

HERTFORDSHIRE COUNTY COUNCIL

**ADULT CARE AND HEALTH CABINET PANEL
FRIDAY 8 SEPTEMBER 2017**

Agenda Item No.

4

ANNUAL ADULT CARE SERVICES COMPLAINTS REPORT 2016/2017

Report of the Director of Adult Care Services

Author:- Kam Bhangal, Complaints Manager (Tel: 01992 556169)

Executive Member/s:- Colette Wyatt-Lowe- Adult Care and Health

1. Purpose of report

1.1 For panel to note the Annual Adult Services Complaints Report 2016/17 (1 April – 31 March 2017).

2. Summary

2.1 As of 1 April 2017 Complaints are now being managed by Kam Bhangal, Complaints Manager, and her team.

2.2 A review of the management of complaints across Adult Care Services is currently being undertaken to further improve our process.

2.3 Regular meetings will continue with Managers to discuss complex complaints and also general management of complaints within their areas.

2.4 Quarterly reports will continue to be presented to Adult Care Services Senior Management Board to discuss data, trends and learning outcomes.

2.5 Complaints training is currently being organised and all staff from Adult Care Services will be encouraged to attend.

2.6 Summary of the Report (figures in brackets refer to the previous year):

- Number of Compliments recorded increased by **18%** to **268** (228).
- Overall complaints increased by **1%** to 442 (437).
- **95%** (92%) of complaints were acknowledged in time.
- **84%** (87%) of all complaint responses were completed within agreed timeframes **75%** (74%) were responded within 25 working days.

- **44** complaints were dealt with as joint complaints with Health Partners. This represents a decrease of **32%** in relation to the previous year when the number of joint complaints were 65.
- Complaint Findings: **23%** (23%) were Fully Upheld, **17%** (16%) Partially Upheld, **49%** (49%) Not Upheld, **4%** (0) Refused and **4%** (0) Withdrawn. The remaining **3%** (12%) of the complaints were still awaiting response when this report was completed.
- **9** (10) Area Manager Reviews (AMR's) were undertaken.
- **29** (19) LGO enquiries or decisions were received

2.7 The main themes identified through the complaints process were:

- Communication issues/delays and/ or behaviour staff.
- Dissatisfaction with care plans, assessments or reviews.
- Disputed charging/Cost of service.

3. Recommendation/s

3.1 Panel are asked to note the content of this report.

4. Background

4.1 The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 lays out the requirement for Councils with Statutory Social Services responsibilities to produce a public annual complaints report.

4.2 The report should contain different elements, including:

- The number and types of complaints received in the year
- Learning from complaints, to improve services
- Numbers of compliments received during the year

4.3 Statutory social services complaints are defined as expressions of dissatisfaction about social care staff or social services policies and procedures. The current complaints Regulations were introduced in April 2009. These place a duty on both the Council and NHS partners to co-ordinate one response if a person's complaint crosses more than one organisation.

4.4 The Regulations also promote the use of complaint plans for more complex cases, which may require more time to investigate and resolve. Actions and timescales are agreed with the complainant at the start of the process and are completed by designated officers.

4.5 From October 2010 the jurisdiction of the Local Government Ombudsman (LGO) was extended such that LGO can now consider complaints from self-funding service users about independent care

providers. LGO now work closely with the regulator, the Care Quality Commission (CQC).

5. Financial Implications

5.1 There are no financial implications associated with this paper.

6 Equalities Implications

6.1 When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered the equality implications of the decision that they are making.

6.2 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EQiA) produced by officers.

6.3 The Equality Act 2010 requires the County Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief, sex and sexual orientation.

6.4 There are no direct equalities implications to the report itself, and any equalities issue or theme in an individual complaint is managed accordingly. We work with Herts Help to ensure views of adults/older people are raised and responded to at an early stage.

Background Documents:

Appendix 1: Annual Adult Care Services Complaints Report 2016 – 2017 is attached as a separate document