

Complaint Statistics

Adult Social Care

In June 2007 the Department of Health provided a set of proposals to unify and reform the current arrangements for making complaints across Health and Adult Social Care; 'Making Experiences Count.' As well as fulfilling the commitment in 'Our Health, Our Care, Our Say', it proposed a radical new approach to complaints handling which is more flexible and supports organisational learning.

The formalised guidance for the new arrangements was published on 25 February 2009; 'Listening, Responding, Improving' and the Regulations were laid before Parliament on 27 February 2009 for councils and health organisations to implement from 1 April 2009.

These Regulations enshrine a duty to co-operate with health partners in relation to complaints that cut across Health and Social Care Services.

The Council introduced a joint complaints process for dealing with Health and Adult social care complaints from 1 April 2009. It relates to concerns received from this date onwards and is in line with the Making Experiences Count initiative.

Where a complaint is received about Adult Social Care Services functions or functions of any party to the Joint Protocol (i.e. Health Partners) the organisation which receives the complaint handles the co-ordination of the complaint.

The process for dealing with Adult Social Care complaints is a one stage process. If the complainant remains dissatisfied with the outcome of their complaint they may refer their concerns for consideration by the Local Government & Social Care Ombudsman.

Not all complaints received by Adult Care are eligible to be considered under the statutory procedure, and where a complaint does not meet the criteria, it will be considered under the Council's Corporate Complaints Procedure. Details of Adult Care complaints considered under both procedures will be included in this report.

15 new complaints were received by Adult Care Services during the second half of 2018-19. Details of these complaints and their outcomes can be found below.

The types of complaints received

6 new complaints were received during the third quarter

4 complaints were partially upheld:

- Delays in personal budget being arranged (Joint complaint with Health)
- Notification that Carer's Support would no longer be provided
- Planned reassessment of service user's needs
- Lack of support regarding concerns raised about care home

2 complaints were not upheld.

9 new complaint was received during the fourth quarter

1 complaint was upheld:

- Correspondence received regarding property disregard for care home fees

4 complaints were partially upheld:

- Lack of family support from Social Worker following death of service user
- Delay in adaptations to property
- Involvement of Social Worker when complainant was sectioned
- Decision regarding suitable care placement for service user

3 complaints were not upheld.

1 complaint is still ongoing.

Examples of Action Taken and Lessons Learned

Third Quarter

In response to the joint complaint with Health regarding delays in a personal budget being arranged, all staff within CMHT were reminded that a mental capacity assessment should be undertaken where there are grounds to do so. All assessment staff within CMHT to complete training in relation to the Mental Capacity Act 2015 and a record of staff who have completed the training will be maintained.

Further to the complaint regarding carer's support no longer being provided, the service arranged for the complainant to be provided with support in completing a further carer's assessment to provide the opportunity to discuss their needs as a carer and the outcomes they wish to achieve.

In response to the complaint regarding lack of support for concerns raised about a care home, the Commissioning Team completed a quality visit and discussed details with the complainant.

Fourth Quarter

An apology was provided in response to the complaint regarding property disregard for care home fees. The service considered the information provided by the complainant and accepted the property was the not complainant's residence and that there were extenuating circumstances in this case.

In response to the partially upheld complaint regarding a lack of support following the death of a service user an apology was given to the family and a number of recommendations were implemented:

- The service will ensure that more timely advice on the pathway for registering a death is available whereby initial call takers have information at hand to the electronic link to registry.office@rochdale.gov.uk 'registering a death'.
- Initial call takers will not only have access to place a voicemail message on a practitioner's landline and make a record on the social care file requesting a return call, but where possible will also have the option of leaving a message on the practitioner's work mobile phone.
- To ensure a more timely response to potential executors of Estates, information regarding the pathway on applying for Probate and Letters of Administration will be available immediately in both verbal and written format.

Following the partially upheld complaint regarding a delay in adaptations to a service user's property a number of recommendations were implemented:

- Following an initial feasibility visit for a non-complex/standard adaptations, the Technical Officer/Surveyor will compile a comprehensive typed written report detailing the survey and possible options which will be placed in the electronic file.
- In situations where a Technical Officer is leaving in a planned way, a handover meeting must take place between both Technical Officers. If this is not possible, due to no other Technical Officers having capacity at that time, the handover must take place between the Technical Officer and Team Manager and should be documented, to enable the Team Manager to provide a full history and hand over details at the point the case is allocated to a new Technical Officer.
- All adaptations cases will be reviewed by a Manager on a monthly basis and if no actions have taken place, it will be followed up in supervision with the Technical Officer.
- Service users should be contacted by staff from the HIA with an update as a minimum of once per month, regardless of whether any action has taken place.

Timescales

There is no statutory timescale for dealing with Adult Social Care complaints, and the timescale is agreed between the Investigator and the complainant in each case. However, the aim is to complete investigations within 25 working days. The average time taken to deal with Adult Care complaints closed during the second half of 2018-19 was 21.7 working days which was well within target.

Complaint Example

The following is an example of how an Adult Social Care complaint has been dealt with from receipt to resolution.

Complaint

A complaint was received via email to the Customer Feedback Team from the parent of a disabled young person. The concerns related to a delay in agreed adaptations to the complainant's property being completed and poor communication throughout the process. An acknowledgement was sent to the complainant and the complaint was passed to the Head of Service to be allocated for investigation.

The Head of Service confirmed that she would be investigating the complaint and contacted the complainant to arrange a meeting to discuss their concerns and formulate an action plan. A timescale for completion of the investigation was agreed with the complainant, and a copy of the action plan was provided and agreed.

An investigation was undertaken into the issues raised, which included interviewing staff and reviewing information held on the case file.

The investigation was completed within the timescale agreed with the complainant, and the overall finding was that the complaint was partially upheld.

A report was produced detailing the findings of the investigation and the actions taken as a result of the complaint. A copy of the report was provided to the complainant together with a covering letter which included an apology for the points of complaint that were upheld. The complainant was thanked for raising the issues and providing the opportunity for recommendations to be made for service improvement.

A number of recommendations were made following the investigation details of which are included under 'Lessons Learned' above.

Compliments

Compliments received from service users are also recorded and shared with staff. A total of 27 compliments were recorded for Adult Care Services during this reporting period, a breakdown and examples of which can be found below.

Team/Service Area	No.	Compliment received from
STARS	16	Service User (10) Relative of Service User (6)
STARS Plus Team	2	Service User (2)
Community Restart Team	2	Service User (1) Relative of Service User (1)
East & Pennine Neighbourhood Team	2	Relative of Service user (1) Professional (1)
Transfer of Care Team	1	Relative of Service User
Occupational Therapy	1	Service User
Heywood & Rochdale West Neighbourhood Team	1	Friend of Service User
Young Adults Team	1	Professional
RBSAB	1	Professional

Social Worker from CMHT was highly complementary of the good work supporting the service user and stated “they have been fantastic at Restart, really done well for the service user”.

Compliment for Community Restart Team

“My wife and I offer our sincere thanks to Rochdale Council for amazing visits from STARS to each of us in turn on being discharged from hospital. Apart from medical matters nothing was too much trouble from helping prepare our food to assisting at bedtime. Special needs were a welcome change. My wife and I would look forward to visits including time chatting. I must mention the OT staff who provided physical aids and thereby assisting in our daily lives. We cannot thank Rochdale Council enough for arranging this service in our time of need.”

Compliment for STARS & OT Team

“I am writing this little note on behalf of my friend. She wishes she could do it herself to let you know what a lovely impression you made on her on your visit. She wants you to know how she felt when you spoke to her, you made her day. You are one special person and anyone you see will be very lucky.”

Compliment for Heywood & Rochdale West Neighbourhood Team

“I will never forget the kindness, respect and dignity you have all given me. You gave me so much more than any medication could and most of all the friendship.”

Compliment for STARS Plus Team

“The social worker has recently been involved in my Auntie’s discharge from hospital. I found her to be very professional in her job, she was informative, caring and extremely efficient. Nothing was too much trouble for her and she helped to fully understand the next stages of my auntie’s care. I would just like to thank her and yourselves for running such an efficient and caring service.”

Compliment for Transfer of Care Team

Children's Social Care

Changes were made to the children's social services representations procedure as a result of the Children (Leaving Care) Act 2000, Adoption and Children Act 2002 and the Health and Social Care (Community Health and Standards) Act 2003.

Complaints are dealt with in accordance with The Children Act 1989 Representations Procedure (England) Regulations 2006.

The handling and consideration of complaints under this procedure consists of three stages:

Stage 1 - Local Resolution

Stage 2 - Investigation

Stage 3 - Review Panel

Local Resolution requires the local authority to resolve a complaint as close to the point of contact with the child or young person as possible (i.e. through front line management of the service). In doing so the local authority should consider the wishes of the complainant about how the complaint should be dealt with. In most circumstances complaints should be considered at Stage 1 in the first instance.

Consideration of complaints at Stage 2 is normally achieved through an investigation conducted by an investigating officer and an independent person. Stage 2 commences either when the complainant requests it after an investigation at Stage 1, or where the complainant and the local authority have agreed that Stage 1 is not appropriate.

Where Stage 2 of the complaints procedure has been concluded and the complainant is still dissatisfied, he/she will be eligible to request further consideration of the complaint by a Review Panel. It is not possible to review a complaint that has not yet been fully considered at Stage 2 (including providing the reports and adjudication to the complainant).

Following the conclusion of all three stages of the complaints process, if the complainant remains dissatisfied with the outcome of their complaint they may refer their concerns for consideration by the Local Government & Social Care Ombudsman.

Information relating to Children's Social Care complaints is available on the Council's website, and leaflets providing full details of the complaints process and how to raise concerns are provided as required. Advocacy Focus provide an advocacy service and complaints information specifically for children in care.

Not all complaints received by Children's Social Care are eligible to be considered under the statutory procedure, and where a complaint does not meet the criteria, it will be considered under the Council's Corporate Complaints Procedure. Details of complaints considered under both procedures will be included in this report.

A total of 26 new complaints were received by Children's Services in the second half of 2018-19, 18 of which were dealt with under the statutory Children's Social Care complaints procedure. 5 complaints were dealt with under the Corporate Complaints Procedure, 1 complaint was out of scope as it was dealt with under GDPR procedures and 2 complaints were subsequently withdrawn.

Appendix 1

The number of complaints received increased during the second half of 2018-19, which is a similar pattern to the previous year. However, of the 26 complaints received in this reporting period only 4 were fully upheld and 9 were partially upheld.

Details of the complaints and their outcomes can be found below.

The types of complaints received

13 new complaints were received during the third quarter

12 new complaints were considered at stage one

2 complaints were upheld:

- Delay in later life letters & story books being provided for adopted children
- Delay in Social Worker being allocated to child with disabilities

7 complaints were partially upheld:

- Lack of support for Foster Carer
- Management of safeguarding investigation involving complainant's daughter
- Comments made by Social Worker and issues regarding contact arrangements
- CSC involvement when child was taken into care
- Various issues relating to communication and contact with child in care
- Comments by Home to School Transport Assistant (Corporate complaint)
- Lack of support & response from SEN Team (Corporate complaint)

2 complaints were not upheld.

1 complaint was subsequently withdrawn (Corporate complaint)

1 new complaint was received at stage two

Due to the amount of previous correspondence with the complainant a decision was taken for the complaint to be investigated directly at stage two.

The investigation into this complaint is still ongoing.

13 new complaints were received during the fourth quarter

13 new complaints were considered at stage one

2 complaints were upheld:

- 1 Level of financial support for friends & family carers
- 1 Proposal to end EHC Plan for complainant's son (corporate complaint)

2 complaints were partially upheld:

- 1 Handling of Child Protection case and content of report
- 1 Unprofessional comments made by Social Worker

6 complaints were not upheld (including 2 corporate complaints).

1 complaint is still ongoing.

1 complaint was subsequently withdrawn.

1 complaint was out of scope of the complaints procedure as it related to a data breach and was dealt with under GDPR procedures.

Examples of Action Taken and Lessons Learned

Third Quarter

Further to the complaint regarding a delay in later life letters and story books being provided to adopted children an apology was given to the parents that these had not been received. The Practice Manager explained that work on the life story books had commenced however the Social Worker was waiting for further information. The Practice Manager agreed to undertake completion of the later life letters and the additional information for the life story work to ensure that these are provided as soon as possible.

An apology was given for the delay in a Social Worker from the Children with Disabilities Service being allocated. The investigation established that unfortunately the complainant had experienced difficulties when trying to make contact with the Duty Social Worker. The Investigating Officer raised this as an issue to be addressed with both the Team Manager and the Business Support Team. A Social Worker was subsequently allocated.

In response to the partially upheld complaint from a parent regarding management of a safeguarding investigation, an apology was given that the complainant felt dissatisfied with the intervention from CSC. The Investigating Officer recommended that a meeting should be reconvened to determine whether the amendments suggested by the complainant could be incorporated into the assessment.

Fourth Quarter

Following the corporate complaint regarding the ending of an EHC Plan, the Head of Service met with the complainant and the proposal to end the plan was cancelled. The budgets were arranged and the Head of Service is working with the family on a "business as usual" basis. The EHCP officer was asked to update the young person's current plan with the additional information gained at a recent review and for smart targets to be set within it.

Further to the partially upheld complaint regarding the handling of a Child Protection case and content of a report, the Investigating Officer met with the complainants to discuss their concerns and arranged for a copy of the pre-birth assessments to be provided as they had requested. The wording on the case records was also amended to reflect the current concerns.

In response to the partially upheld complaint regarding the actions of a Social Worker, the Investigating Officer met with the complainant to discuss their concerns. The complaint was also discussed with the Team Manager and the Social Worker was spoken to with regards to using inappropriate language. An apology was given to the complainant for any offence caused.

Timescales

There are statutory timescales for dealing with Children's Social Care complaints at each stage of the process. Every attempt is made to resolve complaints within the initial timescale; however, the regulations allow the timescale for each stage to be extended in consultation with the complainant.

Stage 1	10 working days (can be extended to up to a maximum of 20 working days)
Stage 2	25 working days (can be extended up to a maximum of 65 working days)
Stage 3	Acknowledgement within 2 working days, review to be held within 30 working days.

17 of the complaints received during the third and fourth quarters were dealt with under the statutory Social Care complaints procedure at stage one, 13 of which were responded to within the statutory timescale. One of the complaints dealt with outside of the statutory timescale was responded to within an extended timescale agreed with the complainant. Of the 6 corporate complaints received, 2 were dealt with within timescale.

Complaint Example

The following is an example of a how a Children's Social Care complaint has been dealt with from receipt to resolution.

Stage one complaint

A formal complaint was received via email to the Director of Children's Services regarding the service received from Children's Social Care. The complaint related to the handling of a child protection case and was allocated to the Head of Service for investigation. A copy of the complaint was also passed to the Customer Feedback Team to be registered as a formal complaint and an acknowledgement was sent to the complainants explaining the complaints process.

The Head of Service met with the complainants to discuss and clarify the key points for investigation and a timescale was agreed for providing the response. The Practice Manager was also present in the meeting. Following the meeting the complainants provided a further point of complaint for inclusion in the statement of complaint.

A full investigation was undertaken into the points raised, which included meeting with relevant practitioners and reviewing information recorded on the case file.

On completion of the investigation a written response was provided which addressed each of the concerns raised. Only one point of complaint was upheld relating to a copy of assessments not being provided, giving an overall finding of the complaint being partially upheld. The Investigating Officer also provided the complainants with a copy of the assessments to which they were entitled. The complaint was resolved at this stage.

Compliments

Appendix 1

Compliments received from service users are also recorded and shared with staff. 17 compliments were recorded for Children's Social Care Services during the second half of 2018-19, a breakdown and examples of which can be found below.

Team/Service Area	No.	Compliment received from
CP & Court Proceedings	7	Professional (5) Guardian (2)
First Response Team	2	Parent (1) Grandparent (1)
EHCP Team	2	Parent (2)
RANS	2	Professional (2)
Cared for Children	1	Professional
RBSCB	1	Professional
Educational Psychologist	1	Parent
Occupational Therapy	1	Parent

"I went to Hollingworth today for a meeting with the Education Psychologist. I just wanted to tell you (although I'm sure you already know) she is wonderful! She really is like a lifeline and I can't thank her enough, I actually don't know where we'd be without her input. Thought it was important to pass on some good feedback – Rochdale are lucky to have her."

Compliment for Educational Psychology Team

"We can't begin to thank you enough for your kindness, patience, understanding and empathy. You helped us through an extremely difficult time and explained things clearly. We are absolutely certain that had it not been for you things would not have gone so smoothly for ourselves and the children. So from the bottom of our hearts thank you so much."

Compliment for First Response Team

"The Judge went out of her way to express her gratitude to you for the work you had undertaken on the case, especially in relation to the care plan which she said was a nuanced and comprehensive document. She was keen that you remain the social worker and praised you for your work in the case. This praise was echoed by the Guardian following the hearing. Well done and well deserved."

Compliment for Child Protection and Court Team

"The Occupational Therapist was great. They helped me a lot and they were really nice."

Compliment for Occupational Therapy Team

"I just wanted to say that in 15 years I have never seen a relationship and interaction between a social worker & young person like yours & the young person's yesterday in the meeting. He is clearly very comfortable with you and you know him well, it was lovely to observe."

Compliment for Children in Care Team