



ADULTS AND COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE:
3 SEPTEMBER 2013

ADULT SOCIAL CARE ANNUAL COMPLAINTS AND COMMENDATIONS
REPORT 2012-13

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 commendations for adult social care services commissioned or provided by the Adults and Communities Department in 2012-13. The annual report is attached as Appendix A.
- 2 The Committee are asked to note the report and are invited to make comments.

Policy Framework and Previous Decisions

- 3 The Committee last received a report on complaints and commendations on the 17 December 2012. This report covered the year 2011-12 and members requested that further reports continue to be presented on an annual basis. It was also requested if practical to bring the report forward.

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 commendations procedures and provides a summary of statistical information. The attached report fulfils this requirement and presents a summary of the complaints handled using the complaints process in 2012-13.
- 6 Complaints and commendations about other aspects of the Department's work are reported separately as part of the corporate complaints process.

Key points

7 The report highlights the following key points:

- a) There was an increase in the number of complaints received in 2012-13 compared to the previous year (139 compared to 96). This has followed the trend across the authority where complaint volumes have increased. It also reflects greater visibility of complaints; notably ones responded to by the Director which are now more reliably captured. In this context the increase should not be viewed as a negative.
- b) When complaint numbers are compared against overall numbers in receipt of a service during the year (15,000), it is clear that a very small percentage do go on to make a formal complaint (0.93%).
- c) During the year, 13 complaints were referred to the LGO. This is slightly more than the year before, but proportionally in line with increased volumes (9%). The County Council reached a Local Settlement with the Ombudsman in three instances with two cases resultant in financial redress. In the other ten cases, no maladministration was found.
- d) It was expected that following the new procedures introduced by Government in 2009, which reduced the complaints framework to two stages; that these numbers would have increased. The fact that these referrals remain low (9% escalation rate) should be seen as positive in the way the Authority handles complaints.
- e) Response times have again improved during the year, with 67% of complaints being resolved within ten days (up from 45% in 2011-12) and 90% resolved within 20 working days. Only one complaint was not resolved within the statutory maximum time (65 days). This was a joint complaint with University Hospitals of Leicester and was delayed due to issues in co-ordination between the two organisations.
- f) Eight complaints were managed under the joint working protocol. Regular meetings between partner organisations have been held to try to improve the effectiveness of this joint protocol.
- g) It is pleasing to note the increase in numbers of commendations recorded in 2012-13 (137). This marks a 40% increase on 2011-12, though it is still felt that not all commendations are being formally captured and this remains a key focus for the Customer Relations team during 2013-14.
- h) The complaints are broken down by departmental area this year. Personal Care and Support and Promoting Independence are fairly evenly split (43% and 40%) with Strategy and Commissioning the lowest (17%).
- i) Complaints about service delivery continue to be the most prevalent, occurring in 66 of 139 complaints. The broad range of things covered by service delivery do however make it difficult to identify key themes and as such the use of root

cause analysis techniques has been introduced in 2013-14 to try to ensure the organisation can identify and fix any failings identified.

Background Papers

None.

Circulation under the Local Alert Issues Procedure

None.

List of Appendices

Appendix A – Social Care Statutory Complaints and Commendations: Annual Report - April 2012-March 2013.

Relevant Impact Assessments

Equal Opportunities implications

8 The Adults and Communities Department supports vulnerable people from all the diverse communities in Leicestershire. Complaints and commendations 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, but emphasises the need to continue to evaluate the Departments approaches.

Officers to contact

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