

Adults and Communities

Annual Complaints Report 2014-2015

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1. Introduction

This report provides information on complaints and representations for Barnet Adults and Communities for the period 1 April 2014 to 31 March 2015.

Adults and Communities is the Council's Delivery Unit which provides statutory social care services along with a range of preventative services. Social Care Direct acts as the front door for new Adult Social Care enquiries, and is operated by the Council's Customer Support Group.

The report considers complaints dealt with through both the statutory adult social care and corporate complaints procedures.

Barnet Council is required under statutory regulations, to report annually to the relevant Council committee on adult social care complaints.

The Council is required to operate a separate statutory complaints and representations procedure, in accordance with the Local Authority Social Services and National Health Services Complaints (England) Regulations 2009 and the Local Authority Social Services and National Health Service Complaints (England) (Amendment) Regulations 2009 (hereby referred to as 'the Regulations'). Any complaint which does not fall under these requirements is considered under the Council's corporate complaints procedure.

2. Adult social care statutory complaints procedure

Since 1 April 2009 complaints have been assessed in terms of their seriousness and how likely the issue is to recur, so that appropriate and proportionate action can be taken in response. This is in line with the Department of Health's Guidance 'Listening, Responding, Improving', where complaints are considered as low, moderate or high risk. Barnet Adult and Communities then assigns low and moderate risk complaints as 'Straightforward' and high risk complaints as 'Serious and/or Complex'. A complaint can be re-assigned if new information arises during the investigation process.

Straightforward complaints (Low or Moderate risk) - Local resolution

When a complaint is assessed as straightforward, it is dealt with by a member of staff and/or line manager in the team providing the services, within 20 working days with the aim of achieving resolution. Where possible, the response is provided within 10 working days.

The complainant is invited to comment on the response. Where there is disagreement, a meeting is offered to discuss the concerns with a manager and the Complaints and Representations Manager. A final decision on the complaint is then provided by the Head of Service.

Serious and/or Complex complaints (High risk) - Independent investigation

If the complaint is especially serious and/or complex an independent investigation will be arranged that produces a report. Adjudication with remedy is then provided within 25 working days (extendable to 65 working days) from the date the complaint is agreed.

The complainant is invited to comment on the response and if there is disagreement, a meeting is arranged to discuss the concerns with a senior manager and the Complaints and Representations Lead. A final decision on the complaint is then provided by the senior manager.

Local Government Ombudsman

The Local Government Ombudsman (LGO) is an independent organisation to investigate complaints where the Council's own investigations have not resolved the issues raised.

The person making the complaint retains the right to approach the Local Government Ombudsman at any time. However, the Local Government 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.

3. Accessing the complaints procedure

The council is committed to and continually seeks ways to improve communication with service users and carers.

Currently our complaints process can be accessed via the following means:

- The Comments, Compliments and Complaints booklets are widely distributed to public offices in the borough, including voluntary organisations and to Black and Minority Ethnic (BME) community groups.
- The Easy Read version of the booklet 'Comments, Compliments and Complaints' is also widely distributed. This is aimed at people with learning disabilities and people whose first language is not English.
- Information about making a comment, compliment or complaint in relation to Adult and Communities has been refreshed and available on the new Council website at www.barnet.gov.uk/adults-complaints.
- Public information on making a complaint about Adult and Communities is also available at public events. We held several public events including Barnet Seniors' Assembly, Autism Workshop, Falls Event hosted by Age UK Barnet and Home Instead and Partnership Board Summit in November 2014. These events were attended by a wide range of our service users and carers including older adults and people with learning disabilities and their carers.
- Information about representations and complaints was shared at various meetings with key stakeholders representing various disability groups, including the Barnet Experts by Experience Group and the Clinical Commissioning Group including the Dementia Event for healthcare professionals in November 2014.

- Information about representations and complaints is shared with the management and staff to improve practice.
- Managers are asked to feature compliments, representations and complaints as a standing item in their team meetings and briefing sessions. Compliments are shared with staff and promoted internally through the staff newsletter, notice boards, TV screens and staff awards. Staff and managers are also reminded and encouraged to utilise the support services provided by the Complaints and Representations Team.

All staff are also advised to promote the use of advocates for vulnerable people where appropriate, and advocacy support is available to complainants if they wish to help them to make their complaint. This support could be accessed through Barnet Centre for Independent Living and its subcontractors Mind in Barnet and Barnet Voice for Mental Health until June 2015. Barnet Citizens Advice Bureau is now commissioned to provide advocacy support services working with its subcontract partners of Advocacy in Barnet and Mind in Barnet. They will work closely with other partners who provide a range of advocacy services e.g. statutory advocacy and independent health advocacy. All public information booklets promote the use of advocates.

We will review the complaints process and how service users and carers access the complaints procedure during 2015-16. The review will consider how well the complaints process is working and what we can do to improve the customer experience.

4. Overview

Between 1 April 2014 and 31 March 2015 the Adults and Communities Social Care Direct Team received **44,389** requests.

Of which:

- 62.25% resulted in information and advice being provided
- 12.5% were resolved by SCD and did not need a social care service
- 9.25% were signposted to another organisation for advice and support
- 16% were referred for assessment by our social work teams.

In the same period the following complaints, compliments and representations were received from service users, carers and/or their representatives:

- 69 compliments
- 5 representations (number received regarding same issue)
- 106 complaints
- 4 Local Government Ombudsman complaints (12 complaints and enquiries).

Common themes which accounted for 68% (71) of the new complaints are:

- Timeliness or quality of communication, service, referral (30 complaints)
- Communication or attitude/behaviour of care worker or other provider staff (15 complaints)
- Formal or financial assessment process / decisions (14 complaints)
- Barnet Council staff attitude and behaviour (12 complaints)

Of the **106** complaints, **77** resulted in an outcome and **6** were withdrawn.

- 30 were not upheld (28 statutory complaints and 2 corporate)
- 30 were upheld
- 17 were partially upheld
- 23 were resolved prior to the determination of a formal outcome.

Customers expect their interaction with the department to be professional and positive, and in the vast majority of instances this is the case. When things go wrong they expect swift action to be taken to resolve the matters causing concern.

Lessons have been learnt from the complaints received throughout 2014-15 and this learning is used as a stimulus to ensure high standards of customer care are sustained by the department and some of our care providers to improve on customer care. This is being addressed through the council wide 'Think Customer' initiative, allowing more involvement from the service users and their carers/representatives and improving the communication processes in place to enable this to happen.

Overall, the data and analysis in this report confirms that:

- We respond to all evidence about the impact of our work on service users, carers and residents effectively and efficiently. This ensures that we improve individuals' experience and promote wider improvement.
- The low level of complaints that are escalated to further investigation within the Council or to the Local Government Ombudsman indicates that complainants were largely satisfied with the outcome they received, even though we did not uphold 30 complaints. This suggests the investigations being undertaken are clear and transparent and whilst individuals may not achieve their desired outcome they now understand the reason why and choose not to pursue the complaint.
- A moderate number of compliments were received and this indicates that service users and carers overall have a positive experience with Adults and Communities.

5. Compliments

The table below shows the total number of compliments recorded in Adults and Communities from 1 April 2014 to 31 March 2015 compared to the previous two years.

	2012-2013	2013-2014	2014-2015
Compliments	112	106	69

There is a notable decrease in the number of compliments received between 2014-2015. This could be due to a number of factors including:

- Lack of knowledge about the compliments recording process by new members of staff. In 2014-15 there was a larger increase in staff turnover than in previous years.
- Staff changes within the Complaints Team and systems changes could mean that this information has not been recorded properly.
- Lack of internal and external promotion of recording and collating compliments within the delivery unit.

However, the compliments we have received indicate that good practice is happening across the department and our service users are grateful and satisfied with aspects of the service provided.

The compliments received were varied and ranged from individual messages of gratitude to specific members of staff, for example, support staff, social workers, care coordinators and managers, to thank you cards to whole teams for the work they had done for the service user and their carer. Below are some examples of the compliments received in 2014-2015:

- *“My wife and I cannot adequately express our most sincere thanks and appreciation which we will always feel towards you personally, the social worker and all members of the team for your personal interest, involvement and efforts in ensuring A's successful placement”.*
- *“I would like to express my endless thank to you for your help and efforts for what you have done in the past few months! I wish you everything good and nice!”*
- *“Please can I thank you sincerely on behalf of the family for the support and work you did with my mother and us during her recent stay in Barnet hospital.*

I am sure that providing a service to a woman in her 90s with her personal and professional history and with myself also a SW, presented additional challenges, all of which you handled with skill and professionalism. When home (and feeling safer) Mum told me she had found the nursing staff "without humanity" but felt very happy and reassured by your presence. Mum really did listen to what you told her and what you and the OT assessed her needs to be. Your caring yet clear approach was very helpful and supportive to her and for my brother and myself”.

- *“I have attended many case reviews during my 10 years of service at Provider B. Your professionalism and the way you conducted the meeting was outstanding. Well done!”*
- *“Thank you very much for the wonderful help and advice I have received from one of your very helpful and kind Occupational Therapist. She could not have been more kind, caring and knowledgeable; she gave me so much support and left me with appliances that help me with my day to day life. Not to mention referring me to all the right services. I can’t speak more highly of her, and would like to thank the Borough of Barnet along with the NHS and all their support. It is extremely nice to know that NHS and the Borough of Barnet is there to help and support us. My sincere thanks and gratitude”.*

The table below shows the total number of compliments recorded in Adult and Communities from 1 April 2014 to 31 March 2015 by service area and gives a comparison to the previous year.

Service Area	2013/2014	2014-2015
Older people / physical disabilities	71	34
Learning disabilities	16	24
Customer and Financial Affairs	2	4
Social Care Direct	1	1
Non specified teams / functions	16	6
Total	106	69

Improving compliments in 2015-16

We recognise that the number of compliments in Adults and Communities has dropped considerably in 2014-15 due to a range of factors. Thus, a decision was made to move Complaints from the Care Quality Team into the Customer Care Team as this team plays a key role in helping shape and improve customer experiences through both internal and external communications and engagement with the Council.

In 2015-16 we also aim to:

- Closely monitor the number of compliments each quarter and ensure these are filed and recorded properly
- Create and implement new ways of sharing compliments in the delivery unit
- Promote and share the good work carried out by staff in Adults and Communities via staff awards, newsletters and Senior Management Team briefings.

6. Representations

Service users may make representations about the contact they have had with Adults and Communities or the service they have received without necessarily making a complaint under the formal procedure.

A representation may be regarded as a comment, enquiry or statement of a formal nature regarding matters such as the availability, delivery or nature of services. They will not necessarily be critical. They can be taken into account when assessing the quality of a service provided, but are not usually viewed as a complaint. They may be critical but the service user does not wish to go through the complaints procedure.

The following shows the total number of representations recorded in Adult and Communities from 1 April 2014 to 31 March 2015 and gives a comparison to the previous two years.

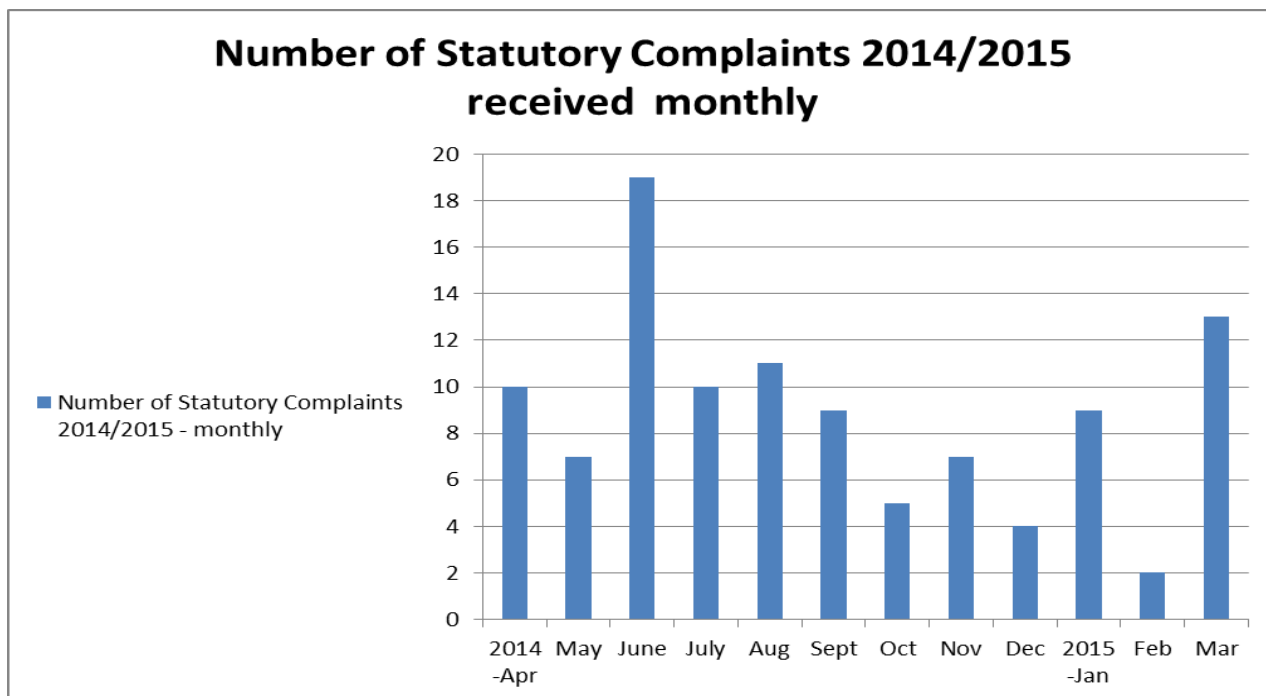
	2012/2013	2013/2014	2014/2015
Representations	31	4	5

7. Complaints

7.1 Number of Statutory and Corporate Complaints received

In 2014-15 a total of 106 complaints were received by Adults and Communities. This is a slight increase compared to the previous year.

Of the 106 complaints only 2 corporate complaints were received during 2014/15. One in Quarter 1 for Older Persons/Physical Disabilities Team North and the second received for Learning Disability Team in Quarter 3.



Month	Statutory Complaints by Month 2014-15
2014 – April	10
May	7
June	19
July	10
August	11
September	9
October	5
November	7
December	4
2015 – January	9
February	2
March	13
	106

7.2 Complaints by Stage

Key	Category	2012-2013	2013-2014	2014-2015
	Statutory Straightforward (Low/Moderate risk)	80	95	98
	Statutory Serious and/or Complex (High risk)	1	2	0
	Withdrawn			6
	Total Statutory	81	97	104
	Corporate Stage 1	4	8	2
	Corporate Stage 2	1	0	0
	Corporate Stage 3	0	0	0
	Total Corporate	5	8	2
	Total complaints - all	86	105	106

A total of 106 complaints were recorded as received between 1 April 2014 and 31 March 2015 and all of these complaints were dealt with under the statutory social care complaints procedure and 2 were dealt with under the corporate complaints procedure. There were no serious or complex complaints received in this year.

Of the 104 statutory social care complaints received:

- 98 were considered as straightforward
- 0 considered as serious and/or complex complaints
- 6 were withdrawn.

Of the 2 corporate complaints received, both were resolved at Stage 1 of the process. There were no Stage 2 or 3 complaint investigations.

7.3 Type by outcome

Category	No	%
Statutory	104	100%
Not Upheld	28	27%
Partially Upheld	17	16%
Upheld	30	29%
Total statutory complaints with an outcome	75	72%
Withdrawn	6	6%
Not applicable/no response	23	22%
Not yet resolved	0	-
Corporate Stage 1	2	100%
Not Upheld	2	100%
Partially Upheld	0	-
Upheld	0	-
Total Corporate Stage 1 complaints with an outcome	2	100%
Total Statutory and Corporate Complaints		106

7.4 Complaints by service area

Service Area	No of Statutory Complaints	No of Corporate Complaints	Total
Older people / physical disabilities	41	1	45
Customer Financial Affairs	5	0	7
Learning Disabilities	27	1	34
Prevention and Wellbeing	7	0	7
Social Care Direct	4	0	4
Mental Health	5	0	5
Care Quality and Category Management	5	0	3
Practice Governance	1	0	1
No defined team/function	9	0	1
Total	111	2	106

7.5 Subjects of complaints

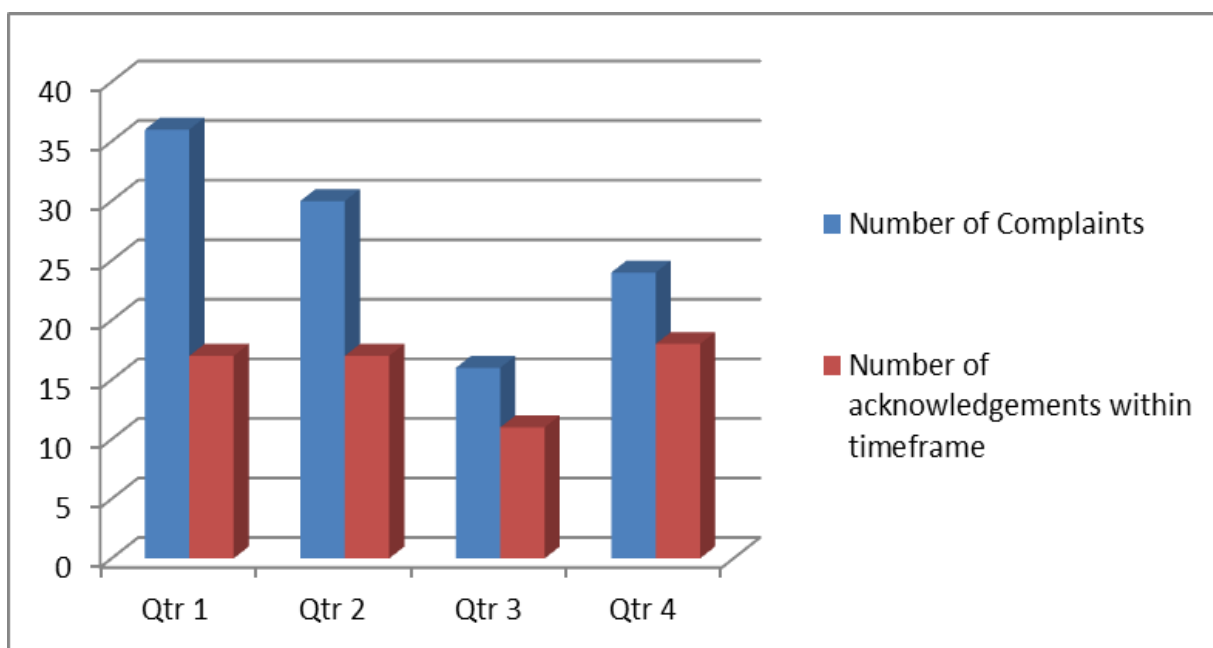
Category	2014-2015	Upheld	Partially upheld
Statutory Straightforward (Low/moderate risk)			
Timeliness of referral or assessment	7	3	1
Formal process or decision (e.g. eligibility assessment, support plan)	8	2	1
Financial assessment process or decision	6	3	1
Timeliness of provision of service	8	3	2
Barnet Council staff behaviour/attitude	12	1	2
Timeliness or quality of communication between Barnet Council staff and service user or carer	15	6	1
Compliance/non-compliance of delivered service with support plan	1	0	1
Data Protection	1	1	0
Communication	1	0	0
Multiple complex issues relating to a resident, service user or carer	9	4	2
Communication or attitude/behaviour of care worker or other provider staff	15	5	1
Complaint about another Council Delivery unit or Barnet Homes - passed to them to deal	1	1	0
Complaint about Mental Health Trust	2	n/a	n/a
Complaint from a service provider about Barnet Council	2	1	1
Finance matter (not related to financial assessment)	4	0	0
General Enquiry	6	0	2
Query or concern from a resident about Barnet Council action regarding a service user	1	0	0
No Summary given	5	0	2
Total Straightforward (Low/moderate risk)	104	30	17
Corporate Stage 1			
Timeliness or quality of communication between Barnet Council staff and service user or carer	1	0	0
Adults and Communities decision that is not related to a service user or carer	1	0	0
Total corporate (Low/moderate risk)	2	0	0
Total of all complaints	106	30	17

The table above shows the number of complaints by subject that were upheld or partially upheld by Adults and Communities, below are some key highlights:

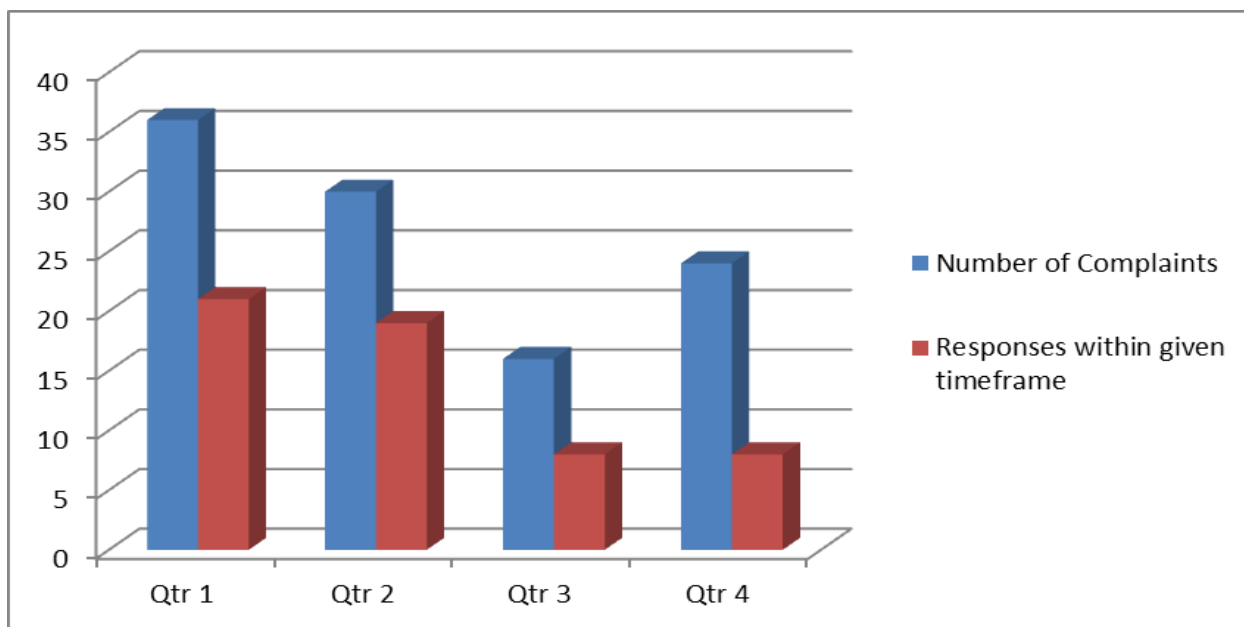
- Communication or attitude/behaviour of care worker or other provider staff (15 complaints, of which 6 were upheld or partially upheld)
- Timeliness or quality of communication between Barnet Council staff and service user or carer (15 complaints, of which 6 were upheld or partially upheld)
- Financial assessment process or decision (6 complaints, of which 4 were upheld or partially upheld)
- Barnet Council staff behaviour/attitude (12 complaints, of which 3 were upheld or partially upheld). Although the number is not high, such complaints are taken very seriously.

7.6 Timeliness of response to complaints

Performance relating to timeliness of acknowledgements is below:



Quarter	Number of Complaints	Number of acknowledgements within timeframe	Percentage %
1	36	17	47
2	30	17	57
3	16	11	69
4	24	18	75

Performance relating to timeliness of responses is below:

Quarter	Number of Complaints	Number of responses within target	Percentage %
1	36	21	58
2	30	19	63
3	16	8	50
4	24	8	33

The speed of acknowledgement and response in 2014/15 was not good enough. Though acknowledgement speed improved to at least 75% of complaints being acknowledged within 3 working days of receipt in the second half of the year the speed of response significantly deteriorated. This needs to improve further and the process review discussed earlier will ensure this does happen.

Responding to complaints within timescales has been escalated as a priority for all managers within Adults and Communities and this will be reflected in their annual objectives/ appraisals.

8. Learning's from representations and complaints

The complaints process provides the Adults and Communities delivery unit with an additional means of monitoring performance and improving service quality, and provides an important opportunity to learn from complaints.

There is an established system in place to capture a range of complaints information including the nature of the complaint, the action taken, the outcome of each complaint and whether there was compliance with the time periods specified in the Regulations. The information captured from this monitoring is used in a number of ways including:

- The provision of feedback and the dissemination of the information to managers, to improve systems and procedures
- A quarterly update report to the senior management team
- Where services are purchased under contract, informing the appropriate service Commissioners and Supply Management Team who monitor each contract to ensure issues are responded to through appropriate channels.

The following provides a summary of some of the lessons learnt in relation to the common themes that account for a large proportion of the complaints received between 1 April 2014 and 31 March 2015:

- The importance of giving a named contact to complainants so that they have to only tell their story once and complaints are dealt in an efficient and timely manner
- When procuring services, the importance of engaging with service users from the start. This is to ensure service users and residents in Barnet are aware of the changes to services and can have their say
- The approach to joint, multi-disciplinary eligibility assessments has been refined. If on receipt of the assessment result the individual or their representative disputes the findings, an 'appeals' process is available whereby any new factual information that is provided is evaluated. This, on two occasions, resulted in a service being provided where previously it would not have been
- Care assessments are conducted with all those people present who are important to the individual being assessed
- The Financial Assessments Team have introduced processes to eliminate delays in responses to complaints by putting letters into staff diaries to ensure these are dealt with by the right member of staff
- The team is also quality assuring the financial figures on letters regarding cost of care to ensure the correct figures are communicated with service users and reduce the number of enquires in relation to this.

9. Local Government Ombudsman (LGO)

The Local Government Ombudsman (LGO) is an external body that looks at complaints relating to local authorities. The LGO is able to investigate matters where there is an alleged or apparent 'maladministration' or service failure. During an investigation the LGO will consider whether a member of the public has suffered injustice and whether that injustice arose as a result of a fault by the Council.

A complainant has the right to raise a complaint with the LGO at any time. Under the 'Council First' procedure the LGO in summary, requires all complainants to go through all stages of their local authority's own complaints procedure before the Ombudsman will consider the complaint.

9.1 Complaints and enquiries dealt with by the LGO 2014/2015

Table below shows the total number of new LGO enquiries and complaints received in Adult and Communities from 1 April 2014 to 31 March 2015, compared to the previous three years. Figures for the previous three are shown to demonstrate that there can be relatively significant variations between years. There is no discernible trend.

	2011-12	2012-13	2013-2014	2014-2015
Complaints and enquiries received	21	4	15	12

The LGO Annual Report 2014-15 highlights 12 complaints and enquires for Barnet adult social care, 4 of these resulted in a full investigation with a formal outcome. The remaining 8 were preliminary enquiries which went no further.

10. Responding to complaints and concerns about quality relating to external service providers

We are also responsible for making sure our contracted providers meet the high standards we have set them.

We require all external providers of care and support services to operate a complaints procedure. For services regulated by the Care Quality Commission under the Care Standards Act 2000 (Homecare, Residential Care and Supported Living), this is a statutory requirement. For services that are not regulated, there is not such a statutory requirement but all new contracts for services commissioned by the Council include a requirement to have a complaints procedure.

Where a service user or their representatives raises a concern about the quality of an external provider with the Council, our Care Quality Team logs the matter and passes it to the provider to investigate, in line with their complaints procedure. If the outcome of their investigation is not satisfactory to the complainant or to our Quality and Purchasing Team, Adults and Communities may take further action, through the complaints process if appropriate.

We take complaints very seriously, both to ensure individual service users and their carers receive high quality services and to learn lessons and make improvements more widely where necessary.

If we find that a provider, which is regulated by the Care Quality Commission (CQC), does not meet the CQC's Fundamental Standards, we will inform the Commission, take action first and foremost to ensure the safety of individuals and work with the provider to improve their standards.

10.1 Monitoring Care Quality

Quality of care and support services is monitored by the Care Quality Team through a range of contract compliance mechanisms, which include:

- Contract monitoring visits, which include a review of complaints managed by the provider
- Quality Alerts which are written/telephone/electronic communications alerting us to a shortcoming in the delivery of a service
- Working with the Care Quality Commission when one or more of the Essential Standards of Quality or Safety are not met when appropriate
- Responding to any other events, including safeguarding incidents which indicate that the provider is not fully complying with contractual requirements
- We also work closely with providers to support their continuous improvement and learning.

The table below shows a breakdown of concerns about quality that were passed to providers to investigate and those that were managed within Adults and Communities in the past three years.

	2012 - 2013	2013 - 2014	2014 - 2015
Complaints and quality alerts	119	193	177
Complaints managed within Adults and Communities	20	25	8
Total	139	218	185

The number of complaints and quality alerts managed through the Care Quality Team has declined to 177 in 2014-15. Analysis of these events shows that:

- 60 concerned the non-delivery of service
- 68 were about the quality of service provided
- 14 serious misconduct of staff
- 11 provider communication standards
- 24 other complaint from a service user or member of the public.

The vast majority (158) of the complaints and quality alerts were in relation to homecare. Issues about non-delivery of service and quality of service provided by homecare agencies accounted for the majority of both complaints and quality alerts managed by providers, and complaints about providers managed with Adults and Communities. This pattern is similar to that found in previous years.

10.2 Improving Care Quality

- The contracting and quality improvement service within Adults and Communities has been redesigned, building on the work piloted by the Integrated Quality in Care Homes (IQICH) team last year to work with providers of services to share good practice and support improvement
- The new Care Quality service has three teams, each working with specific services:
 - care homes and supported living providers
 - services in the community, and
 - equipment and services delivered by the voluntary sector.

The teams include staff from a range of different disciplines, including social work professionals, the Care Quality Commission and a nurse to work with providers in partnership to deliver high quality services

- Nearly 70 care home managers attended our leadership programme covering topics such as managing staff, creating positive cultures in care homes and managing conflict
- The delivery unit provided dementia, safeguarding, autism awareness, emergency first aid and mental health awareness training for staff working in private and voluntary care settings
- The delivery unit delivered a comprehensive training programme including the Care Act changes to policy and procedures, for our adult social care staff.