

**Adult  
Social Care**

**Compliments,  
Comments, Concerns  
and Complaints  
Annual Report  
2012-2013**



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# Introduction

## Overview

This report provides information about the comments, compliments and complaints received by adult social care during 2012-13.

Adult social care is part of the Adult & 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 2009<sup>1</sup>.

## 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.

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

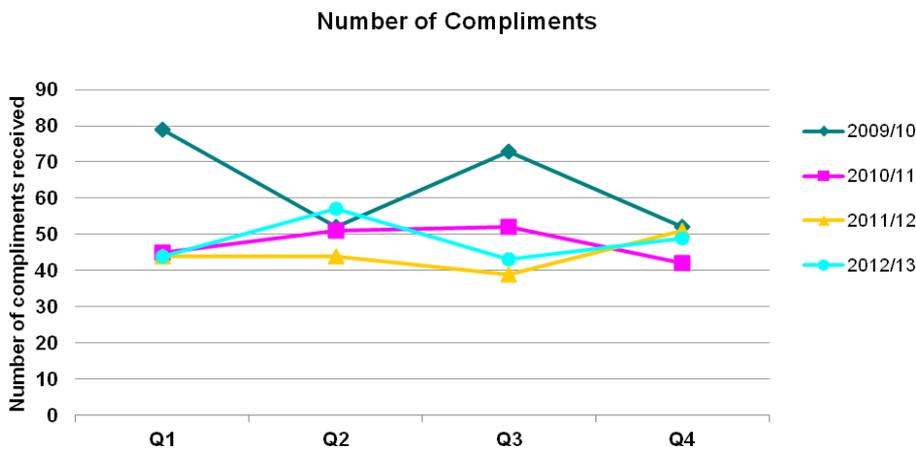
# How many did we get

## Compliments

During the year 1 April 2012 – 31 March 2013 Adult Social Care staff received a total of 208 compliments. This is a 16% increase on the previous year when we received 179 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 2013.



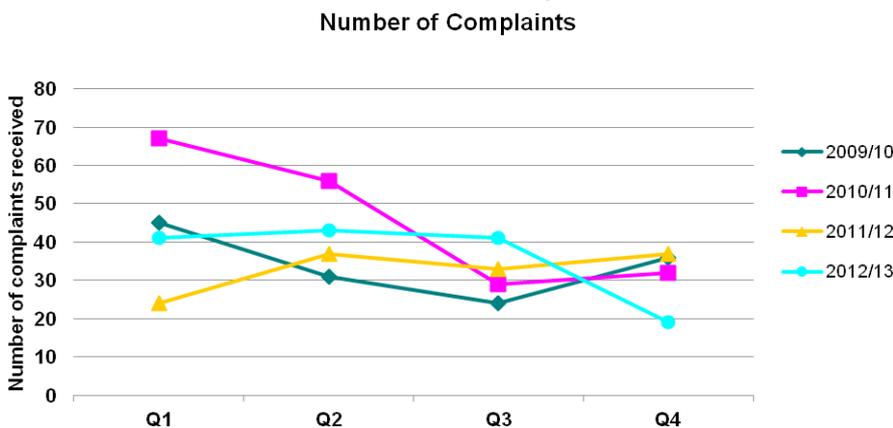
## Complaints

Adult social care received 148 complaints in 2012-13. This is a slight increase of 8% from 2011-12 when we received 137 complaints.

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

- 99 were related to social care (including providers) and were considered under the statutory regulations
- 12 involved adult social care and another organisation such as an NHS trust so were dealt with under the joint protocol
- 26 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
- 2 were deemed to be solely for health and were passed to the relevant organisation

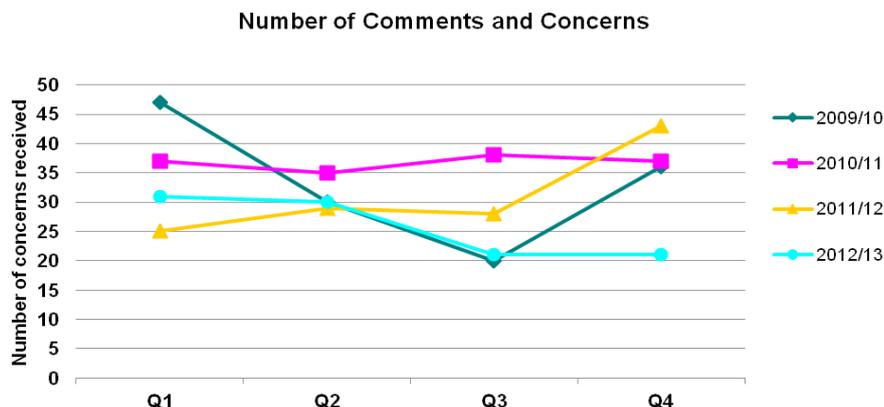
The graph below shows the number received in each quarter for between 2009 and 2013.



## Concerns, Comments and Enquiries

It is important that people don't have to make a complaint in order to make their views known. In 2012-13 the Directorate received 107 concerns, comments and enquiries. This is a decrease of 17% on the previous year.

The graph below shows the number received in each quarter for between 2009 and 2013.



## Numbers in context

During 2012-13 we provided support to over 14,000 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, 0.8% in 2011-12, 0.8% in 2010-11 and 0.66% in 2009-10.

<b>Number of customers receiving a service</b>	14810
<b>Number of complaints</b>	148
<b>Complaints as a % of customers</b>	1
<b>Number of compliments</b>	208
<b>Compliments as a % of customers</b>	1.4
<b>Number of concerns</b>	107
<b>Concerns as a % of customers</b>	0.72

# 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	2012-13 Number of cases	2011-12 Number of cases
Social work support	67	58
Residential homes (Cumbria Care)	50	56
Day care (Cumbria Care)	19	24
Equipment	17	2
Occupational therapy	16	9
Blue Badges	10	5
Reablement (Cumbria Care)	8	-
Customer Support	4	4
Home care (Cumbria Care)	2	5
Direct payments administration	2	2
Financial assessment and charges	1	4
Independent residential/nursing care	1	1
Performance	1	1
Contracts	1	2
Independent sector day care	1	-
Client Affairs	-	2
Modernisation (Cumbria Care)	-	1
Complaints	-	3
Community meals	-	1
Transport	-	1

Here are just some of the compliments we received in 2012-13

Really happy my wife is receiving exceptional service from adult social care staff providing care arrangements and the improvements to our lives are 'tremendous'.

Grateful thanks to the Social Worker for her support and professionalism, through developing trust and rapport with her client she has helped to unravel many problems.

Thank you to the social worker who went above and beyond the call of duty in relation to my father. Such excellent practice should be used to inform training for new staff.

A big thank you to the manager and staff for their outstanding quality of care delivered with empathy, understanding, respect and dignity.

The staff deserved to be praised and thanked for their wonderful attitudes in caring and compassion for their residents and families.

During her stay Mam was treated with respect, dignity, compassion and affection as an individual - the whole family feel that her care was excellent - our sincere thanks.

Thank you a million times for all the help and support over the last 12 months. It has made such a difference to my life and given me my independence back.

Your speedy delivery and helpfulness was brilliant. The family were comforted that every effort had been made on the service user's behalf.

I'll never be able to thank you enough for the all the invaluable help and advice.... Without your help and support... I firmly believe that I wouldn't be where I am today.

I appreciate the human and friendly way you have dealt with this matter. Well done Blue Badge team.

Thanks to all involved in the approval and administering of the Direct Payment account without which I would have been unable to support my husband.

Thank you again for arranging the carers vouchers. You enhanced both of our lives.

The reablement team has assisted my recovery over the last four weeks. It is good to know such a service is available.

The service Cumbria Care have provided has been exemplary - they have gone beyond their remit

## Complaints

The chart below shows the service areas that complaints were regarding.

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	2012-13 Number of cases	2011-12 Number of cases
Social work support	59	55
Residential homes (Cumbria Care)	11	7
Independent sector home care	8	9
Financial assessment and charges	8	12
Blue Badges	7	13
Supporting people	6	-
Occupational therapy	6	4
Independent residential/nursing care	6	3
Home care (Cumbria Care)	5	6
Direct payments administration	5	1
Equipment	4	5
Contracts	3	3
Reablement (Cumbria Care)	3	2
Day care (Cumbria Care)	2	1
Fees and charging policy	2	
Transport	2	1
Client Affairs	1	4
Performance	1	-
Modernisation (Cumbria Care)	1	2
Independent provider equipment	1	-
Misc	1	-
Independent provider supporting people	-	1

## Concerns, Comments and Enquiries

The chart below shows the service areas that concerns and enquiries were regarding.

Function	2012-13 Number of cases	2011-12 Number of cases
Social work support	38	42
Financial assessment and charges	6	5
Residential homes (Cumbria Care)	6	10
Blue Badges	6	10
Independent residential/nursing care	5	7
Contracts	5	11
Supporting people	5	4
Independent sector home care	4	6
Direct payments administration	3	1
Transport	3	2
Occupational therapy	3	3
Independent sector (day care)	2	1
Independent provider equipment	2	-
Advocacy provider	2	-
Equipment	2	5
Customer Support	2	1
Fees and charging policy	1	3
Home care (Cumbria Care)	1	4
Modernisation (Cumbria Care)	1	5
Reablement (Cumbria Care)	1	1
Day care (Cumbria Care)	1	1
Community meals	1	1
Access to records/FOI	1	-
Supported living (Cumbria Care)	1	-
Misc	1	-
Safeguarding	-	3
Independent sector supported living	-	1
Client Affairs	-	1
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 the number of complaints in which each of the key concerns was identified as an issue. A complaint may have more than one issue identified.

Key concern	2012-13 % of cases	2011-12 % of cases
Access to Services	20	17
Aids & Adaptations	7	7
Assessment, Care Management and Review	12	17
Building/Environment	4	2
Care Standards/Quality	16	12
Carer Issues	2	2
Charges	9	11
Communication & Info (including confidentiality)	17	25
Conduct of other person/resident/customer	2	2
Conduct/attitude of staff	29	23
Continuity of care	2	4
Contracting Issues	6	7
Delay	12	11
Dignity & Respect	5	5
Direct Payments & Personal Budgets	7	5
Funding/Resources	7	8
Mental Capacity	1	3
Policy or Procedure	8	11
Reablement	1	2
Records	1	2
Respite	2	1
Safety/Wellbeing	15	9
Transition	2	1
Unwanted Change	8	15
Misc	1	-
Safeguarding	-	3
Independent sector supported living	-	1
Client Affairs	-	1
Care Sector Alliance	-	1

## 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 2012-13 4 people were supported by an advocate. This is consistent with 2011-12.

The chart below shows who contacted adult social care and in over half of cases this was a parent, partner, carer or other relative (53%). This is fairly consistent with previous year. We have seen the number of customers who contact us themselves rise to 21% after a significant drop in the previous year.

Key concern	2012-13 % of cases	2011-12 % of cases
Advocate	1	1
Carer	2	1
Councillor	1	1
Friend	1	2
Member of Parliament	13	10
Member of public	2	8
Member of staff	1	1
Other relative	39	37
Parent	7	11
Partner	5	5
Professional	6	3
Service provider	2	2
Service user	21	16
Solicitor	0	2

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. The table below shows the point of access for customers.

There has been a significant shift in the number of people contacting us through the operational teams rather than directly to the complaints. Work will continue in 2013-14 to raise awareness of how people can have their say with improved literature, posters and information on the web site.

Point of access	2012-13 % of cases	2011-12 % of cases
Chief Executive's office	10	16
Complaints team	22	38
Contracts team	1	1
Corporate complaints team	3	1
Council Leader's office	0.2	1
Council website	0.2	1
Director's office	11	13
Locality/district support	2	1
Operational team/manager	49	19
Via Councillor	0.2	1
Via CQC	0.2	1
Via Health	1	5
Via Ombudsman	1	0

Customers still prefer the more formal approach, in 70% of cases contact is in writing, either by letter, email or on the complaints form. The figures are consistent with previous years.

Format	2012-13 % of cases	2011-12 % of cases
Email	22	22
Form	6	10
In person	0.4	2
Letter	42	41
Other	18	(not recorded)
Phone call	13	25
Questionnaire	0.2	(not recorded)

Other could include a card or gift to the team. Questionnaires is when we have received a concern or comment on a survey return which is followed up.

## 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, 196 customers had a pre-existing IAS record.

Age	Percentage raised a complaint, comments or concern (%)
18-64	34
65+	64
Under 18	2

Gender	Percentage raised a complaint, comments or concern (%)
Male	39
Female	61

<b>Ethnicity</b>	<b>Percentage raised a complaint, comments or concern (%)</b>
Any other mixed background	0.5
Asian Indian	1
Asian any other background	0.5
White British	90
White European	3
White any other background	0.5
Info not yet obtained	4
Refused	0.5

<b>Religion</b>	<b>Percentage raised a complaint, comments or concern (%)</b>
Agnostic	0.5
Atheist	0.5
Christian	38
Muslim	0.5
None	9
Other Religion	0.5
Refused	1
Info not yet obtained	49

<b>Disability</b>	<b>Percentage raised a complaint, comments or concern (%)</b>
Yes	12
No	2
No opinion	3
Info not yet obtained	84

<b>Sexual Orientation</b>	<b>Percentage raised a complaint, comments or concern (%)</b>
Bisexual	0.5
Gay	0.5
Heterosexual	35
Refused	2
Unable to answer	4
Info not yet obtained	58

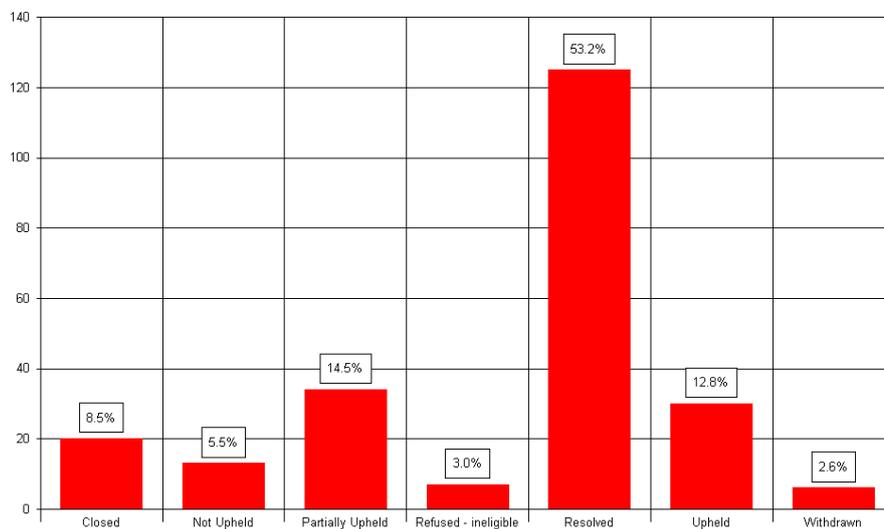
## What happened

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 2012-13 and the previous year.

Action taken by lead manager	2012-13 (%)	2010-11 (%)
Action by Lead Manager	7	21
Investigation by Lead Manager	18	15
Apology	17	9
Reassessment or review	4	5
Explanation	39	32
External investigation	1	1
Compensation or re-imbursement	2	5
Other	4	-
Resolved during initial conversation	7	6

## Outcome of complaints

The table below shows the outcome of complaints and concerns by percentage of cases.



## 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:

- A customer complained about how an alert was recorded on our electronic recording system the policy was reviewed and reissued to staff with clearer guidance on the different levels of risk.
- Learning from a complaint regarding the content of an email which was seen by a family member was included in information governance training provided across the directorate to practitioners and support staff.
- The procedure for complaints involving independent providers delivering care on behalf of the council was clarified with lead managers and has been built in to training. Also the complaints element of contracts has been improved to provide clarity about the council's expectations.

## 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.

**High: 5.5%**   **Medium: 48%**   **Low: 42.5%**

## 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 table below shows the complaints made to, or determined by, the Local Government Ombudsman in 2012-13 and the ombudsman's decision.

Complaint About	LGO Decision
Carers disposed of possessions without consent and stole money. Carers unpeeled sealant in bathroom. Carer breached confidentiality.	Not to initiate an investigation  Theft has been addressed with the police. Impossible to say with any certainty who disposed of items. Matter of confidentiality referred back to council for investigation.
Disagreement with other authorities regarding ordinary residence and funding of care for customer placed in another authority area.	To discontinue investigation  Able to discontinue investigation as the councils involved are actively trying to reach an agreement and are willing to remedy the injustice caused.
Council has stopped direct payments.	Not to initiate an investigation  Asked for Council to consider visit and reassessment with different social worker. No reason to criticise Council's approach.

Complaint About	LGO Decision
Complaint about council's handling of public consultation about possible closure of residential homes.	Not to initiate an investigation  Does not feel the Ombudsman could add any value to the Council's investigation. Council has acknowledged there were faults in the consultation process and has identified steps to improve future consultations.
Unhappy with how independent provider handled allegations against service user.	Withdrawn
Unhappy with conduct of social worker and the change in morning visiting times.	To discontinue investigation  Discontinue investigation as Council was willing to remedy the injustice.
Customer was placed in a home which couldn't support her adequately, leading to an incident in which the customer was injured.	To discontinue investigation  No grounds to pursue the complaint further, there is ample evidence that dementia was well known to the home. No fault on part of Council that led to fall.
Customer unhappy with level of support being provided by council.	To discontinue investigation - injustice remedied  Council willing to remedy injustice. Customer was assessed and relevant support provided.
Complaint that the Council left neighbour without support and enough food following respite care	Not to initiate an investigation  Decision made by LGO not to investigate complaint. The council has already admitted fault and apologised to the complainant.
Unhappy about proposed move to out of county placement	Premature Complaint  Referred back to the Council to be investigated under the complaints procedure.
Complaint that carers have been removed and the Council has not contacted the care agency.	Premature Complaint  Council currently considering complaint under its complaints process
Initial enquiries regarding complaint about respite care at independent home.	Premature Complaint  Council to investigate through its own complaints process.

## 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	2012-13	2011-12
% of all complaints acknowledged within 3 working days	84.4	93.3
% of statutory complainants contacted in person within 5 working days	53	40
% of complaints with an agreed, written resolution plan	45	56
% of complaints with a completed complaints report	46	49
Average number of working days to process complaints	54 days	36 days
% of complaints recorded as completed within agreed timescales	49	36
% of complaint where learning logs have been completed	20	18

Whilst we have improved the number of customers contacted in 5 working days there has been a decline in the number of complaints with a written resolution plan. Not all complaints will have a written report, actions are agreed with the customer.

Whilst the number of working days to process complaints has increased this is still within 12 weeks.

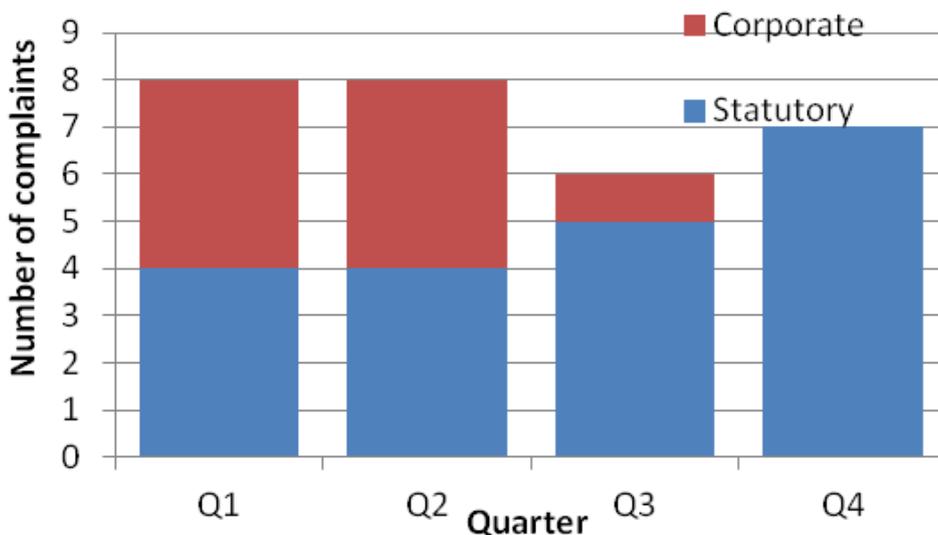
Training is being rolled out in 2013-14 to refresh managers about the process and requirements.

## What did people think of the complaints process

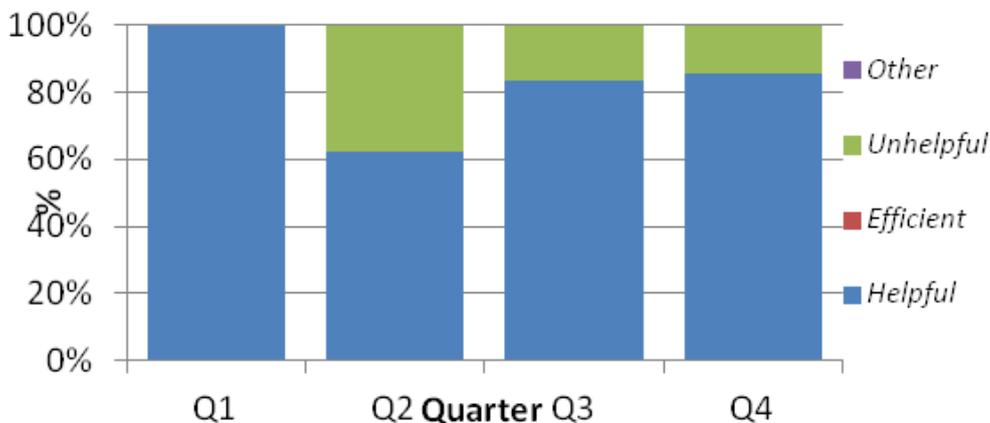
When complaints are closed customers are sent a questionnaire to complete about how they found the complaints process. The charts below show the responses we received. As a result of feedback we received we will:

- Remind managers of the importance of face-to-face meetings with complainants wherever possible
- Improve the quality of the complaint resolution plans with clear outcomes and timescales

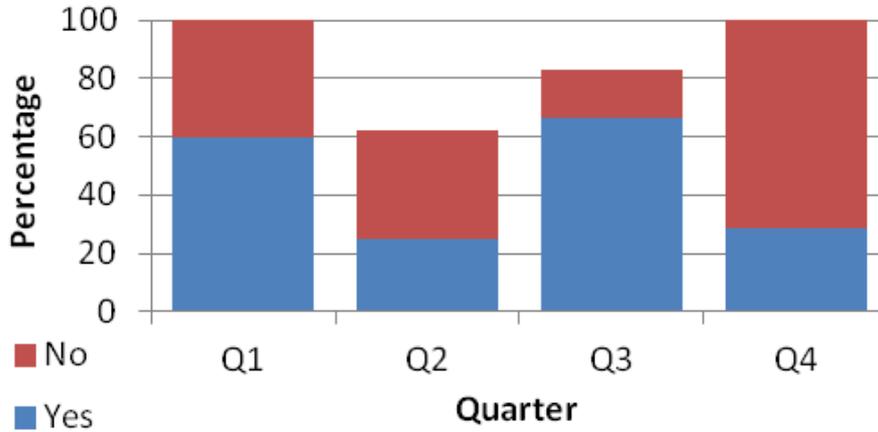
Number of Questionnaires Received per Quarter



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



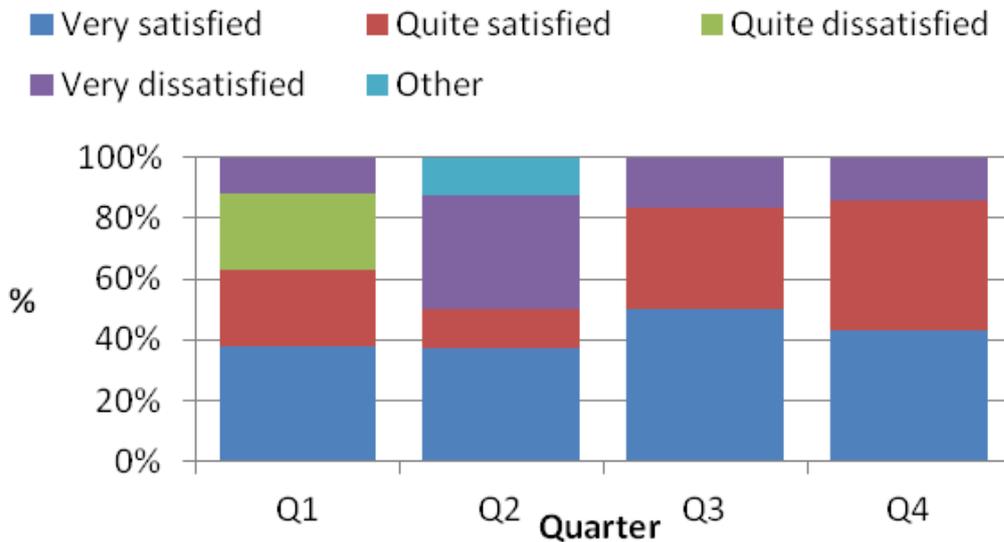
Do you think ASC provides sufficient information about Advocacy?



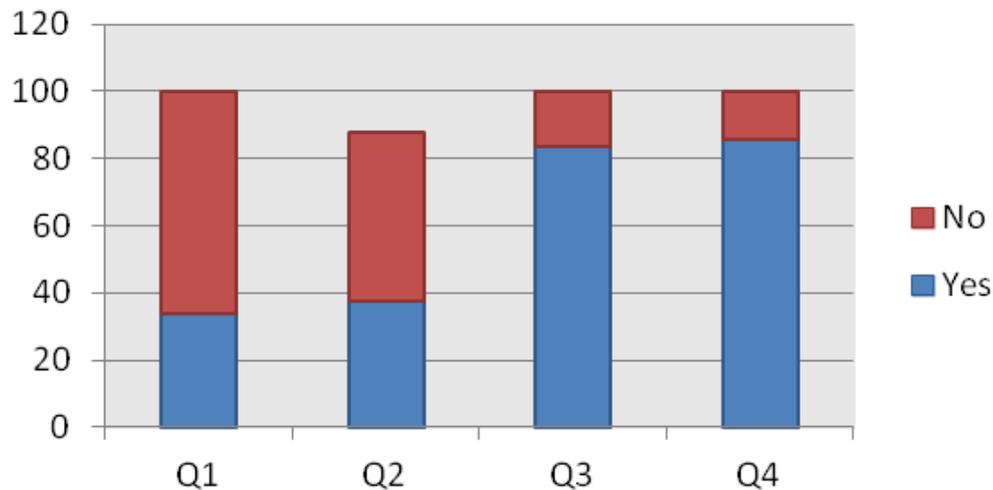
Number of Complaints the Lead Manager contacted the Complainant in person (%)

	Q1	Q2	Q3	Q4
% in person	86	37.5	83.3	85.7

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



Do you feel ASC did all that was possible to resolve your complaint? (%)



### Comments from Questionnaires

An action plan was put in place which had clear outcomes and timescales.

The manager listened to our point of view and possible ways forward.

I would find it easier to talk to someone in person than by phone. However my complaint was resolved satisfactory

By providing this information to all clients via pamphlets also the patient advisory service information. Also face to face contact.

Because our complaint was made on decisions already taken, we are unable to achieve total satisfaction; however we feel the manager has done his best to provide reasons, explanations and outcomes that will change future performance

It was refreshing that we managed to overcome the official red-tape and find a common-sense solution to the problem

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