

Statutory Social Care Annual Report

Complaints and Customer Feedback



For the period 01 April 2016 to 31 March 2017

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Introduction

i. Background

Local authorities are legally required to establish complaints procedures to deal with complaints about their social care functions. The complaints procedure for children and young people is covered by the Children Act 1989 and the Department for Skills and Education produced guidance, 'Getting the Best from Complaints' (2006), which outlines the procedures which local authorities must have in place. For adult social care, this report is also produced in accordance with the requirements of the Local Authority Social Services and National Health Service Complaints Regulations (2009).

Lancashire County Council is the Vice Chair of the National Complaints Managers Group (England) and also participates in the North West Managers Group which comprises 23 local authorities. The aim is to provide a forum where complaints staff can learn and share best practice, develop and implement local practice standards, discuss performance and problem solve. These groups are also consulted on proposed changes to legislation and learning from complaints by the Association of Directors of Adult Social Services and the Association of Directors of Children's Services.

ii. Purpose

The purpose of the Annual Report is to review the operation of the complaints process over a twelve month period, including statistical data, and to provide the local authority with the means by which it keeps itself informed about complaint themes and how effective its current arrangements are for handling customer complaints. It offers an analysis of what the information obtained from the operation of the complaints process means for the council.

This report also includes information on compliments and comments.

Section One	Summary and Overview highlights the key messages from the report and gives the overall picture across the Council
Section Two	Statistical data, analysis and learning in relation to Adult Social Care Services .
Section Three	Statistical data and further information and analysis and learning in relation to all Children's Services .

iii. Period covered and data

The report covers the period 1 April 2016 to the 31 March 2017. The report makes extensive use throughout of data available from the Customer Feedback System which records all statutory social care complaints and feedback for the council. The statistical information presented within this report can be verified by reference to this database and is based on the date received. All percentages and costs are rounded to the nearest whole number.

If you require any additional information please contact the Lancashire County Council (LCC) Complaints Team on 01772 539414 or email your request to complaintsandfeedback@lancashire.gov.uk

Section One: Summary and Overview of all Social Care Complaints and Feedback

1.1 Executive Summary

Complaints are used by the council as an opportunity to learn and improve. As a direct result of complaints in 2016/17 the council has made improvements to processes and procedures, it has improved communication with the NHS, customers and their families and commissioned extra training for staff and managers.

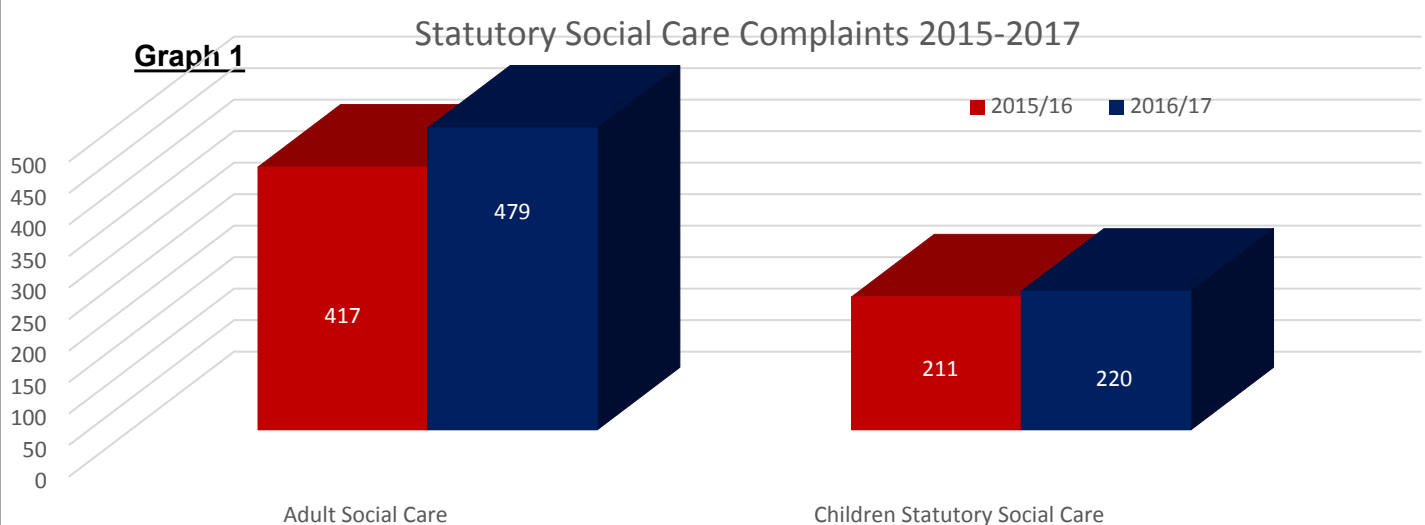
Complaints represented just over **one percent** of all active adult social care and children's social care cases throughout Lancashire in 2016/17. Statutory complaint totals have increased overall by almost 11% (628 in 2015/16 to 699 in 2016/17). Just under half of social care complaints were about social work practice including complaints about assessments which has risen in both adults and children's social care.

Complaints in adult social care (ASC) have risen by almost 15% (from 417 complaints in 2015/16 to 479 in 2016/17). Included in this figure there were 33 complex joint complaints with the NHS, which is a rise of 57% in the number of such complaints from 2015/16.

Statutory children's social care (CSC) complaints increased by 4% (from 211 complaints in 2015/16 to 220 in 2016/17).

Non Statutory CSC complaints decreased by 11% (from 105 complaints in 2015/16 to 93 in 2016/17).

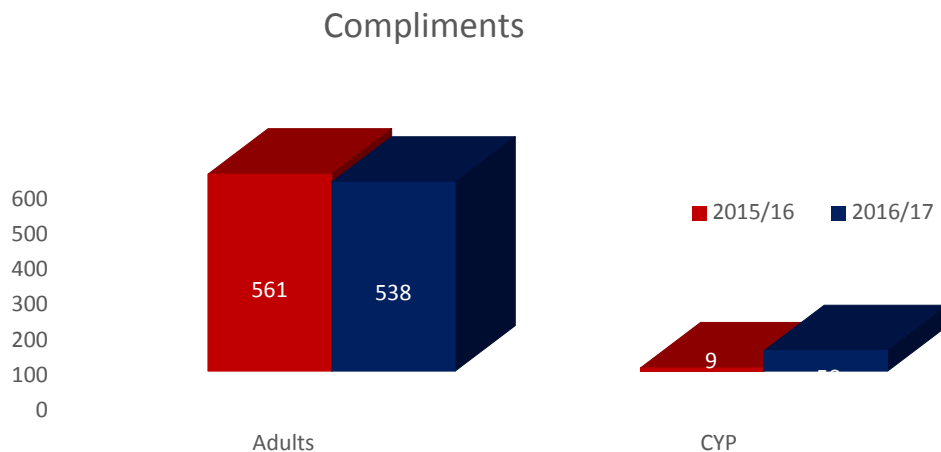
Graph 1 below, shows a comparison of the total number of statutory complaints received for the last two financial years



Graph 2 shows that social care **compliments** increased overall from 570 in 2015/16 to 596 in 2016/17, mainly due to rise in CSC compliments. Positive appreciation for the actions undertaken by CSC is usually always low because of the nature of the work but in

2016/2017 it increased considerably when compared to the previous year. This is probably due to better recording and capture. ASC compliments have decreased by just over 4% in 2016/17 when compared with the previous year. The main reason for positive appreciation by the public is the provision of equipment or adaptations. This information is mainly captured as a result of the 'Your Views Count' leaflet which is given out after social care assessments and reviews are undertaken.

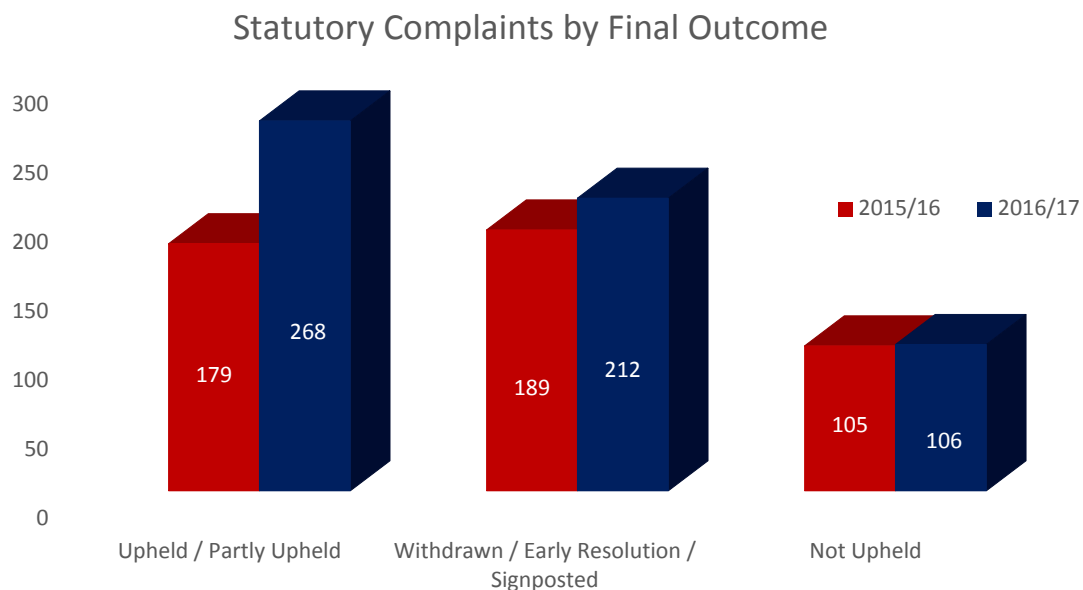
Graph 2



1.2 Statutory complaint trends and outcomes

Social care complaints represented 1% of CSC and 1.5% of ASC active cases. Complaints are on an upward year on year trajectory. The number of complaints as a percentage of total customer feedback has been increasing over the past years and complaints represented almost 60% of all feedback in 2016/17. Increasingly people are therefore contacting the council to complain rather than to compliment staff.

Graph 3



Graph 3 shows a breakdown in the number of statutory complaints by final outcome for all 586 closed complaints during the period. It can be seen that most complaints were justified by being upheld or partly upheld. This is a 50% increase over 2015/16. Over a third of complaints have also been 'nipped in the bud' and withdrawn at an early stage in the complaints process. This figure is welcome news as it is also higher than the previous year.

In 2016/17 the total amount spent on investigations for statutory complaints was £5,817, this represents a significant reduction from last year's cost of £18,811 because there have been a fewer number of independent and stage 2 investigations undertaken.

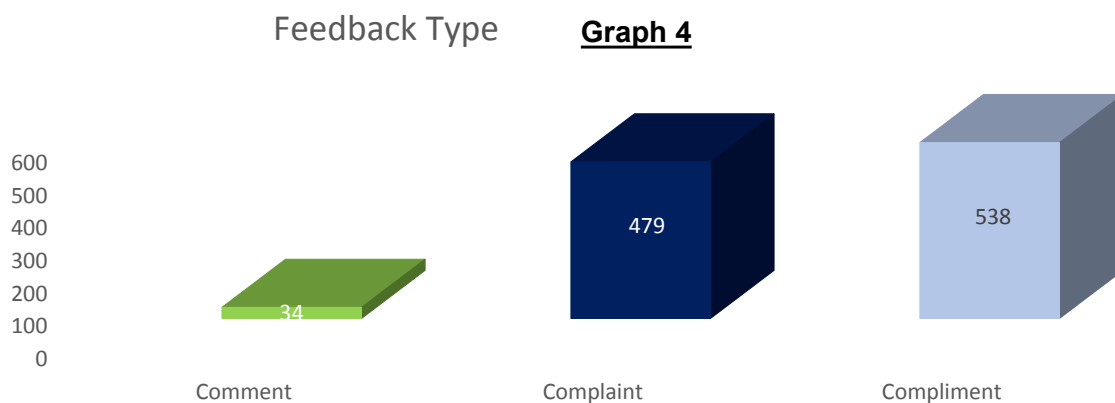
1.3 Statutory Local Government Ombudsman (LGO) complaints received

77 Local Government Ombudsman (LGO) enquiries were received during 2016/17. This is a rise of 12% when compared to the previous year (69). The amounts paid in local settlements added up to a total of £43,907. The specific details are in the sections to follow.

Section Two: Adult Social Care Feedback

2.1 Summary of ASC feedback in 2016/17

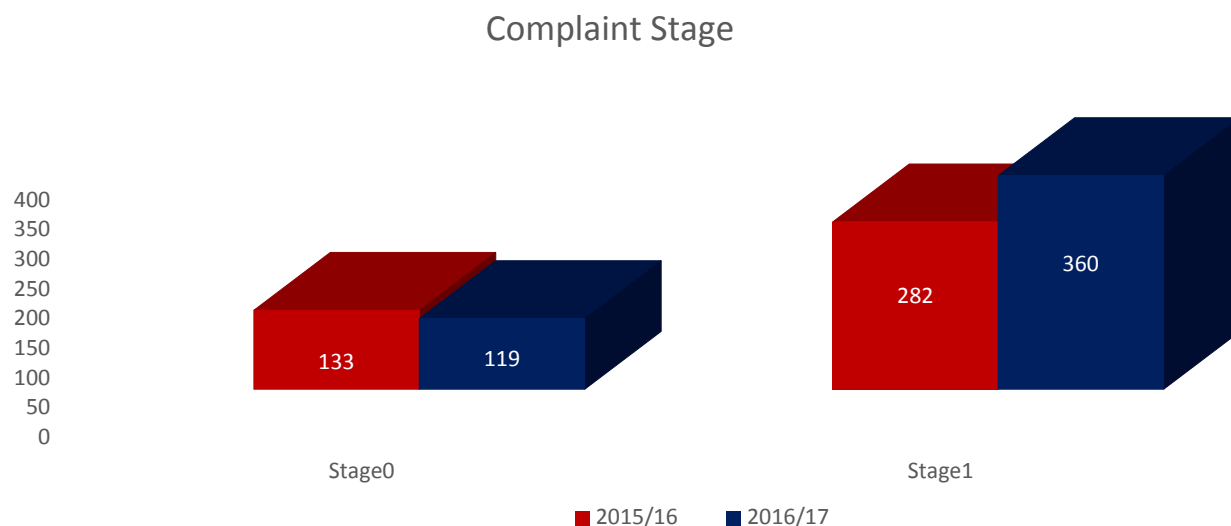
Graph 4 shows a breakdown of ASC by feedback type. A total of 479 complaints were received in 2016/17 which is an overall rise by 15% when compared with the previous financial year (417). However, it should be noted that people are more likely to be contacting LCC to compliment the service rather than to complain. In 2016/17 the total amount spent on independent complaint investigations for ASC was £2,620.



2.2 Breakdown of complaints by stage and outcome

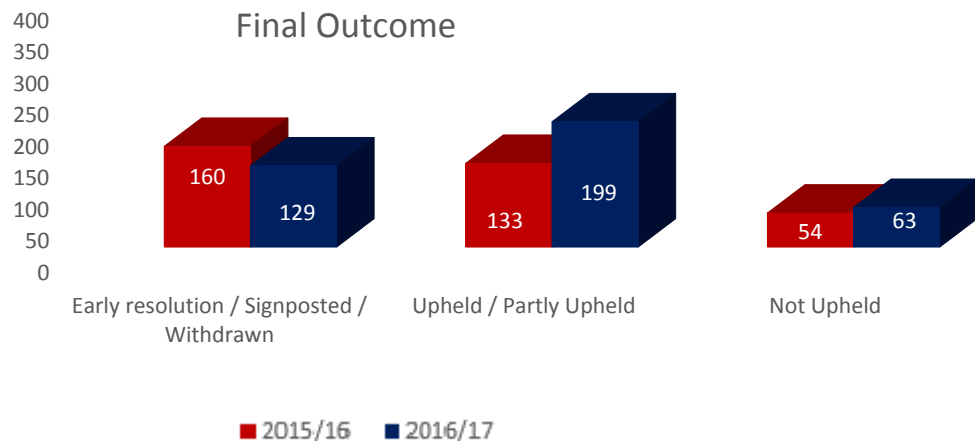
The breakdown of these can be seen in Graph 5. Stage 0 is the early resolution of complaints. It can be seen that there has been an increase in complaints at the formal stage.

Graph 5



The outcomes of 391 closed complaints which commenced in this financial year, and had outcomes recorded against them at the year-end are shown in Graph 6, the rest (88) were still open at year-end. Of these 391 closed complaints, one third were withdrawn, had an early resolution or were signposted out of the process, 51% were upheld or partly upheld and 16% were not upheld. These proportions are similar to the previous year. This shows that when people make complaints, in just over half of cases, there is an aspect that is justified.

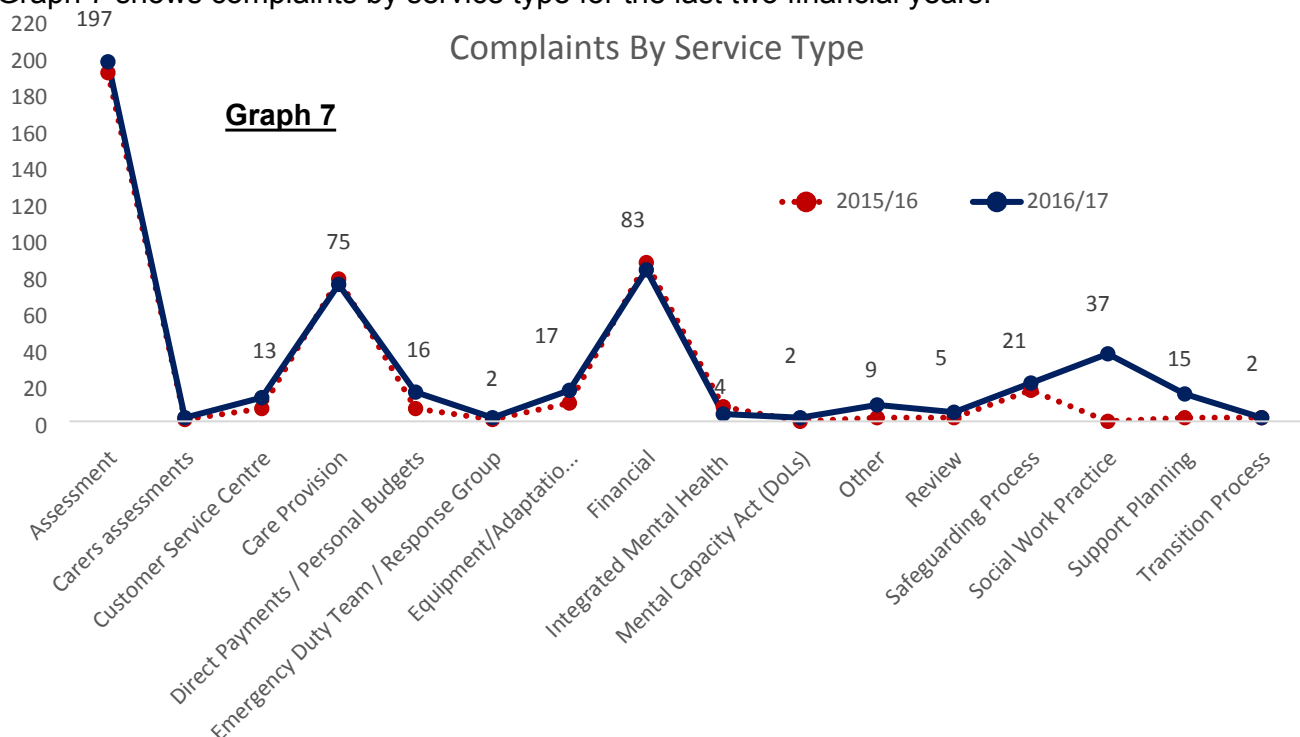
Graph 6



Of the total number (479) of complaints received in 2016/17 just over 5% (25) exceeded the 6 month statutory maximum timescale. Whilst the overall figure for the early resolution of complaints was one third (129) for the whole year it should be noted that during quarter four the figure for complaints resolved within 10 working days increased to just under half (46 of 97 received during the quarter). This is because of a recent extra full time role having been established in the complaints team dedicated to the early resolution of complaints.

2.3 What do people complain about?

Graph 7 shows complaints by service type for the last two financial years.



For 2016/17, the most frequent subject of complaint was assessment (197) which received 41% of the total number of complaints, which is similar to the previous year (191 in 15/16). Complaints about care providers slightly decreased as a proportion of all complaints in 2016/17 (75 or 15% of the total recorded by service type) when compared with 2015/16 (78 or 19%). Finance related complaints have fallen by 5% from 87 to 83. This may be as a result of continued work in clearing the backlog of issues since the new financial systems have been introduced.

There has been a slight increase in the number of complaints about equipment/adaptations from 3% (17 complaints) in 2016/17 compared with a proportion of 2% (10) in 2015/16.

2.4 Learning for ASC

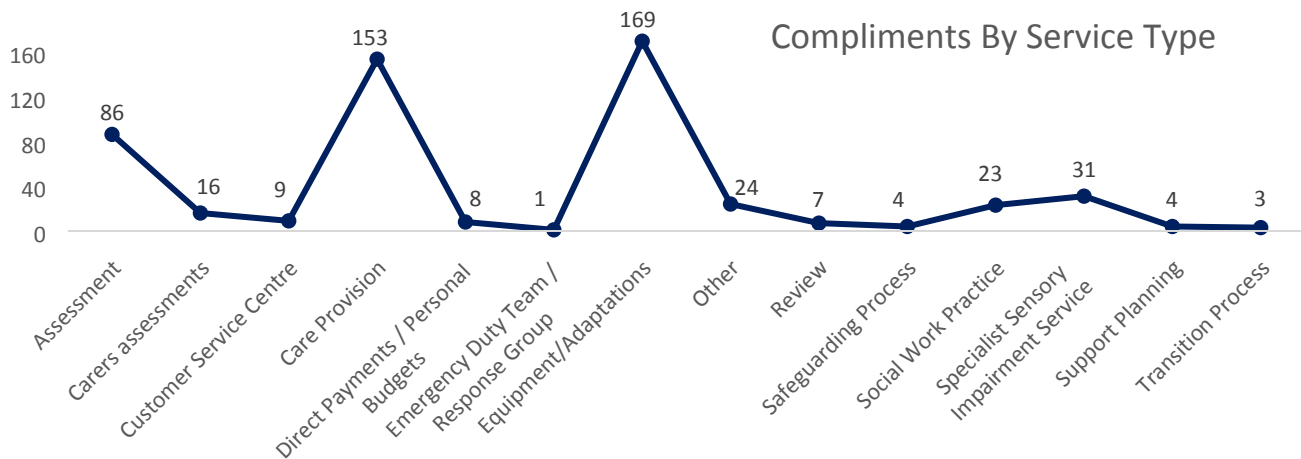
- Social care managers are reviewing systems and processes to ensure improved and new ways of working.
- The council is working on a problem in LCC financial systems, resulting in duplicate funding for young people on direct payments which is being picked up when they transition into adult services.
- The Older People's Service is highlighting good practice to be implemented when people transfer from residential care into nursing care homes.
- Social workers are improving communication with families about the safeguarding enquiry process/outcome.
- Social work managers are improving communication across teams when the same customers are supported
- Social care managers are ensuring that assessments undertaken by social care officers comply with the Care Act.
- Social care managers are working to address the delay in waiting times for assessments.
- Managers have developed a supervision template to ensure that complaints are discussed with workers on a regular basis, to improve management support and early resolution.
- Social care workers have been reminded to record that the financial implications of care have been explained and understood by customers.
- Social workers have been reminded to produce clearer, more robust support plans which include contingency plans when appropriate
- The complaints team will be attending the Learning and Development Group in November 2017 and May 2018 to ensure that all possible lessons from complaints are learnt.

2.5 ASC services which were the subject of compliments

Graph 8 overleaf shows the number of compliments received by service type for 2016/17.

The number of compliments have decreased slightly from 560 in 2015/16 to 538 in 2016/17. This is mostly related to the leaflet 'Your Views Count' being not being circulated as consistently after assessment or reviews. In 2015/16 35% of all compliments were because of equipment and adaptations received but this has dropped slightly by 4% in 2016/17. There has been an increase in the proportion of compliments in relation to assessment with this accounting for almost 16% of compliments in 2016/17 compared with 11% in 2015/16.

Graph 8



Contracted care providers are another common reason for the number compliments received. This category received just over 28% (153) of all compliments in 2016/17, a slight drop proportionally of 5% since 2015/16.

2.6 Joint Complaints

A Joint Complaints Protocol has been updated with the NHS. Complaints investigations are increasingly involving many different parts of LCC as well as health services and contracted service providers therefore adding much more complexity which the complaints team coordinates.

There was over a 50% rise in joint complaints during 2016/17 (33) compared with 2015/16 (21). These complaints are complex and take longer to resolve as they involve ASC and the NHS, typically Hospital Trusts and/ or Clinical Commissioning Groups. Eight joint complaints were still open at the close of 2016/17. Of the resolved complaints 7 were not upheld, 6 partly upheld and 8 were upheld. The other 4 were withdrawn by the complainants. Assessment was the biggest theme in just over 30% of the joint complaints.

2.7 LGO Complaints

The Local Government Ombudsman (LGO) acts as the regulator and provides the final stage for complaints about local authorities and some other organisations providing local public services. Their service is provided free of charge. Complainants approach the LGO when all other options for pursuing their complaint are closed by LCC, after it is considered that a proportionate response has already been provided. The LGO will only consider complaints that have already been through LCC's complaints procedures, although sometimes an early referral will be made to the LGO when complainants continue to be dissatisfied and LCC is confident that it has not done anything wrong or it has done all it can to resolve the matter.

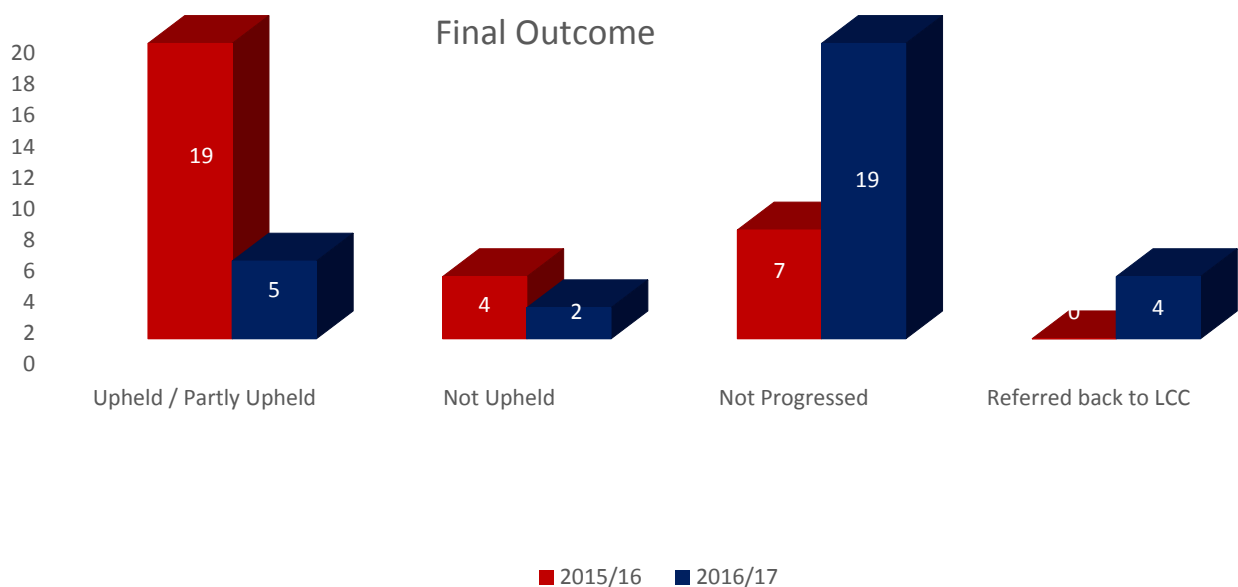
Graph 9 shows the number of LGO adult social care enquires staying reasonably steady over the last few years

Graph 9

LGO enquiry for Adult Social Care	2013/14	2014/15	2015/16	2016/17
Total Received	29	27	30	30

Graph 10 below shows of the 30 LGO ASC enquiries which were actively followed up by the LGO, almost 7% were not upheld, 63% were not progressed, 13% were referred back to LCC and 17% were upheld. This shows that in 63% of cases, action taken by LCC was sufficient with additional action required in 17% of cases. A total of £34,727 was paid in local settlements (some of this being debt written off), a significant increase when compared with settlement amounts paid out for 2015/16 (£550).

Graph 10



There were no public reports and the LGO was satisfied with the actions and the

continuous improvement undertaken as a direct result of learning from complaints in 2016/17. The LGO has therefore signed off and closed all upheld and partly upheld social care complaints in this way. The main learning from the 19 upheld complaints is outlined below.

2.8 LGO ASC identified learning

- The complaints team have published a new [complaints guidance](#) on the intranet to improve consistency of complaints handling. The team also offers complaints training and a quality checking service for complaint responses from operational managers.
- Social workers have given full explanations for assessment decisions in certain complaint cases.
- The finance team have changed some procedures to ensure matters are dealt with in a timely manner.
- The council has offered apologies where delays have occurred, for example when responses and actions have been slower than expected.
- The council is working with the NHS to consider the problem caused by retrospective applications for Continuing Health Care funding, which is causing significant delays in LCC debt recovery and the subsequent writing off of debt.

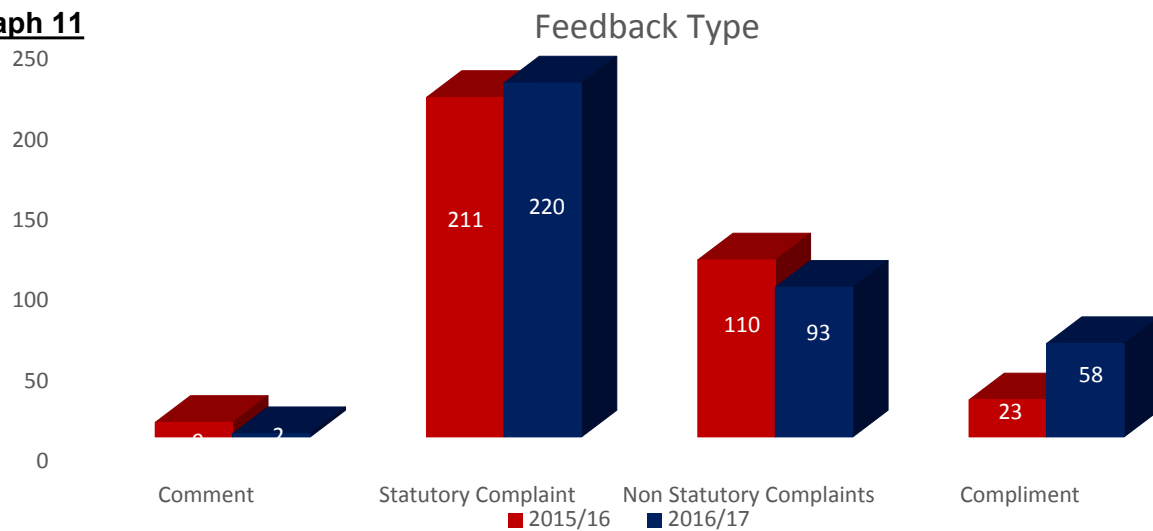
Section Three: Children and Young People Feedback

3.1 Summary of CYP and CSC feedback in 2016/17

There is a statutory and non-statutory process for complaints about CYP services. There is a statutory three stage process for those eligible to complain. The Stage 1 initial response is always by the service manager involved. If the person complaining is still unhappy, they can request a Stage 2 independent investigation. If the complainant remains unhappy, a Stage 3 review panel, which reviews the way the stage 2 was investigated, can be requested. The non-statutory process applies to non-social care complaints (for example education or Special Educational Needs and Disabilities SEND) or for people complaining about CSC who do not have parental responsibility for a child (for example grandparents). In 2016/17 the total amount spent on investigations for children's complaints was £3,197.

Graph 11 shows the overall rise in CSC statutory complaints by just over 4% to make an overall total of 220 for 2016/17.

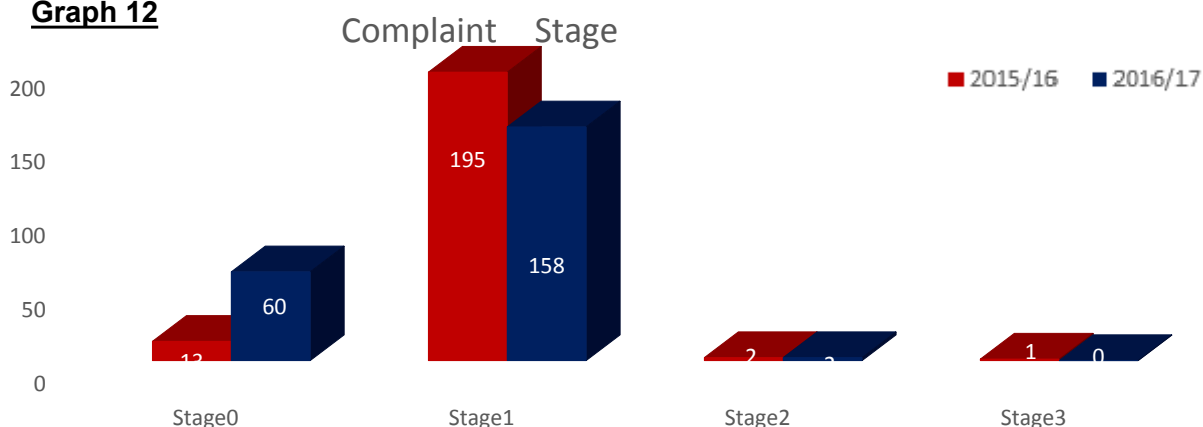
Graph 11



3.2 Breakdown of complaints by stage

The breakdown of these can be seen overleaf in Graph 12. Stage 0 is the early resolution of complaints. It can be seen that there has been a welcome decrease of complaints at the formal stages. 60 (27%) of complaints were resolved early in the process (stage 0) and the rest (158) were resolved with management and council action at the final outcome. There has been an increase (by a factor of four) in complaints being resolved early in the process compared to the previous year. This is probably as a direct result of an extra full time member of staff in the complaints team working on CSC complaints.

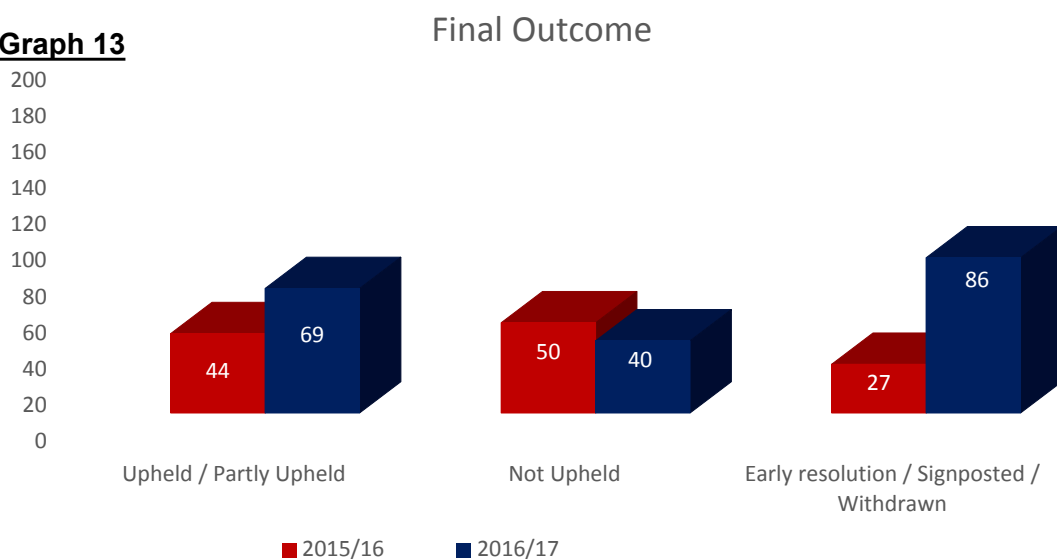
Graph 12



3.3 Breakdown of complaints by outcome

Graph 13 shows closed complaints which had a final outcome recorded (195 complaints) split into final outcome. Of these 21% were not upheld, 35% of the total complaints received were upheld (a similar proportion to the previous year) or partly upheld and 44% were signposted, resolved early or withdrawn, which, as already mentioned, is a significant improvement when compared with 2015/16.

Graph 13



Local and early resolution of complaints is a better outcome for everyone, as escalation is time-consuming and expensive. In about a third of cases, the complaint was found to be justified. Last year, no stage 3 panel was held and, in other cases, early referral to the LGO was agreed.

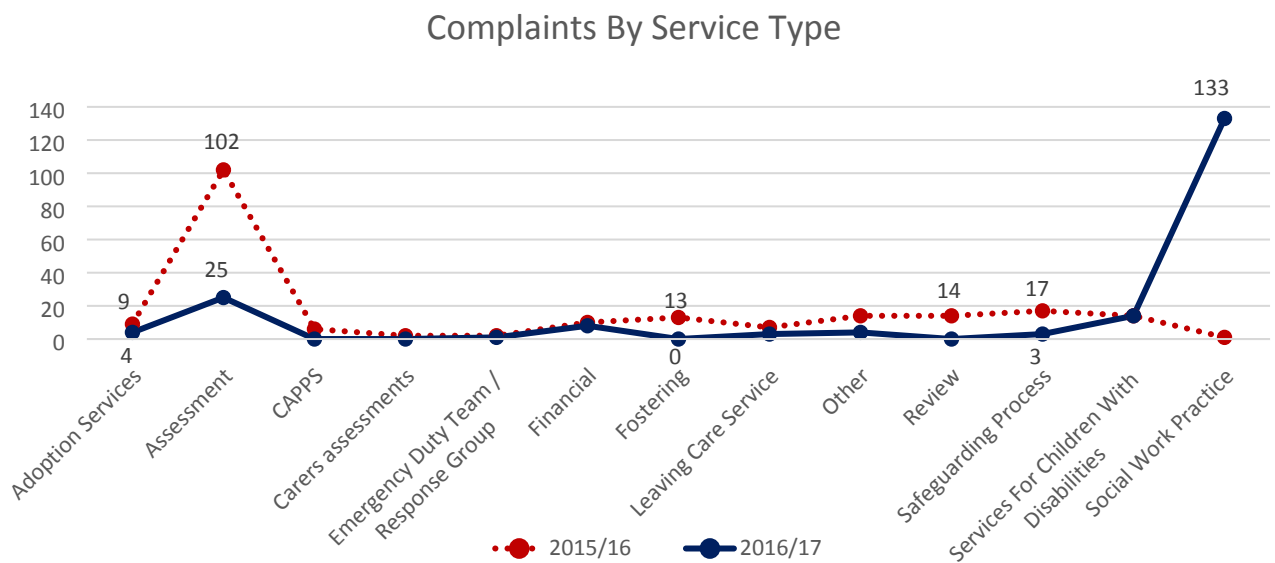
Of the total number of CSC complaints received in this financial year, 12% (27) exceeded the statutory timescale.

3.4 What do people complain about in the statutory process?

Graph 14 overleaf, shows a breakdown by service type for the last two financial years. The proportions are similar, apart from a considerable drop in the number of complaints in relation to assessments, which is largely due to the introduction of the new reporting category of 'Social Work Practice'.

CSC have managed to achieve a significant drop in the number of complaints in relation to the safeguarding process from 17 in 2015/16 to 3 in 2016/17 and complaints about reviews, and fostering and adoption services have also all had welcome decreases.

Graph 14



3.5 Learning for CSC

The learning identified for all services is the need for better and more efficient communication between our districts and complainants as well as the need to review cases carefully where complaints are the subject of complex matters such as children with disabilities.

There is identified learning for the complaints team in terms of quality assurance and the need to provide a more hands on approach in offering the quality checking of responses that are being sent out to prevent escalation and ensure complaints are being responded to appropriately. Learning themes identified through stage 1 and stage 2 complaints in 2016/17 (no Stage 3 panels were held) are as below.

Stage 1 and 2 Complaints

- Social work managers are working on improving the consistency of communication during social work assessments and practices.
- Social work managers have offered apologies for delays, for example when council responses and actions have been slower than expected.

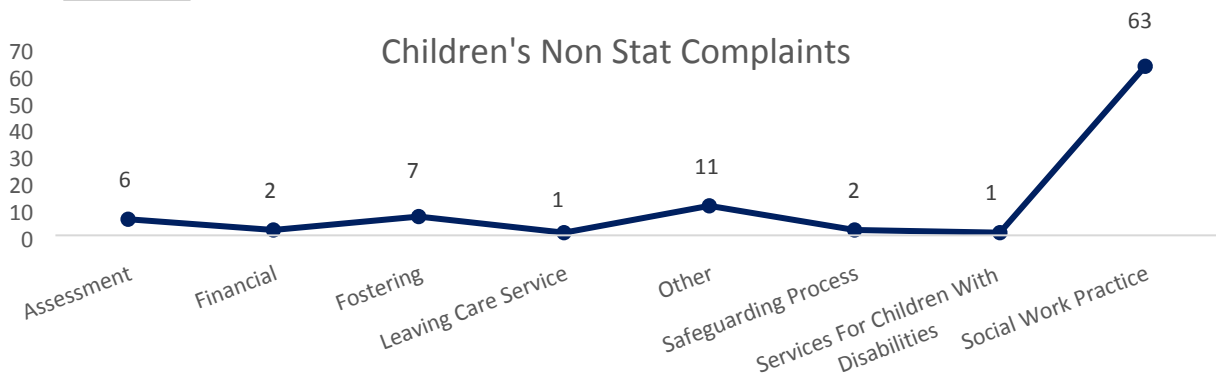
- Social workers have provided customers with additional support and understanding of policies, procedures and actions taken.
- Social workers are ensuring that assessments are taking place in a timely manner and are offering re-assessments within services for Children with Disabilities.
- A social worker was advised to take on board the complainant's interpretation of her presentation and will be more self-aware in the future.
- The Youth Offending Team are currently reviewing the ways in which they cover work for colleagues.
- A social worker was made aware of the importance for all families to receive copies of minutes to enable families to clearly understand future actions and plans.
- Social workers are being made aware of the levels of support required especially around young people leaving the organisation.
- Social workers are ensuring that procedures such as Pathway Plans or Financial Support are shared and/or reviewed within a timely manner.

3.6 Summary of non-statutory CSC complaints

Non CSC statutory complaints are made by a people who are **not** entitled to complain under the Children Act procedures (for example a family friend or a relative without parental responsibility) or if the complaint is about something that cannot be complained about under the Children Act (for example adoption or fostering matters / complaints by members of the public: please see further categories below.)

3.7 What are non-statutory CSC Complaints about?

Graph 15



Graph 15 shows that non statutory complaints dropped by just over 15% from 110 in 2015/16 to 93 in 2016/17. Similar to statutory complaints, 'Social Work Practice' is the most common complaint category (please note: due to a change in reporting, a comparison cannot be made against the previous year for reporting categories).

Identifying themes and learning from all CSC complaints – non statutory or statutory - is

valuable. Senior managers are informed of the themes on a regular basis through regular attendance at team meetings or senior management meetings.

3.8 Services which were the subject of compliments and comments in 2016/17

Due to the nature of CSC, not many compliments are expected although there was a welcome rise in 2016/17. A total of 58 compliments were received for 2016/17, with the majority being about the assessment process and social work practice. Two comments were made and were passed onto the services concerned to take appropriate action.

3.9 LGO Complaints

The Local Government Ombudsman (LGO) acts as the regulator and provides the final stage for complaints about local authorities and some other organisations providing local public services. Their service is provided free of charge. Complainants approach the LGO when all other options for pursuing their complaint are closed by the Council, after a proportionate response has already been provided. The LGO will only consider complaints that have already been through the council complaints procedures. Sometimes the Council will make early referrals to the LGO when complainants continue to be dissatisfied and LCC is confident that it has not done anything wrong or it has done all it can to resolve the matter.

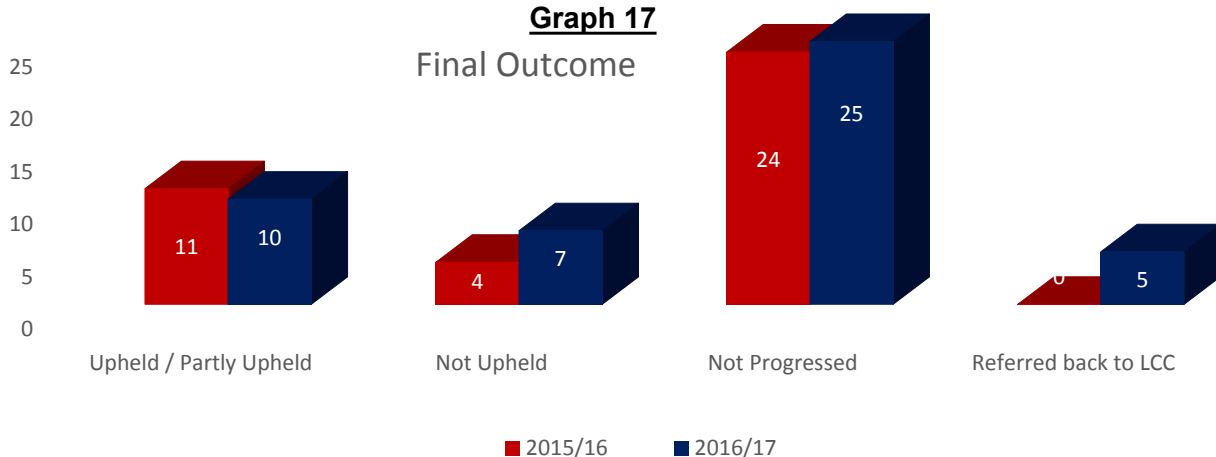
Graph 16

LGO enquiry for Children's Social Care	2013/14	2014/15	2015/16	2016/17
Total Received	22	31	39	47

Graph 16 shows a rise in LGO CSC enquiries in 2016/17, with 47 actively followed up by the LGO in 2016/17. Graph 17 shows that of these enquires, 53% were not progressed, 15% were not upheld, 11% were referred back to LCC and just over 21% were upheld (or partly upheld). This shows that in over half of all cases, council action was sufficient with additional action required in 21% of cases. A total of £9,180 was agreed in local settlements which is a rise when compared with the settlement amounts for 2015/16 (£6,275).

Graph 17

Final Outcome



The LGO was satisfied with the actions and the continuous improvement undertaken as a direct result of the 21% complaints upheld by their investigations in 2016/17. There were therefore no public reports. The identified learning from those complaints is as follows.

3.10 LGO Children's Social Care identified learning

- The finance team has implemented a change in procedures to ensure matters are dealt with in a timely manner.
- The council has offered apologies for delays, for example when the provision of minutes were delayed.
- The complaints team has run courses and worked with social work staff teams to address faults in complaint handling.
- The council is working on capturing and recording text messages and newer forms of communication between the social worker and young person, as part of the electronic record
- The council is sharing and reviewing procedures such as Pathway Plans or Financial Support in a timely manner.

