

**Adult
Social Care**

**Compliments,
Comments, Concerns
and Complaints
Annual Report
2011-2012**



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Introduction

Overview

This report provides information about the comments, compliments and complaints received by adult social care during 2011-12.

Adult social care is part of the Adult and Local Services Directorate at Cumbria County Council and aims to arrange care and support services for adults aged 18 years and older to enable them to:

- be as independent as possible;
- have choice and control over their life;
- lead a healthier, safer, active and fulfilling life;
- have the same opportunities as everyone else; and
- play a full role in their community.

We work with adults who have physical disability, learning disability, sensory impairment, mental health needs and substance misuse issues, as well as people who care for others. We also support the transition of young people who are transferring from Children's Services to Adult Social Care.

The Adult and Local Services Directorate recognise that compliments, comments, concerns and complaints provide valuable feedback about peoples experiences which can be used to inform, develop and shape our services.

When people have complaints we will listen to them, and, wherever possible, will negotiate and agree a course of action to resolve the complaint. We will deal with complaints in a fair and transparent way, treating those who make them with courtesy and respect. We encourage comments and compliments as well as complaints, as part of our commitment to a process of continuous learning and improvement.

All local authorities with social services responsibilities as well as health trusts, GPs, dentists and ophthalmologists must by law make arrangements for dealing with complaints. The arrangements must comply with the statutory requirements as detailed in the Local Authority Social Services and National Health Complaints (England) Regulations 2009¹.

A personalised response to each complaint

The adult social care complaints procedure allows managers dealing with complaints to take a flexible and personalised approach. The complainant is put at the centre of the process and is expected to contribute to a resolution plan which sets out the nature of the complaint, identifies how the complaint can be resolved, by whom and how long it will take. The overarching aim of the procedure is to resolve matters to the complainant's satisfaction. The directorate policy is:

- To acknowledge every complaint within 3 working days identifying a named lead manager in every case
- For the Lead Manager to contact every complainant in person within 5 working days
- To agree a resolution plan identifying the exact nature of the complaint, what the person complaining would like to happen, and how the complaint is to be dealt with
- Encourage managers to take a flexible and creative approach to complaints
- Have a second manager involved in every complaint, to oversee the complaint and any investigation or actions agreed and to sign-off the complaint once everything possible has been done to resolve it
- Offer excellent customer service to people who wish to make their views known.

¹ <http://www.legislation.gov.uk/ukxi/2009/309/contents/made>

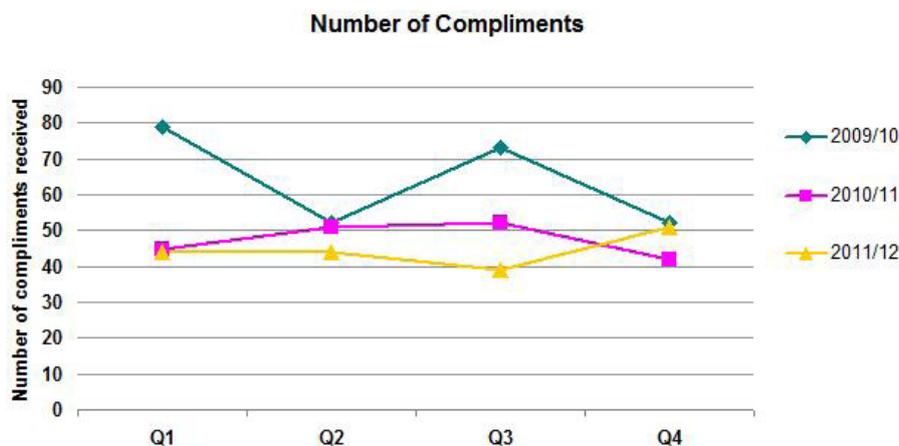
How many did we get

Compliments

During the year 1 April 2011 – 31 March 2012 Adult Social Care staff received a total of 179 compliments. This is a slight decrease on 2010-11 when we received 190 compliments.

Significant lessons can be learned from positive feedback. Many of the compliments received reflect the excellent care and customer service provided and are fantastic evidence of directorate staff treating customers and their families with compassion, dignity and respect.

The graph below shows the number received in each quarter for between 2009 and 2012.



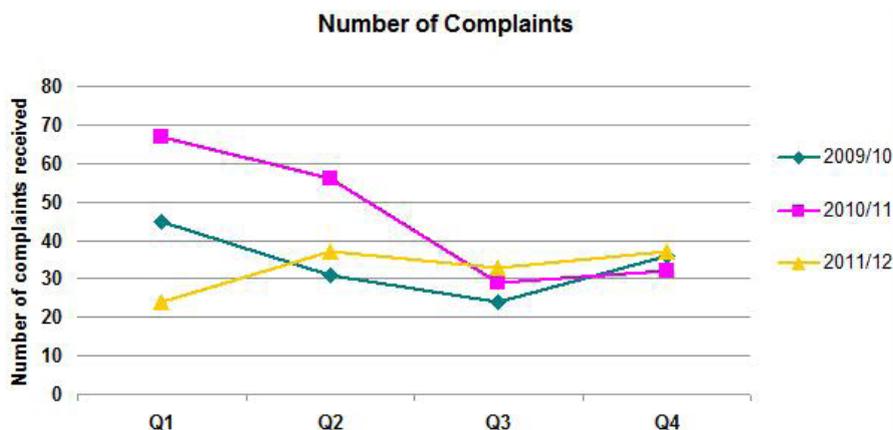
Complaints

Adult social care received 137 complaints in 2011-12. This is a significant drop (27%) from 2010-11 when we received 188 complaints.

Complaints can be considered under a number of processes dependent on what the complaint is about. Of the complaints we received:

- 88 were related to social care (including providers) and were considered under the statutory regulations;
- 16 involved adult social care and another organisation such as an NHS trust so were dealt with under the joint protocol;
- 33 were not related to services provided under our statutory duties in relation to social care so were considered under the Cumbria County Council corporate complaint process.

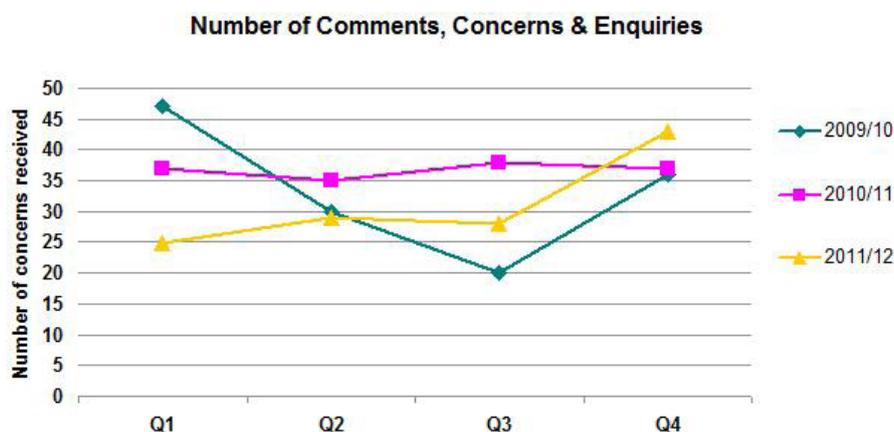
The graph below shows the number received in each quarter for between 2009 and 2012.



Concerns, Comments and Enquiries

It is important that people don't have to make a complaint in order to make their views known. In 2011-12 the Directorate received 129 concerns, comments and enquiries.

The graph below shows the number received in each quarter for between 2009 and 2012.



Numbers in context

During 2011-12 we provided support to over 17,000 people. The table below shows the number of complaints, compliments and concerns as a percentage of the people we provided support to.

The number of complaints as a percentage of customers remains fairly consistent from year to year, 1.08% in 2010-11 and 0.66% in 2009-10.

Number of customers receiving a service	17224
Number of complaints	137
Complaints as a % of customers	0.80
Number of compliments	179
Compliments as a % of customers	1.04%
Number of concerns	129
Concerns as a % of customers	0.75%

What did people say

Compliments

Due to changes in functions it is not possible to compare directly like for like with previous years. The chart below shows the range of service areas that customers made compliments about.

Function	2011-12 Number of cases
Social work support	58
Residential homes (Cumbria Care)	56
Day care (Cumbria Care)	24
Occupational therapy	9
Home care (Cumbria Care)	5
Blue Badges	5
Customer Support	4
Financial assessment and charges	4
Complaints	3
Client Affairs	2
Direct payments administration	2
Contracts	2
Equipment	2
Modernisation (Cumbria Care)	1
Community meals	1
Independent residential/nursing care	1
Performance	1
Transport	1

Here are just some of the compliments we received in 2011-12

Thanks for all the care that was given to my mother..... Your service was quick and responsive when it was most needed.

I have had excellent service from my social worker in getting me important aids to help me get around more easily.

Thank you very much to my OT for her part in providing me with a shower unit, this will enable me to stay at home in comfort for the rest of my life.

We would like to thank the Social worker for her professional care, understanding and patience in making it less stressful for my dad during his last days. Keep up the good work and be aware that people are grateful for all her input.

I would like to pass on my appreciation to member of the older adult team who looked after the needs of my mother-in-law, we felt very reassured by her guidance and help and made a very difficult time bearable.

I would like to the Finance Assessment Officer for the efficient manner in which she dealt with all our enquiries following mum's death and for being a friendly face and a sympathetic ear when we most needed one.

Thank you to all the staff for the recent support for their kind, courteous and helpful and first class way they looked after our mum during her recent short stay.

Many thanks to the Social Worker who has supported my son for many years, and especially through his transition period. I have found him to be realistic with his advice and professionalism; I have also found him to be someone that I could share my concerns with.

I have recently been visited by a Rehabilitation Officer and I found her approach very pleasant, she was so helpful with her suggestions and ideas, which has boosted my confidence. She is a great asset to your organisation.

Many thanks to the OT who has supported me over the years with her knowledge and commitment. Also for her speed in supplying the necessary equipment to make my life easier.

I would like to thank the home carers who look after me, they often go that extra mile and I have an excellent relationship with them. Their care enables me to live happily at home independently.

I would like to take this opportunity of thanking all the Day Care staff for their support and kindness over the past months/years.

Thanks to staff at Parkside who were professional, kind, patient, devoted and thoughtful in their care towards my mother.

We are grateful to all the staff who were caring, mindful of individuality of residents with a professional attitude and cared for mam lovingly maintaining her dignity throughout.

Many thanks to all the staff at Eskdale House for the care they give my mother on her stay, and a big thank you to the Carer who welcomed and settled mum in on her first day.

Thanks to all staff for care and happy times you have given to mum and support given to me.

Complaints

Due to changes in functions it is not possible to compare directly like for like with previous years. The chart below shows the range of service areas that complaints related to.

Following changes to the way we deliver services social care support now covers a wide range of community based services including older people, learning disabilities and occupational therapy. The proportion of complaints received relating to this area is reflective of the numbers of customers who receive these services.

Function	2011-12 Number of cases
Social work support	55
Blue Badges	13
Financial assessment and charges	12
Independent sector home care	9
Residential homes (Cumbria Care)	7
Home care (Cumbria Care)	6
Equipment	5
Occupational therapy	4
Client Affairs	4
Customer Support	3
Contracts	3
Independent residential/nursing care	3
Reablement (Cumbria Care)	2
Modernisation (Cumbria Care)	2
Transport	1
Independent sector supported living	1
Direct payments administration	1
Day care (Cumbria Care)	1

Concerns, Comments and Enquiries

In 2010-11 we saw comments, concerns and enquiries across a wider spread of functions. There was a 100% increase in the number of comments, concerns and enquiries in relation to the independent sector. This is likely to be reflective of the changes to contracts and for a number of customers a change of providers.

There was also a significant increase in the number related to finance and charges, including policy and direct payments. In 2010 Cumbria County Council introduced charging for day services and there were also changes to Fairer Charging.

Function	2011-12 Number of cases
Social work support	42
Contracts	11
Blue Badges	10
Residential homes (Cumbria Care)	10
Independent residential/nursing care	7
Independent sector home care	6
Equipment	5
Modernisation (Cumbria Care)	5
Financial assessment and charges	5
Supporting people	4
Home care (Cumbria Care)	4
Occupational therapy	3
Fees and charging policy	3
Safeguarding	3
Transport	2
Independent sector supported living	1
Client Affairs	1
Customer Support	1
Reablement (Cumbria Care)	1
Independent sector (day care)	1
Direct payments administration	1
Day care (Cumbria Care)	1
Community meals	1

Function	2011-12 Number of cases
Care Sector Alliance	1

Key concerns raised

When complaints and concerns are received the key issues are recorded to help the directorate identify the key themes and areas of concern for customers. The table below shows what those issues were as a percentage of the number of complaints.

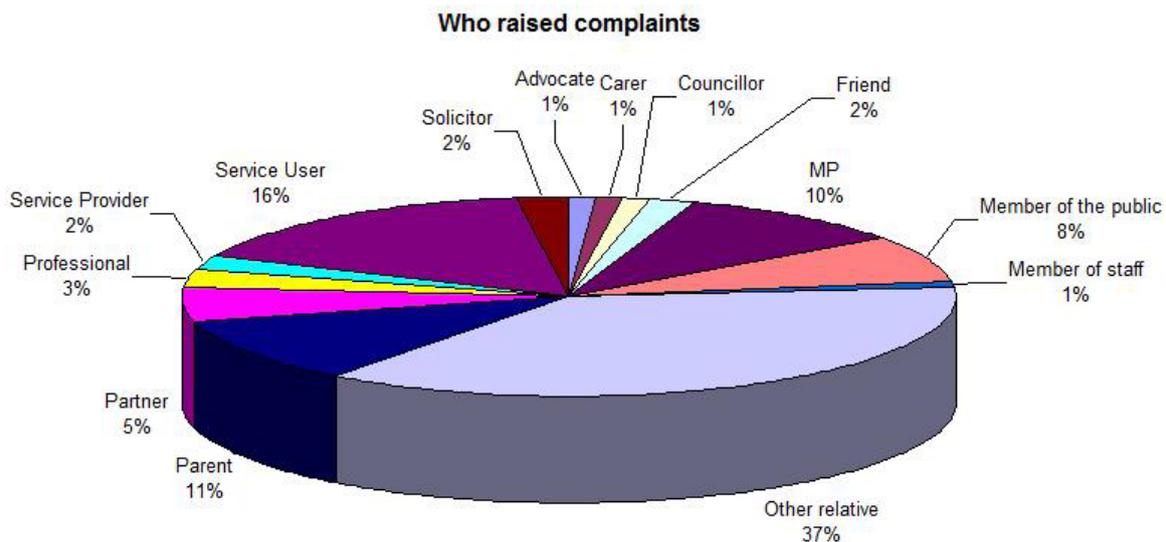
Key concern	2011-12 % of cases
Access to Services	17
Aids & Adaptations	7
Assessment, Care Management & Review	17
Building/Environment	2
Care Standards/Quality	12
Carer Issues	2
Charges	11
Communication & Info (including confidentiality)	25
Conduct of other person/resident/customer	2
Conduct/attitude of staff	23
Continuity of care	4
Contracting Issues	7
Delay	11
Dignity & Respect	5
Direct Payments & Personal Budgets	5
Funding/Resources	8
Mental Capacity	3
Policy or Procedure	11
Reablement	2
Records	2
Respite	1
Safety/Wellbeing	9
Transition	1
Unwanted Change	15

Who did they come from

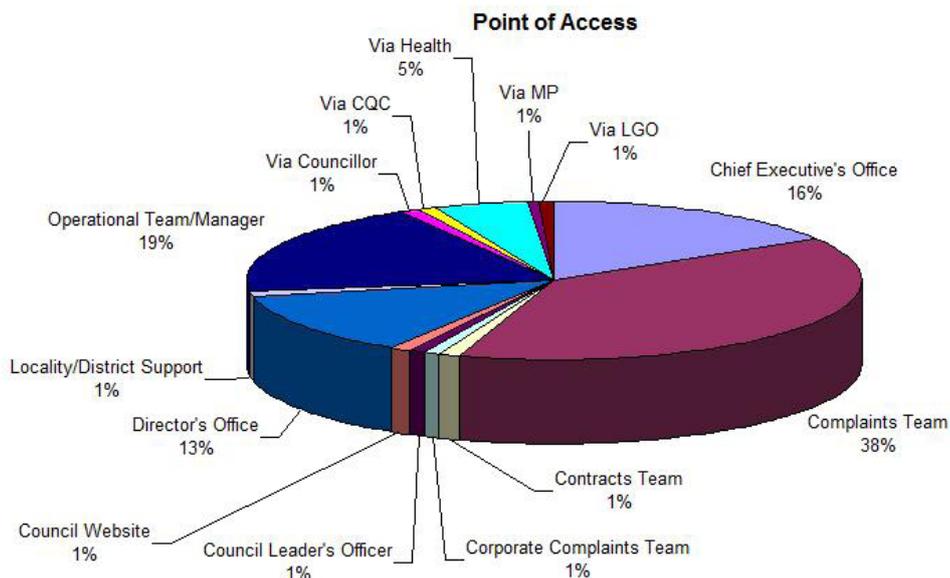
A complaint may be made by a person who receives or has received services from the directorate or any person affected or likely to be affected by our actions, omissions, or decisions. A representative of that person may also make a complaint. This could include relatives, friends, other professionals or legal representative. MPs or Councillors can also raise concerns or make enquiries on behalf of their constituents.

Information about advocacy support is provided to anyone who makes a complaint and in 2011-12 4 people were supported by an advocate. In percentage terms we have seen a decrease from 3% of complainants to 1%. During 2012-13 the complaints team will be reviewing the information for customers about complaints including advocacy support.

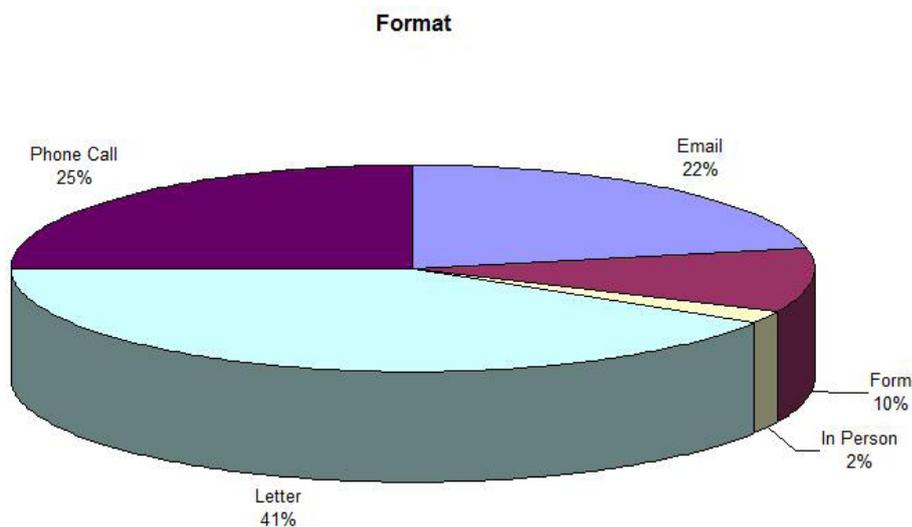
The chart below shows who contacted adult social care and in over half of cases this was a parent, partner, carer or other relative (54%). This is fairly consistent with previous years but we have seen a large decrease in the number of customers who contact us themselves, down from 30% to 16%.



Customers or their representatives can contact the directorate in a number of ways and in a number of places. The majority of complaints or concerns are raised directly with the complaints team or directly with the operational team. Almost a third of customers contact the council through the offices of the Leader, Chief Executive or Director.



Customers still prefer the more formal approach with 73% of complaints are made in writing, either by letter, email or on the complaints form. The figures are consistent with previous years.



Equalities Data

The Complaints Team use the equalities data recorded in IAS (our electronic social care recording system). We do not collect separate data. The following data relates to who was receiving the care or support the complaint, concern or enquiry is about rather than the person who makes a complaint on their behalf.

Of the complaints, concerns and enquiries we received regarding the care or support of identified customers, 174 customers had a pre-existing IAS record.

Age	Percentage raised a complaint, comments or concern (%)
18-64	30
65+	69
Under 18	1

Gender	Percentage raised a complaint, comments or concern (%)
Male	36%
Female	69%

Ethnicity	Percentage raised a complaint, comments or concern (%)
Any other mixed background	1
Asian British	0.5
White British	88.5
White Irish	2
Any other White	2
Info not yet obtained	6

Religion	Percentage raised a complaint, comments or concern (%)
Christian	40
Muslim	0.5
None	3
Other Religion	1
Refused	0.5
Info not yet obtained	55

Disability	Percentage raised a complaint, comments or concern (%)
Yes	12
No	0
No opinion	2
Info not yet obtained	86

Sexual Orientation	Percentage raised a complaint, comments or concern (%)
Heterosexual	30
Refused	3
Unable to answer	3
Info not yet obtained	64

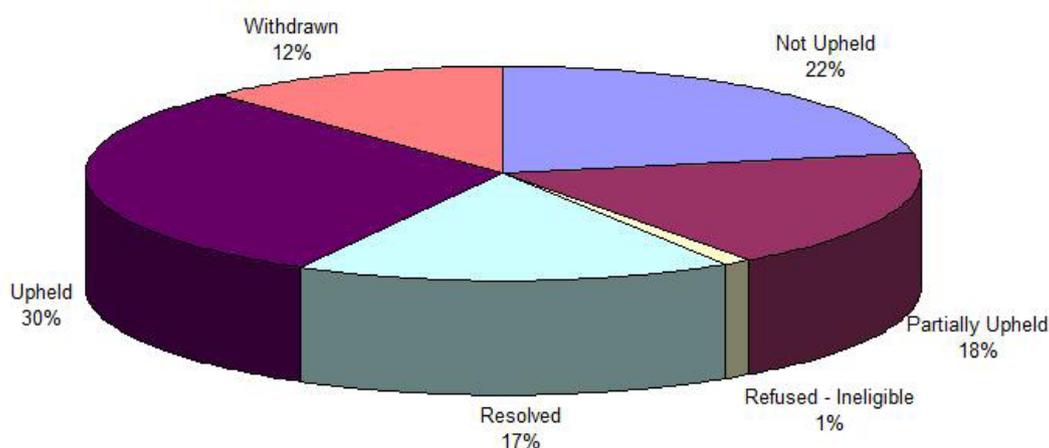
What happened

Adult social care managers have a range of options when it comes to dealing with complaints. The agreement about how best to resolve the issues raised should form part of the complaints resolution plan. The following table shows what primary action was agreed between the complainant and the lead manager for 2011-12 and the previous year.

Action taken by lead manager	2010-11 (%)	2011-12 (%)
Action by Lead Manager	42	21
Investigation by Lead Manager	20	15
Start, stop or change something	8	
Apology	3	9
Reassessment or review	5	5
Explanation	7	32
External investigation	2	1
Compensation or re-imburement	5	5
Other	3	
Resolved during initial conversation	5	6

Outcome of complaints

17% of complaints were able to be resolved at the meeting with an explanation and/or apology. 70% of complaints required further action such as investigation with almost half of the complaints upheld or partially upheld. We only refused 1% as ineligible e.g. we did not have the consent of the person receiving the care or support.



What did we learn

Following the completion of the complaints process managers are asked to identify any possible learning from the complaint, either for their own staff or team or with implications across the directorate. These are recorded and passed to the lessons learned group which agrees any actions the directorate needs to take, identifies further learning and monitors the progress.

Examples of learning include:

- Two complaints identified shortcomings in our procedures in dealing with the financial affairs of customers who had died and for whom the directorate had acted as appointee. As a result new guidance has been produced.
- Another complaint highlighted that staff were unaware of the council's policy relating to property and belongings. This policy was reviewed and has been updated and communicated to all staff.
- Following a complaint about a missed visit to provide domiciliary care changes were made to the way staff are notified about changes to their roster.

Keeping people safe and managing risk

All incoming complaints are subject to a written and recorded risk assessment by complaints team staff. This helps the directorate to respond proportionately to each complaint, according to the level of risk to individuals or to the organisation. It helps the team identify who is best placed to respond to each new complaint.

Carrying out an early assessment of risk also enables the complaints team to identify potential safeguarding cases more readily.

The table below shows the risk rating that the complaints team attached to each incoming statutory complaint following risk assessment. The directorate saw a drop in the number of complaints assessed as high risk and an increase of 22% in the number of cases assessed as low risk.

High: 4%

Medium: 40%

Low: 56%

In 18 of the complaints or concerns we received there were potential safeguarding issues identified and these were passed on to the relevant team for the appropriate action.

Local Government Ombudsman

Customers have the right to approach the Local Government Ombudsman (LGO) at any time to make complaints. The Ombudsman will normally pass the complaint back to the local authority if the complainant has not yet given the council an opportunity to resolve the complaint. The Ombudsman may also pass the complaint back to the council if they consider that there is more we can do to resolve the complaint.

The Ombudsman will contact the council should they decide that matter falls within their jurisdiction and wish to investigate it further. The Local Government Ombudsman may investigate complaints alone or jointly with the Health Service Ombudsman.

The following table shows the complaints made to, or determined by, the Local Government Ombudsman in 2011-12 and the ombudsman's decision.

Complaint About	LGO Decision
<p>Care and support</p> <p>Customer was moved from a care home to a health assessment unit without the proper involvement of his family.</p>	<p>Not to initiate an investigation</p> <p>Not appropriate for Ombudsman to investigate until the Council and NHS Trust have completed their joint investigation.</p>
<p>Care and support</p> <p>That there had been inadequate care and support provided to customer over a number of years by the Community Mental Health Team. Inadequate communication. Inadequate support for family members/carers. That the Partnership Trust had mishandled the family's complaints between 2007 and 2009.</p>	<p>Investigation complete - report issued</p> <p>Complaint about Cumbria County Council and Cumbria Partnership NHS Foundation Trust investigated jointly by the Parliamentary & Health Service Ombudsman & Local Government Ombudsman. Complaints partially upheld. Cumbria County Council and Cumbria NHS Partnership Foundation Trust to jointly pay £10,000 to the family in recognition of service shortcomings.</p>
<p>Care Standards (independent sector domiciliary care provider)</p> <p>Disagree with council's view that care needs are being met by the care agency.</p>	<p>Premature Complaint</p> <p>Council has not had a reasonable opportunity to investigate and respond to complaint.</p>
<p>Care Standards (independent sector domiciliary care provider)</p> <p>Issues with care provider in relation to standard of care received, including allegations of theft, carers not turning up on time or not at all and for the agency charging for services which were not provided.</p>	<p>To discontinue investigation</p> <p>Issues addressed by provider via complaints procedure.</p>
<p>Administration of Estate</p> <p>Council did not administer estate in line with intestacy law.</p>	<p>To discontinue investigation: Injustice remedied</p> <p>Council acknowledged its mistakes and has agreed not recover monies accepted in good faith. The council also agreed to pay complainant £250 in recognition of time and trouble and £250 to customer in recognition of any distress caused. Council officers will also meet with the complainant.</p>
<p>Financial assessment</p> <p>That the council has incorrectly calculated financial contribution to care fees, specifically in respect of its valuation of a share in a property.</p>	<p>Not to initiate an investigation</p>
<p>Financial assessment</p> <p>That the council has incorrectly calculated financial assessments, specifically in respect of its valuation of a share in a property.</p>	<p>Not to initiate an investigation</p>

Complaint About	LGO Decision
<p>Care and support</p> <p>Unhappy with way that council responded to request for respite services and its subsequent handling of the complaint. Council assessed customer as needing EMI residential care due to the challenging behaviour exhibited.</p>	<p>To discontinue investigation</p> <p>No substantive evidence of maladministration. Council is committed to working to support the carer and will continue to offer respite. Offer of a meeting with council officers is still open to the complainant.</p>
<p>Care and support</p> <p>Complaint about the care received by customer. Believes that customer is being financially abused.</p>	<p>To discontinue investigation</p> <p>Ombudsman declined to investigate on the basis that the customer, who has Mental Capacity, has not consented to the complaint and because the council has not had the chance to respond to any specific complaint.</p>
<p>Care and support</p> <p>Customer was discharged from hospital with a home care package in place, was readmitted later that evening and died two days later. Social Work assessment was inadequate and did not take account of the report of the Occupational Therapist.</p>	<p>To discontinue investigation</p> <p>No evidence of maladministration on the part of the council. Question of whether the customer was medically fit for discharge is not within the remit of the council or the Local Government Ombudsman.</p>
<p>Care Standards (Independent Sector Residential Care)</p> <p>Dissatisfied with standards of care, specifically that the home refused to administer medication to customer. Resident was a self-funding resident who paid her fees to the council who then paid the home.</p>	<p>To discontinue investigation</p> <p>Insufficient evidence to show that the care provided was inadequate. No grounds on which to justify continued involvement of Ombudsman.</p>
<p>Cumbria Care</p> <p>Customer's handbag went missing whilst she was in respite care. Staff at the home said that they saw the complainant take it whilst visiting.</p>	<p>To discontinue investigation</p> <p>The police had been contacted by both complainant and by the care home staff. They declined to investigate. Nothing further to be gained by an Ombudsman investigation. No maladministration found.</p>
<p>Cumbria Care: cost of care</p> <p>That on the basis of inaccurate information about the cost of residential care an insurance policy was purchased to allow for an annual increase of 5%. When, in April 2009 care fees increased by 27% the cost of care could not be met.</p>	<p>Local settlement</p> <p>There has been fault by the council which has caused injustice. Cumbria County Council agreed to pay £3000 to remedy to financial and non financial injustice as well as £750 to reflect the time and trouble involved in pursuing the complaint. The council also apologised for its shortcomings.</p>

Complaint About	LGO Decision
Care and support That it took too long for the council / trust to respond to customer's care needs who was in hospital for six months longer than he should have been in spite of the fact that the ward was inappropriate for a young person of his age.	Local settlement Complaint investigated jointly by the Parliamentary & Health Service Ombudsman & Local Government Ombudsman. Complaint upheld. Finding of serious maladministration causing injustice to customer and his parent. Cumbria Partnership NHS Trust and council to remedy complaint by making a joint payment of £19,000.

How did we do

There are a number of timescales and other measures we need to meet for each complaint. These are:

- To acknowledge every complaint within 3 working days identifying a named lead manager in every case
- For the Lead Manager to contact every complainant in person within 5 working days
- To agree a resolution plan identifying the exact nature of the complaint, what the person complaining would like to happen, and how the complaint is to be dealt with
- Complaints should be completed within six months unless it is a particularly complex complaint and in agreement with the customer

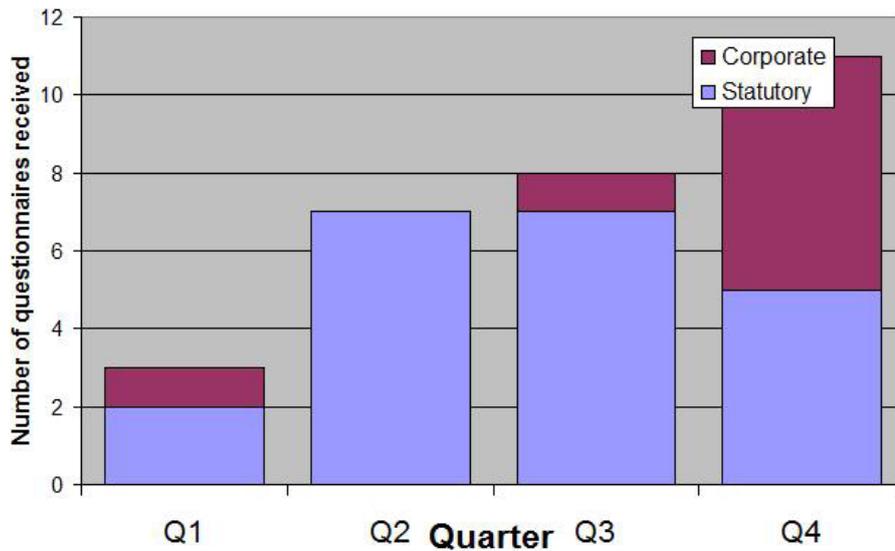
Performance measure	2010-11	2011-12
% of all complaints acknowledged within 3 working days	91	93.3
% of statutory complainants contacted in person within 5 working days	51	40
% of complaints with an agreed, written resolution plan	55	56
% of complaints with a completed complaints report	31	49
Average number of working days to process complaints	38 days	36 days
% of complaints recorded as completed within agreed timescales	9	36
% of complaint where learning logs have been completed	19	18

Whilst our performance has improved on the number of complaints acknowledged within 3 working days and the number of working days to process a complaint there are a number of areas that require further improvement.

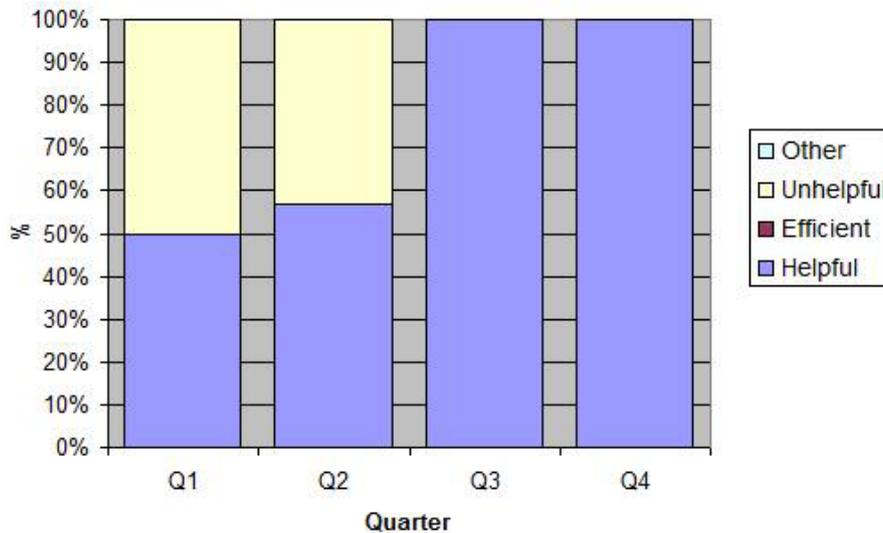
What did people think of the complaints process

When complaints are closed customers are sent a questionnaire to complete about how they found the complaints process. The charts below show the responses we received. As a result of feedback we received we will:

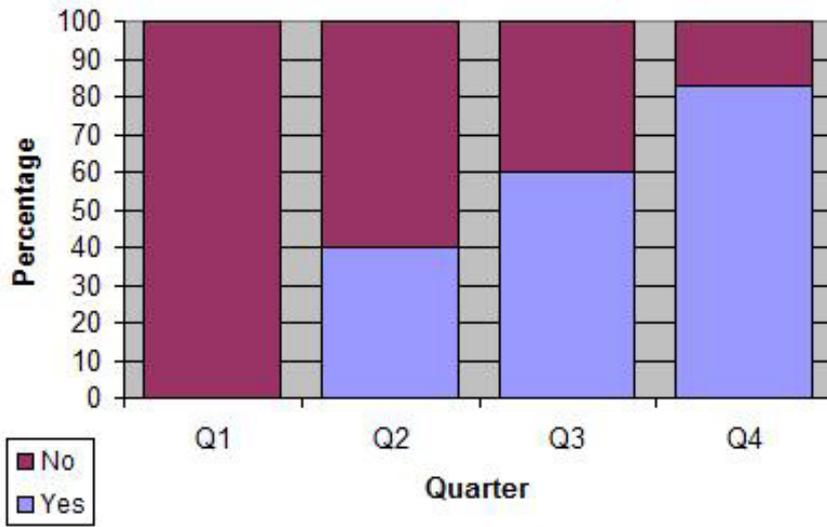
- Review our public information including the information we provide on advocacy
- Ensure the contact details for the complaints team are adequately displayed



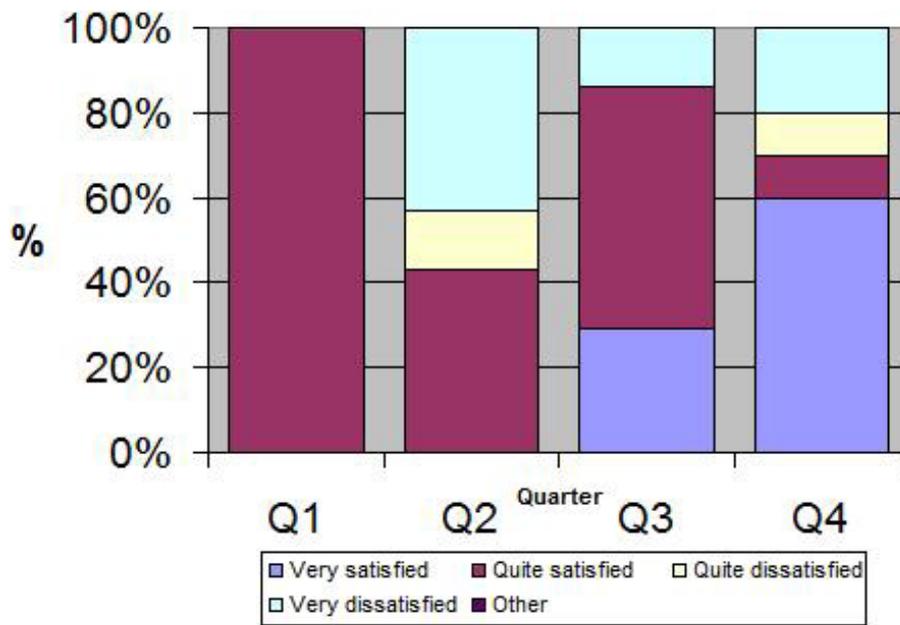
How helpful did you find the Acknowledgement letter and contact from the Complaints Team? (%)



Do you think ASC provides sufficient information about Advocacy?



How satisfied are you with the overall resolution of your complaint? (%)



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আপনি যদি এই তথ্য আপনার নিজের ভাষায় পেতে চান তাহলে অনুগ্রহ করে 01228 606060 নম্বরে টেলিফোন করুন।

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