

	<h2>Adults and Safeguarding Committee</h2> <h3>13 July 2016</h3>
Title	Statutory Adult Social Care Annual Complaints Report 2015/16
Report of	James Mass – Assistant Director Community and Wellbeing
Wards	All
Key / Non Key?	Non Key
Urgent / Non Urgent	Non Urgent
Status	Public
Enclosures	Appendix 1 – Adults and Communities Annual Complaints Report 2015-2016
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Summary

The production of an annual complaints report is a statutory requirement for adult social care that provides an overview of the management and performance in responding to complaints. Effective complaint 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 service delivery and learning from them is an essential part of service improvement.

The number of complaints received in 2015-16 is in line with the numbers received in previous years. As well as providing a meaningful response to all complainants the outcomes of investigations are used to generate lessons learnt so that the service we provide is continuously improving and will result in a better customer experience.

Recommendations

That the Adults and Safeguarding Committee note the information contained within the Adults and Communities Annual Complaints Report 2015-2016 and approves the report for publishing.

1. WHY THIS REPORT IS NEEDED

- 1.1 This report is produced in accordance to the requirements of The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.
- 1.2 It is a valuable tool in helping to understand resident's and customer's expectations of service delivery and should be an essential part in identifying service improvements in Adults and Communities and across the council.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The publication of this report is a statutory duty. In addition, review and reflection of complaints is a useful tool to identify areas for improvement.
- 2.2 This report provides information on complaints and compliments for Barnet Adults and Communities for the period 1 April 2015 to 31 March 2016. 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.
- 2.3 The report considers complaints dealt with through both the statutory adult social care and corporate complaints procedures.
- 2.4 Barnet Council is required under statutory regulations, to report annually to the relevant council committee on adult social care complaints.
- 2.5 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.
- 2.6 6,923 social care assessment and reviews were completed during 2015-2016.
- 2.7 During this period, Adults and Communities Social Care Direct Team received 58,822 requests through Social Care Direct. Of which:
 - 24% resulted in information and advice being provided
 - 42% were resolved by Social Care Direct and did not need a social care service
 - 2% were signposted to another organisation for advice and support
 - 20% were referred for assessment by our social work teams.
- 2.8 In 2015-2016, the following complaints and compliments were received from service users, carers and/or their representatives:
 - 109 Compliments
 - 94 Complaints
 - 8 Local Government Ombudsman complaints.

- 2.9 There is a marked increase in the number of recorded compliments received between 2015- 2016. 69 compliments were recorded in 2014/15 and 109 recorded in 2015/16.
- 2.10 The number of compliments recorded indicates that good practice is happening across the department and the people who use our services are grateful and satisfied with aspects of the service provided.
- 2.11 The number of complaints received has slightly decreased compared to the previous years. 106 complaints were received in 2014/15 compared to 94 in 2015/16.
- 2.12 There has also been a marked improvement in the number of complaints responded to within the agreed timescale.
- 2.13 Common themes which can be seen across multiple complaints include:
- Lack of communication
 - Reduction in support or funding
 - Barnet Council staff behaviour and attitude.
- 2.14 Of the 94 complaints, 85 resulted in an outcome, 7 were withdrawn and 2 cases are still being investigation.
- 34 (40%) were not upheld
 - 29 (34%) were upheld
 - 22 (26%) were partially upheld.
- 2.15 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.
- 2.16 Lessons have been learnt from the complaints received throughout 2015-2016 and this learning is fed back into the ongoing service improvement, ensuring high standards of customer care are sustained by the Delivery Unit and our care providers.

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 Adults and Communities Annual Complaints Report 2015-2016 is a public document and will available through the council website and staff intranet.
- 4.2 The Complaints Annual Report includes a number of lessons learnt, which are actions for improvement for the delivery unit. These actions will be implemented in 2015-16.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 Corporate Plan 2015 - 2020

This report supports the Corporate Plan 2015-2020 specially that:

“The council, working with local, regional and national partners, will strive to ensure that Barnet is a place:

- of opportunity, where people can further their quality of life...
- where responsibility is shared, fairly...
- where services are delivered efficiently to get value for money for the taxpayer.”

5.1.2 Health and Wellbeing Strategy

Effective complaints management supports the Health and Wellbeing Strategy’s priority of “Care when Needed - Providing care and support to facilitate good, outcomes and improve user experience”.

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

5.2.1 As Adults and Communities continue to make changes to the way services are managed and delivered within the budget, every effort will be made to minimise the impact on the customer. The cost of work carried out in responding to complaints, including improvements to the service, will be contained within the current staffing establishment and budget.

5.3 Legal and Constitutional References

5.3.1 The Adults and Communities Annual Complaints Report 2015-2016 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).

5.3.2 The Regulations identified in 5.3.1 above also require the council to operate a statutory complaints procedure which complies with the provisions.

5.3.3 The Council Constitution, Responsibility for Functions, Annex A 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:

- Promoting the best possible adult social care services
- To ensure that the council’s safeguarding responsibilities are taken into account.

5.4 Risk Management

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

5.4.2 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.

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

5.4.4 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.

5.5 Equalities and Diversity

5.5.1 The Complaints Report supports the Council's strategic Equalities Objective which states that "Our commitment is that citizens will be treated equally, with understanding and respect; have equal opportunity with other citizens; and receive quality services provided to Best Value principles".

5.5.2 Adults and Communities 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

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

5.6 Consultation and Engagement

5.6.1 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.

6. BACKGROUND PAPERS

None.