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(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

**Title of meeting:** Cabinet Member for Health, Wellbeing & Social Care  
Decision meeting

**Subject:** Adult Social Care Complaints Annual Report 2021/22

**Date of meeting:** 27/09/2022

**Report by:** Complaints Manager Adult Social Care

**Wards affected:**

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**1. Requested by**

Cllr Matthew Winnington, Cabinet Member for Health, Wellbeing & Social Care

**2. Information Requested**

A Summary of the complaints received by Adult Social Care, (ASC) for the 2021/22 financial year.

**2.1. Purpose**

- To provide analysis of all complaints and other contacts received during the period of 1 April 2021 to 31 March 2022 for social care services provided to adults.
- To compare these to the previous 12 months.
- To form part of the governance framework for ASC

**2.2. Analysis of Complaints**

For the financial year 2021/22, there were 51 statutory complaints made about Adult Social Care, compared to 62 in the previous year. Included within 2021/22 are 3 complaints involving an independent provider, compared to 4 in the previous financial year.

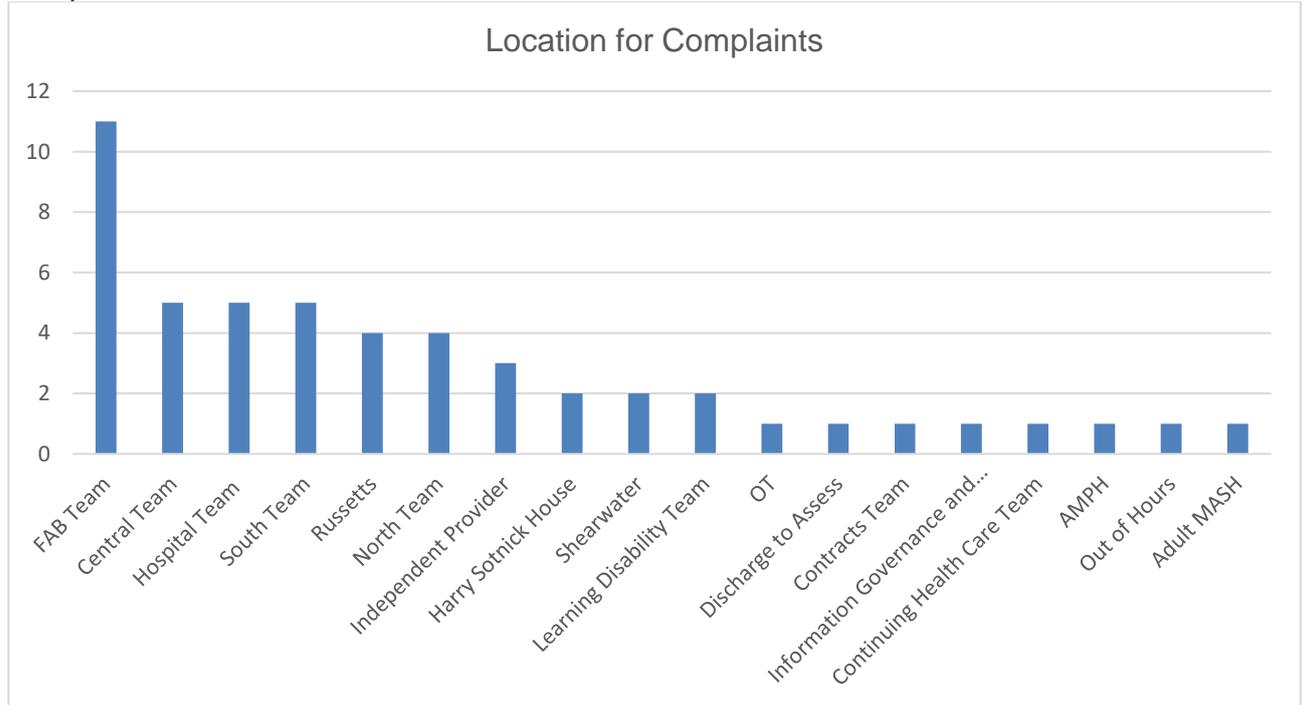
In addition to statutory complaints, there were 28 customer contacts and 5 contacts that were responded to under different procedures.

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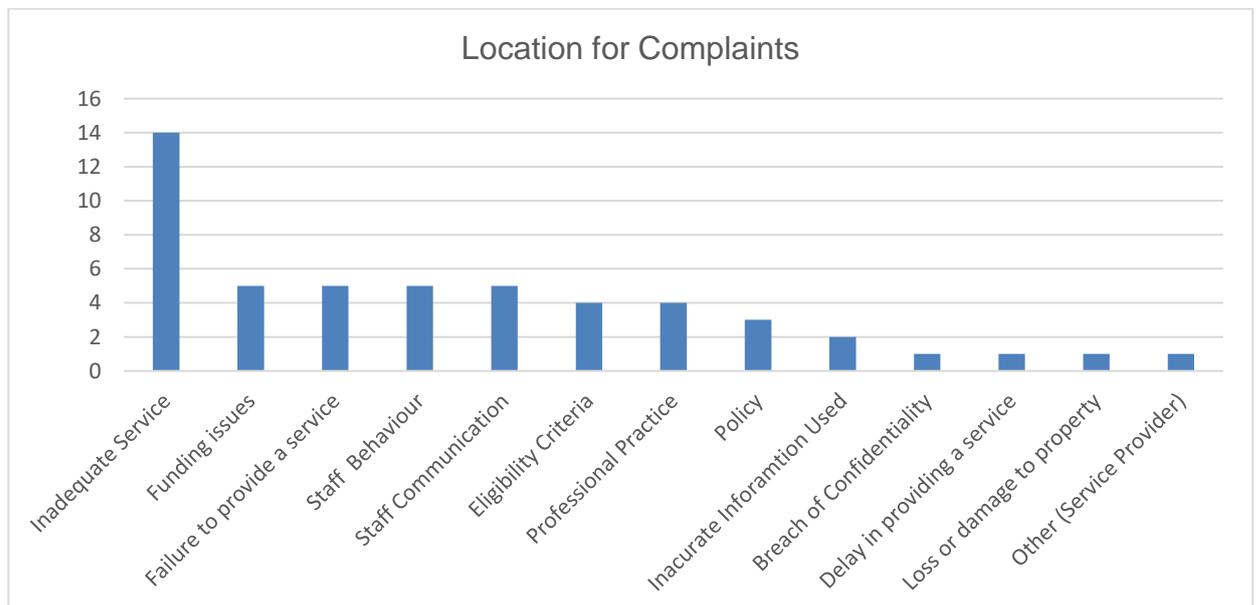
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The number of service users open to Adult Social Care on 31st March 2020 was 6,687. The 52 complaints received therefore represent less than 1% of all the people receiving a service from Adult Social Care.

To set the complaints figures in context, the following chart outlines the number of complaints for each location/team.



It is also important to consider the reasons why complaints were made.



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Inadequate Service, funding, failure to provide a service and staff behaviour and communication were the most prevalent complaint themes this year.

Examples of complaints about inadequate service:

- A service user was unhappy that a Social Worker was not allocated.
- A family member complained about how belongings were packed at one of our residential units.
- Complaint about service user not having an advocate to support him at his annual review.

Examples of complaints about funding:

- A complainant was unhappy about the accuracy of a bill.
- A service user was unhappy about the rate we would pay for his PA service.

Examples of complaints about staff communication included communication regarding a change of social worker and communication regarding the Continuing Healthcare process.

It is worth noting that the location of complaints can be misleading in that, whilst the majority of complaints appeared to be located in the Finance & Benefits, (FAB) team, most of these relate to corporate billing and finance arrangements outside the FAB team's control. Whilst there is work ongoing to understand whether these issues can be improved upon, this is an issue that is located outside the team.

**2.3. Performance**

It is worth noting that there is no specific timescale laid down by national complaints guidance. It is a flexible process with timescales agreed with individual complainants. However, under our complaints procedure, we aim to send complainants a full reply within 10 working days if possible, or if the matter is more complicated, the target timescale is 20 working days. Staff are encouraged to ensure their responses are proportionate to the complexity and level of investigation required.

The extent to which our timescales have been met can be seen below.

<b>Full Reply Performance (working days)</b>	<b>Financial Year 2021/2022</b>	<b>Financial Year 2020/2021</b>
0-20 days	79% (60% within 10 days)	66% (48% within 10 days)
20+ days	21%	34%

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Overall, 79% of complaints have received a response within 20 working days, which is an improvement from last year (66%). 60% of complainants received their reply within 10 working which is improvement compared to the previous year (48%). Some complaints will take longer than 10 days to investigate and reply to, particularly if the matter is complex, there is a need to interview staff or further responses or meetings are required to resolve the complaint.

The Complaints Managers will therefore continue to highlight the importance of dealing with complaints in a timely way and encourage staff to have a positive attitude to complaints handling. Complaints Managers also encourage managers to make a quick initial assessment of a complaint when they receive it, to enable any immediate issues to be dealt with and to establish that the right person is handling the complaint.

### **2.4. Local Government and Social Care Ombudsman Cases**

Most complaints continue to be resolved at the early stage of the procedure. If the matter remains unresolved after further responses or escalation of the complaint to more senior managers, then the complainant can refer to the Local Government and Social Care Ombudsman for further consideration.

There was 1 complaint referred to the Local Government and Social Care Ombudsman (LGSCO) this year compared to 2 in the previous financial year. The Ombudsman made some recommendations and asked us to update our OT policy.

Whilst 51 complaints were made, these figures indicate that 50 of these were resolved internally in a manner acceptable to the complainant. This is very positive as we strive to resolve all complaints without the need for complainants to approach the Ombudsman.

### **2.5. Advocacy**

The complaints leaflet advises people that they can get help if they need it to make a complaint. This can be an informal arrangement with a friend or family member or more formally through an advocacy organisation organised by the Complaints Managers.

### **2.6. Proportion of Complaints Upheld**

It is interesting to review the outcomes of complaint investigations i.e. the proportion that were justified to some degree by the manager who responded and investigated.

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<b>Category</b>	<b>Number of Complaints 2021/2022</b>
Not upheld	11
Partially upheld	15
Upheld	15
Withdrawn	1
Other (withdrawn or response not completed at end of reporting period).	9
<b>Total</b>	<b>51</b>

This shows that 59% (30) of complaints for Adult Social Care were considered to be justified in some way this year compared to 40% last year. In such cases, every effort will be made to identify actions that could improve service in the area concerned (please see Learning from Complaints on the next page).

**2.7. Complaints Received by Solent NHS Trust**

Our Adult Mental Health Services are integrated, where Solent NHS Trust is the lead agency and all complaints are logged and handled by them. The details of complaints logged by Solent NHS Trust for Adult Mental Health Services will be included in their Annual Report.

**2.8. Compliments**

Compliments for services are received annually. For the period 1 April 2020 to 31 March 2021, we received 16 compliments for Adult Social Care, a small decrease from the 19 received in the previous year. These are broken down by team below. It is of note that it is often more difficult to gather compliments than it is complaints and work continues to encourage colleagues to share compliments as those recorded are likely to be a fraction of the number received by individual colleagues.

<b>Team Name</b>	<b>Number of Compliments</b>
Shearwater	4
North Team	3
OT Team	3
FAB Team	2
Royal Albert Day Centre	2
CHC Team	1
Russets	1

**2.9. Persistent Complaints Policy**

The council's Corporate Complaints Policy provides guidance on dealing with the small number of complainants who are persistent or unreasonable, taking up an unwarranted amount of council resources or impeding the investigation of their

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complaint. In Adult Social Care, we have had to use this guidance with one complainant who was deemed to be acting unreasonably.

This has worked effectively and helped manage contact from this complainant to various teams across the council. The Social Care Complaints Managers are continuing to act as the Single Point of Contact for this person on behalf of other departments within the council.

### **2.10. Councillor and MP Enquiries**

Another way in which service users may contact us is through their Councillor or MP. If a complaint is made by a Councillor or MP, it will be included in the complaints figures shown earlier in this report. However, if it is only an enquiry it is not included in those figures. In total for this period, we recorded 44 Councillor/MP Enquiries for Adult Social Care, a large increase compared to 10 last year. This is a function of a more effective procedure for noting Councillor/MP enquiries.

### **2.11. Learning from Complaints**

Complaints are an invaluable form of research for the department, helping it to continually learn from complaints and improve the services it provides to adult residents with care and support needs in Portsmouth. Learning can take many different forms, for example, changes in working practices, amendments to policy, changes to service, staff training etc.

Some examples of how the department has learned from complaints received in 2021/22 are shown below.

- Following the introduction of a new corporate finance system on 12th April 2021, as a result of a complaint about care payments being allocated to the service user's deferred payment account and not the client contribution account, the support team confirmed that there is an error in the system and they are going to investigate this further as the payments should automatically apply to the correct site
- Another complaint has led to our Continuing Healthcare Manager ensuring staff provide the advocacy leaflet and inform individuals about the advocacy service.
- As a result of a complaint about a S42 report not being sent to the service user's representatives, our MASH team carried out a review of its processes around sharing outcomes of enquiries with family members, so that this does not occur again.

### **2.12. Training**

The Complaints Managers have not undertaken any face-to-face training sessions

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for internal PCC staff this year due to Covid but continue to offer ELearning for PCC staff on Effective Complaint Handling as well as advice to staff on an ongoing basis.

**2.13. Summary**

- Complaints levels have decreased by 18% year on year (51 complaints received).
- The most complained about location was the FAB team (9 complaints).
- Inadequate service (14), funding (9), failure to provide a service (5), staff behaviour (5) and staff communication (5) were the largest reason for complaints.
- Performance on 20-day responses have improved to 79% from 66% last year.
- Performance on 10-day responses has also improved with 60% of responses being sent within 10 working days compared to 48% last year.
- One complaint was investigated by the Local Government Ombudsman and Social Care and Social Care and Housing were found at fault in relation to how it assessed a Disabled Facilities Grant application.
- 59% of complaints were upheld to some degree, an increase from 40% last year.
- Adult Social Care received 16 compliments this year compared to 19 in 2019/20. Shearwater received the most compliments (4).
- In total for this period, we recorded 44 Councillor/MP Enquiries for Adult Social Care, a large increase from 10 last year.

The Complaints Managers will continue to support operational staff and managers in handling and responding to complaints in the future. Complaints provide invaluable free market research for the department and we aim to continue to increase our learning from complaints, to disseminate good practice and to achieve more service improvements as a result.

It is of note that the service anticipates an increase in complaints following the implementation of the government's social care funding changes in 2023. Whilst the Council will make its communications with residents and their families as accessible and unambiguous as possible, the changes are complex and the initial messages around 'sorting social care' are unlikely to convey the complexity of the changes.

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Signed by (Director)

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**Appendices:**

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

<b>Title of document</b>	<b>Location</b>