



ADULTS AND COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE:
17 SEPTEMBER 2014

ANNUAL ADULT SOCIAL CARE COMPLAINTS AND COMMENDATIONS
REPORT 2013-14

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 2013-14. The annual report is attached as Appendix A.
- 2 The Committee is asked to note the report and is invited to make comments.

Policy Framework and Previous Decisions

- 3 The Committee last received a report on complaints and commendations on the 2 September 2013. This report covered the year 2012-13 and members requested that further reports continue to be presented on an annual basis.

Background

- 4 The Adults and Communities 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 2013-14.
- 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 2013-14 compared to the previous year (154 compared to 139). This has followed the trend across the Authority where complaint volumes have increased. It also reflects the national picture as seen by the LGO who record adult social care services as the highest single area of complaints they received during the year. The LGO Review of Adult Social Care Complaints 2013 can be viewed at Appendix B.
- b) When complaint numbers are compared against overall numbers in receipt of a service during the year (15,949), it is clear that a very small percentage do go on to make a formal complaint (c.1%).
- c) During the year, 18 complaints were referred to the LGO. This is slightly more than the year before (13). The Ombudsman cited maladministration with injustice in just one complaint. There were three similar judgements last year. No financial penalties were imposed during the year 2013-14.
- d) Response times remain good with almost identical performance to the prior year. After sustained improvement over the last few years, it is likely that there will not now be any further improvements to these healthy results. 69% of complaints were resolved within ten days (up from 45% in 2011-12) and 89% resolved within 20 working days. Three complaints were not resolved within the statutory maximum time (65 days).
- e) Community Care charging remains a source of concern accounting for c.25% of all complaints and the area most likely to be upheld. At the heart of this is inaccurate data which in turn generates inaccurate invoices. A number of actions are being progressed to generate improvements in this area.
- f) 13 complaints were managed under the joint working protocol. Regular meetings between partner organisations continue to be held to try to ensure the effectiveness of this joint protocol.
- g) It is pleasing to again note the increase in numbers of commendations recorded in 2013-14 (260). This marks a further 89% increase on 2012-13. This has been an objective of the Customer Relations Team over the last few years and it is encouraging to see these greater numbers.
- h) In 2014 the Local Government issued a special report on adult social care. The report highlights the impact that people feel when services let them down and comes amidst Ombudsman concerns that it has seen a 130% increase in adult social care complaints since it took on responsibility for registered private care providers in 2009. This makes it the fastest growing area of the LGO's work, with the highest uphold rate for all areas of complaints
- i) The Department of Health is currently consulting on the introduction of an appeals-based system which would sit alongside the statutory complaints procedure and enable an alternative form of challenging the outcome of any social care assessment. This could, potentially, have significant impact to the work of both the Customer Relations Team and Adult Social Care more generally. Further details are expected to be released in late 2014.

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 2013 - March 2014

Appendix B – LGO Review of Adult Social Care Complaints 2013*

**Please note due to the size of the file, members are asked to view this [online](#) at:*

<http://www.lgo.org.uk/downloads/special%20reports/2044-ASC-report-28.05.2014.pdf>

This will not be included with the papers.

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 contains a commitment to undertaking a fresh Equalities and Human Rights Impact Assessment on the complaints service during 2014-15.

Officers to contact

Mick Connell
Director, Adults and Communities Department

☎ 0116 305 7454
Email: mick.connell@leics.gov.uk

Simon Parsons
Customer Relations Manager, Corporate
Resources Department

☎ 0116 305 6243
Email: simon.parsons@leics.gov.uk

This page is intentionally left blank