

# **Adults and Communities**

## **Annual Complaints Report**

**2015-2016**

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## 1. Introduction

This report provides information on complaints 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.

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.

Barnet Council is required under statutory regulations, to report annually to the relevant council committee on adult social care complaints. The report considers complaints dealt with through both the statutory adult social care and corporate complaints procedures.

## 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.

### **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 as soon as possible.

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 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. A final decision on the complaint is then provided.

## 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

Adults and Communities continually seeks ways to encourage people who use social care and carers to give feedback, good or bad on the services that they have received.

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.
- 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 is on the council website at [www.barnet.gov.uk/comments-and-complaints-adult-social-care](http://www.barnet.gov.uk/comments-and-complaints-adult-social-care)
- Managers are asked to feature compliments 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 Team.
- Information about complaints is shared with the management and staff to improve practice.

Adults and Communities have commissioned Barnet Citizens Advice Bureau (BCAB) as the lead provider for specialist information, advice and advocacy support. This ensures that the council has in place a dedicated support service for people who require access to independent information, advice and advocacy. BCAB work with their subcontracted partners Advocacy in Barnet and Mind in Barnet and work closely with other partners who provide a range of advocacy services e.g. statutory advocacy and independent health advocacy. This means that advocacy services are available to complainants if they require advocacy support to help them in making a complaint. Adults and Communities staff are trained in accordance with the Care Act and staff understand their statutory duties in regards to advocacy.

## 4. Overview

Between 1 April 2015 and 31 March 2016 the Adults and Communities Social Care Direct Team received 58,822 requests.

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.

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

- 109 Compliments
- 94 Complaints
- 8 Local Government Ombudsman complaints.

Common themes which can be seen across multiple complaints include:

- Lack of communication
- Reduction in support or funding
- Barnet Council staff behaviour and attitude.

Of the 94 complaints, 85 resulted in an outcome, 7 were withdrawn and 2 cases are still being investigated.

- 34 (40%) were not upheld
- 29 (34%) were upheld
- 22 (26%) were partially upheld.

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 2015-2016 and this learning is feedback into the ongoing service improvement, ensuring high standards of customer care are sustained by the Delivery Unit and our care providers.

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

- The council responds to feedback from people who use social care services, their carers and residents effectively and efficiently to ensure the improvement of individuals' experience and promote wider improvement.
- The low number 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 34% complaints were not upheld. 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.
- An increased number of compliments were recorded and this indicates, not only better recording but that people who use social care services and their 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 2015 to 31 March 2016 compared to the previous year.

	2014-2015	2015-2016
Compliments	69	109

There is a marked increase in the number of recorded compliments received between 2015- 2016. This could be due to a number of factors including updating the recording process and promotion of the importance of recording and collating compliments.

The number of recorded compliments received indicate 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.

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 2015-2016:

*"X's communication skills are excellent he always provides accurate information, whether it's good bad or indifferent. X has the ability to make me feel that my brothers is his only case and I am sure that is far from the truth. He always presents himself in a professional manor and although Z is my brother and I want what I feel is best for him, X is always quick to remind me that it's not what I want, it's my brothers choice. (and rightly so).*

*"It is very obvious to me that X is a caring person and is always smiling. Social workers get a lot of bad press in the media and I can only imagine the pressure you have to work under. So no bad press today. Well done X you are a good chap and deserve a pat on the back"*

*"Thank you very much for all your hard work which you undertook to give Mr Z a dignified send off. His friends and family were delighted and the wider veteran's community, many of whom travelled great distances made the effort to be there your staff are superb and I was impressed by the efforts they made to help."*

*"I just want to express our sincerest gratitude at the sterling and most considerate and helpful way in which you have handled this project right from the start. As you*

*may know, it was quite a desperate time for us when we realized that we were facing major changes, challenges and an upheaval in our very home, and at the same time having to deal with all the foibles of an institutionalized procedure. But you have put the kindest human face on this process imaginable, and I speak for all of us when I say we now feel more confident that with your help Z can get control over his life and develop some much needed independence, while our home can be re-arranged in a way we still find comfortable and pleasing.”*

*“Thank you once again for all your help and advice over the last couple of years with my nan... It has been greatly appreciated...we wish there were more people as kind and as sympathetic and as helpful as YOU and your team”.*

## 5.1 Number of compliments received in 2015-2016 broken down by service area

The table below shows the total number of compliments recorded in Adults and Communities from 1 April 2015 to 31 March 2016 by service area and gives a comparison to the previous year.

Service Area	2014-2015	2015-2016
Localities (Older People & Physical Disabilities)	34	18
Integrated Care Learning Disabilities	24	16
Customer and Financial Affairs	4	3
Social Care Direct	1	0
Other teams / functions	6	8
The Network	0	64
<b>Total</b>	<b>69</b>	<b>109</b>

## 6. Complaints

### 6.1 Number of statutory complaints received

From 1 April 2015 to 31 March 2016, a total of 94 statutory complaints were received by Adults and Communities. This is a slight decrease compared to the previous years.

	2014-2015	2015-2016
Complaints	106	94

### 6.2 Number of complaints received broken down by month

Month	Statutory complaints received
April 2015	2
May	8
June	6
July	8
August	5
September	7
October	11
November	4
December	8
January 2016	9
February	18
March	8
<b>Total</b>	<b>94</b>

### 6.3 Complaints received by designated stage

Of the 94 complaints received between 1 April 2015 and 31 March 2016, all were dealt with under the Statutory Social Care Complaints Procedure. There were 4 serious or complex complaints received in this year.

Of the 94 statutory social care complaints received:

- 83 were considered as straightforward
- 4 considered as serious and/or complex complaints
- 7 were withdrawn.

Category	2014-2015	2015-2016
Statutory Straightforward (Low/Moderate risk)	98	83
Statutory Serious and/or Complex (High risk)	0	4
Withdrawn	6	7
<b>Total complaints - all</b>	<b>106</b>	<b>94</b>



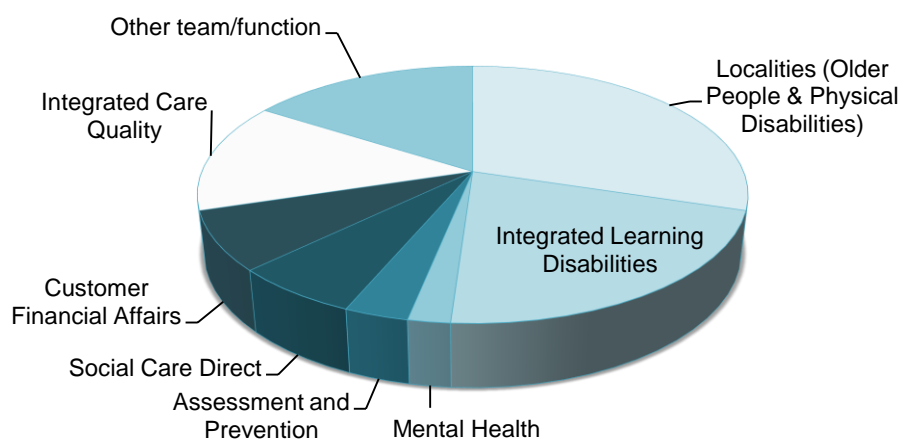
## 6.4 Complaint type by outcome

Category	No.	%
<b>Statutory</b>	<b>87</b>	<b>100%</b>
Not Upheld	34	40%
Partially Upheld	22	26%
Upheld	29	34%
<b>Total statutory complaints with an outcome</b>	<b>85</b>	<b>98%</b>
Withdrawn	7	8%
Not yet resolved	2	2%

## 6.5 Complaints by service area

Service Area	No. of Statutory Complaints	% of statutory complaints
Localities (Older People & Physical Disabilities)	28	29.7%
Integrated Learning Disabilities	20	21.2%
Mental Health	2	2.1%
Assessment and Prevention	3	3.19%
Social Care Direct	6	6.38%
Customer Financial Affairs	7	7.4%
Integrated Care Quality	13	13.8%
Other team/function	15	15.9%
<b>Total</b>	<b>94</b>	<b>100%</b>

**Complaints by service area**



## 6.6 Complaints by category

The table below shows the number of complaints by subject that were upheld or partially upheld by Adults and Communities

Category	2015-2016	Upheld	Partially upheld
<b>Statutory Straightforward (Low/moderate risk)</b>			
Lack of Communication	19	6	7
Timeliness - process/decision	3	2	1
Timeliness - delayed service	6	2	2
Quality of service	4	3	1
Quality of service - provider	10	5	0
Reduction in support/funding	12	2	1
Outcome of assessment	12	6	4
Staff behaviour /attitude	14	3	4
Other	3	0	1
<b>Total Straightforward (Low/moderate risk)</b>	<b>83</b>	<b>29</b>	<b>21</b>
<b>Complex/serious (Moderate/high risk)</b>			
Multiple reasons	4*	0	1
*2 cases still under investigation			
<b>Total Complex/serious (Moderate/high risk)</b>	<b>4</b>	<b>1</b>	<b>1</b>
<b>Total number of complaints</b>	<b>94</b>	<b>29</b>	<b>22</b>

## 6.7 Timeliness of acknowledgements to complaints

Quarter	Number of Complaints	Number acknowledged within 3 working days*	Percentage %
1	16	15	94%
2	20	19	95%
3	23	19	79%
4	35	33	94%

\* Figures include 7 complaints that were acknowledged but withdrawn at a later date

The speed of acknowledgement and response in 2015-2016 has improved to an average of 90% which is a marked improvement since the previous year of 62%.

## 6.8 Performance relating to timeliness of responses to complaints within 20 working days

	2014/15			2015/16			
Quarter	Number of complaints	Number of responses within target	Percentage %	Number of complaints	Number of responses within target	Number withdrawn	Percentage %
1	36	21	58	16	13	0	81%
2	30	19	63	17	17	3	100%
3	16	8	50	21	18	2	86%
4	24	8	33	33	25	2	76%
<b>Total</b>	<b>106</b>	<b>56</b>	<b>51%</b>	<b>87</b>	<b>73</b>	<b>7</b>	<b>87%</b>

There has been a marked improvement in the number of complaints responded to within the agreed timescale.

Responding to complaints within timescales has been escalated as a priority for all managers within Adults and Communities. The process of managing complaints is now the responsibility of the Head of Service for each service area who work with team managers to investigate complaints and provide responses where necessary, but ultimately owning responsibility for the timeliness and quality of responses.

## 7. Learning from 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
- Monthly reports to the Adults and Communities Leadership Team
- Where services are purchased under contract, informing the appropriate service Commissioners and Care Quality 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 2015 and 31 March 2016:

- We are reviewing the information and advice about social care services through revising our website content and publications. This will ensure people who use our services and their carers are clear about what services we can offer and criteria for receiving the services.
- We are reviewing and updating our financial assessment information so that people are clear about how we charge for social care services
- During 2016-2017, we are trialling 'Strength Based Practice' which focuses on working collaboratively with residents to help them use the skills and abilities they've developed through their lives to enable them to help themselves.

Through Strength Based training programme, social care professionals will learn to work in a different way to develop person-centred care and take it to the next level to have more positive conversations with people who come to us for help.

## 8. 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.

### 8.1 Complaints and enquiries dealt with by the LGO 2015-2016

Table below shows the total number of new LGO enquiries and complaints received in Adult and Communities from 1 April 2015 to 31 March 2016, compared to the previous year.

	2014-2015	2015-2016
Complaints	4	8
Enquiries	8	11

The LGO Annual Report 2015-2016 highlights 19 complaints and enquires for Barnet social care service from 12 individuals, 8 of these resulted in a full investigation. The remaining 11 were preliminary enquiries which went no further.

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

We are responsible for ensuring 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 no statutory requirement but all new contracts for services commissioned by the council include a requirement to have a complaints procedure. This is also examined during the procurement process.

Where a person who used social care services or their representatives raises a concern about the quality of an external provider with the council, our Care Quality Service 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 the Care Quality Service, Adults and Communities may take further action, through the complaints process if appropriate.

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

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

## 9.1 Monitoring Care Quality

The quality of care and support services is monitored by the Care Quality Service through a range of contract compliance mechanisms. These 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 as appropriate when services do not meet the fundamental standards below which the provision of regulated activities and the care people receive must never fall.
- Responding to any other events, including safeguarding incidents which indicate that the provider is not fully complying with contractual requirements

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.

	2014 - 2015	2015 - 2016
Complaints and quality alerts	177	146
Complaints managed within Adults and Communities	8	28
<b>Total</b>	<b>185</b>	<b>174</b>

The number of complaints and quality alerts managed through the Care Quality Team has reduced slightly to 174 in 2015-2016. Analysis of these events shows that:

- 35 were about the quality of service provided
- 22 misconduct of staff
- 16 concerned the non-delivery of service
- 14 were in relation to timekeeping.

The vast majority (154) 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.

## 9.2 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 to work with providers of services to share best practice and support improvement. The service now also delivers a programme of support and engagement with providers of domiciliary homecare and supported living services

The 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 supporting prevention and wellbeing.

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

The Care Homes and Supported Living Team is also responsible for undertaking reviews of all older adults and people with physical disabilities placed in care homes by Barnet. This enables the service to be more responsive to quality concerns picked up as part of a review, and where the team has identified concerns through contract monitoring, to act swiftly to ensure people are safe.

The service also delivers a range of practice sharing and training events including:

- Monthly Practice Forums (supported by Skills for Care)
- Action Learning Sets
- Specialist Network Support groups including Learning Disabilities, Mental Health, Older Adults, Activity Co-ordinators and Nurses
- Specialist workshops run in conjunction with other professionals, for example CCG, North London Hospice Safeguarding Month and Mental Capacity Month events
- End of Life Care Planning.

The service is currently working jointly with Barnet Clinical Commissioning Group to develop a training initiative aimed at improving clinical practice in Care Homes. Training will be offered to both nurses and care workers on a number of areas including Dementia, deteriorating condition, palliative care and communication.