

Learning from our Customers

A review of comments and complaints made in

1st April 2011 – 31st March 2012



Southampton City Council
Health and Adult Social Care Directorate

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Learning from our Customers

'A review of comments and complaints made in the period 2011-12

1 PURPOSE

- 1.1 This annual report provides analysis of comments/concerns, compliments, enquiries from Councillors and MPs, informal complaints (representations), formal complaints as well as Access to Personal Social Care files (Data Protection Act requests) and Freedom of Information Requests for the Health & Adult Social Care Directorate.
- 1.2 To compare these to the previous 12 months and to report on complaints investigated at the external investigation stage of the procedure
- 1.3 The management of complaints forms part of a broader approach to the way the Directorate delivers customer care. The complaints' function is a vital source of information, which assists in the development and delivery of future services.
- 1.4 This report encompasses statistics for all divisions within the Health & Adult Social Care Directorate between 1 April 2011 and 31 March 2012.

2 BACKGROUND

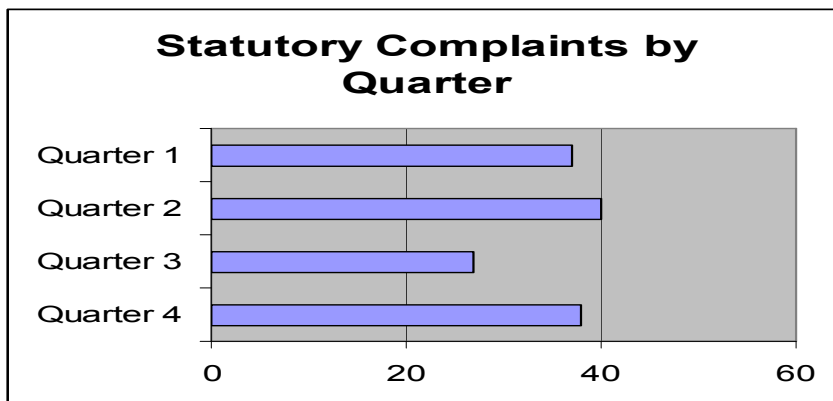
- 2.1 The NHS and Community Care Act 1990 and The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 require Social Services to set up and maintain a Complaints procedure and to operate that procedure according to specified timescales and methods of investigation and review. The guidance requires that the Annual Report be presented to the Senior Management Team and Members and that this should include a summary of statistical information along with a review of the procedure.
- 2.2 The Health and Adult Social Care Directorate encourages service users to comment on the service provided by Customer Care and Complaints. The absence of complaints does not necessarily mean that service users are happy with the service they receive, so it is important that users feel able to voice their opinions and feel confident that their views will be considered.
- 2.3 This report helps to ensure that this feedback reaches senior, and other managers, within the Directorate so it can inform the way in which we deliver services to our customers.
- 2.4 Complaints are a valuable resource and the feedback gained from them forms both an integral part of the quality assurance process and

also contributes to the overall development and monitoring of services. This feedback mechanism is continually evaluated to make sure that we are developing services in line with our customers' needs and requirements.

3.0 ANALYSIS OF COMPLAINTS.

3.1 For the financial year 2011/2012, there were 142 statutory complaints made about Health & Adult Social Care compared to 111 in 2010/2011. This represents a 28% increase. 67 complaints were investigated under the Corporate Complaints process, these were complaints about Financial issues and adaptations. This compares to 84 in the previous year and represent a 20% decrease. Reflection upon this with Senior Managers in Health and Adult Social Care indicates that this is in part a reflection of the change that saw the inclusion of complaints about Blue Badges classified under the Health and Adult Social Care. They were formerly dealt with as Corporate Complaints. Overall the change in number of corporate and ASC complaints added together was only 14 due to the increase in one being offset by a reduction in the other. Whilst there is still an overall increase Table 2 below indicates an improvement compared to 2008/9 and 2009/10.

Table 1 - 2011/12 statutory complaints by quarter



3.2 The majority of complaints continue to be resolved at the early stages of the procedure as a result of work by the team manager or senior manager. However, where resolution is not possible in this way we occasionally commission an independent investigator to undertake a further investigation.

3.3 The number of statutory complaints requiring independent investigation was three (3), which represents 2.1% of all statutory complaints received. One complaint was stopped at complainants' request. There were 3 Corporate stage 2 complaints all relating to funding issues. One complaint was investigated at Stage 3 of the Corporate Complaints process and the complainant was awarded £50 compensation for time and trouble. For the financial year 2011/12 the cost of independent investigation was £6,401.82.

Table 2 - External Investigation of Complaints (by Independent Investigator)		
Year	Total number of complaints received.	% of complaints requiring independent investigation
2008/2009	225	6 2.6%
2009/2010	221	0 .0%
2010/2011	195	0 .0%
2011/2012	209	3 1.4%

3.4 Table 3 below sets out the number of complaints by age both for Statutory Complaints and Corporate complaints. The highest number of complaints (106, 50.7%) is from the 76+ age group, which should be expected in part because this age group is the largest for in the service population served by Health and Adult Social Care.

Table 3 - Adults Statutory & Corporate Complaints by Age		
Age	Number	%
16 - 19	2	1.0%
20 - 24	10	4.8%
25 - 59	49	23.4%
60 - 64	7	3.3%
65 -75	28	13.4%
76+	106	50.7%
n/a	4	1.9%
Not Known	3	1.4%
Total	209	100.0%

3.5 The number of compliments received fifty three (53) for Health and Adult Social Care has decreased from seventy eight (78) last year. Many of the compliments relate to the appreciation of the hard work and caring attitude of the Health and Community Care staff. This is unlikely to be a true reflection of the number of compliments received by staff as recording is historically an issue. All staff should be encouraged to send copies of compliments they receive to the customer Care and Complaints Team in order that they can be recorded and passed to the Executive Director. It is often very much appreciated by staff

when they do receive recognition of good service, but it proves hard for services to remember to take this action.

Issues and Themes

- 3.6 There were no recurring themes. One complaint resulted in money being paid in recompense for non-provision of a service (£2,200 plus £200 for time and trouble in making the complaint).

Corporate Complaints

- 3.7 For the financial year 2011-2012, there were 67 corporate complaints, which contained 82 issues. Of these 82 issues 60 were concerning financial issues. In 2010-2011 there were 84 Corporate complaints and this therefore represents a 20.24% decrease in the number of Corporate complaints this year. This may be because some of the concerns regarding financial issues are now being dealt with as “business as usual” issues, though there has also been significant effort from the service to learn from these types of complaint that is also leading to improvements in financial processes that are also reducing complaints. In December 2011 the Disabled Parking Badge Team were brought back into Adult Social Care and therefore complaints about this service are no longer processed under the Corporate Complaints procedure but are now dealt with under the Social Services complaints procedure. 17 complaints were received about ‘Blue Badge’ services this year compared to 36 last year.
- 3.8 The Customer Care and Complaints Team also log comments and concerns. Concerns are issues that can be resolved quickly without needing investigation. If a concern can be readily resolved within 24 hours then it will not become a complaint. This service also deals with and records MP and Councillor enquiries and compliments. The table below sets out the different types of contacts that the Customer Care and Complaints Team received during 2011-2012.

Table 4: Contacts received by Record Type		
Record Type	2010/11	2011/12
Adult Statutory Complaint	111	142
Corporate Complaint	84	67
LGO Complaint	2	2
MP/ Cllr Enquiry	48	62
Adult Statutory Concern	13	7
Comment	11	10
Referral	8	10
Compliment	78	53
Total	355	353

3.9 Table four shows that overall we received a similar number of contacts to that of last year (2010/11). There was a 28% increase in Statutory complaints and a 20% decrease in Corporate complaints, though as indicated in para 3.1 some of this is likely to reflect some level of trade-off due to the classification of complaints.

3.10 Monthly Trend by Record Type

Table 5 Adult's monthly trend by Record Type													
Type of Record	Apr 2011	May 2011	Jun 2011	Jul 2011	Aug 2011	Sep 2011	Oct 2011	Nov 2011	Dec 2011	Jan 2012	Feb 2012	Mar 2012	Total
Adult Statutory Complaint	17	8	12	9	19	12	12	7	8	12	10	16	142
Adult Statutory Concern	1	0	0	0	1	1	1	0	0	1	2	0	7
Comment	0	1	4	1	0	1	0	3	0	0	0	0	10
Compliment	6	4	2	7	6	7	3	3	1	3	4	7	53
Corporate complaint	4	3	5	10	10	5	10	9	3	1	5	2	67
LGO Complaint	1	0	0	0	0	0	0	0	0	0	1	0	2
MP/Cllr Enquiry	8	9	7	4	4	8	0	5	1	2	7	7	62
Referral	2	2	0	0	0	1	2	0	0	0	2	1	10
Total	39	27	30	31	40	35	28	27	13	19	31	33	353

3.11 Table 5 above breaks down the numbers of contacts each month during 2011/12. The highest number of complaints (40) were received during August 2011 and the lowest number (13) were received in December 2011.

3.12 Health & Adult Social Care complaints are classified according to the following definitions.

- Social Care complaints are those investigated under the statutory Regulations
- All other complaints are investigated using the Southampton City Council Corporate Complaints Procedure
- Referrals are requests for help which are passed on to the relevant Council Directorates and partner services
- Representations are enquiries, concerns or comments which can be dealt with and resolved within 24 hours.
- MP/Councillor Enquiries are enquiries/ complaints on behalf of a constituent or request for information which need to be investigation and response by the Directorate

Contact for specific service area

3.13 The following table indicates complaints received by service area. Some complaints we receive contain more than one issue and therefore of the 142 statutory complaints and 67 Corporate complaints received there were

280 issues as set out in Table 6 below. It should be noted that Locality teams deal with over 50% of service support and that the Learning Disabilities Team includes both provider and community team.

Table 6 Statutory and Corporate Complaints by Service Area	
How received	2011/12
Safeguarding	5
Contact Centre	9
Disabled Parking Badges	17
Hospitals – Discharge	11
Learning Disabilities	27
Locality Support Teams and Rehab Teams	79
Day Care Services	7
External Provider - Domiciliary Care –	22
Internal Provider –Residential Care – Domicilliary Care	3
	1
Mental Health Services	20
BSO	0
Finance: Benefits (Assessment)	10
Exchequer Services	13
HSC Billing Enquiries	46
Other Services (eg. Josian Centre Rapid Response, Sensory Services and Supporting	10
Total number of services complained about.	280

- 3.13 It has not been possible to compare these figures to last years as there has been a re-organisation of services within the Directorate. However, as in previous years the greatest number of complaints relate to finance and fieldwork. By fieldwork we mean issues about social care.
- 3.14 Table 7 below provides a breakdown of complaints by complaint issue and highlights some of the major themes and issues contained with the complaints we receive. The issues raised can be classified in 8 specific ways and the 209 complaints received raised 280 specific issues in total. As most of our complaints relate to more than one issue, this way of breaking down our complaints allows us to maximise our learning from them. For example 32% of complaints relate to complaints about the actions of staff, 27% relate to financial issues and 19% to access to services. Many of these complaints relate to staff shortages which resulted in increased waiting times for assessments. The Actions of staff can relate to how people are dealt with, spoken to, mistakes or staff not returning calls.
- 3.15 **Breakdown of complaints by complaint issue Statutory and Corporate. There will be a higher number of issues than complaints as some complaints contain more than one issue**

Table 7 Complaints Issue		
Reason/Issue for complaints	No of issues	%
Access to Services	54	19%
Actions of Staff	90	32%
Communication	45	16%
Disabled Parking Badge	11	10%
Finance	75	27%
Miscellaneous	2	0.7%
Quality of Service	2	0.7%
Resourcing	1	0.3%
Total	280	

4.0 Key Findings - Complaints

Whilst not to undermine their legitimacy, it is important to place the level of statutory complaints into context as follows.

4.1 Social Care Activity

Table 8 Divisional activity			
Referrals	9,814	Formal complaints	209
New Assessments	3,631	Concerns/Comments	17
Reviews	7,366	Referrals	10
No. of People in receipt of services	10,200		

4.2 Of the 10,200 people who received a service from Health and Adult Social Care last year only 2% felt the need to formally complain about the service that they received.

4.3 Outcomes for Adult Statutory & Corporate Complaints

Table 9: Outcomes for Adult Statutory & Corporate Complaints		
Outcome	Number	%
Complaint withdrawn	4	2.0%
No further action	2	10.0%
Not upheld	87	43.0%
Partially upheld	49	24.0%
Upheld	46	22.5%
Upheld following appeal	1	0.49%
Stopped		
Safeguarding investigation	1	0.49%
Appeal process	1	0.49%
Ongoing	12	6.0%
Not known	1	0.49%
Total	204	

- 4.4 Of the 204 outcomes recorded 43% of complaints were not upheld, 24% were partially upheld and 22.5% were upheld. Some complaints were not completed and therefore we did not have an outcome in the year 2011/12.

5.0 Managing Complaints

Responses made within timescales

Adult Social care complaints are assessed by Risk level, Low, Medium and High.

Table 10: Overall Performance Report			
1 April 2011 to 31 March 2012			
Complaint Type	Acknowledgement within timescale	Full Response within timescale	
Cllr/MP Enquiry	93.3%	75.8%	
Adult Statutory Complaint	94.4%	LOW	62.7% (118 complaints)
		MEDIUM	85.7% (21 complaints)
		HIGH	0% (1 complaint)
Corporate Complaint	92.4%	82.4%	

- 5.1 We are unable to compare 2011/12 performance to that of 2010/11 last year as there were major problems with the database. This has now been resolved. We can however compare these figures to 2009/10. The overall performance has improved and in 2009/10 74.6% of Cllr/MP enquiries were responded to within timescale compared to 75.8% this year. With regard to

the Statutory complaints 63.7% of Low category of complaints were responded to within timescale in 2009/10 compared to 62.7% this year and 70.8% of Medium category complaints were responded to within timescale compared to 85.7% this year. Of the High category complaints 87.5% were responded to within timescale in year 2009/2010 compared to 0% this year. Only 1 high category complaint was received in 2011/12 and this was not responded to in timescale. This was three days outside of the 60 day timescale for these complaints.

5.2 Under the Statutory complaints procedure, we aim to send complainants a full reply within 10 working days if possible, or if the matter is more complicated, the target timescale is 20 working days. For extremely complex cases, which may require independent investigation, a target of up to 60 working days may be necessary.

5.3 The Corporate complaints procedure had 3 Stages and the timescales for responding to complaints are: Stage 1 = 10 working days, Stage 2 working = 20 days, Stage 3 = 20 working days.

6.0 Action taken to capture learning from complaints and customer feedback

6.1 There are well established systems in place to capture and record details of customer feedback and complaints but they are not consistently applied. This is being addressed through staff training and managers are asked to complete the Manager's Action Plan, which is included with the complaint notification. The Managers Action Plan is being redesigned to try to encourage managers to complete them. Responses to complaints should contain the following information

- An acknowledgement of issues raised by the complainant
- An apology, if appropriate, or an acknowledgement of the complainant's feelings
- An explanation of the actions to be taken
- What should have been done differently
- What will be done now (actions)
- What has been learned
- What the complainant should do if they remain dissatisfied

6.2 Learning from complaints can be put into three categories, Individual Learning, Team/Service Learning and Organisational Learning. During the past year complaints have resulted in the following actions:

- Charges waived or refunded
- Re-assessment of need
- Review of Care Package / Care Manager
- Improved guidance to Provider agencies
- New process for payment of invoices to Providers
- Review of Policy and Procedure for Disabled Parking Badges

- Line Management action

6.3 The Customer Care and Complaints Team will continue to remind staff of the importance of reporting all compliments received so that a true representation of the views of our customers can be obtained.

The Customer Care and Complaints Team will continue to support operational staff and managers in handling and responding to complaints and will be providing some training for them over the coming year following discussion with the Directorate Management Team. We aim to increase our learning from complaints, to disseminate good practice and to achieve more service improvements as a result.

7.0 Access to Records Requests

This important function is provided Under the Data Protection Act 1998 to anyone who requests access to their social care records.

2009/10	2010/11	2011/12
13	20	40

7.1 The number of Subject Access requests has increased by 100% in the last year.

8.0 Freedom of Information Requests

This service is provided under the Freedom of Information Act 2000 and is facilitated by the Customer Care and Complaints Team.

Numbers of FOI Requests – 2009-10 to 2011-12

2009/10	2010/11	2011/12
56	65	115

8.1 The number of FOI requests has increased by 77% in the last year, resulting in a significant increase in the amount of time spent by staff in services and in the Customer Care and Complaints team meeting the cost of this additional demand. It is not clear what drove this additional demand, but it would not be sustainable.

8.2 FOI requests by Requester. Requests were made by the following people/agencies.

Number of requests Received			
How Involved	Both Directorates (CSL & HASC)	Health & Adult Social Care Directorate	Total
Deceased service user representative	0	3	3
General	1	0	1
Independent Agency	12	20	32
Information Commissioner's Office	0	1	1
Legal/Solicitor representative	0	2	2
Media	10	12	22
Member of the Public	13	16	29
Other LA	0	1	1
Researchers	7	14	21
Service User	0	1	1
Student	0	1	1
Total	43	72	115

2.3 Requests were received regarding the following subjects

FOI Request classification 2011 - 2012	
	No. of Requests.
Accessibility of Provision	13
Adult Financial Spend	42
Availability of Provision	19
Deceased Records	7
IT Systems/Communications	7
Staff and Employment	21
Health and Safety	1
Legal / Insurance	2
Safeguarding	3
TOTAL	115

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