



Adults & Safeguarding Committee

26 November 2018

Title	Adult Social Care Annual Complaints Report
Report of	Chairman of the Adults and Safeguarding Committee
Wards	ALL
Status	Public
Urgent	No
Key	No
Enclosures	Appendix: Adult Social Care Annual Complaints Report 2017-2018
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Summary

The production of an annual complaints report is a statutory requirement for Councils with adult social care responsibilities, providing an overview of management of, and performance in responding to, adult social care complaints.

The number of complaints received in 2017-18 is on a par with the numbers received in previous years.

Effective complaints management is an important element of maintaining the Council's reputation. Complaints are also a valuable tool in helping to understand resident and customer expectations of the services they receive, and learning from complaints is an essential part of service improvement.

As well as providing a meaningful response to all complainants, the outcomes of investigations are used by adult social care to improve services and customer experience.

Officers' Recommendations

1. That the Adults and Safeguarding Committee notes the Annual Complaints Report 2017-2018 and approves the report for publication.

1. WHY THIS REPORT IS NEEDED

- 1.1 This report is produced in accordance with the requirements of the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 (hereby referred to as 'the Regulations'). Under those regulations, Barnet Council is required to report annually to the relevant Council committee on adult social care complaints.
- 1.2 The Council is required to operate a separate statutory complaints and representations procedure for adult social care under these regulations. Any complaint which does not fall under these requirements is considered under the Council's corporate complaints procedure.
- 1.3 Information about complaints is a valuable tool in helping to understand residents' and customers' expectations of service delivery, and plays a key part in identifying service improvements in adult social care.
- 1.4 The report provides information on complaints and compliments for Barnet Council's adult social care services for the period 1 April 2017 to 31 March 2018. The report considers complaints dealt with through both the Statutory Adult Social Care and Corporate Complaints procedures.
- 1.5 Between 1 April 2017 and 31 March 2018, the Council's social care first contact service received 52,146 contacts. In addition, Barnet adult social care:
- carried out approximately 3,000 new statutory care and support assessments and approximately 4,000 reviews;
 - investigated 1,675 safeguarding concerns and carried out 667 safeguarding enquiries;
 - provided 35,000 items of equipment and approximately 1,740 new telecare installations;
 - supported 1000 adults in residential care; 419 adults in nursing care; and 420 adults in supported living
 - provided enablement to 990 people and homecare to 1860 people.
 - supported over 1,000 adults through direct payments and provided direct support to 650 family carers.
- 1.6 In the same period, the following were received from service users, carers and/or their representatives:
- 59 compliments
 - 83 statutory complaints
 - 1 corporate complaint
 - 18 Local Government Ombudsman complaints.
- 1.7 Common themes from the complaints were:
- Decision – disagreement with the outcome of a care assessment; with a financial

decision, or a decision made as a result of a statutory duty or national policy.

- Conduct - relating to the conduct of staff employed by providers or services provided directly from Barnet.
- Quality - relating to the quality of service from care homes, care agencies or the management of care assessments.

1.8 Of the 83 statutory complaints, 73 resulted in an outcome and 10 were withdrawn:

- 27 (37%) were not upheld
- 26 (36%) were upheld
- 20 (27%) were partially upheld.

1.9 Customers expect their interaction with the department to be professional and positive, and in most 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 in 2017-2018 and this learning has been fed back into service improvement.

2. REASONS FOR RECOMMENDATIONS

2.1 The publication of this report is a statutory duty.

2.2 In addition, reviewing and reflecting on complaints is a useful process for identifying areas for service improvement.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 None. It is a statutory requirement to publish a Complaints Report for adult social care.

4. POST DECISION IMPLEMENTATION

4.1 The Annual Complaints Report 2017-2018 is a public document and will be made available through the Council website and the staff intranet.

4.2 The Annual Complaints Report includes examples of 'lessons learnt'. These are actions for improvement identified for the Council as the result of complaints. Implementation of these actions will continue during 2018/19.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 The Council's corporate plan (2018-19 addendum) sets out that one of the Council's core purposes is to work together to ensure quality services. The corporate plan also includes a focus on ensuring services are delivered efficiently to get value for money for the taxpayer. Efficiently managing, and learning from, complaints supports service improvement in terms of both quality and value for money for the taxpayer.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 As the Council continues to make changes to how services are managed and delivered at time of financial austerity, it is possible that more complaints could be received from our customers. It is anticipated that any work carried out in responding to these complaints will be contained within the current staffing establishment and budget.

5.3 **Social Value**

5.3.1 This paper does not relate to a procurement exercise.

5.4 **Legal and Constitutional References**

5.4.1 The Annual Complaints Report 2017-2018 complies with the statutory requirement to produce an annual report of Adult Social Care complaints 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 (the Regulations).

5.4.2 The Regulations identified in 5.4.1 above also require the Council to operate a statutory complaints procedure which complies with the provisions.

5.4.3 The Council Constitution, Article 7 states that the Adults and Safeguarding Committee is responsible for those powers, duties and functions of the Council in relation to Adults and Communities including the following specific functions:

- Responsibility for all matters relating to vulnerable adults, adult social care and leisure services
- To receive reports on relevant performance information and risk on the services under the remit of the Committee.

5.5 **Risk Management**

5.5.1 Because the publication of the report is a statutory requirement, the impact of not publishing it would be a breach of the regulations.

5.5.2 Complaints are an essential means by which the Council assures the quality of Adult Social Care provision, and compliance with statutory duties. By listening to complaints and taking improvement action, the Council minimises the risk of non-compliance and ensures improved customer satisfaction.

5.5.3 Where complaints are received and highlight any safeguarding issues, these are dealt with under the agreed Pan-London Multi-Agency Adult Safeguarding Policy and Procedures.

5.5.4 Adult social care does not work in isolation. As with all other aspects of work the complaints process operates in conjunction with partners in the NHS, the Care Quality Commission, Healthwatch, the police and other public services. This ensures that issues raised by complainants are dealt with effectively, with minimal risk.

5.6 **Equalities and Diversity**

5.6.1 The Complaints Report supports the Council's duty under the Equality Act 2010, under which the Council and all other organisations exercising public functions on its behalf must

have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; advance equality of opportunity between those with a protected characteristic and those without; promote good relations between those with a protected characteristic and those without. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. It also covers marriage and civil partnership with regard to eliminating discrimination.

5.6.2 Adult social care helps people who are not able to make representations and complaints in their own right to do so through the use of advocacy services such as Citizens Advice Bureau, Disability Law Service, and Mind in Barnet.

5.6.3 Learning from complaints also assists the Council in fulfilling its statutory duty under s149 of the Equality Act.

5.7 **Corporate Parenting**

5.7.1 In line with the Children and Social Work Act 2017, the Council has a duty to consider Corporate Parenting Principles in all decision making. Young people who have received care and support as children may go on to receive support from Adult Social Care Services. Efficient management of complaints, and service improvements identified as a result, will benefit this cohort.

5.8 **Consultation and Engagement**

5.8.1 The report will assist the Council in identifying any improvements that need to be made to the service or to policy and procedure. Any changes will be subject to appropriate consultation with relevant groups.

5.9 **Insight**

5.9.1 Learning from complaints provides insight into service improvement opportunities, complementing quantitative and statistical data on service performance.

6. **BACKGROUND PAPERS**

6.1 None.