

ADULT CARE AND WELL BEING OVERVIEW AND SCRUTINY PANEL 28 SEPTEMBER 2022

COMPLIMENTS AND COMPLAINTS FOR ADULT SERVICES

Summary

1. The Adult Care and Well Being Overview and Scrutiny Panel (the Panel) will receive a report on compliments and complaints relating to Adult Social Care Services, which is an annual update provided to this Panel.
2. The Strategic Director for People and the Cabinet Member with Responsibility for Adult Social Care have been invited to the meeting.

Background

3. The information in this report includes the formal complaint and compliments process, data on the types of complaints, time taken to resolve and how many are upheld, those dealt with by the People Directorate and those dealt with by the Consumer Relations Unit (CRU), which is part of the Directorate of Commercial and Change. The report also includes an overview of numbers and themes.
4. The Council is required to produce an annual report of compliments, complaints and comments received concerning adult social care services, which is published on the Council's website [web-link](#). A copy of the latest report is attached at Appendix 1.
5. The Adult Social Care complaints process has been produced in accordance with the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.
6. 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.
7. If the Authority has done all it can to resolve the complaint, and the complainant is not satisfied, they are directed to the Local Government & Social Care Ombudsman.
8. The Manager dealing with the complaint should consider whether there is any learning. There are 3 types of learning:
 - Team/Staff specific – for instance where there is a local issue with staff or a team not following or understanding procedures, policies, legislation, or best practice. Training issues.
 - Improvements/actions/innovations – where it is identified that improvements to procedures or practices either locally or directorate-wide would be

beneficial. Where there are service improvement issues, where action needs to be taken to restore the adult to the service they should be receiving.

- General learning/reminders – where issues identified are service-wide and a reminder needs to be issued to staff.

9. Where a complaint is received, and it is entirely a matter for the relevant NHS body, then within 3 working days the complainant is contacted to ask if they want their complaint redirected and consent obtained (General Data Protection Regulation). If the complainant agrees, then the complaint is forwarded immediately to the relevant NHS complaints manager, and an acknowledgement sent to the complainant detailing where and to whom their complaint has been sent.

10. Where a complaint is about a commissioned service then in the first instance the complainant is directed to the provider. Where the complainant is adamant that they do not want to approach the provider, or the issue is serious, then they can access the complaints procedure straight away. Where the provider responds but the complainant remains dissatisfied, they can then enter the complaints process. If the complaint is accepted, then in most instances the Consumer Relations Officer will investigate.

11. Where findings are made against a provider, the outcomes will be shared with the Care Quality Team for follow up action.

12. A comment is a general observation about a service, or a service improvement suggestion and comments are logged with the CRU. Where a comment is received, an acknowledgement is sent within 3 working days. The comment will then be responded to by the relevant manager within 35 working days. A copy of the comment and response must be sent to the CRU.

13. A compliment is an expression of gratitude or satisfaction which is more than a simple thank you and should identify the area of good practice. Compliments should be forwarded to the CRU with the name and address of the adult with care and support needs. If the compliment is received by CRU, the People Directorate will acknowledge the compliment and send details to the staff member's manager if they are not already aware of it.

Points to Note

14. Less than 6% of the total number of complaints received in 2021/22 were escalated to the Local Government & Social Care Ombudsman.

15. The number of complaints increased in Adult Social Care from 123 in 2020/21 to 233 in 2021/22.

16. 67 complaints of the 208 responses in this period (some of the complaints will fall into the next year when responded to) were either upheld or partially upheld, 49 were not upheld and 79 were discontinued.

17. The primary areas of complaint are in assessment, support planning and resource allocation, which is the core business of Social Work. Within this area, the largest areas of complaint are around communication and staff attitude and behaviour.

18. The other main area is contracted residential care and domiciliary care and financial assessments. There has been an increase in complaints regarding externally commissioned home care, and an increase in complaints regarding services that fall under Adult Safeguarding.

19. Financial Assessments and Direct Payments is an area that has also seen an increase in complaint numbers.

20. There has been an increase in the number of complaints that relate to the standard of service received in the complainant's view. 58% of complaints received in 2021/22 (compared to 38% in 2020/21) were related to standard of service and reflect an increase of 20%. Standard of Services includes service delivery, assessment of eligibility for services and timeliness in receiving services. Not all adults will be eligible for services from Adult Social Care following assessment. This can inevitably result in challenge and disagreement on how individual needs can be met. These are often emotive and challenging situations which can stimulate complaints where people do not agree with the practitioner's views or level of service received. Delays may also be incurred due to sourcing the right support, again leading to a complaint. Concerns may also be raised regarding a lack of empathy and compassion shown to service users, the standard of care received on domiciliary visits, i.e. not staying for the full time allotted and the amount of attention given to residents, not wearing the necessary Personal Protective Equipment.

21. It is recognised that the pandemic has impacted on the delivery of Adult Social Care both by Worcestershire County Council and external care providers, for example recruitment and retention impacting on staffing levels.

Purpose of the Meeting

22. Members are invited to consider and comment on the information within this report and agree:

- whether any further information or scrutiny work is required at this time
- arrangements and frequency of future reports
- whether there are any comments to highlight to Cabinet Member.

Supporting Information

Appendix 1 – Adult Social Care Statutory Representations and Complaints Procedure Annual Report 2021-2022

Contact Points

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Background Papers

In the opinion of the proper officer (in this case the Democratic Governance and Scrutiny Manager), the following are the background papers relating to the subject matter of this report:

[Agenda for Adult Care and Well Being Overview and Scrutiny Panel on Monday, 15th November, 2021, 2.00pm](#)

All agendas and minutes are available on the Council's website here.