



**ADULTS AND COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE**  
**6 SEPTEMBER 2016**

**ANNUAL ADULT SOCIAL CARE COMPLAINTS AND COMPLIMENTS**  
**REPORT 2015-16**

**REPORT OF THE DIRECTOR OF ADULTS AND COMMUNITIES**

**Purpose of Report**

- 1 To provide members of the Adults and Communities Overview and Scrutiny Committee with a summary of the complaints and compliments for adult social care services commissioned or provided by the Adults and Communities Department in 2015-16. The annual report is attached (as Appendix A) together with a departmental response to the key themes (Appendix B).
- 2 The Committee is asked to note both the report and the departmental response and are invited to make comments.

**Policy Framework and Previous Decisions**

- 3 The Committee last received a report on complaints and compliments on 1 September 2015. This report covered the year 2014-15 and the Committee requested that further reports continue to be presented on an annual basis.

**Background**

- 4 The Department has a long standing statutory duty to have a complaints process in place for adult social care. The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, effective from 1 April 2009, introduced a two stage process with flexible investigation methods and timescales to suit the nature and complexity of the complaint. If the complainant is unhappy with the outcome after stage one, they can ask the Local Government Ombudsman (LGO) to investigate.
- 5 Under these Regulations, there is a further requirement to produce an annual report that reviews the effectiveness of the complaints and compliments procedures and provides a summary of statistical information. The attached report fulfils this requirement and presents a summary of the complaints handled in 2015-16.
- 6 Complaints and compliments about other aspects of the Adult and Communities Department are reported separately as part of the corporate complaints process.

**Key Points**

- 7 There was an increase in the number of complaints received in 2015-16 compared to the previous year (170 compared to 145). This represents a 17% increase which is comparable with other local authorities' experience.
- 8 When complaint volumes are set against the context of overall numbers in receipt of long-term support during the year (10,232), it is clear that a very small percentage go on to make a formal complaint (approximately 1.6%)
- 9 For complaints resolved during 2015-16, there was a reduction in the numbers that were upheld. 43% of complaints were upheld, which was a reduction of 9% from last year.
- 10 During the year, eight complaints were received by the Ombudsman. This is half the amount recorded in the previous year. The Ombudsman made decisions on 11 cases during the year finding maladministration in two instances. Financial remedies totalling £1,250 were recommended and agreed by the Council.
- 11 The relatively low level of fault found by the Ombudsman provides validation that complaints are in the majority of circumstances properly investigated and appropriate remedies identified.
- 12 Timescales for responding to complaints experienced a significant drop during 2015-16 with a 17% reduction in numbers being resolved within our best practice indicator of 10 working days (45%). 80% were resolved within 20 working days and none exceeded the maximum time allowed (65 working days). Whilst it is important to note that no complaints exceeded the maximum time allowed under statutory regulations, there are signs of some emerging pressures on managers responding to complaints. There are no specific areas of the business to highlight.
- 13 Care charges and invoicing remain the highest single area for complaints. Volumes have not reduced from last year, however over half of the complaints are being brought out by following debt recovery processes. Relative to numbers of invoices produced (approximately 80,000), the overall percentage remains very low.
- 14 There has been a further downturn in the number of recorded compliments (108). Efforts continue to be made to work with managers to promote sharing and visibility of all unsolicited compliments as it is recognised this figure is unlikely to be fully representative.
- 15 Work has been undertaken this year to improve recording and visibility of actions taken to address the key issues complainants have raised through the year. This year, the Complaints Manager has sought to include broader departmental initiatives which may not have been directly triggered by complaints but do address some of the concerns and frustrations complainants have raised. This approach will continue to be developed through 2016-17.

**Background Papers**

None.

## **Circulation under the Local Alert Issues Procedure**

None.

### **Officers to contact**

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### **List of Appendices**

Appendix A – Social Care Statutory Complaints and Compliments: Annual Report - April 2015 - March 2016

Appendix B – Director of Adults and Communities Response to the Annual Adult Social Care Complaints and Compliment Report 2015-16

### **Relevant Impact Assessments**

#### **Equality and Human Rights Implications**

- 16 The Adults and Communities Department supports vulnerable people from all the diverse communities in Leicestershire. Complaints and compliments are an important way of ensuring that service responses are fair and equitable to all sections of society. This report does not highlight any specific equal opportunities implications.

#### **Partnership Working and Associated Issues**

- 17 The National Health Service Complaints (England) Regulations 2009 places a duty to co-operate on local authorities and health organisations. Some issues have emerged regarding timeliness of responses from Arden GEM who have responsibility for continuing healthcare matters.

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