



<u>Committee and Date</u> Health and Adult Social Care Scrutiny Committee  9 February 2015	<u>Item</u> <b>8</b> (Work Programme)  <u>Public</u>
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## **Adult Social Care: Complaints Analysis October 2013 to December 2014**

### **1. Summary**

- 1.1 The report summarises the latest information in relation to the Adult Social Care Complaints Dashboard (Appendix 1), covering the period 15 month period from October 2013 to December 2014.
- 1.2 The key points are:
- 169 unique complaints received
  - 29% cases upheld, 36% partly upheld
  - 35% not upheld
  - 2 cases reviewed, no decision changes
  - 12 LGO Referrals, of the 7 closed cases, the Council found to be 'at fault' in four of these
- 1.3 The key learning points and summary of actions are:
- Learning points have been identified in a number of areas:
    - The clarity and timeliness of financial information given to service users.
    - The outcomes of assessments are sometimes disputed.
    - The auditing of direct payments needed to be strengthened
  - For each of these points, direct action has been implemented by Adult Social Care to improve the service

### **2. Recommendation**

- A. To consider the information set out in this report and identify any potential areas for further work by the Scrutiny Committee.

## REPORT

### **3. Risk Assessment and Opportunities Appraisal**

- 3.1 Failure to respond to and learn from Complaints can lead to reputational, financial, and legal risks. Failure to learn and improve services could result in service users being at risk, staff being at risk, and the Council could also find it is not providing or commissioning services that are achieving their fullest potential effectively, efficiently or economically.

### **4. Financial Implications**

- 4.1 Although this report does not have any direct financial implications, failure to respond effectively to complaints can have implications for the Council, providers of service for the Council, and for people who receive services.

### **5. Complaints Information**

- 5.1 During the reporting period 169 unique complaints were received regarding Adult Social Care (ASC). The analysis of the complaints is set out in the dashboard appendix 1. Reference to charts within in the report refers to charts in this dashboard.

The overall trend for new complaints received remained neutral over the 12 month period. However, there was considerable monthly variation; October saw the most new complaints (19) and November the fewest (6).

- 5.2 When complaints have been investigated, a decision reached and relayed to the complainant, they are considered to be stage one closed.

The average duration for cases to reach stage one closure during this reporting period was 25 working days. The Council has 6 months to close statutory ASC complaints as stipulated in the Local Authority Social Services and NHS Complaints (England) Regulations 2009.

Chart 2 shows the average duration of cases by month of closure over the period. The shortest average duration was in December 2013 (13 days) while the longest was Dec 14 (38 days).

The chart shows a trend of increasing timescales for cases to reach stage one closure. Taken with chart 1, this does not appear to be due to an increase in the volume of complaints.

During the autumn, there has been an increasing demand on the Integrated Community Services team, who support people leaving the Royal Shrewsbury Hospital. This directly correlates to the increase in average complaint closure time between September and December.

- 5.3 Following a closure of a complaint at stage one, there are a number of options for complainants who disagree with the decision taken.

Where complainants are unhappy with the response they have received, and this cannot be resolved with further discussion, a review may take place. During the

reporting period, two cases progressed to this stage. One remained open, whilst the other was closed with its stage one outcome of 'partly upheld' still in place.

Complaints may also go straight to the Local Government Ombudsman (LGO) who will review the case and issue recommendations. During the period, 12 cases were referred. Of the seven that had been resolved, the Council was found to be 'at fault' in four cases, and 'not at fault' in three.

The results from October 2013 to December 2014 indicate that in the vast majority of cases, complaints are dealt with at stage one.

5.4 Complaints received can receive one of three possible outcomes at the end of stage one:

- Upheld
- Partly Upheld
- Not Upheld

Chart 6 shows the breakdown of decisions for all stage one closed cases over the reporting period. 29% cases were upheld, 36% partly upheld, 35% not upheld.

This means that in nearly two thirds of cases, the Council has objectively reviewed the issues, and has taken the opportunity to identify where improvements can be made.

5.5 A more detailed breakdown of these findings is illustrated in chart 5. This chart shows the breakdown of cases by their outcomes, and also the main category of complaint (as currently defined by the Council).

Certain types of complaint have a higher proportion that are upheld or partially upheld. Complaints relating to the following have the highest volume and proportion upheld:

- 'Delay – Delivering Service' examples include delays in issuing invoices for the payment of contributions to services
- 'Quality – Service Provision' examples include where service users are supported by more than one team, or move between teams and the level of service changes.

Other complaints with high volume and proportion upheld relate to:

- 'Quality – poor communications' examples include failure to inform service users and their family carers of changes to arrangements such as the timing of an assessment.
- 'Failure or Refusal – provide information' examples include questions of clarity in terms of the information shared about the payment of top-ups for care or respite.

5.6 Taking account of the types of complaints above, the following provides examples of the type of learning that has been identified:

- 'Delay – Delivering Service'  
A theme emerged that a number of complaints were being recorded with regards to delayed first invoice of care contribution. Contracts to care home

are now sent electronically with an aim to reduce delays in invoices being produced.

A number of complaints were received with regard to the audit of direct payments, with some not reviewed for substantial periods of time. To address the situation two new staff members were employed.

- 'Quality – Service Provision'  
Complaints were received regarding the quality of assessments, and the decision made. No learning has been implemented on this, however we note from responses that reassessments are offered, and one to one sessions with worker who has completed the assessment.
- 'Quality – poor communications'  
Complaints were received regarding the timeliness of assessments and the lack of communication regarding this. ASC Implemented a new process for service users awaiting care assessments, which was expected to improve waiting times and communication
- 'Failure or Refusal – provide information'  
We receive a number of complaints about service users receiving no or incorrect information about financial contributions to their care.

In response, the Fairer Charging Team have altered their processes and now when any service user is identified as self-funding a confirmation letter is sent to them.

Additionally, a letter/form is being devised by ASC that will be given to all service users (and will need to be signed) detailing funding information and possibility of care contributions

5.7 The implementation of the learning is an important stage for the Council because it provides a direct link between the experience of people who receive services and the way that the Council provides them, directly or indirectly through another provider. The following are some examples of where learning from a complaint has been developed into service changes and implemented.

- 'Delay – Delivering Service'  
Individual complained that the time from requesting an assessment through First Point of Contact (FPOC) to the time assessment appointment was offered was unacceptable.

The ASC New Operating Model was reviewed and now if individual would like an assessment, FPOC book this directly whilst individual is on the phone completing initial contact, so they are given the assessment date there and then

- 'Quality – Service Provision'  
A number of complaints have been made in relation to the lack of service provision for adults on the Autistic Spectrum

Shropshire council are working in partnership with A4U under the CAAN Contract and have been able to set up an Autism Hub which will be open in

Shrewsbury 1 day per week. It is going to act as an information, advice and support hub to individuals on the Autistic spectrum, where they will also be able to access training both on line and face to face.

- 'Quality – poor communications  
An individual complained that they was offered an assessment by our services, however the attitude of the practitioner completing the assessment was poor. They did not feel their views were taken into consideration and their needs where truly reflected and understood.

Shropshire Council introduced training entitled 'Different Conversations, Better Outcomes'. All social work staff where required to attend this and it is now offered during induction to new front line workers.

- 'Failure or Refusal – provide information'  
Individual complained that they were telephoned to book a reassessment, but no information was sent to them prior to the reassessment so they did not know what to expect and were unable to prepare.

When booking assessments over the telephone staff are now required to ask individuals if they would like a confirmation letter of the appointment, written information of what the assessment will entail and a copy of the assessment documentation

## **6. Conclusion**

- 6.1 The results show that over the period October 2013 to December 2014 ASC did not see any overall rise in complaints being made.

The analysis of the complaints also points towards the fact that ASC does take an objective view of complaints and looks to find where it can make improvements. Whilst not everybody who makes a complaint is always going to be happy with the investigation findings, the number of cases progressing to Review and to the Local Government Ombudsman during the 15 month period covered by this report indicates that there were a relatively small number of people who chose to take this step.

- 6.2 The monitoring and reporting of complaints is going to continue to develop as the Council becomes a commissioning organisation. The Council will use the information to inform how it designs and commissions and ensures the improvement of services, and to understand how contracts are being delivered.

It is planned that future reporting will also take account of comments and compliments to provide an holistic view of customer feedback about operational areas such as Adult Social Care.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

**Cabinet Member (Portfolio Holder)**

Lee Chapman

**Local Member**

All

**Appendices**

Appendix 1 – Adult Social Care Complaints Dashboard for the period October 2013 to December 2014