

WESTMINSTER CITY COUNCIL

ANNUAL COMPLAINTS REPORT

1ST APRIL 2014 TO 31ST MARCH 2015

**DRAFT – Pending approval from
ALT and Cabinet Lead**



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Introduction

This report provides information about statutory complaints made between 1 April 2014 and 31 March 2015 under the Adult Social Care Services and NHS Complaints regulations, 2009.

The report highlights how various services within Adult Social Care (ASC) services have performed in line with key principles outlined in the complaints regulations. Learning and service improvements that have been made as a result of responding to complaints are also discussed, as are plans for further service developments.

The Customer Feedback Team (CF Team) is responsible for recording, managing and analysing all statutory complaints and feedback in ASC as well as comments and compliments for the Westminster City Council (WCC).

The Customer Feedback Team

All statutory complaints, compliments and any feedback are managed within the CF Team. The team works closely with the ASC executive support staff and the Corporate Complaints Teams for the Council in order to ensure that any crossover complaints (complaints across different organisations) and all Local Government Ombudsman (LGO) investigations are handled appropriately. The CF Team mostly works with the operational teams to ensure, where possible, responses provided to complaints are delivered on time, are factual and answer the complainants concerns or provide an explanation around service delivery. The CF Team consists of three full time staff members, working across three partner boroughs, (LBHF, RBKC and WCC).

The complaints process

The Department of Health (DoH) defines a complaint as, “an expression of dissatisfaction or disquiet about the actions, decisions or apparent failings of a councils adult social care provision which requires a response”- The Council definition.

Anyone who has received a service, is currently receiving a service or is seeking a service from us can make a complaint. This includes anyone who is affected by decisions we may make about providing social care, including a service provided by an external provider acting on behalf of the Council. In such a case you can complain directly to the provider or to the CF Team. External providers are required to have their own complaints procedures and must comply with them. They are also required to share information on complaints and outcomes with the Council. The CF team or person handling your complaint should try to resolve your concerns in the first instance, If you are still unhappy and we are not able to resolve your concerns to your satisfaction, you can ask the LGO to review the way we have dealt with your complaint. When we receive your complaint it is logged and acknowledged in writing within three working days. A plan of how the complaint will be dealt with will be agreed with the complainant including the time-scales for providing a response. The CF Team conducts a risk assessment for each complaint to determine how it should be handled. Complaints are graded into four risk categories:

- low
- moderate
- high
- extreme

Complaints that fall between low and moderate risk are dealt with by the service manager concerned and is usually resolved through meeting with the complainant and a paper review or an internal investigation followed by a written response. Those that are deemed to be high or extreme risk are usually investigated by independent investigating officers who submit their findings to the Council, followed by a letter along with the report to the complainant from the Adjudicating Officer - usually a Director. In other cases, some complaints may need to be passed on to the Safeguarding Leads as appropriate, where the complaints process may be suspended, in order to allow the safeguarding process to be completed.

The Council will try to resolve the complaint as soon as possible, and no later than within 10 working days. If delays are expected, the complainant is consulted and informed appropriately. All responses, whether or not the timescale has been agreed with the complainant, must be made within six months of receiving the complaint. In exceptional circumstances, an investigation may take longer and this will be discussed with the complainant.

In cases where the complaint is across several organisations, one organisation will act as the lead and co-ordinate a joint response to the complainant. The Council has one opportunity to provide a formal response which must set out the right to approach the LGO should the complainant remain dissatisfied.

Summary of activity and demand

The total number of people that received an adult social care service during the year was 6,373. The table below highlights key ASC activity;

Table 1 – Breakdown in ASC activity

Category	Number in 2014/15
New referrals	4,592
New assessments	3,024
Reviews	3,774
Customers	6,373

When looking at the total numbers of residents receiving support from the department, approximately 1% of these customers or someone acting on their behalf raised a complaint about a service that they received.

Compliments

Customers and their representatives are encouraged to tell us if they are happy with their care or would like to highlight a good service. People can complete the feedback form as well as contact the relevant social care team or the CF Team to express their praise. There has been a drop in this number this year and the CF Team will remind staff and managers to make sure that all compliments are passed to the CF Team so that good practice can be recorded and reported across the department.

Table 2 – Compliments over last three periods

Year	No of compliments
2012/13	8
2013/14	21
2014/15	11

Some examples of the compliments received this year are;

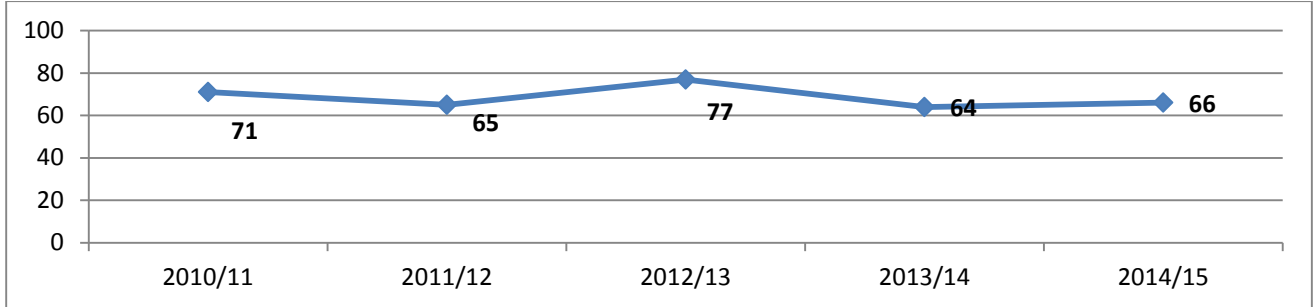
“I wanted to take this opportunity to commend the team for the excellent care and attention for our mother. We are particularly impressed with the various safety measures (pressure mattress, flood and fire alarms). Plus of course daily care visitors and meals on wheels. The relentless and inexorable deterioration that occurs in this tragic condition touches so many who are involved in the sufferer's care. Their dedication and commitment is truly remarkable. I would sincerely like to thank you for attending to my mother. I really appreciate the care, compassion and peace of mind you and your team provide”

“All my carers were absolutely excellent! They were most appreciated and necessary. Their approach and effort was first class. It was so good to see the organisation working so well!”

Detailed complaints activity for 2014/15

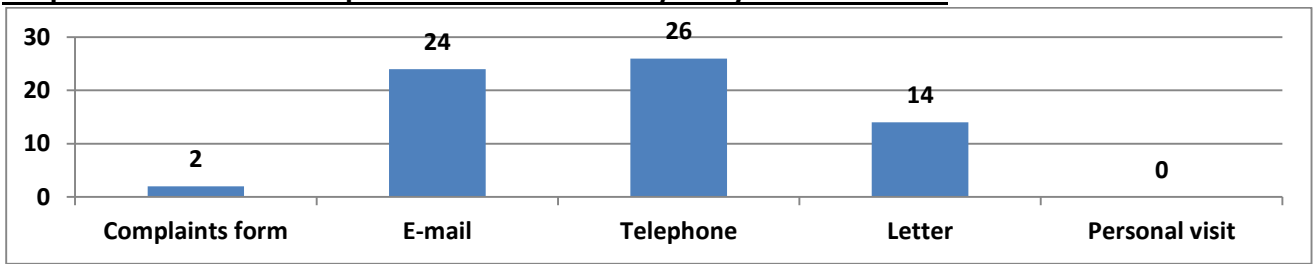
While we appreciate positive feedback we also understand that sometimes things go wrong where customers become unhappy with the support they have been provided. In this case, they and/or their relatives/carers/advocates are encouraged and advised to raise concerns with the CF Team. The CF Team recorded 66 formal complaints in 2014/15. This number shows a 3% increase on the previous year.

Graph 1 – Number of complaints received over 5 periods



There is not much difference in the numbers compared to last year, however it can be reported that majority (68%) of the 66 complaints were received during quarters 3 and 4. The CF Team continues to actively work with providers, community organisations and care management teams to encourage customers to talk to us about any aspect of their care and support.

Graph 2 – Number of complaints received in 2014/15 by various modes

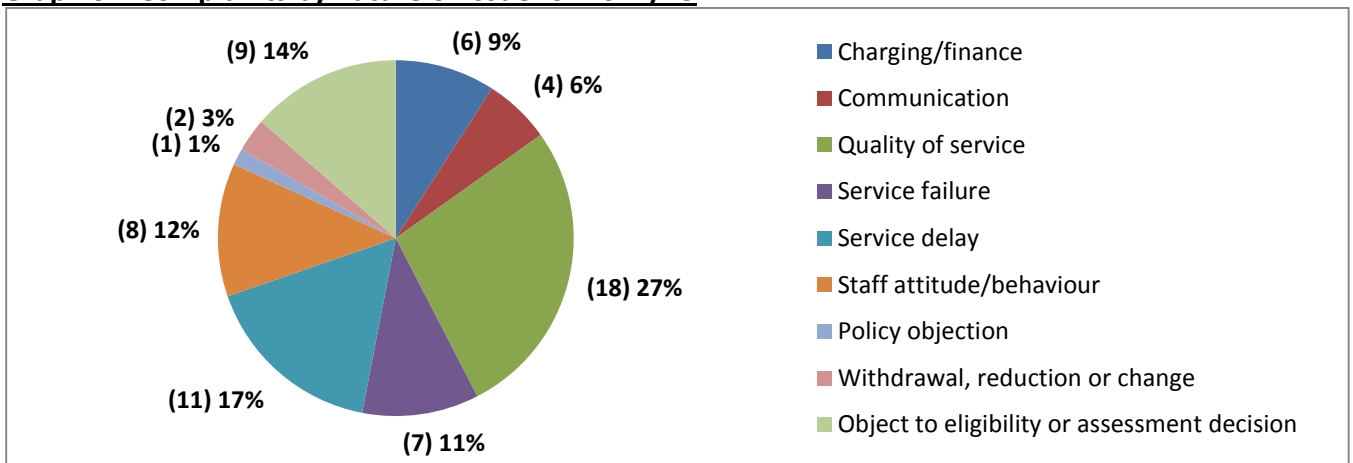


Most complainants prefer contact by e-mail and telephone, as it allows people to impart as much information as possible. The telephone contact is an easy access route, especially with the free phone number, which is advertised heavily, and allows people to get their concerns across sooner. The complaints forms remain the least favourite route for people, however they do get picked up by customers as they have valuable information about the process and access to the CF Team.

Nature of issue

Graph 3 shows a breakdown of the complaint received by nature of issue. If you would like to see a detailed breakdown by team of this information, please see Appendix 1.

Graph 3 – Complaints by nature of issue for 2014/15



As can be seen the majority of complaints have been about the quality of the service or service delay.

Complaints activity by team

The table below shows a detailed look in the complaints activity by all the teams. The care and assessment teams collectively have received the highest (40%) number of complaints. These teams see the most number of customers, therefore this should be considered when looking at the percentage distribution. 12% of complaints received were against external homecare providers, this is less than half of those received last year.

Table 3 – Complaints activity by team for 2014/15

Teams	Complaints received	Percentage	Outcome				Ongoing
			Upheld	Not upheld	Partially upheld	w/drawn	
Access	6	9%	0	4	2	-	-
Adults North East	9	14%	1	4	4	-	-
Adults North West	5	8%	1	3	0	1	-
Adults South	12	18%	0	7	4	1	-
Hospital Discharge Team	3	5%	2	0	1	-	-
Older People's Mental Health Team	2	3%	0	0	2	-	-
Re-ablement & OT Service	8	12%	3	4	1	-	-
LD Partnerships	4	6%	1	3	0	-	-
Homecare	8	12%	2	3	3	-	-
Commissioned services	4	6%	0	0	4	-	-
Substance use	1	1%	0	1	0	-	-
EDT	1	1%	1	0	0	-	-
Finance	3	5%	0	2	1	-	-
TOTAL	66	100%	11	31	22	2	0

The Council and the agencies work in partnership to handle these complaints and ensure that action is taken to ensure complete resolution of the complaint, improvement in service and prevention of recurrence of the issue.

Complaints activity by demographics

This section captures data on demographics for all customers who have made a complaint themselves or had a representative raise a complaint on their behalf. We have tried to compare the data presented last year with this year and work is ongoing to ensure the complaints process is accessible to all and that under-represented groups can be targeted. Table 5 shows the number of complaints received by WCC against different demographic categories.

Table 5 – Complaints by age, gender, ethnicity and disability

(a)

Age	WCC (2013/14)	WCC (2014/15)
18-64	23 (36%)	24 (36%)
65-74	13 (20%)	7 (11%)
75-84	15 (24%)	15 (23%)

Over 85	13 (20%)	20 (30%)
TOTAL	64 (100%)	66 (100%)

In Westminster, the age of majority of the customers, 57% are 65 or over. The number of complaints made by or on behalf of services users from this age group is recorded at 64%, which is in line with the customer population. Further analysis shows that only 1% of total customers over the age of 65 have complained to the Council about a social care service they receive.

(b)

Gender	WCC (2013/14)	WCC (2014/15)
Male	21 (33%)	19 (15%)
Female	43 (67%)	47 (85%)
TOTAL	64 (100%)	66 (100%)

The majority of the customers in WCC are female (55%), however 85% of complainants in WCC have been women.

(c)

Ethnicity	WCC (2013/14)	WCC (2014/15)
White – British	27 (42%)	42 (64%)
White – Irish	4 (6%)	0
White – Other	5 (8%)	3 (4%)
Black or Black British – Caribbean	1 (2%)	6 (8%)
Black or Black British – African	2 (3%)	2 (3%)
Black or Black British – Other	0	-
Asian or Asian British – Bangladeshi	0	1 (2%)
Asian or Asian British – Indian	0	1 (2%)
Asian or Asian British – Other	4 (6%)	1 (2%)
Mixed - White and Black Caribbean	1 (2%)	1 (2%)
Arab	0	5 (6%)
Not stated	9 (14%)	4 (6%)
Other	11 (17%)	-
TOTAL	64 (100%)	66 (100%)

The majority of the customers in WCC describe their ethnicity as White British. The percentage of this group is 45% and the complaints received 64%, which is significantly higher than the 42% of last year. However, we recognise that there may be a need to engage with Black Minority Ethnic (BME) groups and community groups to ensure they are aware of how to feedback any concerns they may have about services they receive by making links with community groups and attending any relevant events.

(d)

Disability	WCC (2013/14)	WCC (2014/15)
Physical disability, frailty & sensory impairment	43 (67%)	46 (70%)
Social support	n/a	6 (9%)
Learning disability	4 (6%)	4 (6%)
Mental health	10 (16%)	6 (9%)

Other vulnerability	4 (6%)	-
Substance use	0	-
Not recorded	3 (5%)	4 (6%)
TOTAL	64 (100%)	66 (100%)

54% of customers in the borough are recorded to have a physical disability this year, which is very slightly lower than last year. In relation to complaints 70% customers that have had a complaint logged about their care fall under this category. However, this year a new category “social support” has been added to the social care system which accounts for 9% of total complaints in WCC. Statistics also show that only 1% of customers with a physical disability have made a complaint. This could suggest that more support is required for clients in this group to access the complaints process. Our statistics show that 8% of our customers this year have a learning disability (LD). In terms of complaints only 6% of the 66 complaints fall under this category. The new LD customer feedback form that will be in circulation later this year will help to raise awareness and access to people who may want to raise concerns.

This analysis will inform the way the CF team will engage and promote the work they do amongst all customers and their representatives. The CF team will work closely with commissioning, procurement, voluntary organisations and community groups to ensure all customers understand the process and can ultimately inform service provision decisions.

Outcomes

There are three main categories for classifying the outcome of a complaint;

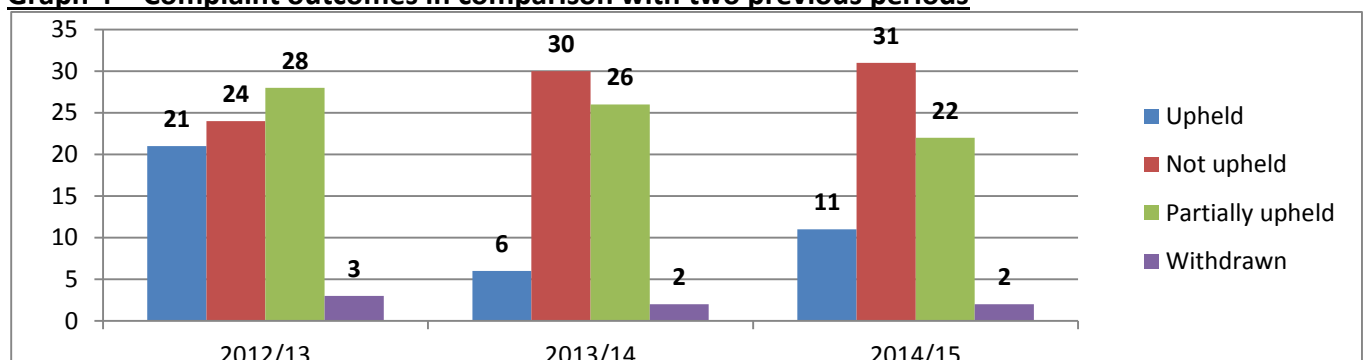
“Upheld” – This is where the Council has accepted responsibility for the matter arising. This is followed up with a detailed letter of apology and clarification with reasons and remedies and actions to ensure such a complaint does not recur.

“Partially upheld” – This is where the Council accepts some responsibility for part of the complaint. A response outlining the part that is upheld is sent, stating any reasons and proposed remedies.

“Not upheld” – This usually means that the investigation into the complaint has not found the Council at fault. This is explained carefully and thoroughly in writing with appropriate reasons for this conclusion.

Graph 4 shows the outcome of all complaints that were made to ASC, and comparisons with previous two years. Exactly half of the complaints received have been either fully or partly upheld which is consistent with last year. The teams ensure that they learn from complaints to ensure that the problem does not recur with other customers.

Graph 4 – Complaint outcomes in comparison with two previous periods



Local Government Ombudsman activity

Table 4 shows the number and type of correspondence received from the LGO in relation to the Adult Social Care complaints.

Table 4 – LGO investigations and outcome for 2014/15

Type	No of complaints	Outcome		
		Upheld/ Partial upheld	Not upheld	Still active
Premature complaints	0	-	-	-
Complaints investigated by the LGO	4	1	3	-
TOTAL	4	1	3	0

There were no premature complaints. There were four cases investigated by the LGO. These cases were about Occupational Therapy Services, Care and Assessment Services, Access Team and Financial Assessment Team respectively.

The investigations have been completed and the cases have been closed. One was partially upheld and the recommendations for the case have been implemented including financial recompense.

The number of complaints investigated by the LGO in 2014/15 has decreased by 1 compared to last year. The trend pattern is difficult to evaluate as the number of cases are very low and the LGO exercises its discretion, as to whether or not a complaint they receive will be subject to a full investigation. All complainants are referred to the LGO at the end of the Council's complaints process so they are aware of their option to escalate the complaint if unhappy with the outcome.

Customer feedback

The role of the CF Team extends to recording general enquiries and feedback about services within Adult Social Care. In 2014/15 the CF Team has dealt with 18 such cases.

These have been about a variety of issues. Some of these are service requests, requests for information, suggestion for improvement to services and/or informal complaints. These can be about social care assessments, homecare, external providers and mental health services.

The CF Team responds to these within 10 working days and where appropriate will write to the person raising this feedback with a response.

To quote an example, the CF Team received written correspondence from a customer about a support plan that had been sent to him to check, sign and send back. The customer raised concerns about the social work team as they incorrectly referred to a friend as his carer in the support plan. The customer did not want to formalise the relationship and the records were amended and resent immediately.

Independent investigations

An independent investigation may be initiated for very high risk or complex complaints. There have been no independent investigations for WCC this year.

Members enquiries

All Member enquiries are managed and recorded by the executive support staff. In 2014/15 the number of member enquiries for the Westminster City Council was 149. The CF Team liaise with the executive support staff to ensure that if a Member enquiry raises concerns about an ongoing or new complaint the correct process can be applied and all parties are informed.

Corporate complaints

The Council recorded 3 corporate complaints. These are complaints that are received by the service; however the issues being raised are outside the jurisdiction of the ASC complaints regulations. The complaints were against a mixture of the teams and were about low risk issues. They were all responded to within 10 working days and closed.

Financial recompense

In this financial year in recognition of inconvenience and distress, a payment was made to a customer amounting to £150.

Learning from complaints

Learning from complaints provides opportunities for services to be shaped by customer experience. 'Learning from complaints' is an increasingly important part of the ethos within adult social care and managers responding to complaints/representations are encouraged to identify any shortcomings within the service and to inform the customer of any actions which will be taken to prevent a recurrence of the event which led to the complaint. The role of the CF Team is to ensure that service managers transform learning from complaints into service improvements. Below are some examples of lessons that have been learnt and some service improvements that have been made as a result.

- A complaint about an assessment outcome led to review and although the outcome of the assessment could not be altered a carer's assessment was offered to further support the family.
- A complaint against commissioned services was raised where the customers' expectations had been raised by ASC staff about home care providing domestic tasks at 9 am. The matter was clarified and staff were reminded that homecare agencies cannot provide domestic support during the morning slots.
- A joint complaint against Adult Social Care and Children's Social Care Services led to a situation where two separate complaint responses were sent out due to difference in level of service being sought. Although this was unavoidable at the time a protocol has been agreed in principle with the Children's Complaints Team to ensure all joint complaints receive a joint response by a mutually agreed timescale.
- A homecare complaint identified issues with care staff in recording care task details. This was reported back to the agency and the agency has been monitoring this and has not received any further complaints on this issue.
- Contact with a front line ASC team identified some communication issues, which were dealt with by manager in a team meeting to ensure correct and appropriate information is recorded.

- Following a complaint the manager raised it with the front line staff concerned as part of their work plan. The advisor was given further coaching and training and was monitored for a period of two weeks following the complaint (in which time, there were no further issues of this nature reported). All process documents and scripts used were reviewed and some amendments to these were made to make sure they were clear to follow. The incident was also communicated to all advisors as an example of what can happen if systems are not properly checked.

In addition the CF team is conducting work in the following areas in line with the priorities for 2014/15;

- Customer Satisfaction Survey – The CF Team started sending these surveys out to all complainants this year. Based on the completed forms we are receiving, which is a low number for now, we know that some people remain worried about repercussions to making a complaint and are daunted by the process. As the numbers for complaints are going up for the Council we will continue to promote accessibility to the service and ensure we speak to our customers especially vulnerable groups to encourage them to raise their dissatisfaction with any service in confidence.
- Care Act 2014 – The Care Act 2014, emphasises the role of carers; this may result in more feedback from carers. To encourage this and provide increased opportunity and accessibility the CF team has revised all information in the public domain. The material will also have up-to-date information about advocacy services available to our customers and encourage people to contact us in confidence to raise concerns whether positive or negative about a service they receive. The Team is developing links with all advocacy agencies working within the borough to ensure we have good working arrangements in place.
- Barriers to complaints – As stated above, we also often hear from operational staff and partner organisations that our customers do not feel comfortable in raising complaints for a variety of reasons. We have conducted a short survey with partner agencies from across health and voluntary sector to find out what these may be and how we can improve access to complaints and encourage people to contact us to share their feedback and trust that we will ensure that if it can, it does lead to a service improvement.
- Mediation – in light of changes to the Children’s Act that came into effect in September 2014, there is a role for this team to provide assistance to young adults between 16 and 25. To this end, we have participated in developing a set of roles and responsibilities for our team within this process and making sure that young adults and/or their parents/carers still have access to statutory complaints process.

Priorities

2014/15 has proved to be another busy year for the CF Team. The team was able to work on most of the priorities set for the year. They have also continued to handle statutory complaints, feedback, LGO investigations and any other correspondence. In doing so, it has ensured that deadlines are met and that the quality of the response has consistently improved. This year, the team has seen more complaints, experienced more contact from customers and their representatives and noted that the issues being raised have been more complex. The team has tried to ensure services make informed changes to deliver improved services for our customers. The team will continue to fulfil this role and in addition, it has set itself the following priorities for the current financial year;

- Continue to promote the CF Team across all services as well as Adult Social Care operational teams, ensuring that staff are familiar with the procedures and are fully equipped with effective complaints handling skills.
- Helping stakeholders and partners understand the complaints process including what a complaint is, consent issues, deadlines and what to expect from a response.
- Continue to encourage residents to report positive feedback and record and respond to compliments from customers and/or their representatives.
- Attending more customer events. This gives us a chance to engage with customers as well as promote our service. It also allows our main stakeholders to understand our work so that they can effectively support the customer, in the event of a complaint.
- Developing an appeals process as part of the Care Act implementation in line with any government guidance for the year 2016/17. The CF Team will be working with partners in the London Complaints Managers Group and participating in workshops with the Department of Health to develop a workable scheme.
- Working with colleagues on the new arrangements for Advocacy under the Care Act, which will widen the role of advocates to make representations for customers.
- Strengthening links with commissioning and procurement services in order to capture and share customer insight by developing a reciprocal arrangement with these teams to inform service development.
- Developing a clear protocol for handling feedback that needs to be handled jointly by Health and Adult Social Care.
- Developing a quality audit tool to ensure complaints are resolved to satisfaction and more can be learnt from something that goes wrong in the organisation.
- Analysing data from customer satisfaction surveys to improve customer experience.
- Liaising with the homecare implementation group to ensure homecare arrangements are well understood and where customers know how they can report dissatisfaction, especially in terms of the upcoming changes to homecare delivery this year.
- Continuing to push forward a learning culture throughout the organisation. We will continue to do this by ensuring learning is followed up by simple action plans with the service managers at the time the complaint is closed and that this information is appropriately recorded.

Appendix 1 – Breakdown of complaints issues by team

Teams	Complaints categories	Charging/finance	Communication	Quality of service	Service failure	Service delay	Staff attitude/behaviour	Withdrawal, reduction or change in service	Policy objection	Object to eligibility or assessment decision	TOTAL
Access		-	-	1	-	1	1	1	1	1	6
Adults North East		1	1	2	1	2	1	-	-	1	9
Adults North West		-	1	1	-	-	1	-	-	2	5
Adults South		1	2	1	-	1	3	-	-	4	12
Hospital Discharge Team		1	-	-	2	-	-	-	-	-	3
Older People's Mental Health Team		-	-	1	-	1			-	-	2
Re-ablement & OT Service		-	-	-	1	5	1	-	-	1	8
LD Partnerships		-	-	3	-	-	1		-	-	4
Homecare		-	-	6	2	-	-	-	-	-	8
Commissioned services		-	-	2	-	1		1	-	-	4
Substance use		-	-	1	-	-	-	-	-	-	1
EDT		-	-	-	1	-	-	-	-	-	1
Finance		3	-	-	-	-	-	-	-	-	3
TOTAL		6	4	18	7	11	8	2	1	9	66