

	<p style="text-align: center;">Adults and Health Overview and Scrutiny Committee</p>
<p style="text-align: center;">Title</p>	<p>Adult Social Care Annual Complaints Report 2022-2023</p>
<p style="text-align: center;">Date of meeting</p>	<p>26 October 2023</p>
<p style="text-align: center;">Report of</p>	<p>Dawn Wakeling - Executive Director – Communities, Adults and Health</p>
<p style="text-align: center;">Wards</p>	<p>All</p>
<p style="text-align: center;">Status</p>	<p>Public</p>
<p style="text-align: center;">Urgent</p>	<p>No</p>
<p style="text-align: center;">Appendices</p>	<p>Appendix A – Adult Social Care, Annual Complaints Report, 2022-2023</p>
<p style="text-align: center;">Officer Contact Details</p>	<p>Paul Kennedy - Head of Business Intelligence, Performance & Systems paul.kennedy@barnet.gov.uk 020 8359 3267 Courtney Davis – Assistant Director Communities and Performance courtney.davis@barnet.gov.uk 020 8359 4901</p>
<p>Summary</p>	
<p>The production of an annual complaints report is a statutory requirement for Councils with adult social care responsibilities. The report provides an overview of the management of and performance in responding to adult social care complaints.</p>	
<p>Effective complaints management is an important element in maintaining the Council’s reputation. Complaints are a valuable tool in helping to understand resident expectations of the services they receive. As well as providing a meaningful response to all complainants, the outcomes of investigations are used by the council to improve services and resident experience.</p>	
<p>Recommendations</p>	
<p>1. That the Overview and Scrutiny Committee notes the Annual Complaints Report 2022-2023 and approves the report for publication.</p>	
<p>1. Reasons for the Recommendations</p>	
<p>1.1</p>	<p>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</p>

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 Learning from 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 2022 to 31 March 2023. The report considers complaints dealt with through both the Statutory Adult Social Care and Corporate Complaints procedures.
- 1.5 Between 1 April 2022 and 31 March 2023, the following were received from Individuals, carers and/or their representatives:
 - 128 compliments
 - 78 statutory complaints
 - 5 corporate complaints
 - 12 Local Government Ombudsman enquiries
- 1.7 Of the 78 statutory complaints, 67 resulted in an outcome, 11 were withdrawn. Of the 67:
 - 32 were not upheld
 - 23 were upheld
 - 12 were partially upheld

2. Alternative Options Considered and Not Recommended

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

3. Post Decision Implementation

- 3.1 The Annual Complaints Report 2022-2023 is a public document and will be made available through the Council website and Open Barnet website.
- 3.2 The Annual Complaints Report includes examples of ‘lessons learnt’. These are actions for improvement identified as the result of complaints investigations. Implementation of these actions will continue during 2023-24

4. Corporate Priorities, Performance and Other Considerations

Corporate Plan

- 4.1 The priorities in this report align with the corporate plan theme of “living well”.
- 4.2 Relevant Council strategies and policies include the following:
 - Our Plan for Barnet – caring for people, places and planet.

- Barnet Health and Wellbeing Strategy
- Medium Term Financial Strategy
- Performance and Risk Management Frameworks

Sustainability

4.3 There are no direct environmental implications from noting the recommendations.

Corporate Parenting

4.4 In line with Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in decision-making across the council. There are no implications for Corporate Parenting in relation to the recommendations in this report.

4.5 Care experienced adults may go on to develop care and support needs and draw on council adult social care support. The services and initiatives described in this report are relevant and accessible to care experienced adults.

Risk Management

- The publication of the report is a statutory requirement, the impact of not publishing it would be a breach of the regulations.
- 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 improvements to customer satisfaction.
- 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.

Insight

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

Social Value

4.7 The Public Services (Social Value) Act 2013 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. There are no social value implications in relation to the recommendations in this report.

5. Resource Implications (Finance and Value for Money, Procurement, Staffing, IT and Property)

5.1 The work carried out in responding to comments, compliments and complaints is contained within the current staffing establishment and budget.

6. Legal Implications and Constitution References

6.1 The Annual Complaints Report 2022-2023 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).

6.2 The Regulations identified in 6.1 above also require the Council to operate a statutory complaints procedure which complies with the provisions.

6.3 The terms of reference for Adults and Health Overview and Scrutiny Sub-Committee include that the Sub-Committee shall perform the overview and scrutiny role and function in relation to, inter alia , all matters as they relate to Adult Social Care, and also of policy proposals which may have an impact on health, public health, social care and wellbeing London Borough of Barnet

7. Consultation

7.1 Learning from complaints can assist the Council in identifying changes to services, local policy and procedure. Any changes will be subject to appropriate consultation with relevant groups.

8. Equalities and Diversity

8.1 Section 149 of the Equality Act 2010 sets out the Public-Sector Equality Duty which requires a public authority (or those exercising public functions) to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not.
- Fostering of good relations between persons who share a relevant protected characteristic and persons who do not.

8.2 The broad purpose of this duty is to integrate considerations of equality into everyday business and keep them under review in decision making, the design of policies and the delivery of services. The protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation.

8.3 In order to assist in meeting the duty the Council will:

- Try to understand the diversity of our customers to improve our services.
- Consider the impact of our decisions on different groups to ensure they are fair.
- Mainstream equalities into business and financial planning and integrating equalities into everything we do.
- Learn more about Barnet's diverse communities by engaging with them.

This is also what we expect of our partners.

8.4 This is set out in the Council's Equalities Policy, which can be found on the website at:

<https://www.barnet.gov.uk/your-Council/policies-plans-and-performance/equality-and-diversity>

9. Background Papers

None.