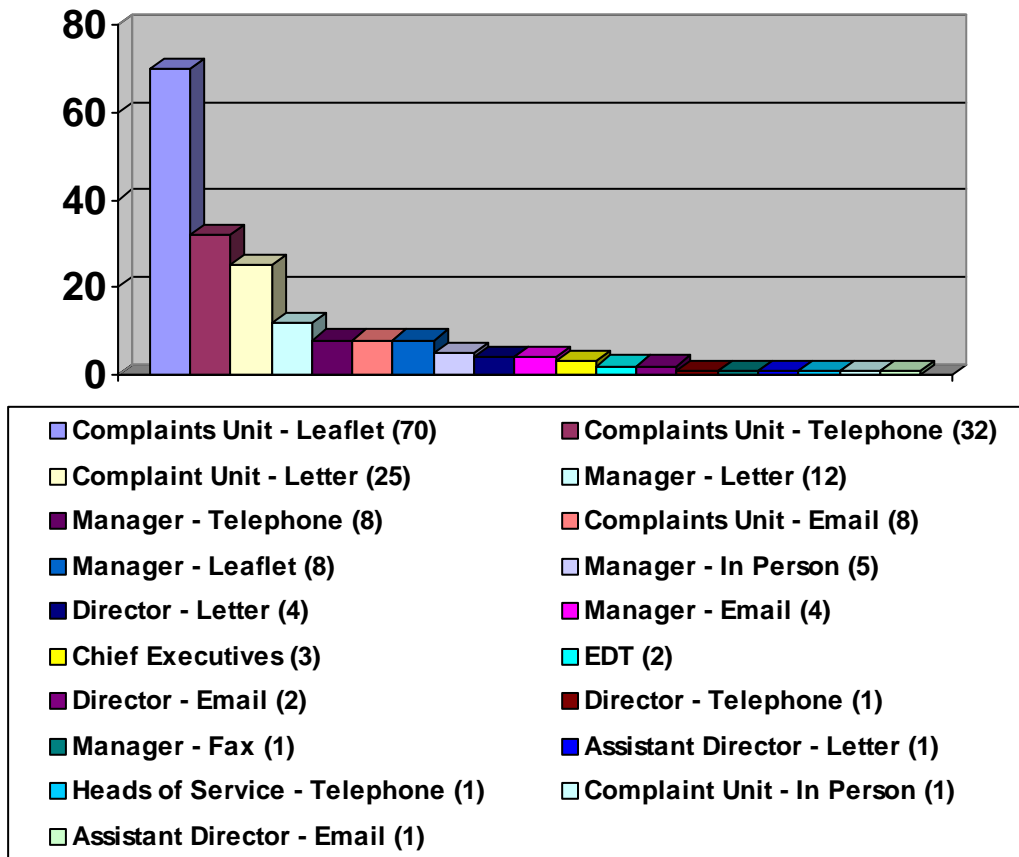
- 6.1 The **189** complaints received involved **42** separate services, the figures indicate that no one service is receiving a predominantly high number of complaints.
- 6.2 This year has seen a new issue for complaints in relation to Substance Abuse with **3** complaints, each of which involved funding for treatment.
- 6.3 The Pulse service received just **1** complaint this year compared to **16** in 2007/08. Similarly Brett Young Day Centre received **1** complaint this year compared to **22** in the previous year – the majority of those 22 complaints referred to quality of meals. However, we can see that Brettell Lane Day Centre has received **17** complaints this year in comparison to **NO** complaints last year – again the majority of those complaints were individually presented complaints in relation to quality of meals.
- 6.4 Complaints regarding externally commissioned services or establishments refer to people who reside in private or independent establishments where funding is in full or partly provided by Dudley MBC. Or, where private, external home care services provide a service to Dudley MBC residents on behalf of the Directorate. As some social care services are increasingly provided by external agencies on behalf of the Directorate we maintain a responsibility for ensuring that the service user receives a quality service; where this falls short the service user continues to have the right to complain using this complaint process

7. SERVICE ISSUES



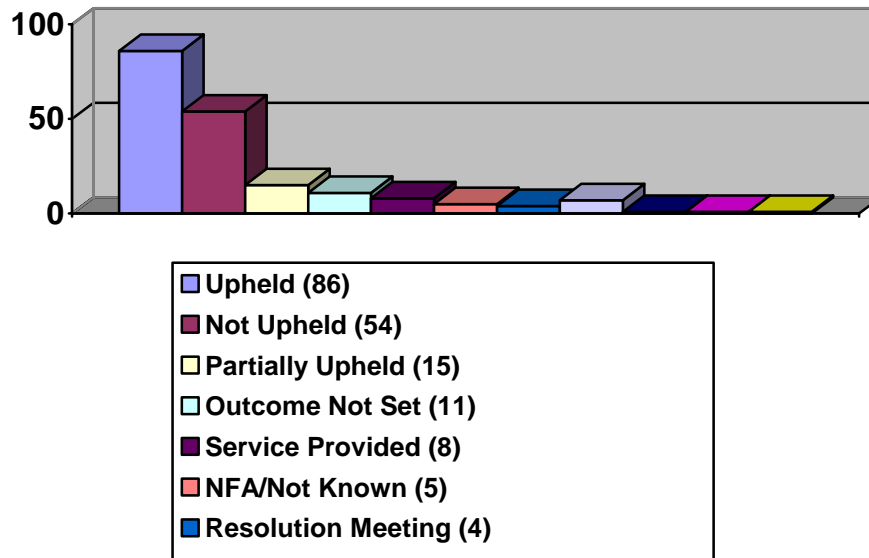
- 7.1 The **189** complaints received involved **197** separate issues, all of which were looked into and responded under the complaint process.
- 7.2 The complaints in relation to 'preferred locality planning' involved a proposed change of home care service provider. In all such complaints the decision to change the home care service was put on hold whilst a further assessment could be carried out to assess the impact for the service user. The original service provider remained in place Wherever there was any concern that the change could be upsetting or difficult for the service user to manage.
- 7.3 Not Provided Withdrawn covers a number of issues ranging from
- Missed call by Care Agency.
 - Meals on wheels discontinued
- 7.4 Inadequate covers a number of issues ranging from
- Application for an adaptation was rejected following an assessment. Further information was received leading to an alternative service being provided.
 - Services that a father had been billed for that he never received
 - Complaint that a telephone wire was dislodged by a carer and now telephone is not working.
- 7.5 Quality of Food.
- Each complaint is required to be registered and responded to individually. A number of complaints were raised individually by members of a day centre who were unhappy with the quality of food, the provider was changes as a result.
- 7.6 Charges, examples of complaints include:-
- Overcharging for residential care. Re=payment made.
 - Increase in charges
 - Complaint received regarding lone working policy and the cost of an extra person when it is felt an extra person is not needed to carry out tasks.
- 7.7 Quality of Service:- examples of complaints include
- Service User wanted regular carers, and not young/and or inexperienced people.
 - Transport being available to take day care users to various venues
- 7.8 Staff Behaviour.
- Attitude of a worker during an assessment.

8. HOW RECEIVED



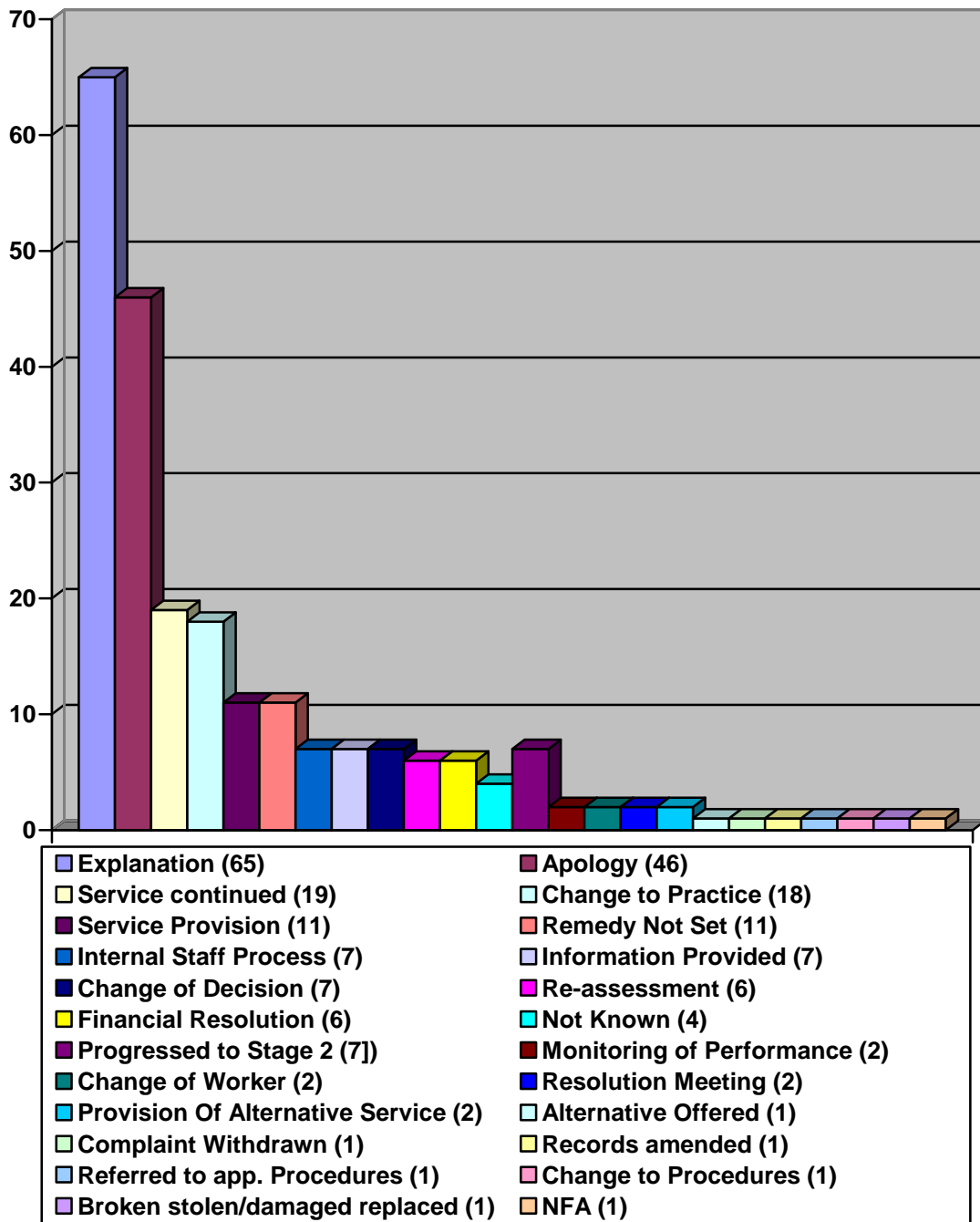
- 8.1 Importantly, there are a variety of means and access points to the complaint process. The number of complaints being received directly by the Quality & Complaints Team may indicate that access to the complaint process is clear, known of, and easily understood by service users, and service areas.
- 8.2 A requirement exists for all complaints to be registered, this is carried out by the Quality & Complaints Team.
- 8.3 All complaints, however received, are acknowledged, before a Manager is allocated to carry out the response to the complaint matters.

9. OUTCOME



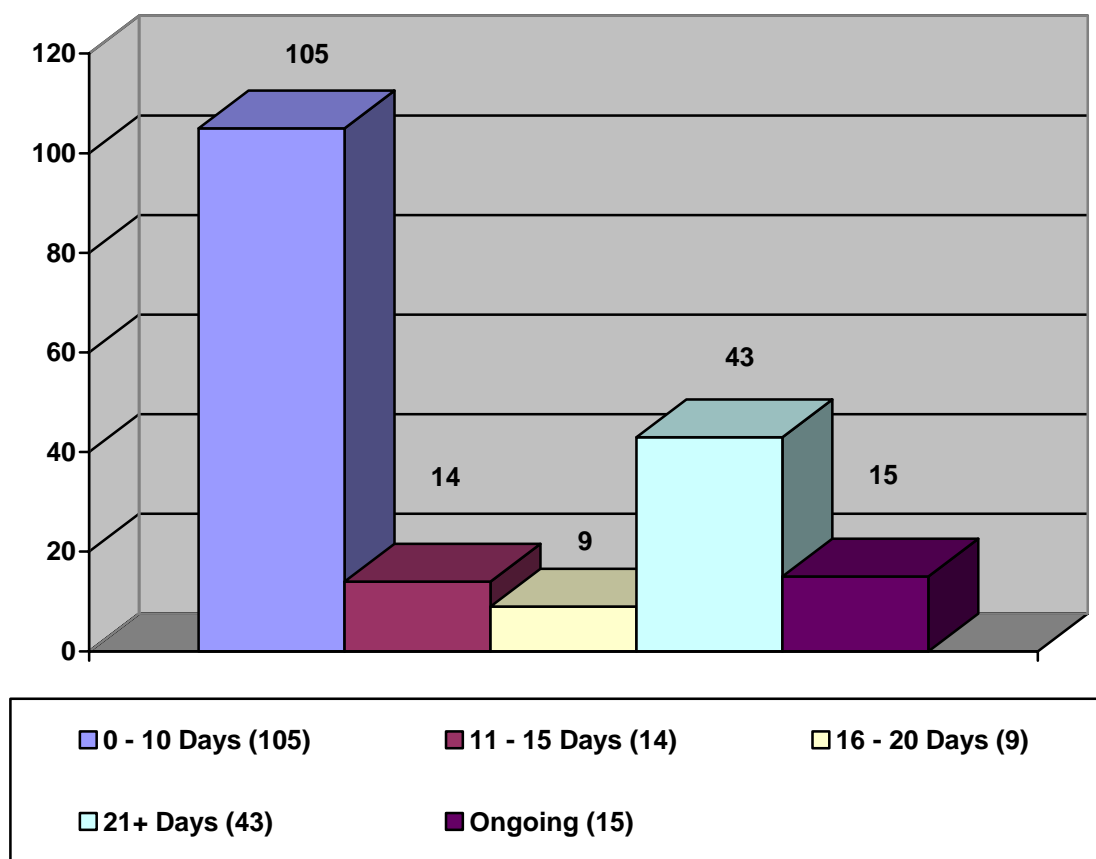
- 9.1 The focus in dealing with all complaints is seeking a timely and satisfactory resolution, where lessons are learned and where outcomes from complaints can inform service improvements. The vast majority of all complaints were resolved at stage 1 – the problem solving stage and it is not always possible to determine a ‘finding’ in all complaints. This is particularly so where matters are resolved face to face through discussion and mediation. However, where it is reasonable and possible to reach a finding this can assist in our learning.

10. REMEDY



10.1 From the 189 complaints received **225** separate remedies were provided, this assists in evidencing the care by Managers in providing a response which is specific to the individual matters raised.

11. TIMESCALES

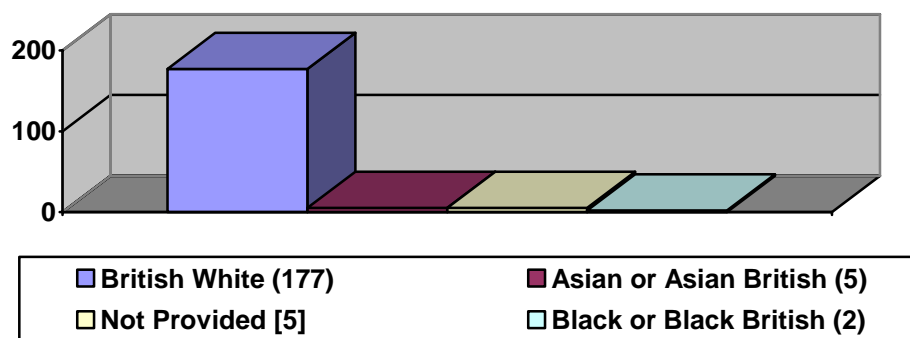


11.1 The timescales for resolving complaints during 2008/09 remain satisfactory, with the majority of all complaints i.e. **123** seeing a resolution within 10 working days or 20 days. However, **43** fell outside the 20 day timescale largely due to factors such as

- Complaints which progressed through Safeguarding Procedures
- Complaints which, with the agreement of the complainant took longer to resolve due to the need for detailed enquiries, or resolution meetings, etc.

12. ETHNICITY

12.1 Service Users ethnicity is recorded where it is provided and or known. The recorded figures for 2008/09 are as follows:-



12.2 As in previous years the vast majority of people who used the complaint process are British/White. The Quality & Complaints Team will continue to try to raise awareness and improve accessibility to the complaint process for all Adults in receipt of a service. During 2009/10 the Quality & Complaints Team will

- Carry out an Equality Impact Assessment in relation to the New complaint procedures.
- Develop and circulate new publicity material in a number of languages.
- By arrangement - Attend Community Groups to raise awareness of the complaint process.

13. LEARNING FROM:-

13.1 The following are examples from the 189 complaints received of the learning which has taken place across the Directorate in 2008/09.

- Impact Assessments:- As a result of complaints involving change of Home Care Providers, the relevant review form used to assess possible changes for service users was improved to include a section specifically dealing with the possible impact of the proposed change for the service user.
- Direct Payments:- As a result of a complaint it was agreed that further clarification would be provided to users of Direct Payments with regards to using Direct Payments for Taxi's, and other expense related issues.
- Lines of communication between Social Care and Health Services:- A service user unexpectedly deteriorated in health during the temporary absence of their main carer/relative. On her return the main carer/relative felt more should have been done by the services going into to her home to address the deterioration. This complaint led to increased advice to staff in knowing when to intervene. It also raised awareness of the need to follow up referrals made to GP surgeries.
- Incorrect information: a complaint investigation established that a report in relation to a service user contained incorrect information, the report was amended and new guidance is to be issued to all Social Workers on the need to check facts and information which are to be presented in reports.
- Significant adaptations:- Following the outcome of a complaint, it was agreed that as part of the detailed discussions and planning that takes place for significant adaptations to be carried out - there is need to establish and plan for the disruption including addressing alternative housing needs in exceptional cases.
- Adult Protection:- As a result of complaints involving adult protection issues the Quality & Complaints Team, Commissioning Services and Vulnerable Adults Service established an agreed process for receiving, monitoring and responding to complaints which need to follow the Vulnerable adult protection route.
- Quality of Service:- As a result of a number of complaints from an establishment in relation to quality of food we saw a change of supplier and a new quality assurance process.
- Links with Health:- As a result of a complaint. District Offices learned that where a service user has both social and health needs, a request can be made via the service users GP, for a visit by a

Community Nurse with responsibility for linking up with the social care services to share information and assistance.

- Communication:- As a result of a complaint. Day Care Units determined there was a need for increased staff awareness and monitoring of potential incidents by service users towards other service users, including recording of incidents and sharing of information in daily briefing meetings.
- Communication:-Improved communication between the Out of Hours Service and the START Home Care service in relation to new cases.
- Communication:- A complaint highlighted that some service users were unclear which services might incur a charge, as a result the necessary forms used were amended to make this clearer.

14. NEW COMPLAINT PROCEDURES 2009:-

- 14.1 A training programme will be set up from May 09 through to 2010 to provide training/guidance for Managers/Staff in complaint handling/responding to complaints under the new Regulations/Guidance.
- The new regulations will apply to Adult Social Care and NHS bodies. It will NOT apply to Children's social care complaints.
 - Who may make a complaint, and who may act on their behalf, remains basically the same.
 - The time limit for making complaints remains at 12 months.
 - All complaints MUST be sent to the complaints service.
 - All complaints must be acknowledged within three days
 - The previous 3 stage process has ended. There is now a need for the Complaint Service to 'grade' the complaint and enter into individual contract/written agreements with complainants - detailing who will respond, how, how long it will take, consent to share information, outcomes being sought, etc.
 - All complaints will receive a "sign-off" letter, which will provide a written explanation of how the complaint has been considered, conclusions reached on the basis of the facts, an explanation of any action taken, and will advise that the next step for dissatisfied complainants will be to take their concerns to the Local Government Ombudsman or the Health Services Ombudsman, as appropriate

15. ELECTED MEMBERS VISITS TO SOCIAL CARE ESTABLISHMENTS

- 15.1 Each year Elected Members are nominated by their Area Committees to carry out required visits to Dudley MBC Social Care establishments. Members are provided with a schedule of visits covering all social care establishments, together with feedback forms to complete during their visits.
- 15.2 Service users, and staff are provided with the opportunity to put forward any thoughts or comments to Members who then clearly take full and proper account of this in their feedback.
- 15.3 The feedback forms, once completed are sent to the relevant Assistant Director. This provides the opportunity for Members to put forward immediate and valuable information, observations and comments regarding their visits, together with specific requests for action or a response to any issues arising out of the visit. Any action taken as a result of the feedback from Members is monitored to ensure it takes place. Clearly, this is a valuable and vital tool in our ongoing aim of continually learning and developing our services for all people using services.