

**Meeting of the Full Council  
Meeting to be held on Thursday, 14 December 2017**

Report submitted by: Director of Adult Services

**Part A**

Electoral Division affected:  
(None);

**Finding of the Local Government Ombudsman - 1 November 2017**  
(Appendix 'A' refers)

Contact for further information:  
Angela Esslinger, Tel: (01772) 533950, Complaints and Appeals Manager  
angela.esslinger@lancashire.gov.uk

**Executive Summary**

Following a finding of fault causing injustice after an investigation by the Local Government Ombudsman into a complaint about adult social care services, Full Council is required to consider what action should be taken.

This report sets out the actions that have already been taken in response to the Ombudsman's recommendations and Full Council is asked to note these and endorse the further actions set out in the report.

**Recommendation**

Full Council is recommended to:

- (i) Note the recommendations set out in the Local Government Ombudsman's report at Appendix 'A'.
- (ii) Note the actions already taken and endorse the further steps proposed in response to the report's recommendations as set out below.

**Background**

On 1 November 2017 the Local Government Ombudsman (LGO) published a public report dated 28 September 2017 which found fault causing injustice by Lancashire County Council. A copy of the report is attached at Appendix 'A'.

In brief, the complaint related to the council's failure to meet the assessed equipment needs of the complainant's husband.

The report at paragraph 42 includes four recommendations as to how the County Council could best remedy the injustice caused. The actions already taken in response and further actions proposed are set out below.

### **1. Apologise to the complainant for the faults identified**

A letter of apology was sent to the complainant by the Cabinet Member for Adult Services on 6 November 2017. This fully acknowledged the distress caused and accepted the findings of the LGO report.

### **2. Pay the complainant £750 for the distress it has caused and the time and trouble it has put her to in pursuing the complaint**

A payment of £750 has been made and accepted by the complainant.

### **3. Take action to ensure officers manage their work effectively and without delay**

Focussed work to increase staff capacity and improve performance has been underway for several months in response to the pressures on the County Council's occupational therapy services. This work continues. In summary the key actions are:

- The Director of Adult Social Care Transformation is undertaking an urgent review of policies and working arrangements for the Occupational Therapy (OT) service. This includes an examination of Adaptations & Equipment policies and procedures to ensure they reflect current best practice.
- The Council has appointed a temporary Community Occupational Therapy County Manager who came into post in April 2017 for 12 months. This gives the community Occupational Therapy service a professional lead to concentrate on the transformation needs of the service.
- Business Support Officer (BSO) posts have been established. This means there will be a BSO in each of the 3 Community Occupational Therapy Teams. Two are already in post. These will support Team Managers in the efficient administration of the service.
- There is a review of the appropriate skill mix within teams with a view to optimise the use of other social care staff to undertake more routine community equipment assessments. This would free up the time of our qualified Occupational Therapy workforce for more complex work including Disabled Facility Grant work. This review is currently underway.
- A robust action plan for reducing waiting lists is being developed. This will be overseen by the Director of Adult Social Care Transformation and reported through the Quality of Service Reports on a quarterly basis to the Cabinet Member for Adult Services.

### **4. Produce a schedule for filling vacancies as soon as possible**

The table below shows the progress made on this issue.

Overall Number of Occupational Therapist whole time equivalent posts	40
Number recruited since this complaint commenced with the LGO	8.6
Current number of Vacancies (as of 24/11/17)	5.4

The number of Occupational Therapy posts was significantly increased from 20 in March 2017 to 40 whole time equivalent. This allowed the establishment of specific occupational therapy teams to focus on re-ablement whilst allowing 30 Occupational Therapists to concentrate on Community Occupational Therapy work.

Further interviews for Occupational Therapists took place on 20 and 21 November 2017. Current vacancies are being advertised as rolling adverts on the internal and external vacancies pages of the Council's website with interviews set up as soon as applications are received.

To advertise these vacancies to a wider audience, a targeted social media campaign has been running with posts regularly appearing on the Instagram, Twitter and Facebook feeds of users within Lancashire. This has generated a large amount of interest through "likes" and "shares" through each platform.

To accompany the social media campaign, a half page advert has been purchased within the latest issue of the national Occupational Therapy Magazine which has also been distributed at the national Occupational Therapy Show at the NEC in Birmingham on 22 November 2017 giving wider exposure to a national audience of professionally qualified Occupational Therapists and those in professional training.

Further improvements are planned to the Adult Services Careers page and additional advertising campaigns as well as further actions relating to the Adult Services Workforce Strategy will aim to help fill the remaining OT vacancies.

In the last quarter (June - September), completed Occupational Therapist assessments have increased by 26% compared to the previous quarter. This equates to about 350 more people having been seen as a result of the measures taken so far, particularly around recruitment.

### **Advice**

It is the requirement of the Local Government Act 1974 as amended that, where there is a finding of fault causing injustice, the report is laid before the Council and, within three months of receipt of the report, the Council notifies the Local Government Ombudsman of the action that it has taken.

### **Consultations**

N/A

**Implications:**

This item has the following implications, as indicated:

**Risk management**

If the Council fails to comply with the legislation, the Local Government Ombudsman has power to require the Council to publish a statement detailing why they have not complied with the recommendations in the report.

**Financial**

Should the actions not be put in place there may be further claims payable by the County Council if the Local Government Ombudsman decides that their recommendations have not been followed.

**List of Background Papers**

Paper	Date	Contact/Directorate/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A