



Coventry City Council

Cabinet Member for Adult Services

17 October 2019

Name of Cabinet Member:

Cabinet Member for Adult Services – Cllr M Mutton

Director approving submission of the report:

Deputy Chief Executive (People)

Ward(s) affected:

All

Title:

Adult social care complaints and representations annual report 2018/19

Is this a key decision?

No

Executive summary:

Adult services have a statutory duty arising from the Local Authority Social Services and National Health Services Complaints Regulations 2009, to provide a system for receiving complaints and representations from people who use its services, or those acting on behalf of users. There is also a duty under the regulations to produce and publish an annual report.

This report sets out the details of the complaints and representations across Coventry's adult services in 2018/19. It highlights the service improvements and learning from feedback and includes information on future developments in complaint handling and reporting.

Recommendations:

The Cabinet Member is recommended to:

- (1) Approve publication of the Council's annual report in relation to complaints and representations in adult social care in 2018/19.

List of appendices included:

Appendix I – Adult social care complaints and representations annual report 2018/19
Appendix II – Complaints handling guidance

Background papers:

None

Other useful documents

Adult social care comments, compliments and complaints

https://www.coventry.gov.uk/info/194/have_your_say/562/

Complaints Managers' Group (May 2016) Good Practice guidance for handling complaints concerning adults and children social care services <https://www.adass.org.uk/media/5360/good-practice-guidance-final-09062016.pdf>

Local Government and Social Care Ombudsman Guidance for bodies in our jurisdiction to support good complaint handling <https://www.lgo.org.uk/information-centre/reports/guidance-notes>

Local Government and Social Care Ombudsman Review of Adult Social Care Complaints <https://www.lgo.org.uk/information-centre/news/2019/sep/challenging-picture-of-care-complaints-played-out-in-ombudsman-s-annual-review>

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title:**Adult social care complaints and representations annual report 2018/19****1 Context (or background)**

1.1 Adult services have a statutory duty arising from the Local Authority Social Services and National Health Services Complaints Regulations 2009, to provide a system for receiving complaints and representations from people who use its services, or those acting on behalf of users. The system provides a means for resolving issues and listening to the views of those who use or are affected by adult services. Where things have gone wrong it enables the Council to put things right, learn from the experience and make the necessary improvements.

2 Options considered and recommended proposal

2.1 There were 48 statutory complaints made within the year, compared to 59 in 2017/18. 23 (48%) of these complaints were fully or partially upheld, compared to 35 (59%) in 2017/18.

2.2 In addition, three informal complaints were received in 2018/19, down from 10 in 2017/18. These are complaints resolved/handled at the point of delivery. In line with our complaints policy and in line with best practice, most concerns are dealt with on an informal basis, for example, by social care providers; and may not be reflected in the figures in this report.

2.3 In 2018/19, the Local Government and Social Care Ombudsman (LGSCO) considered 10 complaints or enquiries to adult social care, of which one was investigated and upheld. This is an increase from 8 complaints or enquiries and one upheld in 2017/18.

2.4 Adult social care services are committed to learning from customer feedback. Where complaints highlight that things have gone wrong, managers must identify any remedial and developmental action required to improve service delivery. Feedback from compliments provides an equally valuable message; clearly affirming when services make a difference and personal qualities have added value to the outcome for users and carers.

2.5 While there are no prescribed timescales for the resolution of complaints, the Council's guideline is to resolve complaints within 20 working days. Performance on this standard is monitored by the Adult Social Care Management Team. It is normal practice to inform complaints should an extension be required. Most often, extensions are sought due to the complexity of particular complaints, including where the complainant supplies additional information/evidence part way through an investigation. In 2018/19, 55% of complaints (26 of 48) were resolved within 20 working days, up from 52.5% a year ago (31 of 59).

2.6 Appendix I sets out the trends in complaints and representations across adult services in 2018/19. It highlights the service improvements and learning from feedback and includes information on future developments in complaint handling and reporting. Key issues for 2018/19 include: improving communication between commissioning and providing bodies, responsibilities of providers in relation to service users making "unwise" decisions; and delays / waiting time for assessment decisions.

2.7 Appendix II sets out the Council's complaints handling guidance.

3 Results of consultation undertaken

3.1 None identified or undertaken.

4 Timetable for implementing this decision

4.1 Areas for development and improvement have been included within the divisional and relevant team plans for 2019/20.

5 Comments from Director of Finance and Corporate Services

5.1 Financial implications

Financial remedies resulting from any complaints are typically paid out of service budgets. In 2018/19, one complaint to the Local Government and Social Care Ombudsman was investigated and upheld. This incurred financial remedy or reimbursement of £500 which was met from service budgets. There are no other financial implications associated with this report.

5.2 Legal implications

This report meets the legal requirement for the Council to prepare an annual report for each year which must: (a) specify the number of complaints received; (b) specify the number of complaints which were decided to be well-founded; (c) specify the number of complaints which the responsible body has been informed have been referred to the Local Commissioner to consider under the Local Government Act 1974; and (d) summarise (i) the subject matter of complaints that the responsible body received; (ii) any matters of general importance arising out of those complaints, or the way in which the complaints were handled and (iii) any matters where action has been or is to be taken to improve services as a consequence of those complaints.

6 Other implications

6.1 How will this contribute to achievement of the Council Plan?

This annual report sets out the progress made by the service towards the One Coventry Plan vision to be locally committed, by improving the quality of life for Coventry people, by contributing to the priority to protect our most vulnerable people.

6.2 How is risk being managed?

There are reputational as well as financial risks when things go wrong. It is, therefore, important that the Council takes action and learns from the outcome of complaints. The Adult Social Care Management Team routinely considers complaints as part of regular performance management.

6.3 What is the impact on the organisation?

The co-ordination and management of complaints involves considerable officer time. Therefore, where things have gone wrong, it is important for the Council to put things right, learn from the experience and make the necessary improvements. The feedback that is received from complaints and other representations is reported to managers on a regular basis to inform service planning and improvements.

6.4 Equalities and equality and consultation analyses (ECA)

ECAs have been built into the delivery of work within adult social care services. As part of continuous improvement, the service will continue to review the integration of equality and diversity into operational practice and performance monitoring.

This year, the complaints officer began collecting data on complainants by protected characteristics such as ethnicity, sex and disability status. This will enable the Council to identify if its complaints policy is operating as intended, eliminate discrimination and advance equality of opportunity in line with the public sector equality duty.

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

Although the Council directly provides some adult services, the majority of provision is

commissioned from independent organisations in the private or voluntary sector. Although the Council retains responsibility for the quality of contracted services, there is equally a responsibility of partner agencies to comply with specified quality standards and, in the case of regulated services meet the requirements of national care standards inspected by the Care Quality Commission.

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14/10/2019 10:08:22

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