



| | |
|-------------------------|--|
| Date of Meeting | 16 th March 2022 |
| Portfolio | Cabinet Member for Adult Care and Wellbeing, Cabinet Member for Children's Services and Education |
| Report Author | Carolyn Whitham |
| Public/Private Document | Public |

1st & 2nd Quarter Social Care Complaints

Executive Summary

1. The report provides Members with a summary of Adult and Children's Social Care complaints and compliments received during the first half of 2021/22.

Recommendation

2. It is recommended that Members of the Committee consider and scrutinise the information contained in the report and assess whether further information or explanation is required regarding any of the issues raised in the report.

Reason for Recommendation

3. Part of the Council's performance management process is to ensure the Authority's ambition to continuously improve services is realised, and actions or decisions may need to be taken to maintain improvement.

Key Points for Consideration

4. Appendix 1 to the report provides a brief commentary relating to complaints dealt with under the relevant complaints procedure by Adult Social Care and Children's Social Care Services during the 1st and 2nd quarters of 2021/22.

Appendix 1 also includes examples of how an individual complaint has been dealt with from receipt to resolution as requested by Members at a previous Overview and Scrutiny Committee meeting.

Appendix 2 provides details of complaints in graph form. The format of the report includes information on trends, and the graphs display trend analysis for each quarter in the reporting period.

Adult Social Care complaint figures will also include details of any complaints regarding financial assessments received during the reporting period. This is a function carried out by the Revenues and Benefits Service.

The Customer Feedback Team are working with services to improve the quality of information recorded, and to ensure lessons are being learnt from complaints and action taken is recorded and reported.

To improve complaints monitoring, the Customer Feedback Team also provides weekly status reports to Assistant Directors to enable closer monitoring of current complaints.

It should be noted that despite the additional pressures on services due to the impact of the Covid19 pandemic, both Adult Social Care and Children's Social Care services have continued to accept new complaints and respond to the majority of complaints within timescale.

4.1 **Alternatives Considered**

None. Information has been compiled from the complaints recording system which is used to record complaints and compliments received by social care services.

Costs and Budget Summary

5. None of the complaints dealt with in this reporting period had financial implications.

Complaints considered at stage two or stage three of the Children's Social Care complaints procedure have financial implications due to the statutory requirement to appoint an external Independent Person and in some cases an external Investigating Officer at stage two, and three independent people to sit on a Review Panel at stage three. All costs associated with Children's Social Care complaints incurred throughout the year are included in the Children's Social Care Annual Complaints Report.

Risk and Policy Implications

6. There are no specific risk issues for Members to consider arising from this report.

Complainants have the opportunity to refer their complaint to the Local Government & Social Care Ombudsman for up to twelve months from completion of the Council's complaints process; therefore there is a risk that the outcome of a future Ombudsman investigation into a complaint may result in a recommended financial remedy. Complaints considered by the Ombudsman are reported to Overview and Scrutiny Committee annually on receipt of the Ombudsman's annual report.

Consultation

7. Not applicable.

Background Papers

Place of Inspection

| | |
|---|--|
| 8. None | |
| For Further Information Contact: | Theresa Edwards, Tel: 01706 923547, Theresa.Edwards@rochdale.gov.uk |

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.

24 new complaints were received by Adult Care Services during the first half of 2021-22. Details of these complaints and their outcomes can be found below.

The types of complaints received

7 new complaints were received during the first quarter

1 complaint was upheld:

- Communication problems around application for deferred payment and support of service user.

2 complaints were partially upheld:

- Dispute re outstanding care charges.

- Concerns regarding dispute of care charges

4 complaints were not upheld.

17 new complaints were received during the second quarter

1 complaint was upheld:

- Adult Care involvement with service user whilst in hospital (joint with Health)

6 complaints were partially upheld:

- Standard of care provided to service user whilst in care home
- Level of care provided and delay in resolving charging issue
- Standard of service provided by care home, hospital & out of hours service (joint with Health)
- Information given and lack of communication regarding level of client contribution for care
- Lack of support and communication during home adaptations process
- Unresolved issues following adaptations to service user's property

1 complaint was not upheld.

3 complaints are still ongoing.

Examples of Action Taken and Lessons Learned

First Quarter

Following the upheld complaint regarding a delay in an invoice being issued for care home fees, an error inputting information was discussed with the worker in question and additional training and support was discussed as part of their supervision. The service also made changes to how managers have oversight of support plans and the services that are added to the system to reduce the risk of future errors occurring.

Following partially upheld complaint regarding outstanding care charges it was established that the Support Planner did not explain the procedure to the complainant including any delays that may occur due to checking the CHC paperwork. An apology was issued.

Second Quarter

Following the upheld complaint regarding the delay in responding to a request for a service users care package to be increased it was found that the length of time taken to respond was excessive. The issues will be addressed with the Social Worker by the line manager.

Following the partially upheld complaint regarding a lack of formal care assessment an apology was issued to the complainant. It was identified there was a lack of information and advice on how to proceed when complainant raised concerns about affordability. Financial hardship and debt training was recommended and an agreement that line managers would discuss the issue through supervision.

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 first half of 2021-21 was 25 working days which was on target.

Complaint Example

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

Complaint

A complaint was received during the second quarter of the year regarding the services provided by a support planner and a community psychiatric nurse at a care home in Rochdale where her mother was receiving care and was allocated to 2 officers in Adult Care for investigation.

Adult care asked requester for consent to share the complaint with Pennine Care as the Community Psychiatric Nurse was employed by them. They also advised that the timescale would be increased to 30 days given that this would be a joint investigation between Rochdale Adult Care and Pennine Care. The complainant gave consent to share and Pennine Care confirmed they would investigate the points relating to them.

The complainant then requested advice on how to submit a Subject Access Request to access her mother's records and was sent the appropriate information.

Pennine Care queried time scales as Pennine time scales are longer. The complainant who confirmed they were happy to receive separate responses given the difference in timescales.

A response was sent to the complainant which partially upheld the complaint.

The contents of the assessment report have been discussed with the support planner resulting in Adult Care apologising for any inaccuracies. Issues of recording information on assessments have been addressed within the team meetings and is now a standing item on Team Meeting Agendas. Line management have been instructed to discuss recording information within supervision meetings reflecting the importance of accurate recording and the choice of words written in an assessment.

Compliments

Compliments received from service users are also recorded and shared with staff. A total of 28 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 | 15 | Service User (13) Relative of Service User (2) |
| Assessment & Support Planning | 4 | Service User (4) Relative of Service User (1) |
| West Locality Team | 6 | Service User (1) Relative of Service User (3) Professional (2) |
| Assessment and Support and East Locality Team | 1 | Relative of Service User (1) |
| Occupational Therapy | 1 | Service User |
| Prevention Team | 1 | Service User |

“Superb communications throughout. Very difficult year due to COVID-19 but everyone did their best. Could not have asked for a better service from start to finish. Confidence in dealing with my recent amputation. Adult care you deserve a pat on the back and you should find a way of promoting your good work to the general public.”

Compliment for Occupational Health Team

“Thank you for all your care and help of mee these last few weeks. I have been looked after with understanding and kindness througout. You are all STARS to me and live up to your names. With love and many thanks.”

Compliment for STARS Team.

“Thank you so much for all your help in trying to get a quick resolution for this matter.”

Compliment for Assessment & Support Planning Team

“The amazing STARS team! Massive thanks to everyone at STARS for everything you've done and helped me with over the last 5 yerrs. Especially you guys in the office who have always had my back and helped me when I've needed you. I really appreciate every single one of you. I pray that your teams would grow and develop beyond your wildest dreams. Until we meet again!”

Compliment for STARS Team

“A service user rang this afternoon and she wanted me to pass a message on to you. She rang to thank you for your help when you went out to visit them, she said that you were so helpful and down to earth and her and her husband are so grateful for your help. She added that Adult Care are wonderful people..”

Compliment for West Locality Team

“Thank you again for all your help, I have nothing but praise for you and your department, you have been amazing..”

Compliment for Assessment and Support and East Locality 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. The Children's Rights Service has also developed complaints leaflets 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 18 new complaints were received by Children's Services in the first half of 2021-22, 17 of which were dealt with under the statutory Children's Social Care complaints procedure and 1 complaint was dealt with under the Corporate Complaints Procedure.

Where possible concerns are resolved by the service informally without progressing to a formal complaint, which is beneficial to the complainant and contributes to a reduction in the number of formal complaints being received.

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

The types of complaints received

7 new complaints were received during the first quarter

1 complaint was upheld

- Concerns raised regarding contents of email from social worker.

3 complaints were partially upheld:

- Information not shared and delay in assessment being completed.
- Lack of resources for looked after child
- Information shared inappropriately

3 complaints were not upheld.

11 new complaints were considered at stage one

4 complaints were partially upheld:

- Incorrect information contained in assessment
- Lack of communication around fostering application
- Lack of communication from social worker
- Attitude of social worker and incorrect information recorded

7 complaints were not upheld.

Examples of Action Taken and Lessons Learned

First Quarter

Following the partially upheld complaint regarding information not shared and delay in assessment being completed

- Cared for Children Team responded to the points raised in complaint relating to the social worker and lack of progression in completion of the Child & Family assessment.
- Complainant's request for the psychological assessment to be shared with the Cared for Children Team to be followed up.

- Cared for Child review minutes dated 12/11/2020 and 26/04/2021 to be sent to complainant's home address.
- Consultation prior to the next Cared for Child review meeting to ensure that complainant is able to share their views regarding the care plan for the children prior to the review meeting.

The issues and learning from the complaint were taken into whole service meetings and discussed with the Virtual School team to look at how to avoid the situation again in the future and bring greater clarity to the PEP Policy.

Second Quarter

Following the partially upheld complaint regarding incorrect information contained in an assessment an apology was given that the information was not clear enough and that the social worker had included statements made without evidence in the case file. The social worker involved has since left the local authority so it is not possible to discuss the concerns directly with them.

Further to the partially upheld complaint relating to a lack of communication around an application for fostering the Practice Manager re apologised for a miscommunication about the venue of the meeting between the complainant and Practice Manager. The complainant **accepted their apology**.

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. |

18 of the complaints received during the first and second quarters were dealt with under the statutory Social Care complaints procedure at stage one, 11 of which were responded to within the statutory 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.

A complaint was received by email requesting back payment for 16 months for providing foster care for a family member. The complaint was registered at stage one of the statutory complaints procedure and was allocated to an Investigating Officer. An acknowledgement was sent to the complainant.

Three issues were raised around general support for the fostering, lack of support from the social worker and lack of financial support during the fostering placement.

A full investigation was undertaken including an examination of the case file, discussions with the Social Worker, safeguarding team and other workers involved.

The findings of the investigation were that this was a private family arrangement that the council did not have financial responsibility for the child. However support had been provided by the social worker who was in regular contact with the family as was the family support worker and safeguarding and mental health teams.

The council offered to work with the family to improve the relationship between the child and the foster carer but this did not happen.

The complaint was found to be partially upheld and was resolved at stage one with the complainant received an apology.

Compliments

Compliments received from service users are also recorded and shared with staff. 38 compliments were recorded for Children's Social Care Services during the first half of 2020-21, a breakdown and examples of which can be found below.

| Team/Service Area | No. | Compliment received from |
|-------------------------------|------------|---|
| First Response /Safeguarding | 2 | Professional (1) Parent/family (1) |
| Cared For Children | 4 | Professional (2) Foster carers (2) |
| Child Protection & Court Team | 14 | Professional (5) Parent/family (7) Foster carers (1) Professional and family (1) |
| Early Help and Schools | 1 | Parent/family (1) |
| Youth Justice | 3 | Professional (3) |
| First Response | 1 | Professional (1) |
| Children's Social Care | 3 | Professional (2) Parent/family (1) |
| Children with Disabilities | 1 | Professional (1) |

| | | |
|-----------------------|---|---------------------------------------|
| | | |
| Safeguarding | 2 | Professional (1) Parent/family (1) |
| Agency Social Worker | 1 | Professional (1) |
| Children and Families | 1 | Parent/family (1) |
| Child Protection | 1 | Professional (1) |

"I just wanted to drop a quick email to say how fantastic the social worker has been . We have just had a core group meeting and it was the first positive meeting for the family. The social worker has worked so hard to pull this together. I have loved working with her and wish she could keep the case. The next social worker had got big boots to fill!!"

Compliment for First Response Team/Complex Safeguarding

"I just wanted to add to what others had said in the meeting, you have done a fantastic job getting these children to where they are now, it's not an easy job. It was a sombre meeting, we discussed some pretty sad stuff that the children have experienced, but for xx and adoption, although I wish they could remain a sibling group, I fully understand your reasoning for wanting xx to have the opportunity of a fresh start. It has been a pleasure to be part of this team working around the children."

Compliment for Child Protection & Court Team

"I have recently been given a family support worker.... I don't even know how to put into words how amazing she is. In the short time we've been working together she has actually saved me in so many ways, the most kindest, supportive and in judgemental person I've ever come across. I say this in person but sometimes I think peers need to know also. I cannot thank her enough on how amazing she is.... a massive credit to the company and has honestly, in so many ways, saved my life. Please could this be sent to the family support team and acknowledged as should be. I cannot thank you enough for giving me this support when my life was downward spiralling after losing my job etc... she's just amazing. From the bottom of my heart, thank you."

Compliment for Early, Help and Schools

"Thanks very much for these. I have to say that you are one of the best Social Workers I have ever experienced. Keeping us in the loop and getting minutes to us promptly makes such a difference."

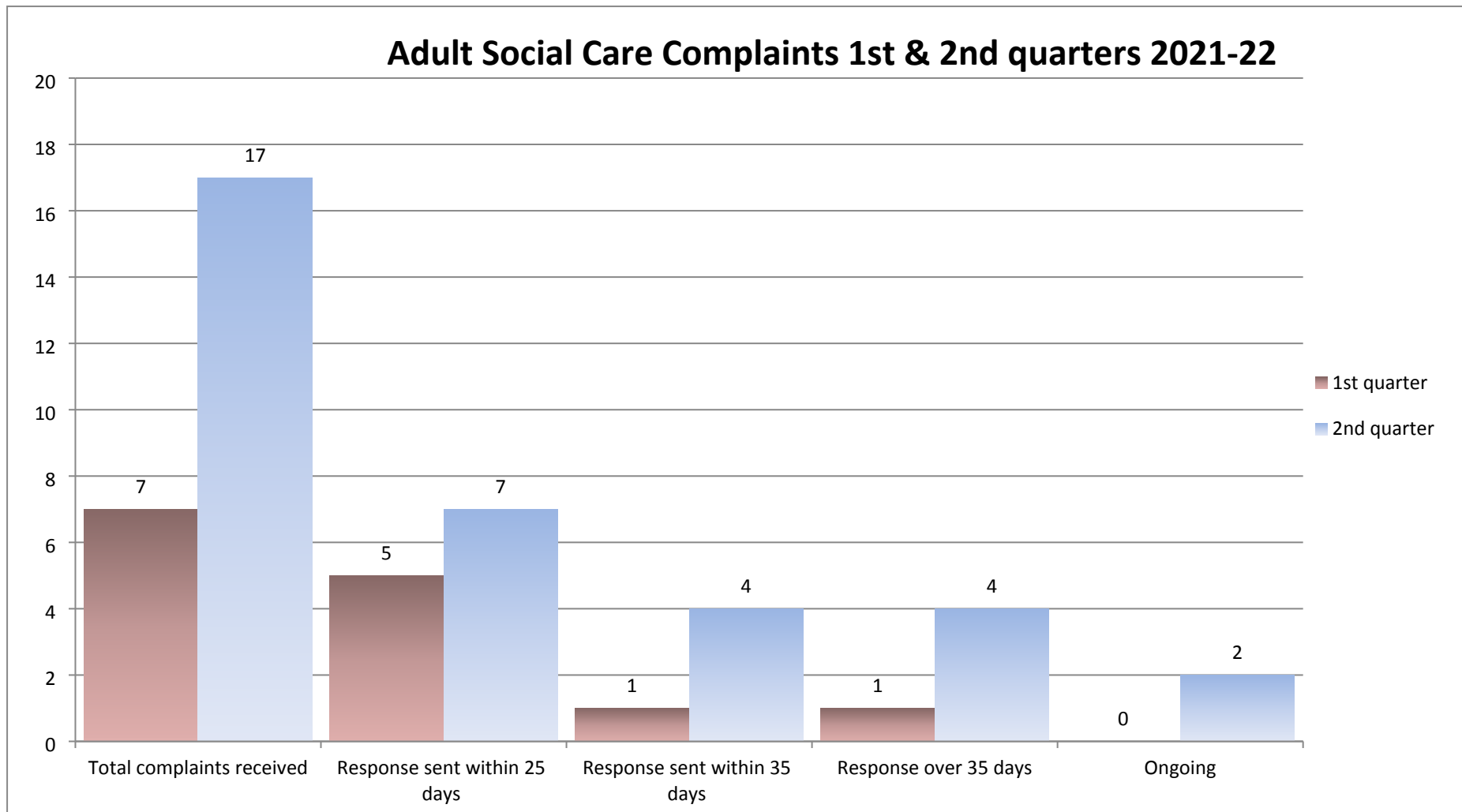
Compliment for Child Protection & Court Team

“Please can you contact the YOT Manager at Rochdale and pass on some whooping praise for xxx? She was on co-ord this Saturday and was really professional and effective and her communication certainly made things a lot easier to deal with from home It goes a long way and was REALLY appreciated.”

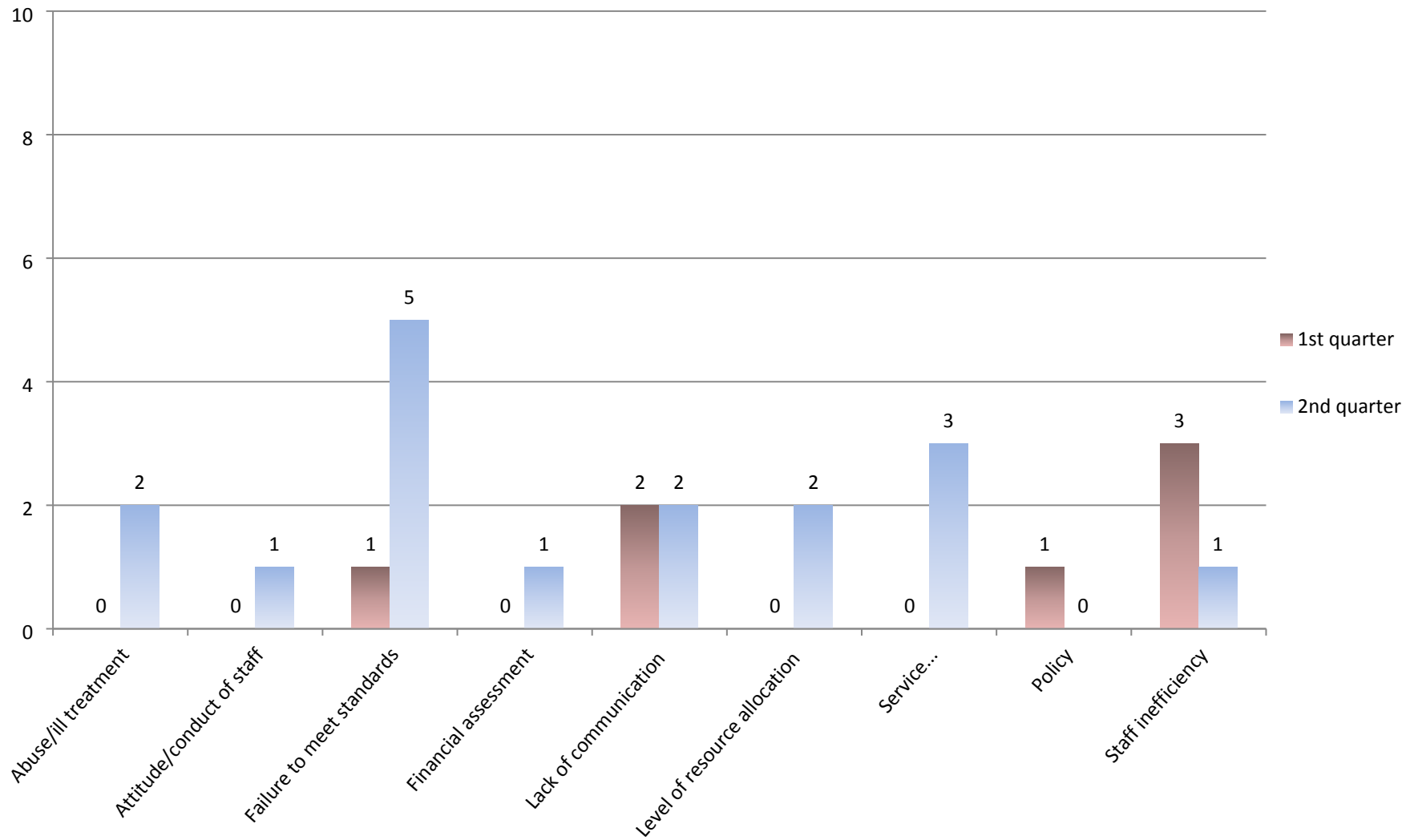
Compliment for Youth Justice Service

“Hi, I wanted to let you know I thought you did really well in the ICPCP yesterday, it was clear that you had a good understanding of the strengths and risks within the family and that you have formed a relationship with the family. It is was really positive that you were able to breakdown the reasons why the children changed their statements regarding domestic abuse incidents, I think Mum took on board what you were saying and hopefully this will assist her to participate in the CP Plan.!”

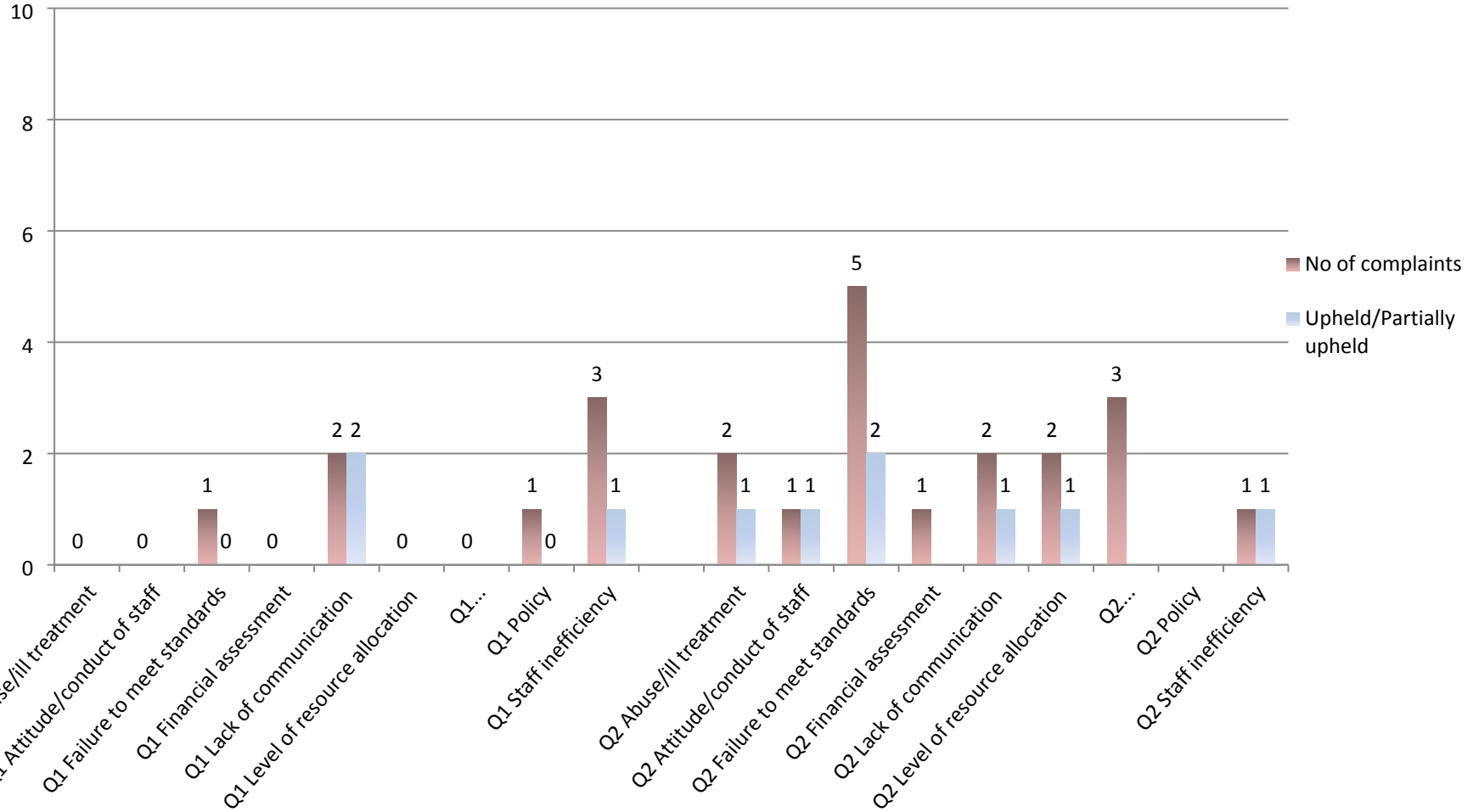
Compliment for Safeguarding

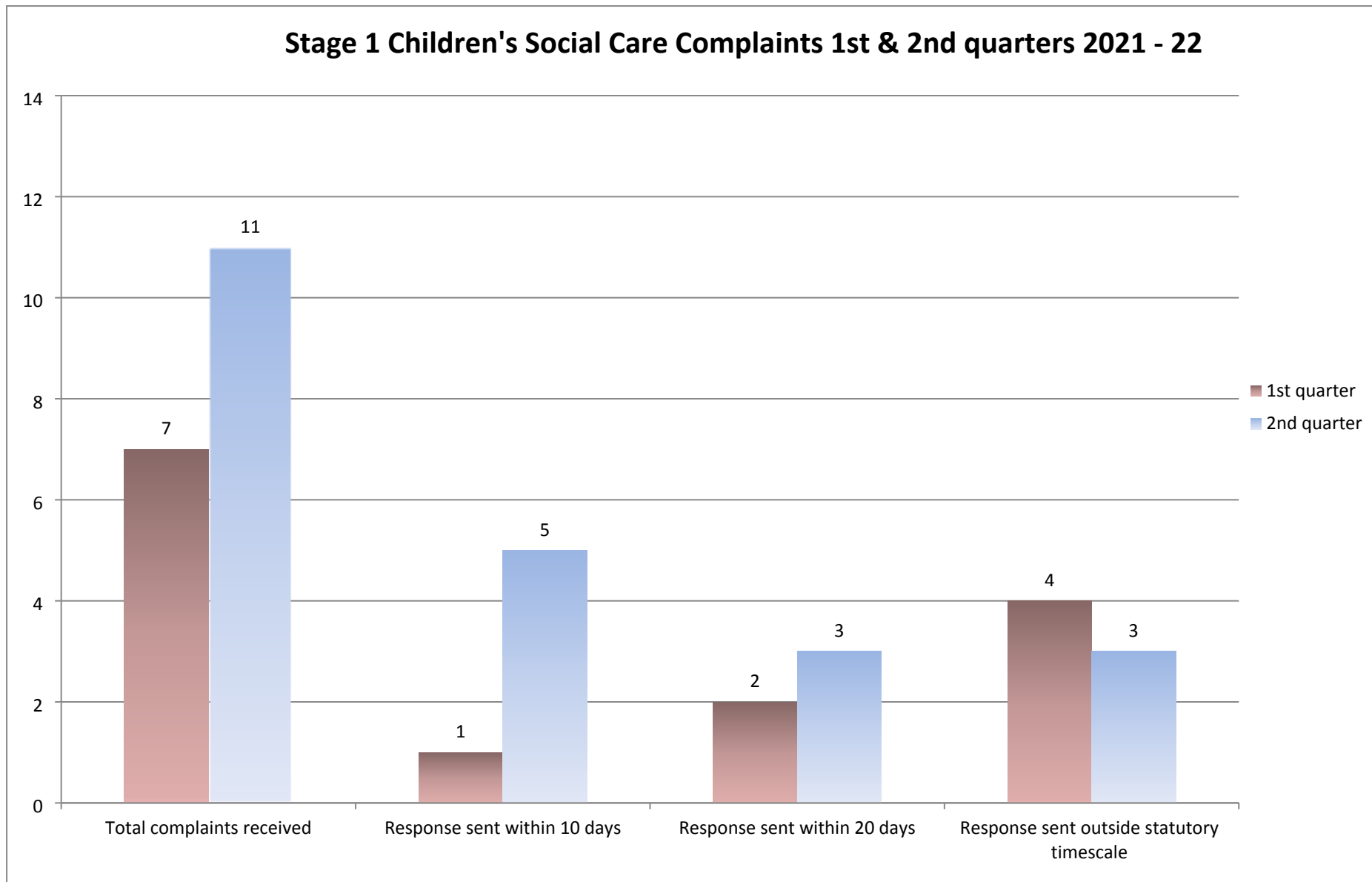


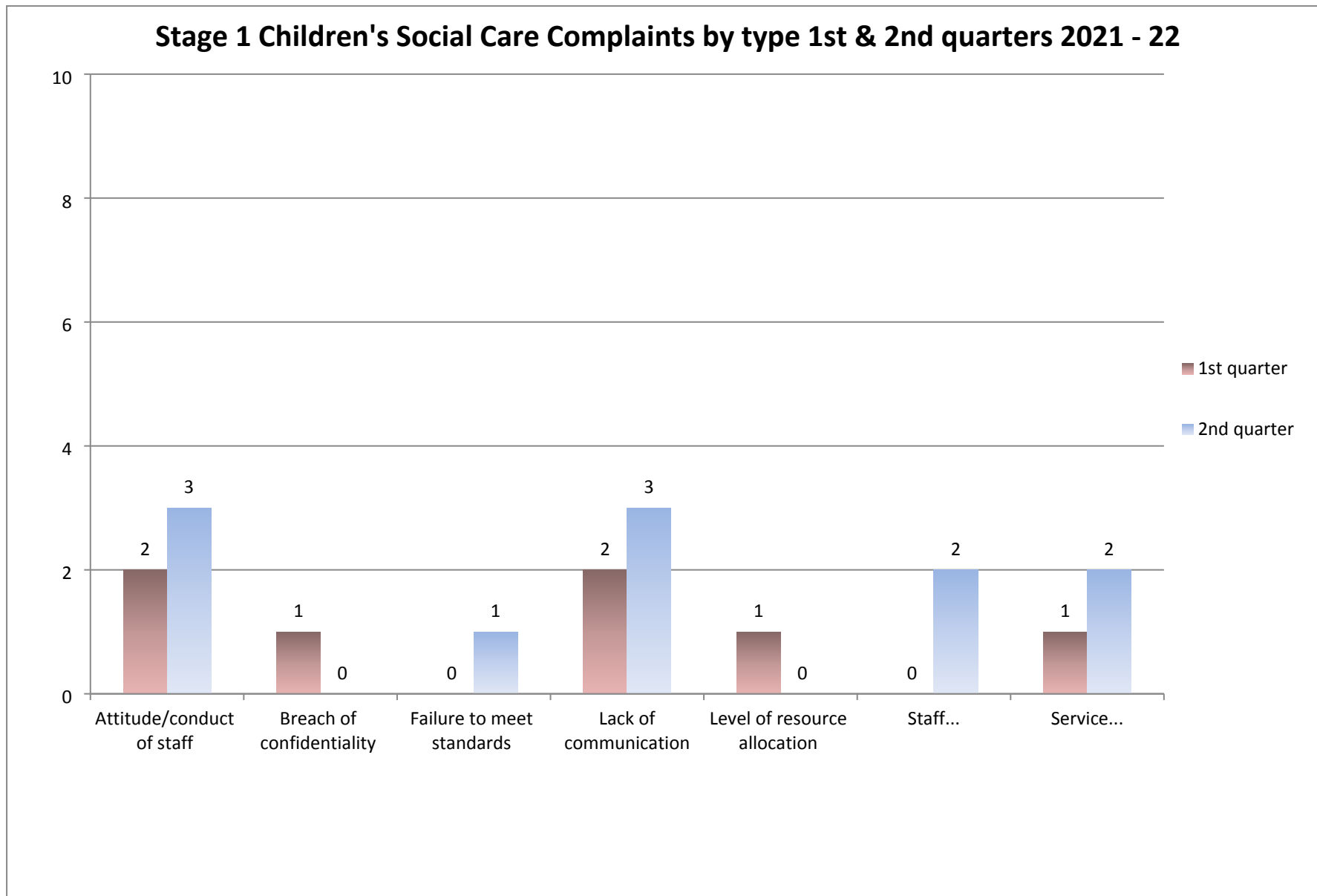
Adult Social Care complaints by type 1st & 2nd quarters 2021-22



Adult Social Care complaints by type upheld/partially upheld 1st & 2nd quarters 2021-22







Stage 1 Children's Social Care Complaints by type upheld/partially upheld 1st & 2nd quarters 2021 -22

