



Overview & Scrutiny Committee
17th April 2007

**Report from the Director of Housing
& Community Care**

For Action

Wards Affected:
ALL

Community Care Complaints - Annual Report 2005/06

1.0 **Summary**

1.1 The annual report for 2005/06 on complaints about Community Care Services is attached.

1.2 The report provides information about the context and operation of the complaints procedure, the number and type of complaints made during the year and how these were dealt with. It should be noted that the number of complaints received is not an indicator of performance.

1.3 Figures indicate:

- An increase in numbers of complaints made at stage 1 and stage 2 of the procedure from the previous year.
- Stage 1 - 144 complaints recorded.
- 60% of stage 1 complaints were responded to within 15 working days.
- Stage 2 – 19 complaints registered.
- Stage 2 timescales were met in only five cases. Our investigations at stage 2 are thorough and most complaints are complex. These factors impact on our ability to meet timescales. Statutory timescales do not always provide adequate time to undertake thorough and objective investigations and consideration.
- Stage 3 – four complaints received.
- Approximately half the complaints received were upheld to some degree.
- Community Care complaints escalation rate from stage 1 to stage 2 (13%) was outside of the Council target of 10%. The escalation rate from stage 2 to stage 3 (21%) was slightly higher than the Council target of 20%.
- A key performance indicator is the provision of a timely response. There was some increase in compliance with time targets at stage 1, but our performance at all stages of the process remains below requirements. Work needs to be done to improve compliance with targets and expectations about timeliness and escalation rates.
- Very few Community Care complaints were made to the Local Government Ombudsman. There were no formal Ombudsman reports or findings of maladministration.

- 1.4 One of the most important parts of complaint handling is making sure that lessons are learnt and appropriate procedural and practice changes are made if things have gone wrong. Complaints in 2005/06 continued to provide some important learning points and service improvements have been made as a result of these.
- 1.5 The following key requirements and areas for improvement have been identified.
- Need to ensure that service users, carers and staff know about the complaints procedure.
 - Identify and process all complaints at an early stage, ensuring Complaints Section has required information.
 - Managers to try to resolve complaints at the earliest stage.
 - Improve response times at all stage.
 - Consider appropriate remedies at an early stage, including compensation when service failures have caused injustice.
 - Use lessons learnt to improve services.
 - Improve provision of complaints data and information to managers.
 - Complaints handling training for managers.

2.0 **Recommendations**

- 2.1 Members may wish to identify areas that require further investigation

3.0 **Financial Implications**

- 3.1 There are no specific implications. However, Ombudsman complaints are expensive and time consuming for the Council to deal with, and keeping these at a low level will continue to produce significant financial savings for the Council. Better handling of complaints at stage 1 of the complaints procedure, and reducing rates of escalation, also produces savings as stage 2 complaint investigations and stage 3 Complaints Review Panels incur additional costs.. Complaints also provide an important window on the Council's services, and so good complaint handling helps the Council score well in assessments, audits and inspections, and thus contributes to the possibility of securing additional funding.

4.0 **Staffing Implications**

- 4.1 None

5.0 **Legal Implications**

- 5.1 The statutory social services complaints procedure is governed by the Local Authority Social Services Act 1970 (as amended by the NHS & Community Care Act 1990) and the Complaints Procedure Directions 1990. An annual report should be presented to Committee.

6.0 **Diversity Implications**

- 6.1 The complaints procedure and the way that service user dissatisfaction is handled should have a positive impact on all service users and their representatives who make complaints.

- 6.2 Complaints are made by, or on behalf of, both genders, from various ethnic backgrounds, with different disabilities and ages.
- 6.3 More work needs to be done to determine whether stage 1 complaints data reflects any specific indicators relating to gender, ethnic background, disabilities and age.

7.0. **Background Information**

The contact officer for further information is: Ken Scott, Complaints Manager, Quality & Support, Mahatma Gandhi House, 34 Wembley Hill Road, Wembley, Middlesex, HA9 8AD. Tel: (020 8937 4240).

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