

## Appendix B - Adult Social Care Department Complaints Annual Report 2014-15

### Introduction

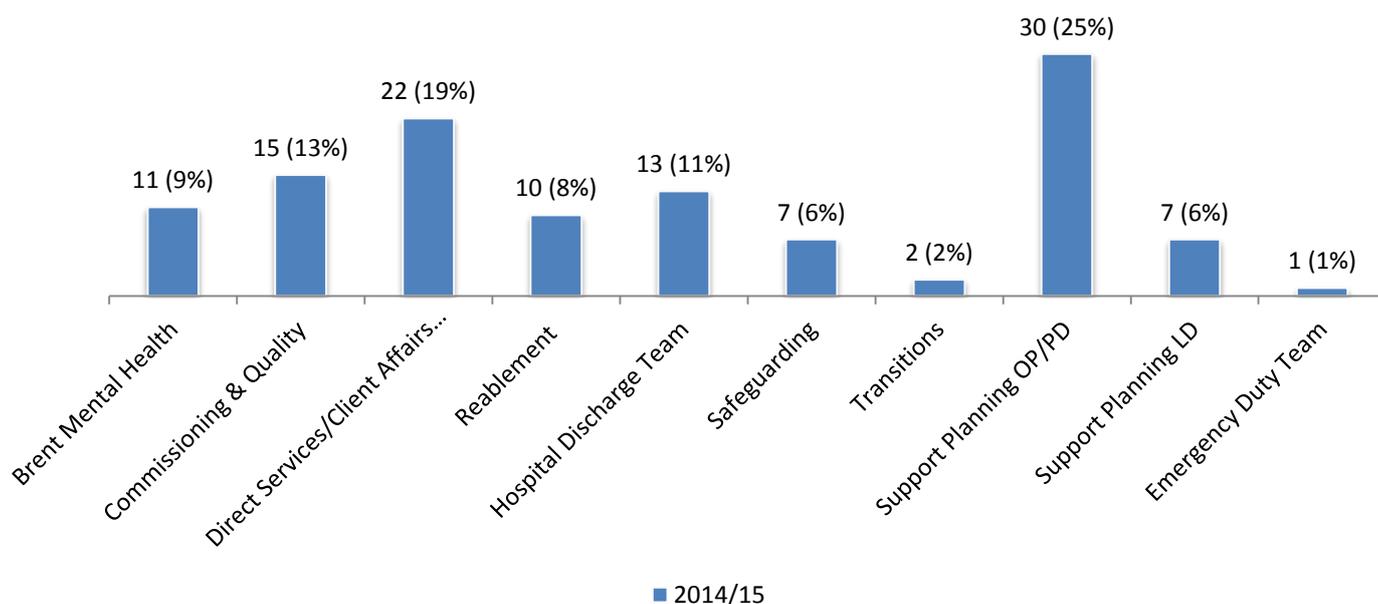
This report provides an overview on complaints made about Adult Social Care in the year April 2014 - March 2015, as required under the Local Authority Social Services and National Health Service Complaints (England) regulations 2009.

### Headlines

- One less complaint was received in comparison with 2013/14
- 57% of complaints were answered within the deadline – up by 10%
- A complaints triage system was introduced to identify those issues that could best be managed outside of the complaints process and ensure that only appropriate cases were subject to a full investigation
- The Department benefitted from several key service improvements that were identified through complaint investigations

### Complaints Received

The council received 92 statutory and 26 corporate complaints, a total of 118 complaints which is 1 less than 2013/14



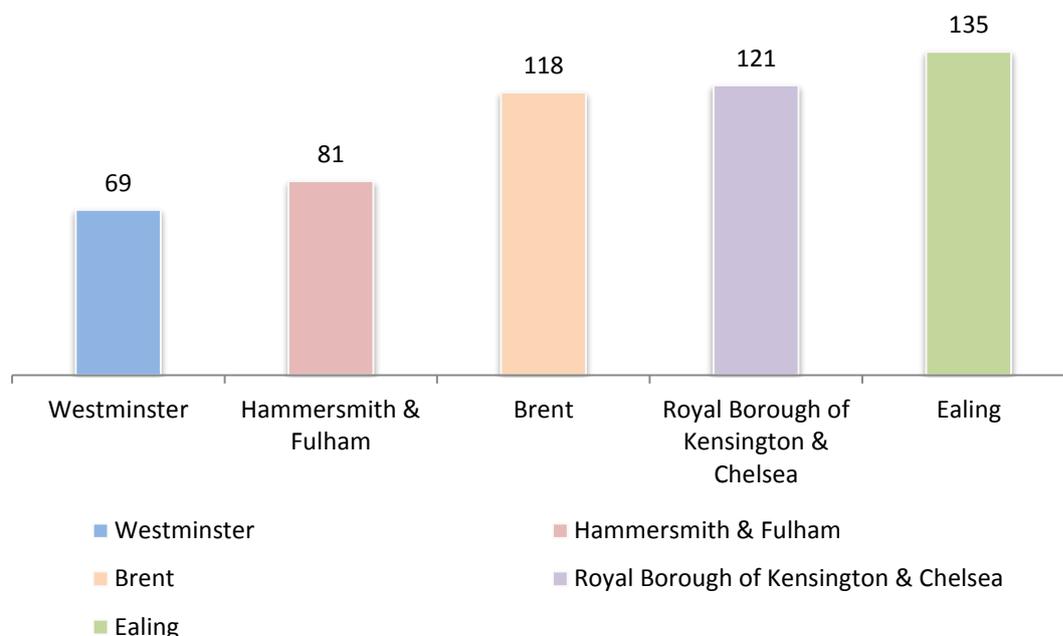
30 complaints related to Support Planning Older / Disabled Persons services. The team manage and assess the more complex care cases, and have to manage the expectations of the families and the service user concerned. Complaints can arise over disagreement with care plans, reduction in packages etc. The team is also responsible for all care reviews carried out for Adult Social Care and complaints can arise when the assessed need changes and alterations to care plans (reduction in care package) result.

The Client Affairs team received 22 complaints 19% of the Department's total. Typically, the issues raised in complaints concerned, the management of funds on behalf of clients, (deputyship / appointeeship), financial assessments and invoicing/billing. Other services, where complaints are in double figures is Commissioning & Quality service, which deal with complaints concerning our

homecare providers, and the Hospital Discharge service whose role is to ensure that coordinated services between the NHS and the Council are in place when a service user is discharged from hospital.

### Complaints received in comparison with other boroughs

Brent is part of the West London Complaints Group and we are presently benchmarking our complaints with other local authorities in Central and West London. The graph below, gives an indication of Brent's position in terms of complaints received in comparison with other boroughs.



### Underlying reasons for Complaints

Customers make complaints for many reasons and for the purpose of analysis, we seek to categorise these reasons under a number of headings. These include poor communication, delay in or failure to provide a service, incorrect action taken and staff attitude. Majority of the complaints received in the year, fell into the category, of delay or failure to provide a service, followed by incorrect action taken by the council.

Delay or Failure to provide a service	Failure to Act	Failure to Communicate	Incorrect Action taken by the council	Staff Attitude	Other
55 (46%)	6 (5%)	5 (4%)	36 (31%)	5 (4%)	11 (10%)

Delay in providing a Service - Reablement received a number of complaints concerning the delays, in carrying out Occupational Therapists (OT) assessments. This was due to a shortage of OT's and although applications were prioritised once they were received, service users were not informed of the reasons for the delay or when they could expect the assessment to be carried out. This was highlighted by the complaint service team in a report to the ASC management team in January 2015 and has been referred to the ASC transformation team for further consideration.

Poor communication / Staff attitude – Client Affairs Team have received a number of complaints from service users who have received financial assessments and invoices and have not been able to contact the team or responded to voice mail messages.

Incorrect action taken – A client complained that the care worker had incorrectly assessed their care needs and had reduced the number of hours of support that they should receive.

Failure to act – A complainant stated that we had failed to act on information from the hospital when they were discharged and had not placed them in a residential home and that services were not being co-ordinated.

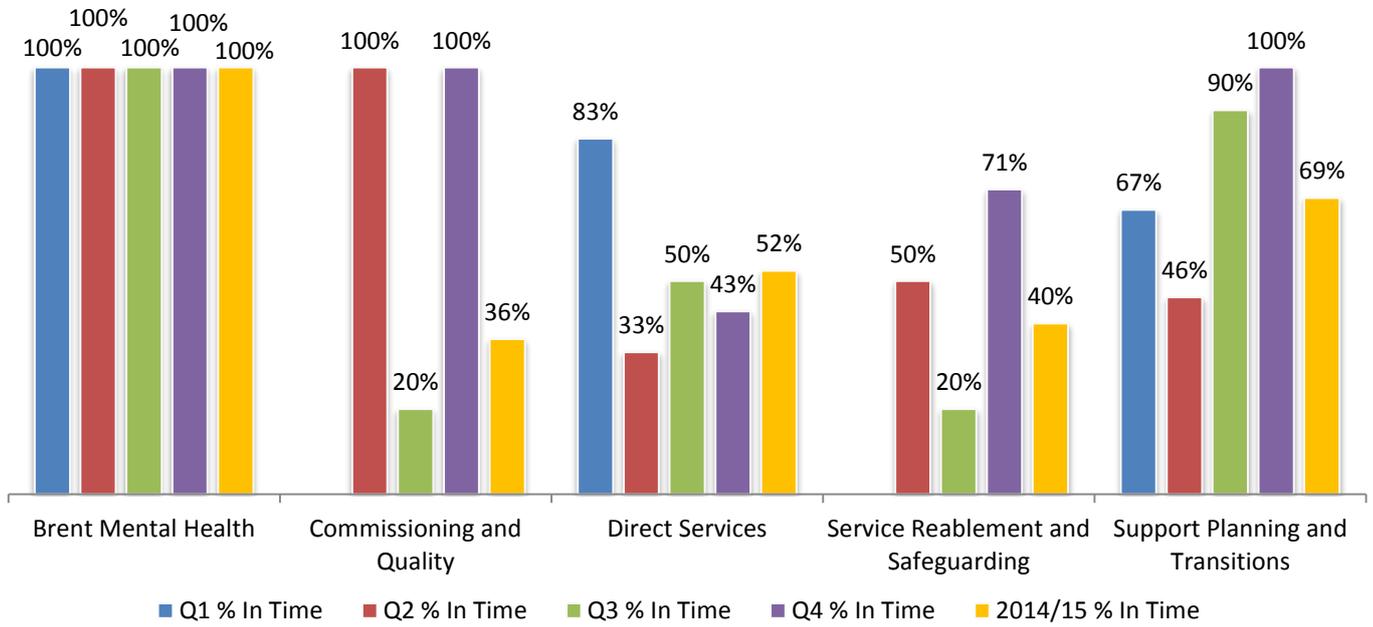
**Complaint Performance**

Adult Social Care responded to 57% of complaints within the deadline, although an improvement of 10% on the previous year, it was far short of the Council's expectation that all complaints are answered on time.

The graph below represents response rates broken down by quarter and service area. The column on the far right represents the overall performance figure for each service area.

As the graph indicates, there were performance issues for much of the year, although Brent Mental Health Service has consistently achieved the deadline and the performance of the Support Planning & Transitions team have improved in the second half of the year.

Considerable work and support was given to ASC by the complaint service team during the year. Managers were trained on the monitoring both performance and outs on Icasework, which allows them, to effectively manage their complaints. The principal complaint officer has regular meetings with the Strategic Director ASC, attending Management Meetings on a quarterly basis and providing weekly reminders chase ups to managers. This improvement has continued into the current financial year and we are continuing to provide support to ensure the deadline of 100% is reached.



**Complaints that were subject to further consideration**

The Adult Social Care statutory complaints procedure is a one-stage process. In the event that they remain dissatisfied with the initial complaint response, complainants can ask for their remaining concerns to be considered by the Strategic Director ASC. 10 such review requests were received in the year.

4 concerned the Client Affairs Team 1 Reablement & Safeguarding and 5 Support Planning & Transitions. Upon further investigation, fault was found in 9 of the earlier investigations, which resulted in the original decision being overturned and the complaint being subsequently upheld.

This highlights concerns regarding the calibre of the investigations and responses. The complaint service team have offered targeted assisted / training. The Principal Complaint Officer is working with the management team to improve responses

### **Local Government Ombudsman Complaints and decisions made during the year**

The LGO upheld five cases against the council. In two cases, the ombudsman agreed with the remedy that ASC had offered. I have summarised the remaining decisions below:-

Case A – This referred to a mother and son who complained about the same issue, and which the Ombudsman recorded as two separate complaints. The complaint concerned the son's care needs assessment in 2012. There was a delay in responding to a request for a carer's assessment for the mother. The LGO disagreed with the complaint response and found some minor fault and in both complaints. The council provided an apology and compensation. The complaint highlighted problems in obtaining records from Central North West London NHS Foundation Trust (CNWL), due to records being stored as part of the person's health records. The complaint service team is working with CNWL to improve our responding to enquiries and have asked for access to records to be included in any future section working agreement with CNWL .

Case B - involved a complaint from the son of a service user who stated that the council failed to ensure that his mother received the care she needed and that we had failed to respond to letters from the son. The service user is in need of a care package but will not always accept the care. The son is unable to be in a position to assist his mother and writes numerous letters to the council concerning his mother. Adult Social Care does not retain social workers with clients on a permanent basis and a number of letters had not been responded to. We apologised and have now arranged for the Team Manager to co-ordinate future contact with the son.

Case C - This was a complaint about the way we managed a service users care on their discharge from hospital and how we financially assessed and invoiced them. Fault was found with the discharge from hospital but the Ombudsman agreed with the council's remedy. ASC then made errors in the invoicing of the client and we apologised and paid compensation.

### **Service Improvements arising from complaint investigations**

Issues raised through complaints or highlighted through complaint investigations are driving the Departments Service Improvements agenda and provide useful Business Intelligence. Some examples of improvements that came about because of the investigations conducted during the year are set out below.

- Following comments from the Local Government Ombudsman and the Complaint Service Team, highlighting areas of weakness in how CNWL complete and record a care assessment. Adult Social Care have provided training to all CNWL social care staff on how to record and complete a Care Assessment.
- When a care assessment is completed, a care package commences and a financial assessment will take place a few weeks later. The complaint service team identified that in a number of cases on completion of the financial assessment the service user was not prepared to pay their contribution to the service and the service was then cancelled leaving the service user in debt. A pilot project is starting to complete care assessments and financial assessments at the same time.

- Following a review of a provisional complaint response, the client affairs team and the support planning team provided conflicting information to a client concerning the reasons why their direct payments had been suspended. Improved liaison arrangements between the two services were developed as a result of the issues highlighted in the complaint.
- ASC has received a number of complaints concerning the performance of a supported housing provider. The complaints were fed into the commissioning process and helped to highlight some systemic problems in the suppliers approach to the delivery of the service. Analysis from complaints received contributed to a decision being taken to terminate the contract and a new supported housing provider being appointed.
- Tailoring service to reduce the risk of the customer injuring themselves – a complaint from a customer who raised concerns about having injured their back as a result of moving furniture around to accommodate a number of aids and adaptations, resulted in the department agreeing to explore the prospect of the contractor providing this service as part of the overall package.
- Improved monitoring arrangements in respect of contractors – Complaints about the persistent lateness of care staff undertaking home visits resulted in an urgent contract monitoring meeting being called. Improved monitoring systems were subsequently put in place to ensure targets for promptness of visits.
- Staff training following incorrect information being provided – The customer complained that they had been provided with the wrong information when they first enquired about arranging a carers assessment. This resulted in unnecessary delays. Training was arranged for the staff in question in order to improve levels of understanding and prevent a recurrence.

## **Diversity Information**

Insufficient information was collected to allow for any useful analysis to be carried out. An action plan will be developed involving the Equalities Team, the Complaints lead for ASC and the ASC's management team to identify the options for addressing this shortfall.

**Phillip Mears**  
**Complaints and Freedom of Information Manager**