

**HERTFORDSHIRE COUNTY COUNCIL
ADULT CARE SERVICES SELECT COMMITTEE
THURSDAY 11 JANUARY 2001 AT 10.30 A.M.**

Agenda Item No:

6

**ANNUAL REPORT ON COMPLAINTS, COMPLIMENTS AND
USER/CARER SATISFACTION**

Report of the Director of Social Services

Authors : Meg Carter, Complaints Manager (Tel. 01707 280769)
Angela Sewell, Policy Officer (Users and Carers) (Tel. 01707 280761)

1. Purpose of Report

- 1.1 To report on the working of the Complaints Procedure and the number and type of complaints received in the financial year April 1999 – March 2000.

This complies with Standard 16 set by the Social Services Inspectorate in their National Inspection of Complaints Procedures in Local Authorities.

- 1.2 To report on the number and type of compliments received in the financial year April 1999 – March 2000.

- 1.3 To report on the first full year of the User/Carer Satisfaction Survey April 1999-March 2000.

- 1.4 To report on key areas of development including :

- ◆ action taken in response to learning from complaints
- ◆ the implementation of the External Providers Complaints Procedure
- ◆ new performance indicators
- ◆ SSI consultation for improving social services complaints procedures
- ◆ Improvements to the distribution and content of the 'Having your say Leaflet' so that the distribution is more systematic and a space for name and address is added. With the establishment of Herts Connect there is the potential to further develop the distribution the leaflet.

- 1.5 The Social Services Committee held on 9th September 1999 resolved that feedback about user carer satisfaction would be reported on annually in conjunction with feedback on complaints for a fuller picture.

Information from complaints, compliments and user satisfaction provides an important commentary on the experience of users and carers using our services.

2. Summary

This report includes :-

- 2.1 An outline of the statutory requirement for and the working of the Complaints Procedure with a report of the implementation of the External Providers Complaints Procedure.
- 2.2 *The Annual Statistics*
(These are presented in detail in the full report as Appendices 1 and 2).

In brief these show :

	1998/ 9	1999/00
Stage 1 complainants	361	293
Complainants per 1000 clients worked with	5	4
Stage 2 complainants	14	21
Stage 3 complainants	3	3
- reviewed by panel		
- County Secretary	1	2
- pending ongoing work towards resolution	1	5
Complainants to the Ombudsman	10	15
Compliments received	162	303

2.3 *The main points arising from these figures are :*

This year there is a slight change of emphasis in the type of Stage 1 Complaints as they now reflect more specific issues around services. In preceding years we have been concerned that a majority of Stage 1 complaints have been about general standards of communication.

There is an increase in numbers of Stage 2 complaints. A number of factors may have influenced this. In their Stage 1 response local managers advise the complainant of their right to take their complaint to the next stage. Sometimes it is important from everybody's point of view for impartial scrutiny to take place at an early stage.

In other circumstances the team may ask the client relations manager for advice and/ or help in mediating. The level of resources impacts on the capacity of teams to work in this way. The increase in the number of Stage 2 complaints can be traced to a point in the year when staffing levels in the Client Relations Group were particularly stretched.

Nevertheless we do expect to resolve the majority of complaints at Stage 1 and the numbers of Stage 2's remains proportionately low.

The number of complaints' panels remains consistent. Complainants' request for Stage 3 Panels are often in process for extended periods of time between Stages 2 and 3 while options for settlement are looked at.

There is a significant increase in the number of compliments recorded. These are now registered more consistently and shared throughout the department.

2.4 *A summary of key issues for complainants*

Complainants seek a range of options as redress and this year has seen an increase in claims for compensation. A new departmental policy is being drawn up for the handling of claims in consultation with the County Secretary.

We have been concerned about the low numbers of complaints from children and young people. Young people are now able to access an advocacy service from the Voice of the Child in Care (VCC). In addition focus groups involving Looked After Children and Care Leavers have identified the need for improvements in the complaints service for young people. With the support of the Corporate Parenting Panel young people are now actively involved in revising complaints information leaflets.

Complainants provide an important source of learning for the department and action has been taken directly to improve practice in the areas of :

- ◆ working with adults at risk

- ◆ raising of staff awareness in a number of areas including carers assessments and direct payments
- ◆ the review stage of care management for both adults and child care services
- ◆ working with parents in child protection investigations.

2.5 *User/Carer Satisfaction Survey*

The 'Having your say' leaflet provides regular ongoing feedback about District Services.

The key issues reflected through the analysis of the leaflets returned between April 1999 to March 2000 are :

- ◆ Overall satisfaction level – 90%
- ◆ How respectful and courteous staff are when dealing with users and carers shows the highest satisfaction level – 95%
- ◆ How reasonable was the response time given your situation showed the lowest satisfaction level – 88%
- ◆ Users are more satisfied overall than carers
- ◆ Young people make little use of the leaflet.

2.6 *Measuring the Quality of Services for Users and Carers.*

This year, for the first time, this report includes an outline of the Performance Indicators to be reported within the Best Value Performance Management Framework for the year 2000/1. These are:

- a) % users/carers who said they got help quickly (from Best Value and Audit Commission Performance Indicators for 2000/1 PAF D36/BVPI 57).
- b) % of users/carers who said that matters relating to race, culture or religion were noted. (from Best Value and Audit Commission Performance Indicators for 2000/1 PAF E46/BVPI 60) .

The first of an annual postal survey, *The User Experience Survey* will take place in February/March 2001. This is a national survey designed to address the two performance indicators above. The results will be published in the Performance Assessment Framework report due in the Autumn 2001 and will be part of the Annual report on Complaints, Compliments and User/Carer Satisfaction report in 2001. (see paragraph 6.1 and 6.2 for further details of the survey).

- c) *the % of those making complaints satisfied with the handling of those complaints.* (from Best Value and Audit Commission Performance Indicators for 2000/1 BVP14). In line with the Government's requirement a large scale random postal survey is shortly to be undertaken by the corporate centre.

As part of the social services complaints procedure complainants are asked to complete a feedback questionnaire. This is now being done more systematically and will be reported on next year.

- d) the % of complaints classified by the Ombudsman as maladministration and local settlement (from Best Value and Audit Commission Performance Indicators for 2000/1) The number of Ombudsman complaints are included in this report. There have been no findings of maladministration.

2.7 *The Best Value Assessment Framework draws on other key performance measurements. This includes:*

- a) The Quality Protects Management Action Plan for Children's Services (QPMAP) identifies the need for effective complaints procedures that children and young people feel able to use.
- b) A Quality Protects Performance Indicator that measures the % of users and carers who are aware of the complaints procedure. We have a planned position of 80% at 31.3.01.

Similar issues were raised by the Social Services Inspectorate (SSI) as part of the Inspection of Child Care Services in 1999 and specific action taken is explained in more detail in section 5.0 of this Report.

We will achieve our objectives by ensuring that all Looked After Children and their parents/carers are given information about how to make complaints about their services and have this explained to them.

Specific steps as to how this can be done in a reliable and consistent way are currently being looked at and we are confident that we will reach a final planned position of 90% by March 2002.

This policy will be extended to include all users and their carers in both Children's and Adult Services.

- c) Hertfordshire County Council's Equal Opportunities Policy 'Putting People First'(July 1999) states that complaints will be monitored by age, disability, ethnicity and gender of the complainant.

As a first step, together with all other departments, we will ensure that monitoring information is collected for all stage 2 and stage 3 complaints. This will be reported on in 2001.

3. Conclusions

- 3.1 By bringing together information from complaints and User/Carer satisfaction we are able to provide an overall picture of User/Carer feedback and have already produced corroborative evidence of issues needing attention.
- 3.2 We have a well-established, effective complaints service and this is born out by positive feedback from the SSI Inspection.
- 3.3 Attention is focused currently on ensuring that users and carers are well informed about how to make *comments, complaints and compliments* and can tell us whether or not they have been satisfied with the process as well as the outcome.
- 3.4 The 'Having your Say' leaflet provides useful information on how users and carers experience services. Improved distribution methods will be explored once all District Teams client service functions are within Herts Connect. The respondent can still complete the leaflet anonymously but a space for their name and address will be incorporated should they wish to provide it.
- 3.5 We are extending our complaints procedure to achieve a more integrated approach with our partner agencies e.g. by the implementation of the External Provider Complaints Procedure and the writing of a joint protocol with Health Authorities.
- 3.6 The Department of Health consultation document 'Improving Social Services Complaints Procedures' highlights a number of areas in which Hertfordshire has already achieved significant development.
- 3.7 This is a very positive basis on which to develop a robust and effective complaints service in both the Children, Schools and Families Service and Adult Care Service.

ANNUAL REPORT ON COMPLAINTS

1. Background Information

- 1.1 The National Health Service and Community Care Act 1990 and the Children Act 1989 require Social Services Departments to have Complaints Procedures.
- 1.2 The Social Services Procedure 'Open to Complaint' was revised in 1997.
- 1.3 There are three stages of our Complaints Procedure :

Stage 1 : The emphasis of the first stage is on local problem solving.

Stage 2 : This has a more structured approach with problem solving and an investigation by an investigating officer with no responsibility for the service being complained about.

Stage 3 : This is an independent review of the investigation by an Independent Review Panel or by the County Secretary.

- 1.4 The overall complaints and compliments system continues to be managed as part of the Standards Unit.

With the setting up of the two new services resources will be allocated to support the running and management of a robust and effective complaints service in each department.

Joint protocols may be developed for some aspects of the service e.g. the co-ordination of the work of those providing an independent service for both new agencies such as Independent Chairs of Stage 3 or Appeals Panels.

- 1.5 The Department of Health has issued a consultation document '*Listening to People*'. A Consultation on improving Social Services Department Complaints Procedures.

The aim of this consultation is to improve the present framework for dealing with complaints, rather than start afresh with proposals for a new system.

2. Number and Type of complaints

These are presented in detail in Appendices 1 and 2

2.1 Stage 1 Complaints

These are the number of complainants for the last two years : -

1998/1999	1999/2000
361	293

The majority of complaints are made and resolved at the point closest to the delivery of the service by local staff.

Appendix 1. A1 shows that of 293 Stage 1 complainants 150 were concerned about children's services. Of these 27 complainants were Looked After Children themselves. The complaints arising within District Teams were primarily from parents with concerns about services from parents rather than a child's perspective.

The local figures are available for discussion between District and Service Managers and local Members at their regular meetings.

The scope of complaints continues to be wide across all care groups.

Examples of the range of complaints include :

From adult services

- concerns about eligibility criteria for refocused mental health service
- necessary equipment not in place for client's return home
- complaint by carer concerning hospital discharge arrangements for elderly relative

From children's services

- complaint from young person about discipline by foster carer
- complaint by parent about failure to do a child protection investigation
- bullying of resident by another resident in a children's residential unit.
- not being allowed to spend pocket money as wished

2.2 Stage 2 Complaints

These are the number of complainants for the past 2 years :

1998/1999	1999/2000
14	21

The 21 complainants made 172 complaints. Of these the outcomes were :

- 38 were fully upheld
- 41 were partially upheld
- 81 not upheld
- 12 no judgement

In addition, 2 complainants agreed to mediation and these have been resolved without proceeding to a formal investigation.

Appendix 1. B1 shows that of 21 Stage 2 complainants 8 were concerned with children's services and 13 were concerned with adult services, one of which was a complaint about the service provided by the Registration and Inspection Unit.

For the period covered by this report no stage 2 complaints were received directly from children or young people. However, during the period April 2000 to September 2000, 3 Stage 2 investigations from Looked After young people have been received and are currently being investigated. These young complainants are supported by advocates from Voice of the Child in Care.

This is very encouraging and indicative that the steps taken to encourage children and young people to express their concerns seems to be working.

Stage 2 complaints are always complex and require a high degree of detailed work. Complainants have sometimes felt that a Stage 1 response has lacked depth and commented favourably on this being addressed at Stage 2.

Examples of Stage 2 investigations are :

- 4 complaints by parents concerning action of staff in carrying out child protection investigation.
- complaints by a service user with a physical disability that proposed level of care was not enough and hampered access to additional grants such as Independent Living Fund.

complaint by carer concerning care of elderly relative by external provider and the role of Registration and Inspection in looking into her concerns.

2.3 *Improving Our Service*

A number of Stage 2 investigations have drawn attention to the importance of staff undertaking carer's assessments. This is often not a specific complaint but arises as a key action point from the investigation. This has also been identified in feedback from consultation with carers and the User/Carer Satisfaction Survey.

Training will take place in the autumn for first line managers and practitioners. to help staff:

- a) recognise a carer's assessment is appropriate
- b) complete competent carer's assessments

This is an example of an integrated approach to improving practice based on user/carers feedback from a range of sources.

Action is taken immediately in response to individual concerns when this needed. Examples can be shown of this improving our service to a wider group of users.

For example

- amendment was made to the new Adults at Risk Procedure to take account of carers rights and this was built into training for staff on the practice issues in investigating allegations of abuse of vulnerable adults.
- ensuring on going child protection training incorporates practice issues about involving parents appropriately in child protection investigations. This is also the subject of a briefing for senior childcare managers.

2.5 *Timescales for completion of Stage 2 investigations.*

Priority has been given to improving timescales and a mid year report was presented to the Director in December 1999 as requested by Social Services Committee in June 1999.

Appendix 1. B4 shows that from a total of 21 investigations we achieved a 28 day response for 3 investigations and a further 13 were completed within 3 months.

The Department of Health is currently consulting with a view to introducing a 3 month timescale for complaints brought by adults/parents with a requirement to fast track complaints brought by children within 28 days.

2.6 Stage 3 Complaints

The numbers of Stage 3 Panels and Review by the County Secretary are set out in Appendix 1. C5.

These are the number of Stage 3 Reviews for the past two years :

1998/99	1999/00
2 Panels 1 Review by County Secretary	3 Panels 2 Reviews by County Secretary
1 awaiting outcome of follow up work	5 awaiting outcome of follow up work

The figure remains consistently low. All complainants are offered an opportunity to have an independent review of their complaints at Stage 3 of the Procedures. In most instances, as a preliminary, complainants are also offered an opportunity to meet with a senior operational manager to look at options for settlement.

The Department of Health is currently consulting on making the best use of Panels particularly with a view to encouraging Panel's to recommend remedy and this may include recommendation for small amounts of compensation. This will be addressed within the new policy for the management of claims which this department is developing.

Of the 1999/0 figures one Panel related to a complaint made in 1998 and 1 Review by the County Secretary to a complaint made in 1997.

2.7 Complaints to the Ombudsman

The Ombudsman will normally only accept complaints when these have been considered at each stage of our own procedure.

These are the figures for the last two years : -

COMPLAINTS TO OMBUDSMAN	
1998/9	1999/0
10	15

The outcomes for the 15 complainants are set out in Appendix 1-D1. There have been no findings of maladministration.

2.8 Compliments

COMPLIMENTS	
1998/9	1999/0
162	303

Details are set out in Appendix 1. D3

Compliments mainly focus on 'how our service is carried out'

Examples from each care group are :

- *'thank you for being so good at what you do' (from mental health client).*

- *'express my gratitude for her work with 'a' – prior to her involvement 'a' was in danger of exclusion. She has been excellent in communicating what is going on for him' (from school concerning child care social worker)*

- *both our elderly parents became ill and looking after them became a serious problem. A's professionalism, support and understanding of the situation was invaluable. Her quick response and prompt action left (us) in no doubt that she was 'superwoman.'* (from carers of elderly clients)

- *thank you for the support and advice you gave me and the time you always had for me on the telephone. Without that personal, caring touch families like mine wouldn't be able to cope.* (from parent concerning services for herself /her son)

3. 'Having Your Say' leaflet

3.1 Distribution

The 'Having your Say' leaflet is a systematic way of receiving feedback about services. It takes the form of a 5 question and comment box, post paid questionnaire and is issued by district team staff at the point of case review or case closure. It is incorporated into the various eligibility leaflets. 'A Guide to who Qualifies for Support' from Hertfordshire Social Services Department, which enables service users and carers to access it directly. The questionnaire has been available since March 1999.

3.2 Collation

When questionnaires are received, the feedback is collated in an access database. Any questionnaire that raises concerns that are judged to need a further response are followed up by individual District Teams.

On two occasions the situation was found to be subject to the complaints procedure. Potential complaints can be dealt with if they are raised through this process.

3.3 *Satisfaction Levels*

- a) Initial contact with Social Services gives a 90% satisfaction level. With carers less satisfied than users

Initial Contact

	Satisfaction Level %
Users	98
Carers	77
Overall	90

- b) A question about response time gave an 88% satisfaction level. The survey asks 'were you satisfied that you were dealt with within a reasonable amount of time given your situation and what you needed'. Again carers were less satisfied than users.

Response time

	Satisfaction Level %
Users	90
Carers	83
Overall	88

- c) The question about how respectful and courteous staff were when dealing with users and carers gave an overall satisfaction level of 95%, again carers were less satisfied than users.

Show respect and courteousness

	Satisfaction Level %
Users	97
Carers	90
Overall	95

- d) The question about how far 'they felt their needs and concerns were understood' gave a 92% satisfaction level. Carers showing a lower satisfaction level.

Understood needs and concerns

	Satisfaction Level %
Users	92
Carers	90
Overall	92

3.4 *Comments on the service*

59% of comments on the service were either ‘thank you’s’ or positive comments about named staff.

71% of the other comments fell into three broadly equal categories which were :

- ◆ Concerns about delays
- ◆ Quantity of service
- ◆ Lack of provision of housework

A further 10 % of concerns were about residential care, red tape and charging.

4. The implementation of the External Providers Complaints Procedure.

- 4.1 This procedure, implemented earlier this year, is to ensure that people who have services from an external provider have access to the Social Services Complaints Procedure, if they are not satisfied with the provider’s own investigations.
- 4.2 It is too early to report on the number of Stage 1 complaints concerning externally provided services. A Reference Group is being set up with representatives from the external providers to ensure the effective implementation of the procedure.
- 4.3 3 Stage 2 investigations have concerned the actions of external providers. There has been positive working between the investigating officer and the agency to achieve a thorough and impartial investigation. Learning points include an external provider recognising the need to improve on recording practice.
- 4.4 The SSI are currently consulting as too most reliable way to achieve a comprehensive complaints procedure such as the one we have implemented.

5. Improving the opportunities for users and carers to make ‘comments, complaints and compliments’.

- 5.1 A key development agenda concerns the importance of ensuring that the Complaints Procedure is easily understood and accessible to children, young people and adults. This has been highlighted in the SSI Inspection Report and forms part of the Quality Protects Management Action Plan.

As noted in paragraph 2.4 Looked After Children will be directly involved in work to improve the complaints procedures for use by young people.

The *Waterhouse Report* highlights the importance of young people having every possible opportunity to raise concerns and being supported throughout the process.

- 5.2 There are a number of ways in which people can comment or raise concerns without necessarily making a complaint. We have already revised our general complaints leaflet and this now titled '*Comments, Complaints and Compliments*'

The new leaflet provides clear information about each stage of the complaints procedure and includes a pull out form with SAE on which users /carers can record their concern, complaint or compliment. This will be issued and explained to parents and adults at the start of their service. Children and young people also receive leaflets suitable for their age group with regular updates throughout their time in care.

6. Making sure we receive feedback from users of our services.

- 6.1. In February/March 2001, in line with the Department of Health requirement, the department will be surveying all adults who were assessed in November 2000 and went on to receive a service. This is an opportunity to ask more detailed questions about user's and carer's experience of services.
- 6.2. The Department of Health requires two compulsory questions to be asked and they relate to the performance framework indicators identified in 2.5d and 2.5e. The survey will give sufficient scope to allow a number of other questions relevant to Social Services provision to be asked. These will be determined locally. The results will be reported in the next annual report on Complaints, Compliments, and User/Carer Satisfaction.)
- 6.3. Satisfaction levels of those making a complaints is included in the Best Value Audit Commission Performance Indicators and will be reported on next year.

Background information referred to by the authors whilst compiling this report.

Standards Used by the Social Services Inspectorate volume 1.
General Social Services Policy and Training 1995.

Annual Report on Complaints 1998/9 – report to the Social Services Sub- Committee
on September 9th 1999

Complaints Register for Stage 1, Stage2 and Stage 3 Complaints held by the
Standards Unit.

Social Services ‘Open to Complaint’ Procedure(April 1997) SSBN 96H 101

‘Lost in Care’ Report of the Waterhouse Tribunal of Inquiry. June 2000

‘Listening to People’
A Consultation on Improving Social Services Complaints Procedures
Department of Health June 2000

Children’s Services in Hertfordshire Quality Protects
Second Management Action Plan 2000/2001

Social Services Inspectorate Inspection of Children’s Services Action Plan.
December 1999

Modernising Social Services Department of Health 1998

PSS User Experience Survey - What needs doing for 2000/2001
Department of Health July 2000

If you would like to know more about the issues covered in this report please contact:

- Meg Carter, Complaints Manager (telephone 01707 280679) or
- Angela Sewell Policy Officer User & Carers (telephone 01707 280761)