

Cabinet Member for Adult Services

4<sup>th</sup> March 2024

**Name of Cabinet Member:**

Cabinet Member for Adult Services – Cllr L Bigham

**Director approving submission of the report:**

Director of Adults and Housing

**Ward(s) affected:**

All

**Title:**

Adult Social Care Complaints and Representations Annual Report 2022/23

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**Is this a key decision?**

No - although the proposals affect more than two electoral wards, the impact is not expected to be significant.

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**Executive summary:**

Adult Services have a statutory duty arising from the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, to provide a system for receiving complaints and representations from people who use its services, or those acting on behalf of service 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 2022/23. It highlights the service improvements and learning from feedback and includes information on future developments in complaint handling and reporting.

**Recommendations:**

**The Cabinet Member for Adult Services is recommended to:**

- 1) Approve publication of the Council's Annual Report in relation to complaints and representations in Adult Social Care for 2022/23.

**List of appendices included:**

Appendix I – Adult Social Care complaints and representations annual report 2022/23

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/](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>

**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 2022/23**

### **1 Context (or background)**

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

### **2 Complaints and Learning**

2.1 There were 66 statutory complaints made within the year 2022/23, compared to 50 in 2021/22. 30 (45%) of these complaints were fully or partially upheld, compared to 22 (44%) in 2021/22.

2.2 In addition to formal complaints a number of concerns are raised informally. Most informal complaints are received by social care providers directly who act upon feedback received but occasionally complaints received by the Council are dealt with on an informal basis where appropriate. In 2022/23 14 informal complaints were received compared to 21 in 2021/22. These are complaints resolved/handled at the point of delivery. In line with our complaints policy and 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 2022/23, the Local Government and Social Care Ombudsman (LGSO) considered 7 complaints or enquiries regarding Adult Social Care, of which 3 were investigated and upheld. This compared to 9 complaints or enquiries with 3 upheld in 2021/22.

2.4 Adult social care services are committed to learning from customer feedback. Where complaints highlight where matters 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. Learning point examples are as follows:

- Improvements in communication in relation to when assessments are delayed and to ensure that processes and outcomes are completed in a timely manner and a prompt resolution to enquires are sought;
- Advice could be given to social workers that they can offer carers assessments to anyone providing informal care, regardless of the care in place for the cared person \*
- Processes to be reviewed in intake to ensure persons/families are contacted and appropriately supported through the safeguarding process, and any necessary care changes.
- Continued staff training to ensure care providers leave properties secured.

2.5 While there are no externally prescribed timescales for the resolution of complaints, the Council's internal 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 complainants 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 2022/23, 65% of complaints (43 of 66) were resolved within 20 working days, compared to 2021/22, 64% (32 of 50) a year ago.

- 2.6 Appendix I sets out the trends in complaints and representations across Coventry's adult services in 2022/23. It highlights the service improvements and learning from feedback and includes information on future developments in complaint handling and reporting. Key issues for 2022/23 include: communication between adult services and service users, decisions, delays/waiting time for assessment decisions and, managing service users' expectations.
- 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 2023/24.

### **5 Comments from the Director of Finance and Resources (Section 151 Officer) and Director of Law and Governance**

#### **Financial and Legal implications**

#### **5.1 Financial implications**

There are no direct financial implications associated with this report. Financial remedies resulting from any complaints are typically paid out of service budgets. In 2022/23, two complaints to the Local Government and Social Care Ombudsman were investigated and upheld. These cases resulted in a total amount of £13,720.79 being paid as Remedy actions. All complaints relating to financial issues were investigated and rectified accordingly.

#### **5.2 Legal implications**

In accordance with the Local Authority Social Services and NHS Service Complaints (England) Regulations 2009, the Council must make arrangements for dealing with complaints and is ultimately required to prepare an annual report for each year (being a period of 12 months, ending on 31<sup>st</sup> March) 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.

The Local Authority is further required to ensure that its annual report is available to any person on request.

The preparation and publication of the Annual Report is therefore completed to ensure compliance with the Council's statutory responsibility in this regard.

## **6 Other implications**

### **6.1 How will this contribute to achievement of the One Coventry 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/Equality Impact Assessments (EIA)**

EIAs 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) climate change and 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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Councillor L Bigham	Cabinet Member for Adult Services		22/02/2024	22/02/2024
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