

REPORT TO: Policy and Performance Review Committee

MEETING DATE: 23 September 2014

BY: Depute Chief Executive, Partnerships and Services for Communities

SUBJECT: Social Work Complaints and Feedback Annual Report 2013-2014

1 PURPOSE

- 1.1 To give a report on the use of the Council's Social Work complaints procedure for the year 2013/14.

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. **29** Stage 1 complaints were recorded for the year 2013/2014, a 17% decrease 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/failures in providing an agreed service e.g. missed home care visit or failure to keep a scheduled appointment.

3.5 For the year 2013/14, East Lothian Council received **48** Stage 2 complaints about its social work services, a 29.5% reduction from last year when 68 were received.

3.6 A breakdown of complaints by subject and social work area per quarter is detailed in Appendices 1a and 1b.

3.7 The following is a breakdown by service:

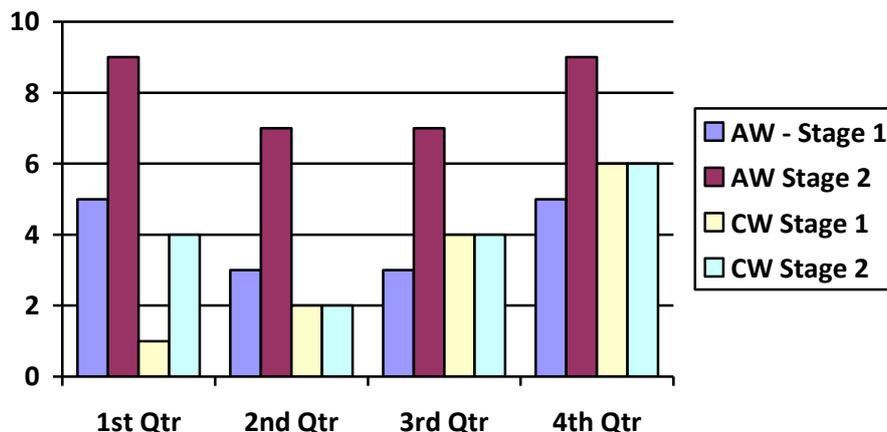
Adult Wellbeing (AW): Stage 1:**16**; Stage 2: **32**

Children’s Wellbeing (CW): Stage1: **13**; Stage 2: **16**

Criminal Justice (CJ): **0**

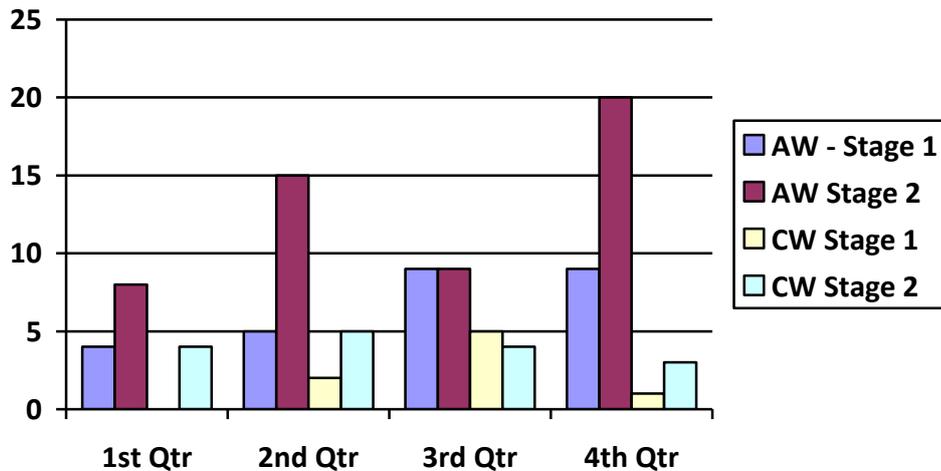
3.8 The following bar chart shows the number of Stage 1 and Stage 2 complaints for each social work service received per quarter for the year 2013/14:

Social work complaints per quarter 2013/2014



3.9 This can be compared against the chart below, which shows the total numbers of complaints received per quarter for last year (2012/2013):

Social Work complaints per quarter 2012/2013:



3.10 One thing to note is that there was an overall decrease in the number of complaints over the year, with the number of Stage 2 complaints received each quarter for both Adult Wellbeing and Children's Wellbeing remaining in single figures. Numbers stayed fairly consistent with slight peaks for Adult Wellbeing in Q1 and Q4 and a peak for Children's Wellbeing in Q4. Improvements could still be made in that, ideally, more complaints should be dealt with at Stage 1, particularly for Adult Wellbeing, as resolving complaints at an early stage is best for both the client and the Council. It should be noted, however, that a number of concerns are resolved operationally on a day-to-day basis without recourse to the complaints procedure.

3.11 Examples of Stage 2 complaints include:

- Child Protection – perception that social workers were taking the side of one parent over another (following relationship breakdown)
- Unhappy with changes to contribution levels towards cost of care packages
- 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)
- Age of retirement from Day Centres
- Changes to Day Care provision

3.12 Social work services also receive comments and 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. **4** comments and **60** compliments were received about social work services in 2013/14. There was a slight decrease in the number of compliments received last year (66) but compliments represented a higher proportion of the overall total of customer feedback about social work services; 42.5% as opposed to 39% last year. Extracts of some of the positive comments received from clients and their families are attached at Appendix 2. The majority of compliments were for the Adult Wellbeing service and a notable number were received about the standard of care at The Abbey Care Home in North Berwick.

3.13 Complaints should be acknowledged within 3 working days (reduced from 5 working days) and responded to within 28 days. The average acknowledgement and response times for the year 2013/14 were as follows:

89% acknowledged within 3 working days (2012/13: 99% - for an acknowledgement timescale of 5 working days)

79% responded to, or an update provided, within statutory timescale (28 days). 62% received a full response within timescale. (2012/13: 82% and 60% respectively)

3.14 Often, due to the complex nature of Stage 2 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. Meetings with clients and/or their representatives is often necessary at Stage 2 and is seen as good practice.

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

	2012/13	2013/14
Upheld	21%	21%
Partially upheld	45%	21%
Not upheld	34%	58%

3.16 The % of complaints not upheld rose significantly from last year, while the number of complaints partially upheld decreased. The % of upheld complaints remained the same.

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) Conduct / attitude of social worker (*correlation found between complaints and social worker advising of unwelcome decision*)
- 2) Child Protection issues (handling of referrals, experience at Child Protection Case Conferences, implementation of decisions e.g. contact etc)
- 3) Care Package (including allocated time for tasks / use of eligibility criteria / quality of care etc)
- 4) Financial issues e.g. charges or contributions towards care
- 5) Day Centres

3.19 Three complainants asked for their complaints to be referred to a Complaints Review Committee (CRC). One related to deprivation of capital and was not upheld. Another related to charges for care at home services where a parent thought their daughter was being overcharged. This was upheld by a Complaints Review Committee but then overturned by the Social Work Appeals Sub-Committee (SWASC). A subsequent complaint to the SPSO that the SWASC had acted unreasonably was not upheld. The third complaint related to how Children's Wellbeing had interacted with a parent and grandparents who did not have access to a child. A CRC did not uphold the complaint but did make some recommendations about service improvement, specifically in relation to the recording of meetings. The CRC also noted the remedial actions already taken by the Council to try and resolve the complaint.

3.20 The SPSO received 6 complaints about East Lothian Council's Social Work Services, 1 less than last year. One complaint about social work services is currently open at the investigation stage (the final case referred to in paragraph 3.20).

3.21 For the complaints closed at Stage 1 or Stage 2 of the complaints 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 There was a notable decrease in the number of complaints about the waiting times for Occupational Therapy Assessments and the time taken to process financial assessments and reach decisions on whether or not

clients were self funding or local authority funded for residential care. There was also a decrease in the number of complaints received about the quality of social work reports. This may be due to the following improvement actions undertaken last year:

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

DEVELOPMENTS FOR 2014/15

- 3.23 Complaints Review Committees remain a statutory requirement until a decision is taken by Ministers on the Scottish Government Review of the social work complaints procedure. East Lothian Council will be chairing the Social Work Scotland Complaints sub-group for the year 2014/15. Following the production of complaints information specifically for children, a review will be undertaken to look at improving access to the complaints procedure for adults with learning difficulties.

4 POLICY IMPLICATIONS

- 4.1 None

5 RESOURCE IMPLICATIONS

- 5.1 Financial – None
- 5.2 Personnel - None
- 5.3 Other – None

6 EQUALITY IMPACT ASSESSMENT

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

7 BACKGROUND PAPERS

- 7.1 Appendix 1a– Complaints Breakdown (Adult Wellbeing) 2013/2014.
- 7.2 Appendix 1b – Complaints Breakdown (Children’s Wellbeing) 2013/14
- 7.3 Appendix 2 - Extracts of compliments received about social work services in East Lothian 2013/2014.

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DATE	9 September 2014

Appendix 1a Stage 2 Complaints Breakdown 2013/2014 for Adult Wellbeing

Main Subject of Complaint	April – June 2013	July – September 2013	October – December 2013	January – March 2014	Total
Care Package (including allocated time for tasks / use of eligibility criteria / quality of care etc)		1	2	5	8
Staff attitude / conduct	2	1	1	2	6
Financial issues e.g. charges or contributions towards care	1		4		5
Day Centres	2	2			4
Home Care	2			1	3
Occupational Therapy Service (including time taken for assessment)	1	1		1	3
Communication / involvement in care decisions		2			2
Residential Care	1				1
Outcomes	Not Upheld x 6 Partially Upheld x 2 Upheld x 1	Not Upheld x 6 Partially Upheld x 1 Upheld x 0	Not Upheld x 2 Partially Upheld x 2 Upheld x 3	Not Upheld x 2 Partially Upheld x 4 Upheld x 3	NU -16 PU – 9 U- 7
Total Number of Complaints	9	7	7	9	<u>32</u>

Appendix 1b Stage 2 Complaints Breakdown 2013/2014 for Children's Wellbeing

Main Subject of Complaint	April – June 2013	July – September 2013	October – December 2013	January – March 2014	Total
Conduct / attitude of social worker	3	1	2	2	8
Child Protection issues (including handling of referrals, operation of Child Protection Case Conferences, implementation of decisions re: contact/ visits etc)	1	1	2	3	7
Quality of social work reports				1	1
Outcomes	Not Upheld x 4 Partially Upheld x 0 Upheld x 0	Not Upheld x 1 Partially Upheld x 1 Upheld x 0	Not Upheld x 3 Partially Upheld x 0 Upheld x 1	Not Upheld x 4 Partially Upheld x 0 Upheld x 2	NU -12 PU – 1 U- 3
Total Number of Complaints	4	2	4	6	<u>16</u>

Appendix 2 - Extracts from compliments received about social work services for the year 2013/2014

Subject: Residential Care

'No words can fully express our appreciation for the thoughtful care and support you have shown to dad during his stay at the Abbey... He was in a safe and loving environment, stimulated and encouraged to participate in the activities and the difference in his attitude to life was amazing. Thank you for the compassion shown to us at the end of dad's life and thank you for making his passing peaceful and dignified.'

Subject: Provision of Equipment

'The team was fantastic and in four days we had all the various aids to help my husband get about our house safely. Stair rails, grab rails on the outside door and in garden.... All the staff and workmen were very friendly and caring. We cannot thank you all enough for the way we have been treated.'

Subject: Support of Social Worker

'I just wanted to thank you for all your help. You helped me turn things around when I didn't even believe it was possible to do so.'

Subject: Occupational Therapy / Hospital Discharge

'We cannot thank all parties, concerned with aftercare, enough after my husband's discharge from hospital. Especially JM, OT and EL who were very kind and patient, explained everything in a polite and pleasant manner and in a way which we could both understand.'

Subject: Home Care

'Thank you for all the wonderful care and support given to my mother...no other agency whether private or public sector could have done better. The Team are a credit to ELC and provide a vital service to families when they need help the most.'

Subject: Duty Response and Rehabilitation Team

'I would like the council to keep and, if possible, expand this wonderful team and give it the recognition it deserves.'

Subject: Report Writing

Compliment received on the quality of reports to the Permanency Panel and professionalism of staff.

Subject: Child Protection Training

Mr F passed on his thanks and appreciation for the Child Protection Training held in September 2013 which was high quality, engaging and informative.