

**REPORT FOR: PERFORMANCE AND  
FINANCE SUB-  
COMMITTEE**

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<b>Date of Meeting:</b>	20 <sup>th</sup> January 2020
<b>Subject:</b>	Adults Services Complaints Annual Report (social care only) 2018/19
<b>Responsible Officer:</b>	Paul Hewitt, Corporate Director People Services
<b>Scrutiny Lead Member area:</b>	Councillor Jerry Miles Councillor Janet Mote
<b>Exempt:</b>	No
<b>Enclosures:</b>	None

**Section 1 – Summary and Recommendations**

This report sets out the statutory Adults Services Complaints Annual report (social care only) 2018/19.

**Recommendations:** None. For Information purposes only.

## **Section 2 – Report**

### **Financial Implications**

There are no specific budget issues associated with this report. All compensation payments are agreed by Service Managers and are funded within existing budgets.

### **Performance Issues**

There are no specific particular performance issues associated with this report.

### **Environmental Impact**

N/A

### **Risk Management Implications**

Risk included on Directorate risk register? No

Separate risk register in place? No

### **Equalities implications**

N/A

### **Corporate Priorities**

The Council's vision:

Working Together to Make a Difference for Harrow

- Build a Better Harrow
- Be More Business-like and Business Friendly
- **Protect the Most Vulnerable and Support Families**

# Annual Complaints Report for Adults Social Care Services 2018/19

<u>Paragraph</u>	<u>Contents</u>
1	Executive Summary
2	Summary of Activity
3	Outcomes for key targets in 2018/19
4	Focus for 2019/20
5	Stage 1 Complaints
6	Stage 2 Complaints
7	Ombudsman Complaints & Enquiries
8	Escalation comparisons over time
9	Remedy payments
10	Mediation
11	Joint and social care complaints
12	Learning Lessons/Practice Improvements
13	Compliments
14	Equalities Information
15	The complaints process explained

## **1. EXECUTIVE SUMMARY**

The overall picture remains very positive and reflects a real commitment from managers and staff to resolve complaints as effectively, and as promptly, as possible. Low levels of escalation to secondary stages or the Local Government Ombudsman (LGO) further reinforces the fact that complainants are satisfied that their concerns are heard and dealt with appropriately and effectively.

There were some **172** “transactions<sup>1</sup>” within the statutory complaints process during the year, i.e. representations, formal complaints, member enquiries and referrals from the LGO. Given the nature of some of the work undertaken in ensuring care for very vulnerable individuals, it is positive that the numbers of complaints are so minimal. Thousands of service episodes are provided each year.

During 2018/19, the number of clients that received Long Term services was **4,070**; whilst **678** clients received Short Term Reablement service and **1,388** clients received either Short Term (other) or On-going Low Level services. Please note that some service users may have been in receipt of two or more services during the year (i.e. a service user received Reablement which ended and then received Long Term services).

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<sup>1</sup> The total of representations, Stage 1, Stage 2, member enquiries and LG Ombudsman referrals.

## During 2018/19 Adults Social Care Services:

- Received **8228** requests for social care support from potential service users.
- Provided information and advice (including referrals to other organisations that could assist) to **1366** clients.
- Ensured a total of **678** clients received home based short term Reablement services
- An additional **1,388** clients received other forms of short term support in response to their request, this included support like mental health counselling.
- A total of **4,070** clients received some form of long term support, which includes personal budgets, direct payments, residential and nursing care. **3,003** of those clients were actively in receipt of such services on 31<sup>st</sup> March 2019.
- Assisted **916** carers during the year. This included **288** instances of information and advice, **465** direct payments to the carer and **155** temporary support packages delivered to the cared-for person (e.g. to give the carer a break from their caring responsibilities)

This report contains both positive messages and indications of areas needing more work.

- Of particular note is the high level of representations (79) which are received as potential complaints but resolved informally to the satisfaction of service users. This is significant in showing that the Council is able to listen to concerns expressed and act promptly to resolve them. Whilst this is positive in terms of the service user's experience it also endorses that early resolution is more cost effective for the Council by avoiding escalation with associated costs of any investigations.
- The number of Stage 1 complaints continues to fall and the proportion of Stage 1 complaint responses sent within timescales remains very high at 93%.
- The relative escalation rate of complaints between Stage 1 and Stage 2 has remained relatively low at 17%. This reflects the successful efforts made by officers to understand and address concerns when they arise as complaints and representations.
- Better quality resolution work has meant that fewer representations moved on to a Stage 1 complaint. Indeed there were far more representations (72 at initial contact plus 7 midway through process) than Stage 1 complaints (30) in 2018/19. This meant more than twice as many cases were informally resolved ensuring a swift resolution for our citizens.
- All of the key actions that were set for 2018/19 have been met.

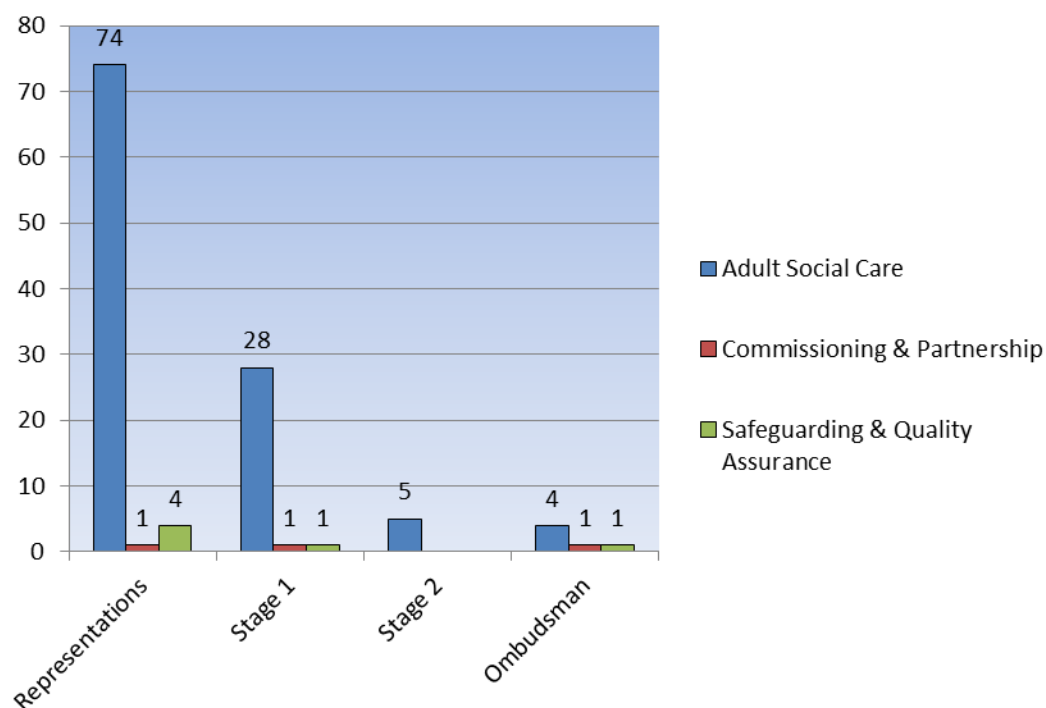
## 2. Summary of Activity

Between 1 April 2018 and 31 March 2019 there was the following activity:-

- The Complaints Service dealt with 79 representations i.e. potential complaints that did not lead to a formal complaint investigation.
- The Council received 30 Stage 1 complaints.
- 5 complaints progressed to the second stage.
- The Ombudsman reviewed 6 complaints during this period

Additionally there were 52 MP and Councillor enquiries managed by the Complaints Team.

**Chart 1: Number of Complaints by Service area: April 2018 to March 2019**



**Number of Complaint Transactions by Service area: April 2018 - March 2019**

Service Area	Representations	Stage 1	Stage 2	Ombudsman	Total
Adult Social Care	74	28	5	4	111
Commissioning & Partnerships	1	1	0	1	3

<b>Safeguarding &amp; Quality Assurance</b>	4	1	0	1	6
<b>Total</b>	79	30	5	6	120

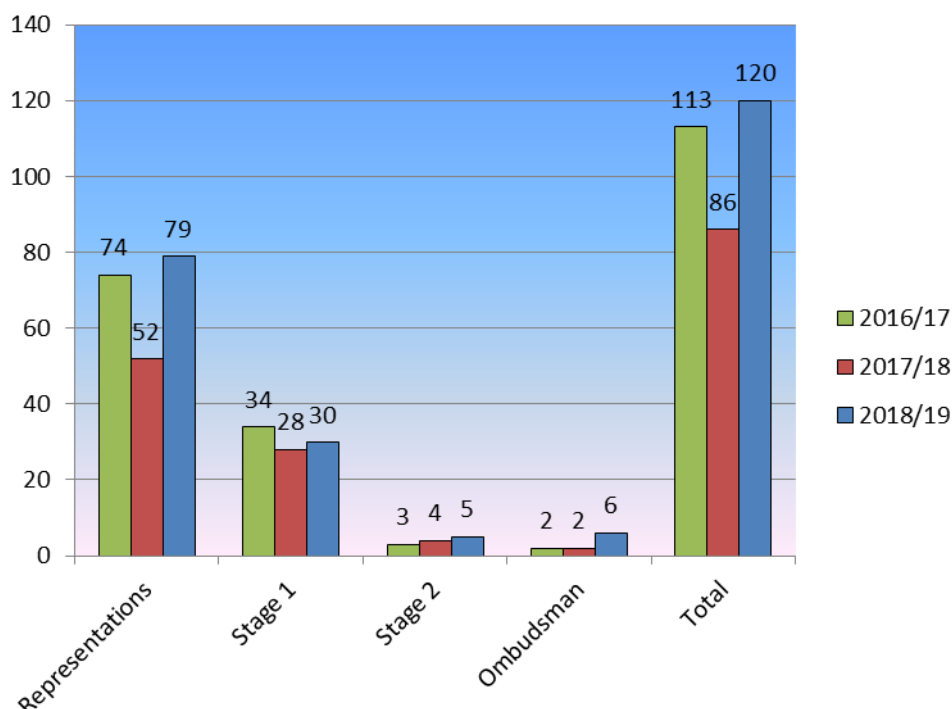
**Key message:** Overall the picture suggests a continuation of high quality investigative and governance standards.

**Analysis:** This year, there has been a slight increase in the number of Stage 1 complaints, up by two compared to 2018/19. This is not unusual and in line with the typical range of received formal complaints.

There were just five Stage 2 complaints; this represents an escalation rate of only 9% of all Stage 1 complaints.

Of the six LGO referrals received, only two had elements that were upheld by the Ombudsman.

## 2.1 Comparison of complaints over the last 3 years



	Representations	Stage 1	Stage 2	Ombudsman	Total
<b>2018/19</b>	79 (60%)	30 (33%)	5 (5%)	6 (2%)	120
<b>2017/18</b>	52 (60%)	28 (33%)	4 (5%)	2 (2%)	86
<b>2016/17</b>	74 (65%)	34 (30%)	3 (3%)	2 (2%)	113

**Key message:** Overall the picture suggests a continuation of high quality investigative and governance standards.

**Analysis:** There was an increase in the number of total complaints or 'transactions' in 2018/19 (120), compared to 2017/18 (86). This was mainly due to the larger number of representations which is a result of continual encouragement from the Complaints Service for managers and front line staff to approach the Complaints Service at the outset of an issue that has potential to become a formal complaint.

This is beneficial for both citizens and staff as it allows additional guidance and potential for resolution by involving the Complaints Service at the first possible instance that resolution to an issue which is often more efficient than the formal process.

This is why a greater number of representations are now forwarded to the complaints team from social care staff, who have become more aware of the benefits of ensuring a third party manages some of the queries raised during casework.

### **3. Outcomes for key targets in 2018/19**

In the previous annual report the following were identified as key focus areas.

- To ensure that on time Stage 1 complaint response rates continue to exceed the local target of 85%
- To continue the core offer of training for front line staff and managers on complaint handling
- To update the complaints database to reflect the new teams within the People Directorate
- To review and update complaints literature and communications.

All of these outcomes have been met, for example, 93% of stage 1 complaints were responded to on time. The Complaints team also offered more one to one training sessions for staff members in handling complaints and reflective discussions with care managers who were involved in complaints received to manage future situations where complaints may arise.

We plan to publish new complaints materials for 2019/20.

### **4. Focus for 2019/20 :**

- To ensure that on time Stage 1 complaint response rates continue to exceed the local target of 85%
- To continue the core offer of training for front line staff and managers on complaint handling

- To update the complaints database to reflect the new teams within the People Directorate
- To review and update complaints literature and communications.

## **5. Stage 1 Complaints**

### **5.1 Overall Activity**

	<b>Commissioning &amp; Partnership</b>	<b>Adult Social Care</b>	<b>Safeguarding, &amp; Quality Assurance</b>	<b>Total</b>
2017/18	<b>1</b>	<b>28</b>	<b>1</b>	<b>30</b>
2017/18	<b>3</b>	<b>25</b>	<b>0</b>	<b>28</b>
2016/17	<b>0</b>	<b>34</b>	<b>0</b>	<b>34</b>

#### **Analysis:**

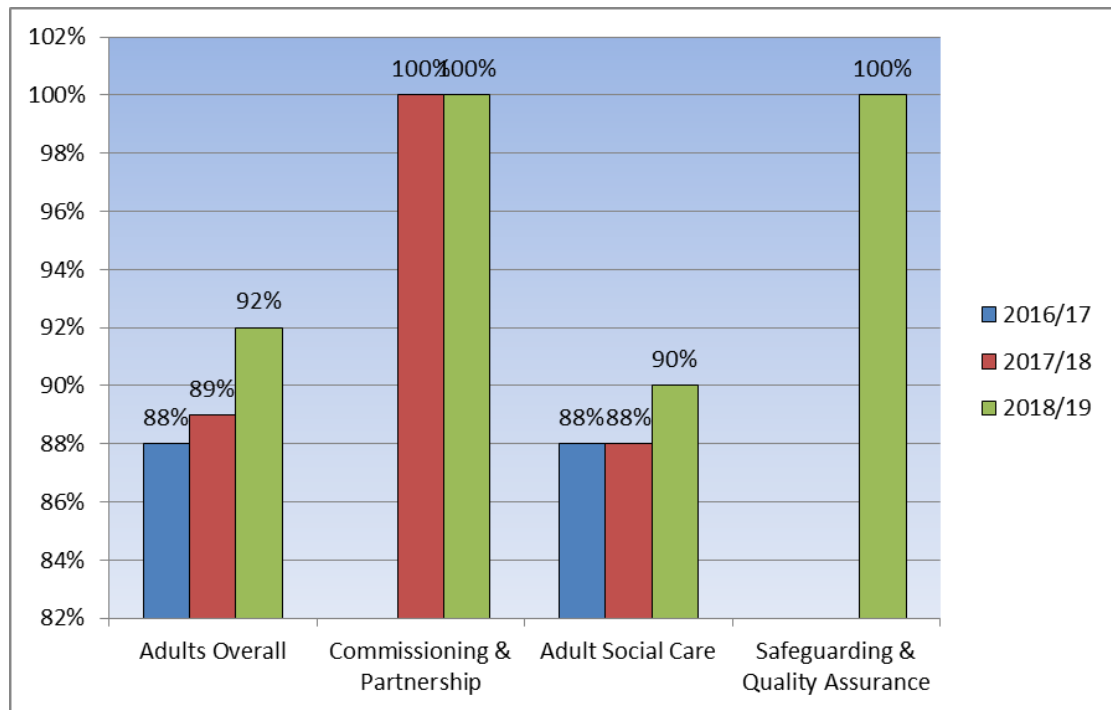
The number of Stage 1 complaints have continued to stay relatively low over the past three years. The reasons for this include:

- Better quality resolution work has meant that fewer representations moved on to Stage 1 complaints. Indeed there were more than double the number of representations (79) than Stage 1 complaints (30) in 2017/18
- Training for front line staff to offer choice and control has resulted in a positive culture change throughout Adult Services, leading to higher levels of satisfaction.

Adult Social Care, which manages all referrals for statutory services under the Care Act and contains the majority of the social work teams within Adults by the nature of the work will always receive the largest share of complaints. Family members are very conscious and sensitive both to the level of care a loved one receives as well as the financial implications of Adult Social Care which is means tested.

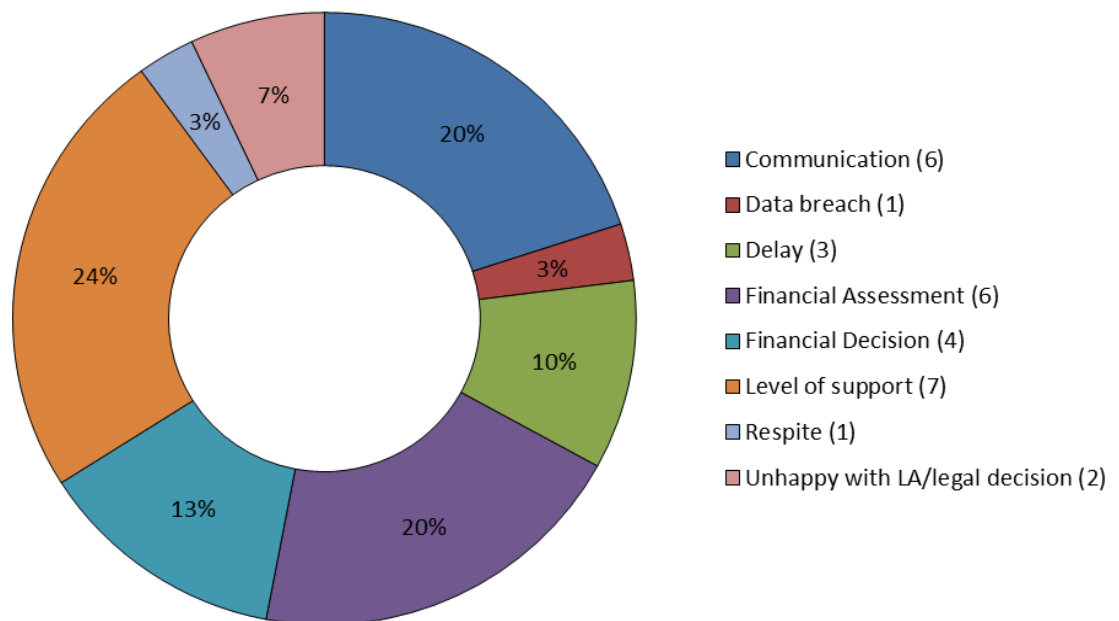


## 5.2 Stage 1 response times



**Analysis:** All services areas exceeded the corporate target of 85%, with an overall level of 92% of Stage 1 complaints being dealt within timescale.

## 5.3 Nature of complaints



Examples of complaints by category:	2018/19 examples
Communication	Being sent invoice despite having paid  Not being informed that they were not receiving 12 weeks reablement for free
Data breach	Unhappy that ASC spoke to HAD about the case
Delay	Not arranging the right type of care in time
Financial Assessment	Disagrees with outcome of assessment
Financial Decision	Unhappy that that LA not paying for entire 12 week disregard period
Level of support	Feels father not getting enough support in residential home
Respite	Unhappy with financial arrangement of respite
Unhappy with LA/legal decision	Disagrees with LA having court or protection order with regard to aunt

Analysis: The complaint categories that held the greatest numbers tended to be a reflection of :

- *the information and procedural complexities of the assessing and charging of social care*
- *how social care interacts with the health service (for example the impact of funded nursing care on charging or following discharge expecting free care via reablement)*
- *disagreement with care and charging decisions and assessments.*

These are understandable points to raise through the formal complaints procedure. Every citizen goes through life with at least some exposure to the National Health Service and this experience can catch many families off guard when their first interact with social care when care needs arise in addition to health needs.

Family preferences are important but this a balance every family may come across when the financial implications of preference and top up/contributions etc. are realised.

The Complaints Team continually feedback trends and lessons learned from complaints to Heads of Service and managers to ensure the impact of the above can be lessened. Given how many families interact with Adult Social Care services it is positive that so few of these interactions result in formal complaints despite the above.

## 5.4 Complaints outcomes

Service	Not Upheld	Partially Upheld	Upheld	Total
Adult Social Care	17	7	4	28
Commissioning & Partnership	0	0	1	1
Safeguarding & Quality Assurance	1	0	0	1
<b>2018/19</b>	<b>18 (60%)</b>	<b>7 (23%)</b>	<b>5 (17%)</b>	<b>30</b>
2017/18	16 (57%)	7 (25%)	5 (18%)	28
2016/17	17 (50%)	12 (35%)	5 (15%)	34

**Key message:** Managers and staff within service areas and the complaints team have worked towards a more balanced and open approach to complaints, where concerns from service users are recognised and receive appropriate responses. This includes the need to listen to complainants and adopt a less defensive approach when reflecting on practices and making decisions on the outcomes of each complaint.

Approximately 40% of Stage 1 complaints had some element upheld showing a willingness to improve services and provide suitable remedies and solutions for people who have rightfully raised a concern and had it suitably addressed.

## 6. Stage 2 complaints

### 6.1 Stage 2 complaint numbers and escalation rates

Service	Stage 1	Stage 2	% escalating to formal complaints
2018/19	30	5	17%
2017/18	28	4	14%
2016/17	34	3	9%

**Analysis:** There were five Stage 2 complaints in 2018-19, compared to four for last year. Despite the small increase the escalation rate is still very low.

Factors for this low escalation include the efforts made by the Complaints Service, Managers and Social Work Team leads in meeting with complainants

and families. These resolution meetings have been helpful to resolve issues and also provides a platform to discuss and consider any service changes required to meet citizen and carer needs.

## 6.2 Stage 2 Complaints and outcomes

Service	Not Upheld	Partially Upheld	Upheld	Total
2018/19	4	1		5
2017/18	4			4
2016/17	2	1		3

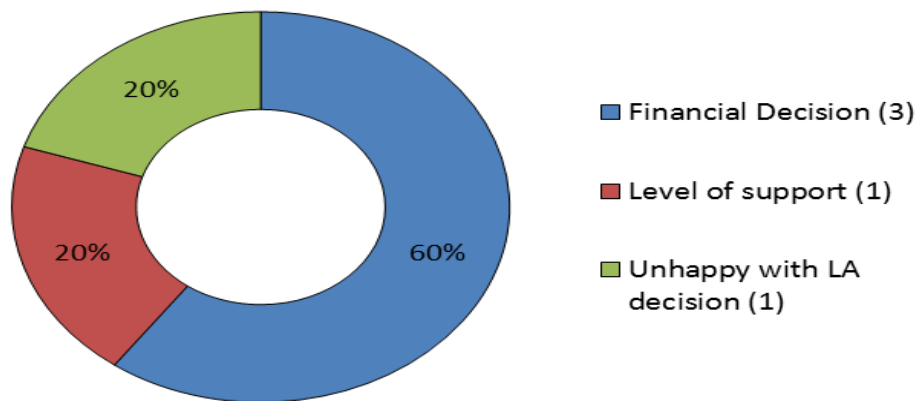
The partial uphold was in respect to a level of support that previously been agreed by a Head of Service. Due to an oversight, this agreement had not been taken into account and such it was upheld to backdate support in reflection of this.

## 6.3 Stage 2 Response Times

Year	Within time	Over timescale	Total
2017/18	5		5
2017/18	4		4
2016/17	2	1	3

All Stage 2 complaints were completed within timescale.

## 6.4 Nature of complaints



**Analysis:** Four of these five complaints at Stage 2 were not upheld. In these cases, the family were requesting support beyond what had been assessed under the Care Act to meet certain preferences or were not happy with the financial contribution they would need to make towards the care options of their preference.

In such circumstances where care costs can run into the hundreds (or £1000+) per week, it is understandable that family members may wish to explore every available avenue to lessen the impact of these – hence why Stage 2 can be requested in cases where there was no fault found in the original Stage 1 determination.

In the complaint that was partially upheld, the local authority had assessed correctly but had made a discretionary decision to assist the family with the top up fee by ensuring it was reduced and this decision had not been enacted due to an oversight which was raised through further investigation via the Complaints Service.

Please note that there is no Stage 3 complaint stage under Adults.

**Context:** The removal of review panels makes it more likely complaints will escalate to the Ombudsman, meaning it becomes even more imperative that errors are identified at an early stage and robust remedial action is taken.

## **7. Ombudsman complaints and enquiries**

**Analysis:** There were five complaints concluded with the Local Government Ombudsman (LGO) during 2018/19.

With respect to the decisions where the LGO had findings against the Council, these were due to:

- Not properly following the Financial Assessment Appeal procedure. The action the LA took was to ensure this was offered
- Delay in OT service and in ensuring care was taken forward by Adaptations/DFG team. The action the LA took was to arrange a report for the Health and Wellbeing Board to address the policy around DFG application and waiting times.

One referral that came through was primarily about services provided by CNWL NHS Trust and as such found no fault with the Council but did ask that the NHS Trust provide an individual with an assessment under their service.

The remainders the LGO found no fault with the Council including how a safeguarding referral was dealt with via a fall that took place while a private agency was providing services and in finding an individual did not have eligible Care Act needs.

Service	No finding against Council	Finding against Council	Total
Adult Social Care	1	2	3
Commissioning and Partnership	1	0	1
Safeguarding and Quality Assurance	1	0	1

## **8. Escalation Comparisons over time**

Service	No finding against Council	Finding against Council	Total
<b>2018-19</b>	3	2	5
<b>2017-18</b>	1	0	1
<b>2016-17</b>	3	0	3
<b>2015-16</b>	2	1	3

**Analysis:** The rate of escalation between Stage 1 and Stage 2 has remained in single figures over the past three years and the number of LGO complaints concluded within the year has remained low also. In 2018-19 the LGO received over 2500 Adult Social Care complaints for context.

This relatively low figures reflects the commitment to finding resolutions and listening to service users and their families, when concerns are raised during representations.

## **9. Remedy Payments**

A payment would usually be termed as a “remedy payment” when it is made in line with the LGO guidance on Remedy Payments.

In line with this, the local authority made one £200.00 remedy payment in line with LGO guidance in 2018/19.

## **10. Mediation**

At times, the Complaints Service will facilitate mediation meetings between parties to resolve more complex situations where a direct remedy is best found by the Complaints Service actively mediating and facilitating mediation and resolution.

Here are some 2018/19 examples of this:

- *Arranging a meeting between Head of Service and family members to explain and clarify the basis of 12 week property disregard support*
- *Arranging a meeting between Head of Service and family to discuss current care needs and arranging respite for carer*
- *Visiting a citizen at home with care manager to discuss concerns over her having to use a care agency and how this may financially impact her*
- *Meeting with an individual and their Mencap Advocate to discuss their concerns on how social care staff would address them following gender realignment and ensuring this feedback was actioned*
- *Working with CNWL Trust to ensure Mencap Advocacy could be arranged for an individual so they could be properly represented through any resolution proceedings*

## **11. Joint NHS and Social Care Complaints**

There was one joint NHS and Social Care complaint.

This was provided as a joint Stage 1 response with respect to a case where a CCG and the LA were providing joint health and social care services to an individual in a residential placement where equipment was required both from health and social care OT.

## **12. Learning Lessons/Practice Improvements**

It is positive to note, none of the lessons themselves were specific due to this new vision but were general points of practice which line up with one of the intentions of the new vision which is to provide a more empowering and efficient service for our citizens.

- There was a general trend of individuals being unhappy with care services charged well after the service has been delivered. While it was found that individuals were informed they would be charged on multiple occasions, it was feedback that evidenced forms of communications (such as email/letter) at the earliest opportunity would be clearer and more beneficial for all parties and prevent charging disputes further down the journey.
- There were no specific complaints of delays caused by internal team referrals within Adult Social Care in comparison to previous years and this appears to have been due to the implementation of the new ASC vision which sought to reduce this. For example, in previous years there would be complaints on the time taken for cases to be allocated from Reablement to P1 to P3 etc.

However, any general complaints of delays with respect to working with external ASC services like Health or the Adaptations Team within Housing still occurred and were passed on as an area of improvement.

- There has been confusion with respect to the complaints process being a “catch all” for complaints – even when there are more specific processes available such as the Financial Assessment Appeal process etc. As such it was feedback that staff considered the more specific processes before defaulting to the complaints process which is not always the most appropriate procedure for every dispute.
- Better communications in how an individual would like their care to be funded. The Complaints Service visited one individual who had personal budget funds paid into a bank account they no longer used and was instead under the impression the agency involved had been paid directly which caused them distress and upset when the agency chased for funds. Staff were reminded to check with citizens on how they would receive LA funding and how it should be used to pay for services.

## **13. Compliments**

The majority of service users, external agencies and organisations that compliment staff and the Council provide their feedback through verbal



communication in care meetings or by phone. Examples of some of the written compliments forwarded to the complaints team by staff include:

- *Ever so often we don't have the opportunity to say thank you to staff who have been of great support to providers like us.*

*I have decided to write this provider to say thank you to two staff in your team for their contributions to our agency with their, work ethic, and communications with us which has added great value to the way we work. They both possess the ultimate "can do" attitude and positive energy every time we communicate with them. Their engaging personalities have enabled us to interact effectively with them, our clients and staff.*

- *Thank you so much for your quick feedback and very kind assistance. I would also like to take this opportunity to thank you so much for kindness and all your help for the care of my mother, Mrs N. The Care visits in place are going very well and my mum is very happy and feels very comfortable with the carer who is visiting her. S is helping my Mum greatly and for that we thank you very much!*

*This is just to say a big thank you for helping our brother N. He is so pleased to have his computer fixed – we are very grateful to you and your team*

- *I wish to express my heartfelt gratitude on behalf of my father for the support and help you provided, for your dedication, attention and for your readiness to help with very prompt response to requests.*

*Your generous, caring and giving attitude helped my father in his long recovery from his disease.*

*You have made a real difference and we are fortunate to have found in you someone whose mission is to care for elderly people like our father in an informed and patient manner.*

*Your support for our father has helped him get through some very difficult times. The visit from you has helped him immensely and the*

*kindness and patience from you has been invaluable. We are extremely grateful.*

*May you be blessed for your empathy to understand us in our endless struggle to manage in these hard times. You have managed to keep your heart open while maintaining your outstanding skilled professionalism. Thank you so much and we wish you all the best in your future career.*

- *Finally I would to say a huge thank you on behalf of my mum and myself for the support you have provided us during the tough time. You have been absolutely amazing.*

*My heartfelt thank you for the sitting service you have put in place to support me. I cannot put into words how grateful I am. As it makes a big difference in my life. Although I would not have it any other way but to care for my mum, it has its own strains. A lot of the time you do feel alone and helpless caring for someone fulltime and be in fulltime employment. Having your support meant a lot to me.*

*I wish you all the very best in life and career*

- *I would like to thank M for her continue support and exemplary service delivery. M has been prompt in responding to my queries. M is a truly and dedicated public sector employee who I know face challenges as result of austerity measures. M has been a shining light since my mother's demise last year and helped me to reorganise my father's care needs. Thank you for your time and patience truly appreciated*
- *As you may know, in 2016 I was selected as one of the 17 inaugural Young Leaders for the United Nations Sustainable Development Goals. 18,000 candidates worldwide were put forward for outstanding work in various areas. I was the only delegate selected from Europe and the only delegate with a disability.*

*I very much hope that this OBE award will benefit AbleChildAfrica and support its work.*

*The support I had from my parents and the education I received have been a major part of my achieving this award. I have also been entirely*

*dependent on support from social services in Harrow and Camden to be able to do anything, so I really want to thank you for all the support you have given me.*

- I am the home manager at a Nursing Home. We had two inspectors come in from Harrow and I will like to give a feedback about them. The inspection process was very detailed, thorough and comprehensive. All the areas they highlighted that we need to develop on was explained in terms of evidence based need and the Nice Guidelines. They gave relevant and constructive criticism and also guide in terms of what we need to do. Their response to emails are also very swift hence it was easy for us to measure our response to the actions plans. Some care plans were suggested for us to be done such as pressure prevention care plan. M suggested I send a draft and she can look through it to see how relevant it is. I sent it and she responded almost immediately. Then they told us that they will come back as soon as possible to revisit the red areas and they sure did come. I am very grateful to M and J as their inspections, support and objective criticism helped in preparing us further for the CQC visit. Kindly extend my regards to them and I have informed them that I will always liaise with them if I need any support.*
- We wanted to record our thanks for your support in gaining the help R required to meet his needs. Your influence in achieving a quick resolution to our latter concerns was very much appreciated.*

*We would also be grateful if you would pass on our thanks to T. He was a very positive advocate for R and went to a great deal of effort to support R application. Our previous complaint was submitted prior to Trevor's involvement and was in no way an adverse comment on his efforts and his wholly professional approach to the issues we raised.*

*The increased funding for R Care Plan will really help R to live independently and to progress in his sport and we'll be sure to keep you updated in respect of the Agency's performance as well as R's achievements.*

*Once again, many thanks for your support.*

- *I am writing to inform you that IG, thank god, has made a wonderful recovery from her hip replacement and elbow replacement operations and is now able to function.*

*Therefore, she and I see no reason for her to receive Carers assistance anyone. Therefore, we would like to cancel the Care Package from today's date.*

*On a personal note, we would like to thank you for all your help and dedication throughout this period and let's hope that IG continues as she's doing.*

- *I would like to thank Harrow Council for all the help given to me, the grip rails in my bathroom and when I came home from hospital all the equipment and care, I could not have coped without.*
- *Just a quick email so you have my details. Also wanted to say a huge thank you for your input today, it is so refreshing to have a service in the community who are really committed to supporting someone and take the time to come to meet the person and the staff working with them. I honestly thought you were incredibly reassuring with H and her family today and I said to my colleagues afterwards, that if I was in her situation I would definitely want you to come work with me! The fact that she actually felt excited about the challenges ahead was definitely testament to how you talked to her about it.*
- *After speaking to numerous members of the Adult Social care team, I was finally given a needs assessment for my mother, GD by one of your Social Support Workers called MA. (i think that is her surname, if it is wrong, please apologise for me). She came and spent a good amount of time talking to my mother who is 89 years old , she didn't*

*rush her and LISTENED to how she was managing in my terraced home in Harrow.*

*GD mentioned all the things she had difficulty doing and how she relied heavily on her daughter, L, which she did not want to do, as she felt she was a burden on her daughter and her family. G was frustrated at how fast she had deteriorated and was unable to do the things she used to do independently in August 2018. Her carer, me, LD was anxious at how best to support my mum and M*

*Gave advice and support to both G and myself. Further equipment has been put in place and I have signed up to the Harrows Carers group for additional support. If it hadn't of been for the patience, kindness, listening ears and support of M, I feel, I would have gone into deep depression and would of been of little support to my mum. She has given mum back some independence and also made her more confident to try new things around the home, which in turn assists me. We both have a long way to go, however, we both feel a lot better knowing that there is support out there and we are not just trudging along on our own, most times getting it totally wrong. I know not to baby my mum and she in turn is starting to attempt more things on her own. Don't get me wrong, G still needs support to do most things, however, it is a process and M and I are both letting her do things in her own time when she feels she can manage it independently. So, a BIG thank you to your Care Needs Social Support Worker, M, you did an amazing job with me and mum, and we would both cannot thank you enough for getting us on the right track to enjoying each other, yet still trying to maintain our own individual lives.*

- I would like to commend AG of the Early Intervention and Prevention Adult Contact Screening Team for her friendly, efficient and supportive service in relation to my 89 year old father. She is the first person who has been able to give me appropriate advice*

## **14. Equalities Information**

### **14.1 Stage 1 - equalities information of the service user**

<b>Gender of Service User</b>	<b>2017/18</b>	<b>2018/19</b>
Male	10	12
Female	18	18

<b>Ethnic Origin of Service User:</b>	<b>2017/18</b>	<b>2018/19</b>
<b>ASIAN OR ASIAN BRITISH</b>		
Afghanistani		
Bangladeshi		
Indian	5	4
Pakistani		
Sinhalese		
Sri Lankan Tamil		
Other Asian		2
<b>BLACK/BLACK BRITISH</b>		
African	1	
Caribbean	1	2
Somali		
Other Black		2
<b>OTHER ETHNIC GROUP</b>		
Arab		
Chinese		
Iranian		
Iraqi		
Kurdish		
Lebanese		
Other Ethnic Group		
<b>MIXED</b>		
White & African		
White & Caribbean		
White & Asian		
Other Mixed		
<b>WHITE</b>		
Albanian		
British	16	19
Irish		
Gypsy/Roma Traveller		
Irish Traveller		
Polish		
Romanian		
Serbian		
Other White		2
<b>PREFER NOT TO SAY/NOT KNOWN</b>	5	

<b>Complaint made by:</b>	<b>2017/18</b>	<b>2018/19</b>
Self	10	5
Relative/Partner (often informal carer)	16	24
Advocate – (instigated by either carer or service user)	1	1
Solicitors	1	0

## **14.2 Stage 2 - equalities information of the service user**

<b>Gender</b>	<b>2017/18</b>	<b>2018/19</b>
Male	1	2
Female	3	3
Unknown	0	0

<b>Ethnic Origin</b>	<b>2017/18</b>	<b>2018/19</b>
British White	2	4
Indian	2	1
Unknown	0	0

<b>Complaints made by</b>	<b>2017/18</b>	<b>2018/19</b>
Service User	2	0
Relative/Partner (often informal carer)	2	5
Advocate – (instigated by either carer or service user)	0	0
Solicitors	0	0

## **15. The Complaints Process explained**

All timescales contained within this report are in working days.

### **15.1 What is a Complaint?**

An expression of dissatisfaction or disquiet about the actions, decisions or apparent failings of a local authority's adult's social services provision which requires a response.

### **15.2 Who can make a Complaint?**

- (a) a person who receives or has received services from the Council; or
- (b) a person who is affected, or likely to be affected, by the action, omission or decision of the Council.

### **15.3 Stages of the Complaints Procedure**

From April 2009, regulations removed the traditional 3 Stage complaints procedure for statutory complaints, replacing it with a duty to provide a senior manager organisational sign-off to every complaint response. The Council is expected to negotiate with the complainant how their complaint should be managed, including agreeing a timescale. If a verbal issue can be resolved by the end of the next working day, the regulations state this does not need to be recorded as a complaint.

Many complainants prefer a defined process and prefer to rely on the Council to identify a process to manage their complaint. To assist such complainants the Council produced a model procedure which complainants can use if they prefer. It is also used where complainants cannot be contacted to discuss how they want their complaint managed. Complainants are always advised in writing of their right to agree a different process if they prefer.

The stages of the Model procedure:

1) Local resolution

Timescale: 10 working days. 20 working days for complex

2) Mediation (optional)

3) Formal investigation

Timescale: 20 working days. 65 working days if complex e.g. requiring independent investigation.

For ease of understanding, the report uses a traditional stages reporting format. Local resolution being a Stage 1 and formal investigation a Stage 2. It is important to emphasise that these stages are very fluid so it is not uncommon to go immediately now to mediation or independent investigation.

### Local Government Ombudsman

The Ombudsman is an independent body empowered to investigate where a Council's own investigations have not resolved the complaint.

The person making the complaint retains the right to approach the Local Government Ombudsman at any time. However, the Ombudsman's policy is to allow the local authority to consider the complaint and will refer the complaint back to the Council unless exceptional criteria are met.

## **15.4 What the complaints team do**

- Letter-vetting
- Liaising with services to try resolve the issue informally
- Mediation
- Training
- Surgeries/raising awareness
- Learning identification and agreed actions monitoring
- Advocacy identification
- Chasing complaint responses



### **Section 3 - Statutory Officer Clearance**

The Corporate Director determined the report did not require Financial or Legal clearance.

### **Section 4 - Contact Details and Background Papers**

**Contact:** Report author: Usman Zia, Complaints Manager, Adults & Children's Complaints, 0208 424 1627

**Background Papers:** None