

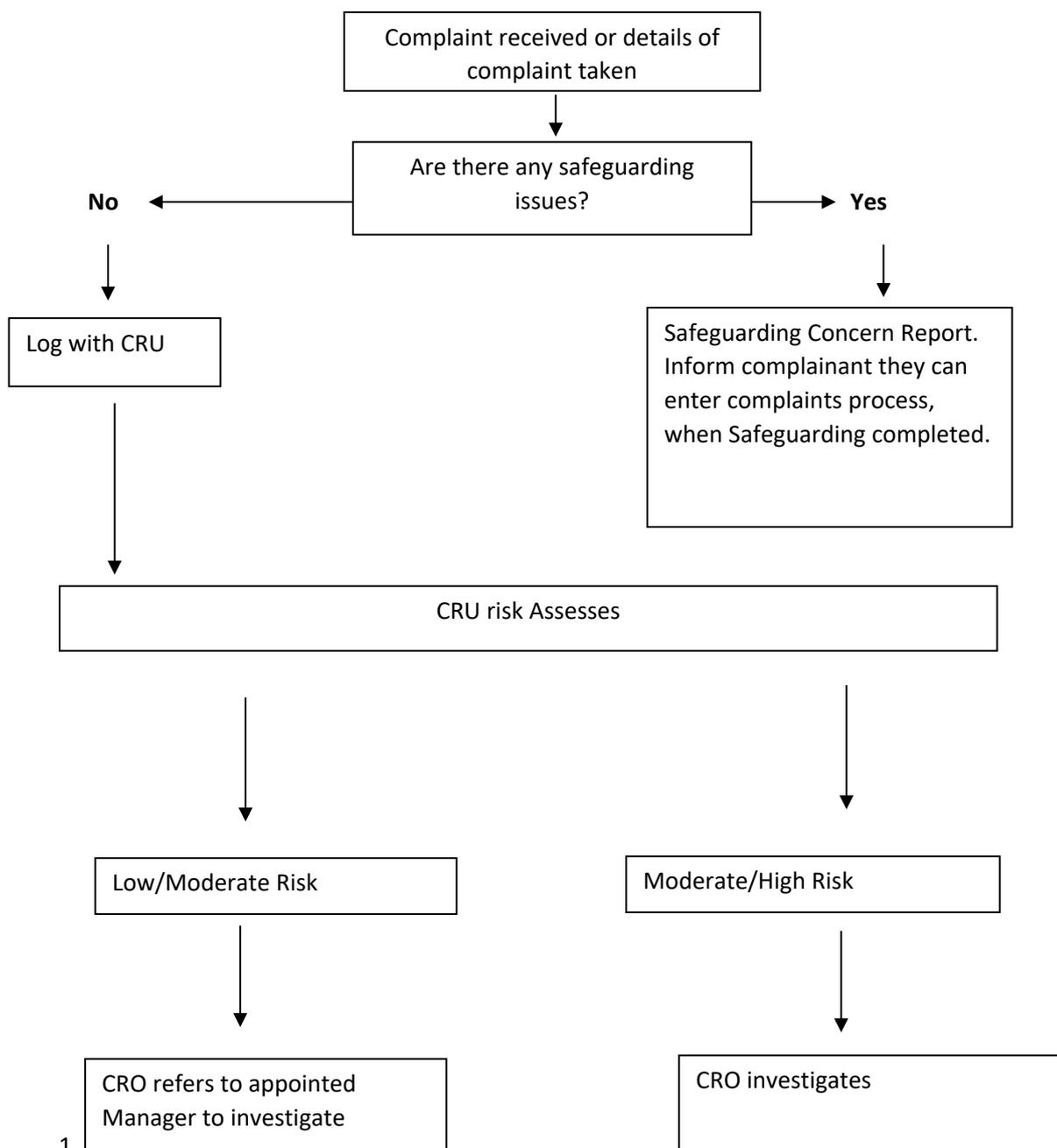
**Further information for Adult Social Care**

1. Schematic diagram to demonstrate the complaints process

The attached schematic diagrams (flow charts) for Adult Social Care are aligned to the Statutory Guidance for the Complaints and Representations Procedure. The procedures were produced in accord with the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009. These diagrams represent the complaints process for Adult Social Care.

When complaints are allocated to Managers and Advanced Social Workers the relevant flow chart is also provided together with template response letters, a Key Learning form (for capturing individual and general learning for the directorate) and the complaint. The Consumer Relations Officer (CRO) provides training on the complaint's procedure to staff at all levels. The CRO is also available to visit individual teams to discuss the complaints and representations procedure of any concerns that may arise from it.

**Flow Chart for receipt of complaints**



## Types of complaints

Informal complaint –  
Locality/Team Manager or  
ASWP seeks resolution. No  
need for a written response

Low level complaint – Usually a single  
resolvable issue, with little impact on the  
Adult or Authority. Allocated Manager  
Investigates

Moderate level complaint – A more complex complaint in  
need of in-depth investigation which may involve more  
than one organisation. Greater risk to the Adult, service or  
reputation. Allocated Manager or CRO investigates

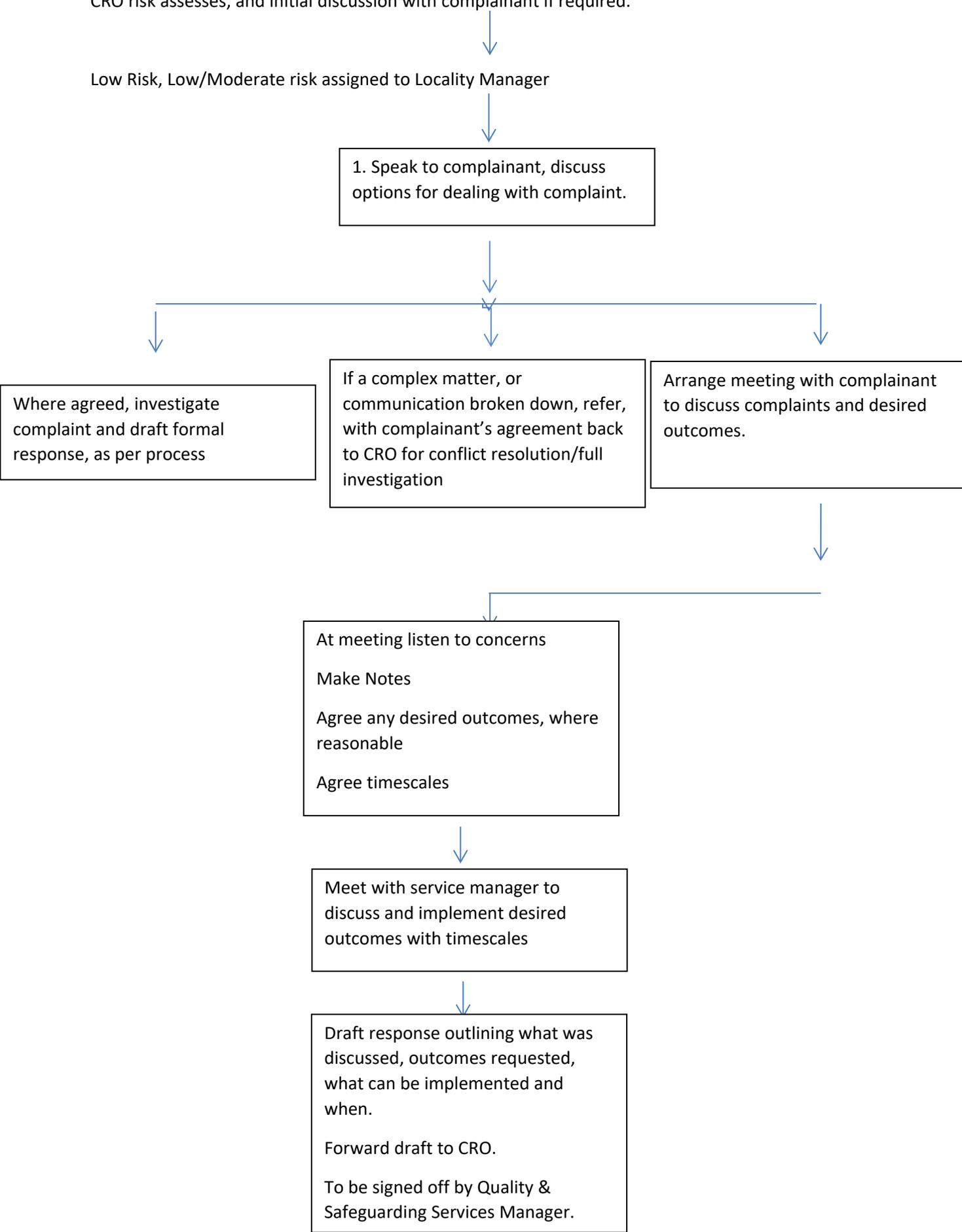
Consider whether there are any allegations that suggest abuse  
or neglect, and report a safeguarding concern

High Level complaint – A complex complaint, involving serious issues  
that are a high risk to both adult and the reputation of the Authority.  
CRO always investigates.

### Process for considering Conciliation or Mediation

CRO risk assesses, and initial discussion with complainant if required.

Low Risk, Low/Moderate risk assigned to Locality Manager



## 2. Explanation of time limits and how performance is measured against this

There are no prescribed time limits for dealing with complaints, although the legislation suggests a maximum of 6 months. The expectation is that reasonable timescales are negotiated and agreed with the complainant. Adult Social Care has set a default time limit of 35 working days for the completion of complaints, although it is possible to extend the timescales for more complex complaints.

Informal complaints must be verbal and about a matter of low concern, where immediate intervention will resolve the issue or prevent the complaint escalating. Informal complaints must be dealt with rapidly, within 24 hours or where the complainant has stated that they do not want to make a formal complaint. If the complainant does not want to make a formal complaint, but the issues raised are of a serious nature, the Consumer Relations Officer (CRO) should be contacted to decide how to deal with the complaint.

Formal complaints can be made either verbally or in writing. The complainant should be acknowledged within 3 working days. The CRO will risk assess the complaint and decide who the complaint should be allocated to. Where the complaint is redirected to the Safeguarding process, the complainant is advised. Complaints are investigated independently of the complained about service area. A rota exists managed by the CRO for Team Managers and ASWPs who deal with Low/Moderate risk complaints. Senior Managers and the Safeguarding lead have access to the rota on a shared drive. No formal complaint should be dealt with outside of this process.

Managers and ASWPs tasked with investigating complaints must have relevant competences to investigate. If they do not feel adequately equipped, they are advised to contact the CRO for additional training.

Managers and staff must make themselves available for interview, clearing a space in their diary if necessary. Requests for information should also be dealt with promptly.

Those dealing with Low/Moderate complaints should contact the complainant within 5 working days to clarify:

- Details of the complaint and desired outcomes
- How the complainant wants to be kept informed of progress
- A meeting if appropriate
- Whether they need advocacy assistance
- A timescale for dealing with the complaint, or the default timescale

The CRO should be informed if the timescale agreed is different to the 35 working days, which should include 10 days for the draft response to be signed off by the relevant member of the senior management team, Adult Social Care.

Delays at the initial stage of the complaint process are often caused by:

- difficulty in obtaining consent from the service user (where complaints have been brought by members of the family or friends)
- difficulty in contacting the complainant to agree the complainant's desired outcomes

Delays in progressing and completing complaints are often caused by:

- complexity of the complaint, requiring other agency input such as joint NHS or NHS complaints, and complaints relating to finance
- complainants adding to the initial complaint

There is flexibility in how a complaint can be dealt with, and mediation or conciliation meetings can be offered if appropriate.

Overdue complaint responses are monitored and chased by the CRO. All responses are checked by the CRO who will make suggestions or amendments. The CRO returns responses to investigating officers for further work where necessary. This procedure is part of the quality assurance process currently used by the Directorate. A similar process applies to commissioned investigations.

Reports that detail response times are produced on a quarterly basis, which include timescales for responses. These reports are presented at SLT, DLT and SMT. An Annual Report is also produced. Ad hoc reports are produced on request.

### 3. Feedback/complaints received by Councillors – consider how this links to the Complaints Team

The guidance states that “all complaints however made or received must be forwarded to the Consumer Relations Unit.” This includes complaints received via MPs or Councillors. A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of actions by Adult Social Care, the discharge of, or failure to discharge a Social Services function. If an expression of dissatisfaction is more than an observation and requires either action or a response, then it is deemed to be a complaint.

### 4. Data for future report – drill down into data to show statistics. Also highlight where delays arise in the process

A ‘deep dive’ of quarter 2 response times has been used to illustrate where delays arise in the process.

#### **Low/medium risk complaints completed in Quarter 2**

<b>Area the complaint relates to</b>	<b>Within 35days 2019/20</b>	<b>Within 45 days 2019/20</b>	<b>Within 55 days 2019/20</b>	<b>Over 55 days</b>	<b>Total</b>
Operational Services	7	1	3	1	12
Reasons for the delay		Ack and allocated within timescale. Complainant was dissatisfied with the response he received. He was signposted to the LGO but also offered a meeting with the Senior Manager and	<b>Complaint 1</b> Complaint ack and allocated within timescale. Complainant added to the original complaint prior to response being sent within timescale. This took the complaint over the 35 working day timeframe, which the complainant was aware of.	Ack and allocated within timescale. ASWP passed complaint to her manager following the CRU chasing a response. Queries arose around data protection. CRU escalated the complaint to senior	

		the CRO. The complainant declined.	<p><b>Complaint 2</b></p> <p>Complaint ack and allocated within timescale. Complainant added to the original complaint within the 35 working days. This delayed the response being finalised. Complainant aware of delay.</p> <p><b>Complaint 3.</b></p> <p>Ack within timescale. Delay of 9 working days as permission required. CRU spoke to complainant when complaint received to explain there would be a delay due to requiring permission. Complainant accepted this.</p>	management. Complainant aware of difficulties.	
<b>Comm Provider</b>	<b>7</b>				<b>7</b>
Finance and Bus Support	7	1	1		9
Reasons for the delay		<p><b>Complaint 1</b></p> <p>Ack and allocated within timescale. Complex case, complainant received two responses as queried first response. Complainant</p>	<p><b>Complaint 1</b></p> <p>Ack and allocated within timescale. Permission required for the health and welfare part of the complaint but could proceed with finance part of complaint. Allocated to Independent Officer.</p>		

		aware of delay.	Complainant added to the complaint during the investigation. IO agreed to the additional complaint. Complainant aware that the timeframe would need to be extended.		
LD			1		1
Reasons for the delay			Ack on time but insufficient information to process the complaint. CRO contacted the complainant who provide information 2 weeks later. Complaint then assigned. A second acknowledgement was sent out once complaint information received.		
<b>Urgent Care</b>	1				1
<b>Safeguarding</b>	3				3

Q2 saw an improvement in the time taken to complete complaint responses. 75% were responded to within 35 working days. Less than a quarter were responded to over the 35-day timeframe.