

# HEALTH AND SOCIAL CARE OVERVIEW AND SCRUTINY COMMITTEE



Report subject	<b>Adult Social Care – Compliments, Complaints and User Feedback – Annual Report 2018/19</b>
Meeting date	18 <sup>th</sup> November 2019
Status	Public Report
Executive summary	<p>Adult Social Care has a statutory responsibility to produce an annual report on complaints received, issues that have been raised and any action that has been taken to improve services. Adult Social Care encourages feedback from a range of sources including complaints, compliments, comments, surveys, consultations and engagement to improve services.</p> <p>This report provides a summary of feedback and learning from the two predecessor Councils of Borough of Poole and Bournemouth Borough Council and their respective annual reports covering the period 1<sup>st</sup> April 2018 to 31<sup>st</sup> March 2019.</p> <p>The report also provides an overview of how the service is now organised for Adult Social Care on behalf of BCP Council.</p>
Recommendations	<p><b>It is RECOMMENDED that:</b></p> <p>i) <b>Consider and note the information contained in this and accompanying reports.</b></p> <p>ii) <b>Consider and note any actions or issues to consider for the forward plan</b></p>
Reason for recommendations	<p>Adult Social Care has a statutory responsibility under the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 to report complaints and other representations about Health and Adult Social Care. Councils and NHS bodies are required to produce an annual report about complaints received, issues that have been raised and any action that has been taken to improve services.</p>
Portfolio Holder(s):	Cllr Lesley Dedman, Portfolio Holder for Adults and Health

Corporate Director	Jan Thurgood, Corporate Director, Adult Social Care
Contributors	<p>Ellen Miles, Complaints Manager  📞 01202 458953 ✉️ Ellen.miles@bcpcouncil.gov.uk</p> <p>Nicky Mitchell, Quality Assurance Team Manager  📞 01202 261060  ✉️ Nicky.Mitchell@bcpcouncil.gov.uk</p>
Wards	All
Classification	For Recommendation

## **1. Background**

- 1.1 Adult Social Care has a statutory responsibility to produce an annual report under the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 to report on complaints received, issues that have been raised and any action that has been taken to improve services.
- 1.2 Prior to 1st April 2019 the councils previously serving Bournemouth, Christchurch (Dorset County Council) and Poole had their own respective Adult Social Care customer feedback services in place and each produced an annual report to advise on themes, learning and improvements resulting from the voice of the user.
- 1.3 This report provides a summary of the feedback and learning from two of the predecessor Councils of Borough of Poole and Bournemouth Borough Council and their respective annual reports covering the period 1<sup>st</sup> April 2018 to 31<sup>st</sup> March 2019 are included at appendix 1.

## **2. Summary of key findings**

- 2.1 For Bournemouth **114** complaints were received during the reporting period compared to **70** complaints for Poole. Of those complaints Bournemouth received 11 enquiries from the Local Government and Social Care Ombudsman (LGSCO), 5 of which went on to be investigated two were upheld and one partially upheld. Poole received 3 enquiries in 2018/19 with two being upheld and one not upheld.
- 2.2 Dorset County Council have previously managed complaints on behalf of the Christchurch locality, they received 3 complaints during the reporting period. At time of writing an annual report on complaints was not available for Dorset.
- 2.3 Complaint themes across Bournemouth and Poole all highlighted communication and perceived standard of service and professional practise as being the most common concerns. Trends around finance and charging were also highlighted. Nationally the LGSCO reported assessment and planning, charging and safeguarding were their most common themes for complaint.
- 2.4 Complaints upheld or partially upheld for Bournemouth were at 42% and Poole was 51%. The national average reported for by the LGSCO was 66%.
- 2.5 Organisational learning has been developed from customer feedback where possible. Details of learning from feedback can be found in the annual reports for the respective legacy Councils at Appendices 1 and 2. The learning from the legacy authorities is now being shared across the whole of Adult Social Care.
- 2.6 In relation to compliments 98 were received for Bournemouth and 40 for Poole.

## **3. Customer Feedback arrangements for Adult Social Care as BCP Council**

- 3.1 From 1<sup>st</sup> April 2019 the Bournemouth Customer Feedback team has absorbed and managed incoming feedback around Adult Social Care service delivery in Christchurch. The Bournemouth and Poole teams are now aligning their service delivery and will become 1 team across BCP Council from April 2020.
- 3.2 The teams now record activity against the same complaint themes and complaints training is being reviewed and an online learning module is now accessible for all BCP staff.
- 3.3 For 2019/20 bespoke learning workshops will be rolled out using both Bournemouth and Poole customer feedback to drive service delivery improvements.
- 3.4 Performance, statutory surveys and customer engagement are all in the process of being aligned for Adult Social Care. This work along with complaints, will feed into a Quality Assurance and Standards Framework that is currently being developed which will enable the organisation to have a clear line of sight into how it is performing with the voice of the user being central to this work.

#### **4. Summary of financial implications**

- 4.1 Financial payments can be made as a result of a complaint if this redress is considered appropriate. Any costs in this respect are accepted as the responsibility of the Social Care service. Financial redress can be offered at any point within the process if relevant or can be recommended by the LGSCO. In 2018/19, a total of £621.84 was required to be waived from recommendations from the LGSCO.
- 4.2 There are costs of employing independent investigators for complaints in Bournemouth and Christchurch, however they are only used in exceptional circumstances. The use of any independent investigators are always agreed by the service prior to commencement

#### **5. Summary of legal implications**

- 5.1 The statutory framework for complaints about adult services are:
  - the NHS and Community Care Act 1990
  - the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.
- 5.2 Alongside this, government guidance are also relevant including Getting the Best from Complaints (DfES 2006).
- 5.3 The guidance requires the complaints function for Social Care to be at 'arms length' from the operational delivery.

#### **6. Summary of equality implications**

- 6.1 Many of the service users of adult services will be vulnerable, or from potentially disadvantaged groups. The complaints process is a vital part of the Council's quality

assurance function to ensure all service users receive fair treatment and reasonable adjustments.

- 6.2 The Complaints Service will ensure complainant's individual requirements are supported, for example through interpreting services or by advocacy services.

**7. Summary of risk assessment**

- 7.1 The Complaints Service manages complex, high risk complaints which if not effectively managed could result in scrutiny by the Local Government and Social Care Ombudsman, Central Government, CQC or through the courts via judicial review. The implications of this scrutiny could negatively affect the Council's reputation and result in major financial costs.
- 7.2 Practice issue complaints can include elements of safeguarding which require effective management and proactive action. The Complaints Service must be able to recognise these issues when they arise within a complaint context and action them appropriately.

## **Appendices**

Appendix 1 – Adult Social Care – Compliments, Complaints & Customer Feedback – Bournemouth Annual Report 2018/19

Appendix 2 – Customer Opinion and Organisational Learning in Adult Social Care – Poole Annual Report 2018/19