

REPORT TO: Policy and Performance Review Committee

MEETING DATE: 24 September 2013

BY: Depute Chief Executive - Partnerships and Services for Communities

SUBJECT: Social Work Complaints and Feedback Annual Report 2012-2013

1 PURPOSE

- 1.1 To give a report on the use of the Council's Social Work complaints procedure for the year 2012/13.

2 RECOMMENDATIONS

- 2.1 To note the report

3 BACKGROUND

- 3.1 Section 52 of the NHS Community Care Act 1990 and the Social Work (Representations Procedure) (Scotland) Directions 1996 requires every Local Authority Social Work Service to develop and implement a complaints procedure. The Council is also required to consider, in public business, an annual report on the use made of the procedure and the outcome of complaints.
- 3.2 Feedback (comments, complaints and compliments) about social work services are recorded on a customer feedback module on the Council's Customer Relationship Management System (CRM), which allows for the recording, monitoring and reporting of client feedback.
- 3.3 In line with its statutory requirements, the Council operates a 3 stage social work complaints procedure:

Stage 1 – Complaint dealt with directly at point of service

Stage 2 – Complaint requires formal investigation and response

Stage 3 – Referral to independent Complaint Review Committee (CRC)

Thereafter, there is a legal right of referral to the Scottish Public Services Ombudsman (SPSO).

BREAKDOWN OF FEEDBACK

3.4 Stage 1 complaints are dealt with directly at point of service. **35** Stage 1 complaints were recorded for the year 2012/2013, a 14% increase from the previous year. These were straightforward complaints either resolved at first point of contact or referred to the relevant social worker/manager for swift resolution. Examples of Stage 1 complaints include messages not being returned, requested information not being provided, or delays in providing an agreed service.

3.5 For the year 2012/13, East Lothian Council received **68** Stage 2 complaints about its social work services, overall a slight reduction from last year when 71 were received.

3.6 A breakdown of complaints by subject and social work area is attached at Appendix 1.

3.7 The following is a breakdown by service:

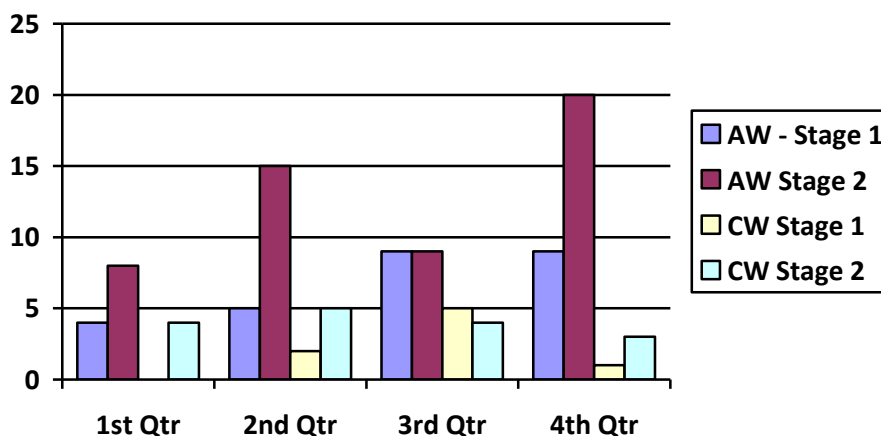
Adult Wellbeing (AW): Stage 1: **27**; Stage 2: **52**

Children’s Wellbeing (CW): Stage 1: **8**; Stage 2: **16**

Criminal Justice (CJ): **0**

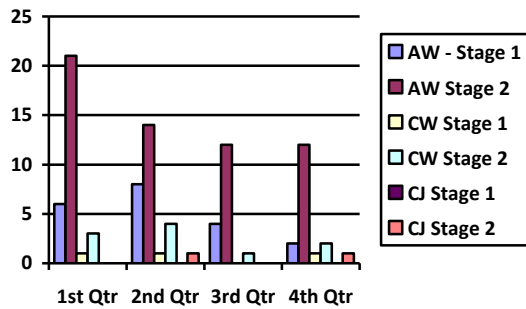
3.8 The following bar chart shows the number of Stage 1 and Stage 2 complaints for each social work service received per quarter for the year 2012/13:

Social work complaints per quarter 2012/2013



3.9 This can be compared against the chart below, which shows the total numbers of complaints received per quarter for last year (2011/2012):

Social Work complaints per quarter 2011/2012:



3.10 One thing to note is that last year there was a decrease in Stage 2 complaints for Adult Wellbeing over the year; as opposed to this year where the number of Stage 2 complaints rose in Q2 and peaked in Q4. It is positive to note that more complaints are being dealt with at Stage 1, as resolving complaints at an early stage is best for both the client and the Council. However, this is still an area for improvement. It should be noted that a number of concerns are resolved at service level on a day-to-day basis without recourse to the complaints procedure.

3.11 Examples of Stage 2 complaints include:

- Concerns about care provision
- Type and level of sensitive personal information contained in social work reports – felt to be inappropriate
- Relatives not feeling included in decision making process relating to client's care / not listened to by social workers
- Unhappy with conduct / recommendations of social workers
- Unhappy with access / contact arrangements (in relation to children)
- Financial assessment process for care contributions
- Delay in Occupational Therapy assessment
- Delayed discharge from hospital

3.12 Social work services also receive positive feedback about the services they provide, as well as about individual social workers. It is important to provide a balanced view of services and so staff are actively encouraged to report any compliments they receive. **66** compliments were received about social work services in 2012/13, a slight increase from last year (62). Extracts of some of the positive comments received from clients and their families are attached at Appendix 2.

3.13 Complaints should be acknowledged within 5 days and responded to within 28 days. The average acknowledgement and response times for the year 2012/13 were as follows:

99% acknowledged within 5 days (2011/12: 93%)

82% responded to, or an update provided, within statutory timescale (28 days). 60% received a full response within timescale. (2011/12: 83% and 62% respectively)

3.14 Often, due to the complex nature of social work complaints, there can be difficulties in providing a full response within the statutory timescale. However, updates will be provided wherever possible and extensions agreed with the complainant. Holding more face-to-face meetings and increasing telephone contact to try and resolve complaints at an earlier stage is being encouraged.

3.15 The proportion of Stage 2 complaints upheld, partially upheld and not upheld was as follows:

	2012/13	2011/12
Upheld	21%	28%
Partially upheld	45%	32%
Not upheld	34%	40%

3.16 It is interesting to note the % of complaints upheld and not upheld decreased while the % of complaints partially upheld increased from the previous year. This corresponds with an increased emphasis on ensuring all parts of the complaint are being considered and that determinations are being made on individual issues. The experience of the Customer Feedback Team this year has been that managers are willing to review their services in an objective way.

3.17 Wherever a complaint was partially or fully upheld an appropriate apology was given and learning actions were undertaken. This included updating and improving information to clients, reviewing procedures and reminding staff of customer care standards.

3.18 The top 5 subjects of complaint for all social work services were:

- 1) Care package – changes / delays in provision / level of support provided etc
- 2) Staff attitude / conduct / decisions
- 3) Home care
- 4) Financial issues e.g. assessment process for care contributions / funding / invoicing
- 5) Equipment provision

3.19 One complainant asked for their complaint to be referred to a Complaints Review Committee (CRC). This related to a deprivation of capital case.

The CRC did not uphold the complaint and agreed with the outcome of the financial assessment.

3.20 The SPSO received 7 complaints about East Lothian Council's Social Work Services, up from 4 received last year. 1 complaint proceeded to full investigation but was not upheld.

3.21 For the complaints closed at Stage 1 or Stage 2 of the feedback process, resolutions included:

- Providing additional information / clearly explaining policies and procedures e.g. eligibility criteria for services
- Giving an apology, where appropriate
- Acknowledging mistakes and taking action to correct any errors
- Providing required service
- Arranging meetings with social worker or social work manager to explain decisions taken

3.22 A number of improvement actions have been undertaken this year in response to complaints received. These have included:

- Training in report writing skills carried out for social workers
- Changes to financial assessment process
- Improvements to public information

DEVELOPMENTS FOR 2013/14

3.23 The statutory social work complaints procedure is currently under review by the Scottish Government. A short life working group was convened and will be making recommendations to ministers. The Deputy Director, Scottish Government wrote to Local Authority Chief Executives on 22 July 2013 to advise that, while the review may recommend change in line with the Scottish Public Services Ombudsman (SPSO) model complaints handling procedure, until any legislative change is passed and enacted Complaint Review Committees remain a legal requirement for local authorities.

4 POLICY IMPLICATIONS

4.1 None

5 EQUALITY IMPACT ASSESSMENT

- 5.1 This report is not applicable to the well being of equalities groups and an Equalities Impact Assessment is not required.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – None
6.2 Personnel - None
6.3 Other – None

7 BACKGROUND PAPERS

- 7.1 Appendix 1– Complaints Breakdown (Adult Wellbeing) 2011/2012.
7.2 Appendix 2 - Extracts of compliments received about social work services in East Lothian 2012/2013.

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DATE	9 September 2013

Appendix 1 Complaints Breakdown (Social Work) 2012/2013

<u>Adult Wellbeing</u>	Number	Upheld	Partially Upheld	Not Upheld
Main subject of complaint				
Care package – changes / delays in provision / level of support provided etc	12	2	6	4
Home care	10	4	4	2
Financial issues e.g. assessment process for care contributions / funding / invoicing	9	2	6	1
Equipment Provision	5	3	1	1
Staff attitude / conduct	4		2	2
OT Assessments	3	1		2
Delayed Discharge	3		2	1
Lack of communication / support	2		1	1
Day care services	1			1
Taxi Service	1			1
Reablement	1		1	1
Information Recording	1			1
Total Number:	52	12	23	17

<u>Children's Wellbeing</u>	Number	Upheld	Partially Upheld	Not Upheld
Main subject of complaint				
Staff attitude / conduct / decisions	8	1	2	5
Contact / access issues	2		2	
Foster Care	2		1	1
Lack of action in response to concerns	2	1	1	
Supervision of children in care	1		1	
Residential units	1		1	
Total Number:	16	2	8	6

Appendix 2 – Extracts from compliments received about social work services for the year 2012/2013

Subject: Telecare Equipment Installation

“Called back today following urgent referral made yesterday for Telecare equipment for Mr W. Delighted to see, that on arriving today, the equipment is in place and up and running for Mr W. Want to pass on upmost thanks for everyone who contributed to doing this so quickly”.

Subject: Actions of social worker

“I really appreciate that even although my Mum is in Eskgreen it is never an issue for JM to help us. She still contacts me to see how my Mum is doing and how I am coping with both my parents in care. I think it is only right that you hear positive comments about members of your staff. I appreciate JM’s help and care towards both myself and my Mum. JM has been my rock in 2012. May I take this opportunity to wish you and your staff all the very best for 2013 - keep up the good work”.

Subject: Referral process

Mr G phoned to say how pleased he and his wife are about the service they received from SP, IB and AH since a referral was made last week. Mr G said that everything has gone like clockwork and they are very pleased.

Subject: Provision of equipment

“Just to say thank you, the handrail was fitted on Tuesday afternoon. The joiner did an excellent job and cleaned up afterwards for my mum. Can’t believe how quickly this was put in place for her, we both really appreciated all your help”.

Subject: Reablement service

“I found the service excellent. The girls were always on time ...they were helpful and pleasant and all so lovely”.

Subject: Residential care

(The Abbey) “Many, many thanks for the wonderful care and attention you gave mum during her recent stay at the Abbey, she enjoyed her visit so much”.

(Eskgreen) “Many thanks for your care of my mother over the last 18 months or so ...it is so comforting to know that she was so well cared for, with dignity and respect”.