

REPORT TO: Policy and Performance Review Committee

MEETING DATE: 25 September 2012

BY: Executive Director (Support Services)

SUBJECT: Social Work Complaints and Feedback Annual Report
2011-2012

1 PURPOSE

- 1.1 To give a report on the use of the Council's Social Work Complaints and Feedback Policy for the year 2011/12.

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).

3.4 BREAKDOWN OF FEEDBACK

3.4.1 Stage 1 complaints are dealt with directly at point of service. **30** Stage 1 complaints were recorded for 2011/2012; a slight decrease on the number received the previous year (39). 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 a service, such as the provision of supporting aids.

3.4.2 In the year 2011/12, East Lothian Council received **71** Stage 2 complaints about its Social Work services, an increase of 23% on the number of complaints received last year (55). A breakdown of Stage 2 complaints by subject is attached at Appendix 1 (Adult Wellbeing), Appendix 2 (Children's Wellbeing) and Appendix 3 (Criminal Justice).

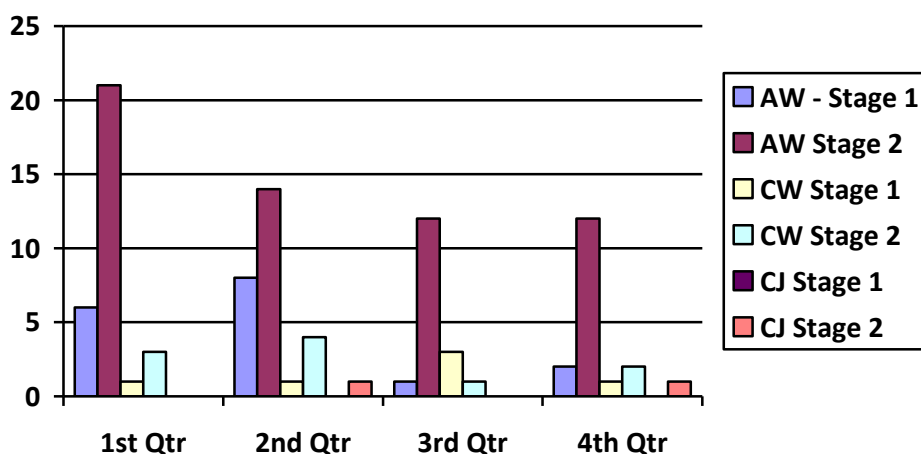
3.4.3 The following is a breakdown by service:

Adult Wellbeing (AW): **57** (an increase of 32% from last year)

Children's Wellbeing (CW): **12** (a decrease of 25% from last year)

Criminal Justice (CJ): **2** (an increase - 0 complaints were received last year)

3.4.4 The following bar chart shows the number of Stage 1 and Stage 2 complaints for each social work service received per quarter:



3.4.5 It is positive to note that the number of stage 2 complaints for Adult Wellbeing decreased over the year. However, a higher proportion of complaints need to be resolved at point of contact / service level. This is best practice, as resolving complaints at an early stage is best for both the client and the Council. This will be an area targeted for improvement next year.

3.4.6 Examples of Stage 2 complaints include:

- Concerns about the standard of care / procedures in Council run residential homes
- 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
- Disputing decision to take value of property into account as part of financial assessment for care contributions (deprivation of capital)
- Lack of supervision for clients carrying out community service

3.4.7 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. **62** compliments were received about social work services in 2011/12, a decrease from the number received the previous year (93). Extracts of some of the positive comments received from clients and their families are attached at Appendix 4.

3.4.8 Complaints should be acknowledged within 5 days and responded to within 28 days. Average acknowledgement and response times for 2011/12 were as follows:

93% acknowledged within 5 days

83% responded to, or an update provided, within statutory timescale (28 days): *(62% received a full response within timescale)*

3.4.9 There was a slight dip in performance compared to last year (96% and 87%), largely due to a poor level of performance in Q2. However, this was addressed and it should be noted that performance in Q4 improved significantly with 100% performance in both categories.

3.4.10 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. Holding more face-to-face meetings and increasing telephone contact to try and resolve complaints at an earlier stage is being encouraged.

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

- Upheld – 28%
- Partially upheld – 32%

- Not upheld – 40%

3.4.12 It is interesting to note the % of complaints upheld and partially upheld. This demonstrates that client concerns are being taken seriously and managers are demonstrating a willingness to review their services in an objective way.

3.4.13 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.

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

- 1) Service delivery (external agencies)
- 2) Conduct of social worker
- 3) Financial assessment process
- 4) Standard of residential care
- 5) Occupational Therapy Assessment

3.4.15 3 complaints cases were referred to a Complaints Review Committee (2x deprivation of capital – disputing outcome of financial assessment; 1x disagreement with recommendation of social worker in a child protection case – maternal grandparents felt they were treated unfairly). 2 complaints were not upheld, 1 was upheld (deprivation of capital case). However, this recommendation was later overturned by the Social Work Appeals Sub-Committee.

3.4.16 The SPSO received 4 complaints about East Lothian Council's Social Work Services. None proceeded to full investigation.

3.4.17 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
- Cancelling invoices
- 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

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

- The SPSO carrying out complaints handling training for relevant Team Leaders/Managers.

- Children's Wellbeing reviewing its training for social workers on report writing skills
- Review of financial assessment process
- Improvements to public information, in particular financial information relating to care services
- Initiatives undertaken to decrease waiting times for OT assessments
- Refurbishments carried out to Eskgreen Care Home
- Regular meetings held with Home Care staff to ensure that care packages are delivered as agreed

3.5 DEVELOPMENTS FOR 2012/13

3.5.1 The statutory social work complaints procedure is currently under review by the Scottish Government to determine whether it is fit for purpose. This is likely to result in changes to current procedures. The Customer Feedback Manager will continue to engage with external agencies such as the ADSW Complaints Sub-Group and the SPSO on this matter.

3.5.2 The Customer Feedback Team will carry out briefing sessions with social work staff to encourage a positive attitude towards complaints and an avoidance of blame culture.

3.5.3 Regular reports will be submitted to PPRC.

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 – Stage 2 Complaints Breakdown (Adult Wellbeing) 2011/2012.
- 7.2 Appendix 2 - Stage 2 Complaints Breakdown (Children’s Wellbeing) 2011/2012.
- 7.3 Appendix 3 - Stage 2 Complaints Breakdown (Criminal Justice) 2011/2012.
- 7.4 Extracts of compliments received about social work services in East Lothian 2011/2012.

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DATE	11 September 2012

Appendix 1 - Complaints Breakdown 1 April 2011 to 31 March 2012 – Adult Wellbeing

Main Subject of Complaint	Number of complaints	Upheld	Partially upheld	Not Upheld
Service delivery from external agencies (mainly home care)	17	8	5	4
Conduct of Social Worker	11	0	4	7
Community Care Financial Assessment	10	6	3	1
Standard of residential care - accommodation / facilities / care	8	1	2	5
Delay in OT assessment	6	1	4	1

Main Subject of Complaint	Number of complaints	Upheld	Partially upheld	Not Upheld
SW Administration / Record Keeping	3	0	2	1
Community Alarm Service	1	1	0	0
CRC decision	1	0	0	1

Appendix 2 - Complaints Breakdown 1 April 2011 to 31 March 2012 – Children’s Wellbeing

Main Subject of Complaint	Number of complaints	Upheld	Partially upheld	Not Upheld
Decisions / report writing / conduct of Social Worker	6	0	0	6
Contact / Access dispute	3	0	2	1
Allegation of Abuse (historical) – lack of action by Local Authority	1	0	0	1
Recruitment & Selection	1	1	0	0
Lack of support for foster carers	1	0	1	0

Appendix 3 - Complaints Breakdown 1 April 2011 to 31 March 2012 – Criminal Justice

Main Subject of Complaint	No	Upheld	Partially upheld	Not Upheld
Community Service – Lack of Supervision	2	2	0	0

Appendix 4 - Extracts from Social Work Compliments 2011/12

Subject: Reablement Team:

'East Lothian should be proud of their reablement team. I cannot speak more highly of their professional, dedicated and respectful manner.'

Subject: Residential Care

'With sincere thanks and appreciation for all your care to....during her stay at Eskgreen'

'It is impossible to point out individuals because all members of staff have been truly magnificent. Each and every one displayed almost a sense of calling for work which can only be described as onerous, demanding and extremely wearing at times...the simple truth is that we cannot properly express our thanks and gratitude. Such feelings are impossible to put into print'. (Written about staff at The Abbey Care Home)

'I think you are very 'special' people who do a wonderful job and I can't praise you all enough.'

Subject: Occupational Therapy / Discharge Response Team

'To conclude, the team dealing with my mother were excellent and you are fortunate to have them working for you.'

Subject: Social Workers / Referral Process

'...absolutely excellent and a great support, very caring and very intelligent.'

'Very happy with the response from social work, from the time the call was taken in the Contact Centre and the way it was dealt with by the social work duty team, to the help and support I am now receiving from my social worker.'

'Totally impressed with the prompt response to initial referral, ongoing assessment and diligent communication with myself regarding my mother's care.'

Subject: Home Care

'Absolutely first class care from everybody.'

'This extremely rapid response undoubtedly enabled my mother to remain under care in her own home rather than requiring her being admitted to hospital (with all its associated complications and stresses for someone that age). Both my wife and I have been extraordinarily impressed by not only the speed of the response but in particular by the quality, professionalism and caring nature of those involved.'

'May I, a nonagenarian,...simply offer a trillion thanks to you and your staff.'