

# SCRUTINY REPORT



**MEETING:** Health Scrutiny Committee

**DATE:** 25 April 2019

**SUBJECT:** Annual Complaints Report 2016/17 and 2017/18 –  
Adult Social Care Services – for Information

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## **1.0 Purpose and Introduction**

- 1.1 It is a statutory requirement to produce an Annual Complaints Report relating to Adult Social Care Complaints, received by the Department of Communities and Wellbeing.
- 1.2 This report is to provide members of Health Scrutiny Committee with details of information relating to Adult Social Care Services.
- 1.3 The report relates to the periods 2016/17 and 2017/18, and provides comparisons between the two years noted and previous years, as well as detailing the nature, scope and scale of some of the complaints received.

## **2.0 Background**

- 2.1 The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 were laid before Parliament on the 27 February 2009 and came into effect on the 1 April 2009. From 1 April 2009 there has been a single approach to dealing with complaints to ensure consistency in complaints handling across health and social care organisations. This procedure is based on the Department of Health's guidance, 'Listening, Responding and Improving' which supports the statutory requirements for the handling and consideration of complaints. Its intention is to allow more flexibility when responding to complaints and to encourage a culture that uses people's experiences of care to improve the services provided by Bury Adult Care Services.

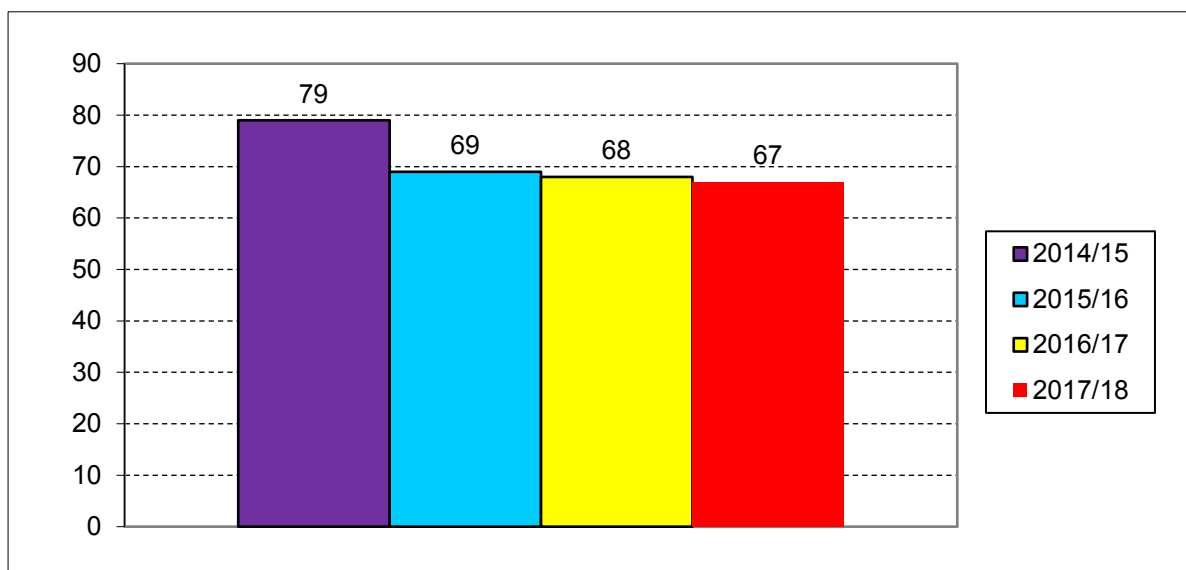
- 2.2 The complaints mentioned in this report typically relate to issues where customers, their families or carers feel that the service they have received has not met their expectations. In these cases, the Council will always have endeavoured to resolve any concerns or dissatisfaction before a formal complaint has been received. Complaints, therefore, usually arise when the customer does not agree with the Council's interpretation of events or, in some cases, where policy delivers an outcome which they do not agree with.
- 2.3 Within the regulations which govern the complaints process, the Council adopts a flexible approach which prioritises local resolution. However, where complainants remain dissatisfied, they have the option to take their case to the Local Government Ombudsman.
- 2.4 Councillors and Members of Parliament cannot make a complaint on behalf of a constituent using the statutory process. However, they can raise a 'Concern' on behalf of a constituent, and these are logged accordingly.
- 2.5 In 2018, the Council also introduced the Councillors Casework system. This is primarily based on the use of an App, although casework can be reported using the email system. While not yet universally adopted by all Bury Councillors, the system provides an additional mechanism for concerns to be raised.
- 2.6 The Complaint Procedure is not intended for dealing with allegation of serious misconduct by staff. These are covered by and dealt with through the Council's separate disciplinary procedures.

### **3.0 Data Analysis**

#### Complaints

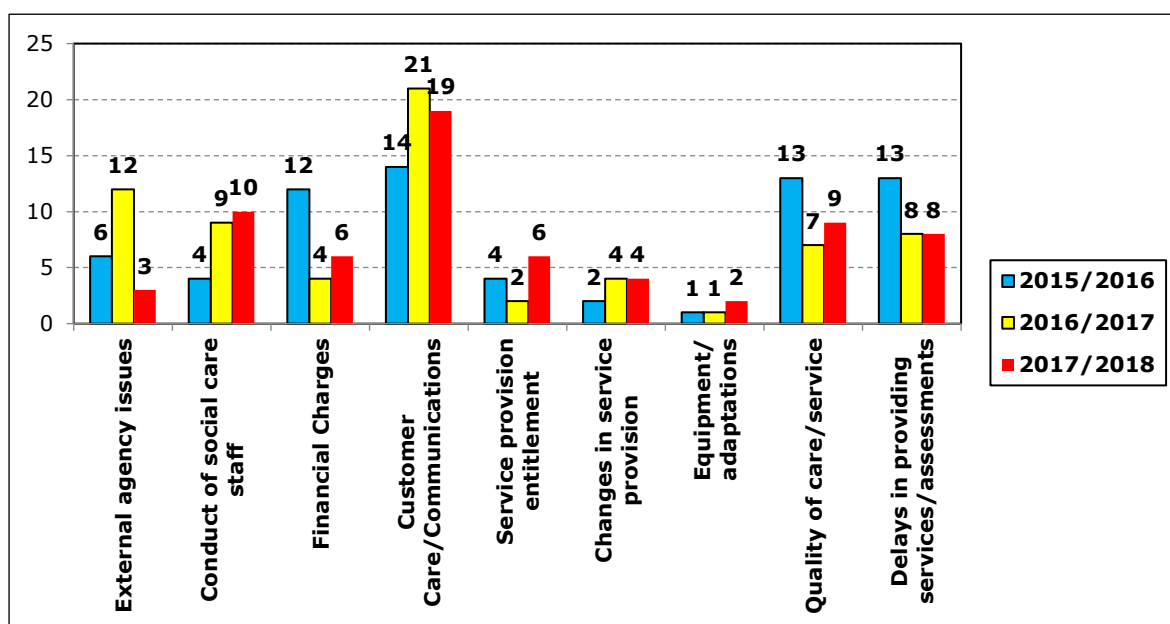
- 3.1 As was noted in the Annual Complaints Report for the period 2014/15, a major re-configuration of the Assessment and Care Management Community Teams in Communities and Wellbeing was undertaken in July 2014. As a result, like-for-like comparison of complaints received by the current service areas is only possible from that date onwards.
- 3.2 Similarly, the formation of Persona in October 2015 has meant that complaints relating to the services transferred to this organisation and which were previously included in the totals reported, are no longer received by and responded to by the Council. As a result, year-on-year comparisons are only meaningful for years 2016/17 onwards.
- 3.3 The total number of complaints received over the last two years has remained relatively static at 68 in 2016/17 and 67 in 2017/18. This compares favourably to the 79 and 69 in 2014/15 and 2015/16 respectively where figures also included complaints about services now provided by Persona for all or part of these two years. Therefore, although service pressures have increased for the department, the figures indicate that customers are generally happy with the services they have received.

**Figure 1 - Number of complaints received for the period 2014/15, 2015/16, 2016/17 and 2017/18**



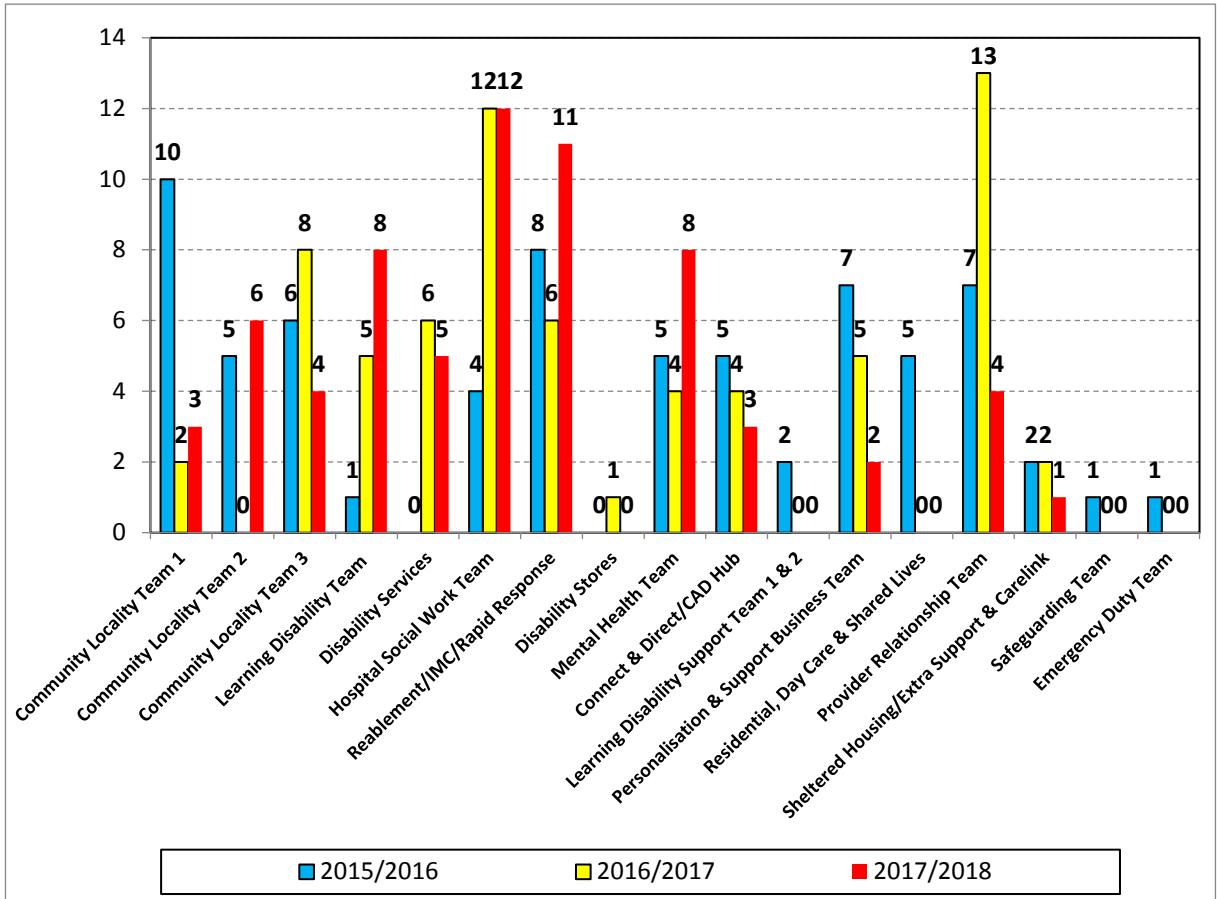
3.4 As would be expected when dealing with complaints from predominantly vulnerable groups, the majority of complaints received are made by a family member, advocate or solicitor of service user, rather than the service user themselves. In 2016/17, this represented 50 (74%) of the 68 complaints received, and, in 2017/18, this represented 45 (67%) of the 67 complaints received.

**Figure 2 - Nature of complaints received for the period 2015/16, 2016/17 and 2017/18**



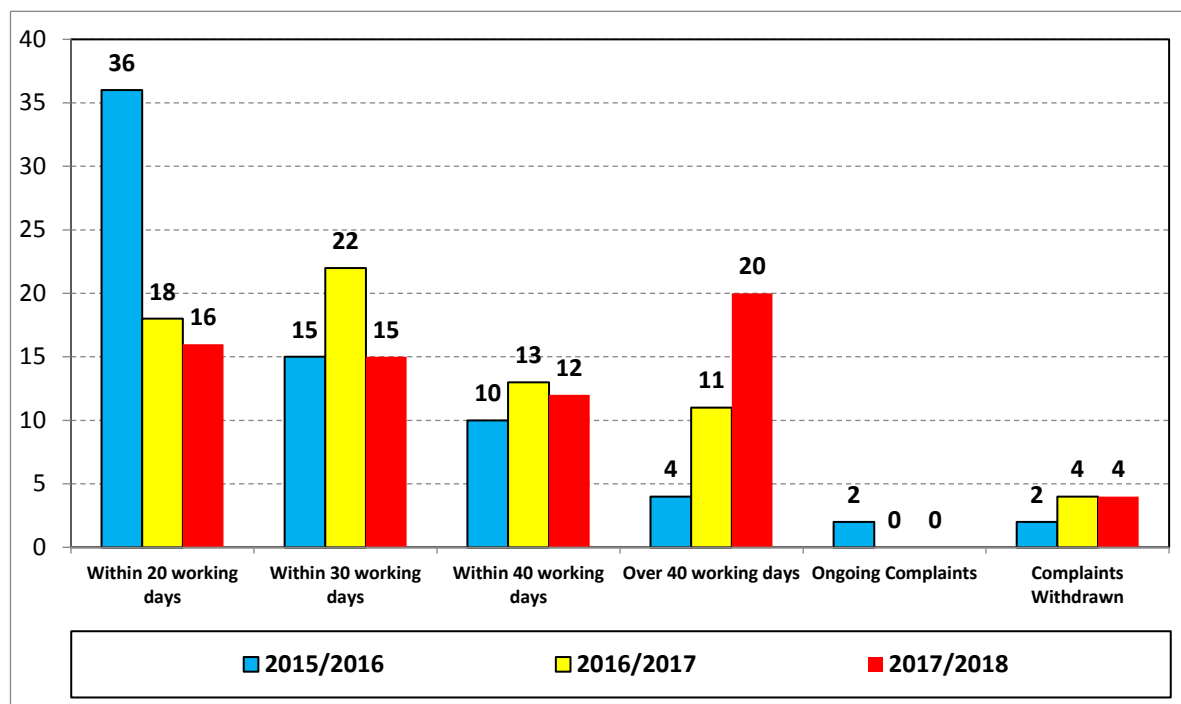
3.5 Due to the number of interactions between teams and service users, it is expected that those areas with greater numbers will receive more complaints than others. All complaints are considered in terms of the learning that they can provide on how to improve the services delivered.

**Figure 3 - Number of complaints received by team for the period 2015/16, 2016/17 and 2017/18**



3.6 However, it should be noted that the time taken to respond to complaints has increased over the last two years. In 2015/16, 74% of complaints were responded to within 30 working days; whereas in 2016/17 and 2017/18, this percentage dropped to 59% and 46% respectively. This is possibly due to increasing demands on staff time generally, meaning that they have less time available to respond to complaints as promptly as in the past; similarly, it can also be attributed to a high number of complex complaints being received, with multiple service areas being involved and customers challenging initial responses.

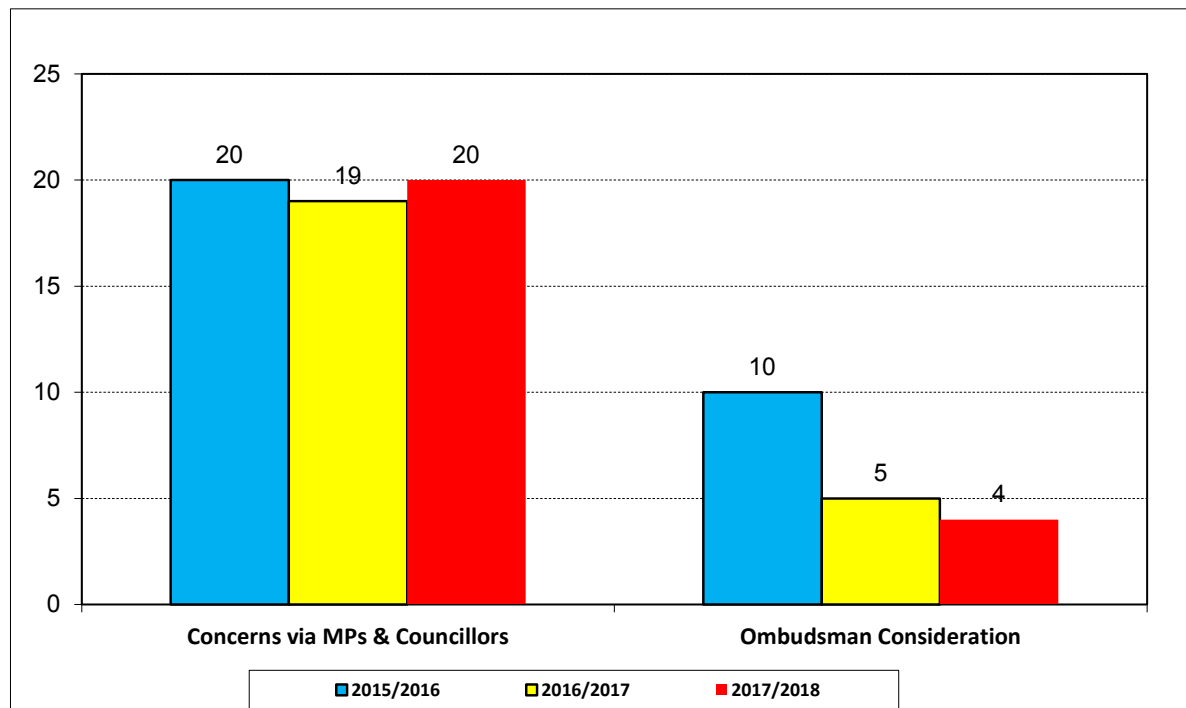
**Figure 4 - Timescales for response to complaints for the period 2015/16, 2016/17 and 2017/18**



3.7 Of the complaints received in 2016/17 and 2017/18, 26 (38%) and 36 (54%) respectively were not upheld, this compares to 32% in 2015/16. The increasing proportion of complaints not upheld demonstrates the quality and accuracy with which services are initially delivered.

3.8 As has been previously mentioned, concerns raised on behalf of constituents by Members of Parliament and local Councillors are recorded separately. For the last three years, this figure has remained fairly static at 20, 19 and 20. This appears to indicate that the majority of customers have confidence in the complaints system and will raise complaints directly. In future years, it will be interesting to consider the impact of the Councillors' Casework system and to see if it results in an impact on the number of concerns raised by local councillors.

**Figure 5 - Number of MP and Councillors' concerns and Ombudsman considerations / enquiries for the period 2015/16, 2016/17 and 2017/18**



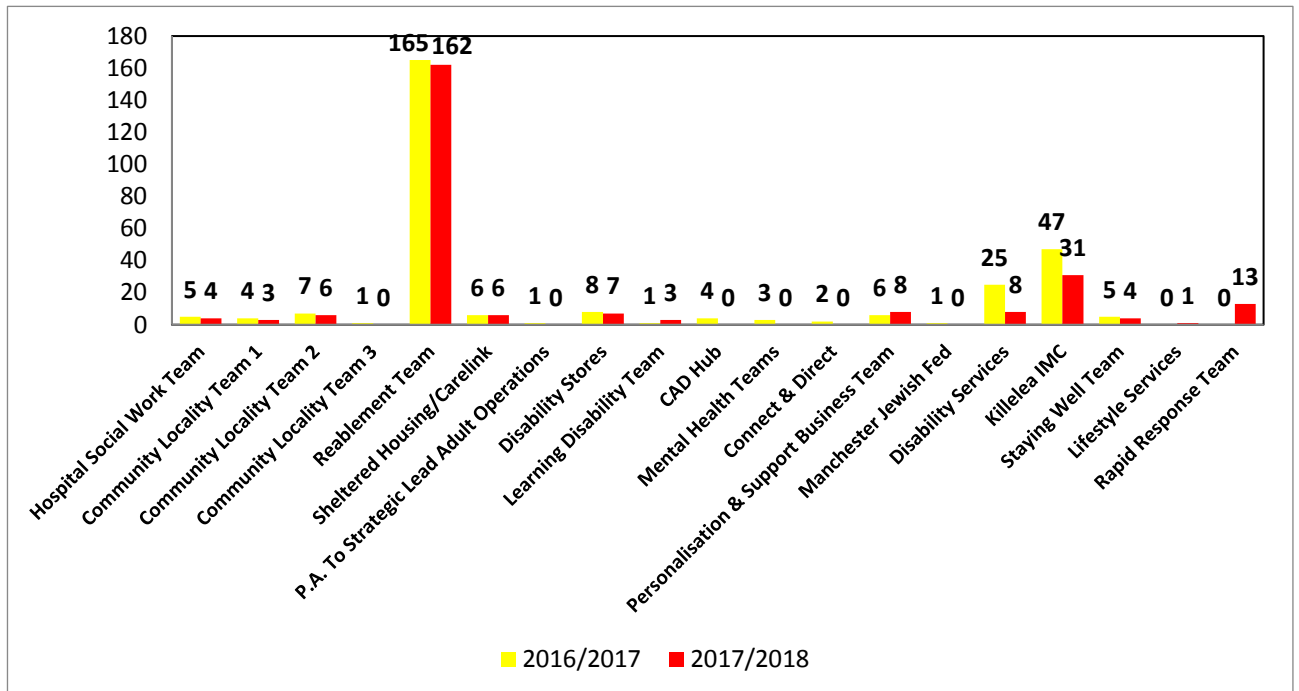
3.9 The number of complaints referred to the Local Government Ombudsman (LGO) has similarly remained stable, at 5 (7%) and 4 (6%) cases being considered. This is a more consistent figure with number of cases reported in the past than the spike of 10 (14%) cases in 2015/16. It is also positive to note that most complaints are resolved before they are taken to the LGO and that of the complaints that are taken there the Council has been found to have acted appropriately in 2 cases (40%) and 2 (50%) of cases considered by the LGO in each of the last two years.

3.10 The number of complaints received should also be considered in context with the number of people actually having direct contact with Adult Social Care Services (excluding their relatives, friends or carers who might make complaints on their behalf). In 2016/17, this related to 5,859 people, with the 68 complaints equating to 1.16%; in 2017/18, this related to 5,490 people, with 67 complaints equating to 1.22%; compared to 1.2% of 5,570 individuals in 2015/16. Overall, and despite increased pressures on services, it is positive that the proportion of people wanting to make a complaint about the services they have received from the department has remained static over this period.

## Compliments

- 3.11 In addition to complaints received, the department also records the number of compliments.

**Figure 6 - The number of compliments received that relate to 2016/17 and 2017/18**



- 3.12 In 2016/17 and 2017/18, 291 and 265 compliments were received respectively. This is a decrease on the 365 received in 2015/16. Areas where the number of compliments received have decreased notably from 2016/17 to 2017/18 are in Disability Services and Killelea IMC.

- 3.13 Complaints and compliments can provide valuable information to the department on how well it is performing, where resources need to be used, and where improvements need to be made. Details of all complaints, concerns and compliments are provided to senior officers on a monthly basis, allowing them to identify any trends or issues within the services they are responsible for.

## **4.0 Summary and Conclusions**

- 4.1 Despite rising demands, pressures and expectations of the services from customers, the number / proportion of complaints received in each of the last two years has remained stable.
- 4.2 Similarly, the number of concerns escalated to Members of Parliament and local councillors has remained stable.
- 4.3 Positively, the number of complaints escalated to the LGO has reduced, with 40% (2016/17) and 50% (2017/18) of these cases being judged to have been dealt with appropriately by the Council.
- 4.4 The Council will continue to seek to learn from complaints, concerns and compliments raised with them.
- 4.5 New ways of working with the formation of Integrated Neighbourhood Teams and other relations with colleagues from the Clinical Commissioning Group (CCG) will also provide new opportunities for service delivery. Future monitoring of complaints and other data will be needed to assess the impact of these new initiatives on the customer experience.

## **5.0 Recommendations**

- 5.1 Members of Health Scrutiny Committee are asked to note and comment on the contents of this report.