

COMPLAINTS, COMMENTS AND COMPLIMENTS (2002/2003)

Report By: Head Of Social Care (Children)

Wards Affected

County-wide

Purpose

1. To consider a report on the operation of the complaints process and procedures.
2. This is the First Annual Report for Herefordshire Council's Social Care and Strategic Housing Directorate on the operation of the Complaints Process and Procedures in respect of Adults, Children's, Strategic Housing Service and Business Service. The reporting period is from 1 April 2002 to 31 March 2003 with an update of April to September 2003 in year results, it provides information on:-
 - Changes introduced
 - Procedures
 - The number of complaints, comments and compliments
 - Lessons learnt
 - Training for staff
 - Links with the Corporate Complaints system and the West Midlands Complaints Officer

Financial Implications

3. No direct implications.

Background

4. The Complaints, Comments and Compliments Procedure was introduced in response to the following legislation: Local Authority Social Services Act 1970, amended by the National Health Service and Community Care Act 1990 (Section 50) and Children Act 1989, Part iii, Sections 24, 26, 59, Schedules 6 and 7 and Regulations and Guidance Volume 3..
5. Within the Social Care and Strategic Housing Directorate a specific Complaint, Comments and Compliments leaflet has been introduced. It is a reflection of the broader requirements of Herefordshire Council's Corporate Procedures. -There are two separate versions of the leaflet: the main leaflet is for members of the public and service users, the second is aimed primarily at Children and Young People. The

leaflets give information on how to make a complaint, who to contact, and the timescales for response, along with other helpful contacts and information. The leaflets were introduced in September 2002. This coincided with the employment of a Complaints Administrator to monitor and run the complaints procedure for Social Care and Strategic Housing. The Administrator also ensures that the leaflets are available to everyone by request and are displayed in reception areas of all offices, and given out at different stages to Service Users.

6. The Directorate has a duty to comply with general complaint reporting, which does not fall within the boundaries of the National Health Service and Community Care Act (1990) and the Children Act (1989). Complaints that do not fall under these guidelines are called Corporate Complaints and are dealt with under the Council's Corporate Complaints Procedure. The Directorate reports quarterly to the corporate complaints committee with an annual report to this Committee.

CHANGES INTRODUCED

7. In April 2002 a computerised Complaints Comments and Compliments system (ComTrac) was implemented. It is an in house system, developed for corporate use, which has also been adopted by Social Care and Strategic Housing Directorate. The system enables the monitoring of number of complaints, comments and compliments by service. These are in turn categorised to enable a further breakdown when analysing the information. The needs of the Directorate to comply with other legislation has meant the need to run a separate database alongside ComTrac to gather more detailed information, which the Directorate is required to report on. This includes such things as ethnicity of the complainant and whether or not there is involvement of an MP, or Councillor, on behalf of a complainant.
8. One of the immediate changes resulting from the implementation of the Complaints, Comments and Compliments Procedure was the creation of the Complaints Administrator post. The volume of work associated with Complaints, Comments and Compliments that the Social Care and Strategic Housing receive, indicated to senior management a requirement to have a person solely dedicated to this area. The post was created to enable a person to set up the process, administer the system, monitor the procedures, feedback on the learning from Complaints, whilst raising awareness of the procedures amongst staff. An appointment of a Complaints Administrator was made in October, initially to focus on setting up a system, clearing the backlog with a timescale set for December 2002.
9. On creation of the Complaints Administrator post, Complaints, Comments and Compliments from all four service areas of Social Care and Strategic Housing were focused in one place. This meant that they all adhered to the same system and procedure which consequently meant changes in the methods already in use. The Complaints Administrator ensures that all cases are dealt with in the same time scales and are logged in the same manner, thus facilitating the download of information every quarter, and subsequently at the end of every financial year.

HEREFORDSHIRE COUNCIL'S SOCIAL CARE AND STRATEGIC HOUSING COMPLAINT PROCEDURES

10. Procedures apply to Complaints, Comments and Compliments under the National Health Service and Community Care Act (1990) and the Children Act (1989). It has four key stages. The following is extracted from the leaflet:

“Informal – “On the spot” problem-solving

Usually the problem can be sorted out straight away. – Tell whoever you have contact with what has happened (i.e. Social Worker) and they can often sort things out there and then.

Stage One – Quick solution

Occasionally a more senior person (Team or Service Manager) needs to look at what has happened. You have the right to ask for this. Once the Complaint has been received, this will be acknowledged by letter within 2 working days and you should get a reply in writing within 10 working days, unless otherwise advised (which could be up to 28 working days).

Stage Two – Making it Formal

You may wish to have an independent opinion, someone from outside the Team or Directorate, for more serious matters, or you may not be happy with the outcome at Stage One. The Complaints Officer / Administrator will arrange for your complaint to be investigated by an Independent Investigator. You will receive a written report from them, and will also be told of any recommendations for change.

Stage Three – Independent Review

If you are unhappy with the outcome at Stage Two, you can ask for an Independent Review Panel. A Three Person Panel, chaired Independently will review the whole situation, meet with you to hear what you have to say, and decide if:

- The investigation process was carried out fairly
- The conclusions were reasonable
- Any more can be done

Local Government Ombudsman

Relevant legislation says the Ombudsman must look for ‘maladministration’ by a council that has caused you ‘injustice’. This means something that the council has done wrong, or failed to do, that directly affected you. But the Ombudsman cannot question whether a council’s decision or action is right or wrong simply because you disagree with it, and they may not investigate your complaint if they decide the injustice is only slight. Your complaint to the Ombudsman should be made within 12 months of when you first knew about the matter you are complaining about.”

THE NUMBER OF COMPLAINTS, COMMENTS AND COMPLIMENTS.

11. Although the period is relatively short for statistical purposes from which to draw any conclusions, there does appear to be an evident increase in the number of complaints after the implementation of the Complaints procedure. This may be due it part to the introduction of processes and procedures for stanardising throughout the Directorate
12. Table 1 records the number of complaints received during the period April 2001 to September 2003.

Table1

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
2001/02	1	1	2	3	3	1	3	4	6	2	4	4
2002/03	2	5	7	5	10	7	8	5	9	7	7	9
2003/04	8	11	8	2	6	7						

13. The total number of complaints (2002/2003) also needs to be considered in the context of the total number of Service Users within the Directorate. The 81 complaints represent 0.74% of the 11,000 average numbers of people with an open service as at 31 March 2003.
14. Complaints are a good way of monitoring the services provided by the Directorate. We welcome complaints that provide us with the opportunity to improve the services we offer, as we try as best we can to learn from these.
15. Table 2 is a breakdown of this years Complaints, Comments and Compliments from April to September.

Table 2

April – September 2003				
	Complaints	Comments	Compliments	TOTALS
Adults	54	8	30	92
Children	14	3	10	27
Housing	18	0	18	36
TOTALS	86	11	58	155

LESSONS LEARNT

16. Each complaint, comment or compliment has the potential as a learning exercise for the Directorate. Each is taken on its merits. The introduction of the Complaints Administrator post has enabled a comprehensive review of Directorate wide information around the subject and a concise monitoring of performance to be readily available.
17. Of the complaints received during the period April to September 2003 four led to changes in practice.

LINKS WITH THE CORPORATE COMPLAINTS SYSTEM AND THE WEST MIDLANDS COMPLAINTS OFFICER

18. Staff have been always been aware of the need to record complaints and how to action them. The introduction of centralised monitoring arrangements as well as the requirements for recording compliments and comments has identified a need for additional training to ensure a robust mechanism exists and is fully utilised.
19. The Complaints Administrator now attends the Directorate Staff induction meetings and gives an overview of procedures as well as issuing the Directorate leaflets. The meetings have been found to be very productive in ensuring new staff are fully aware of the procedures and the reliance on them to ensure compliance.
20. An education programme for staff already in post has been developed and will be formally delivered to each of the Service Teams on a rolling programme starting in 2004.
21. The post of Complaints Administrator liaises with the corporate complaints function, providing it with necessary performance information and acting as an interface between the Directorate and corporate function on a daily basis. The post also represents the Directorate on the corporate steering group for the application of information technology to record, analyse and display all relevant complaint, compliment and comment based information.
22. On a wider level the Directorate has strong links with the West Midlands Complaints Officer Group. The group is specific to the needs of Social Care and forms part of a national forum. It meets on a quarterly basis to discuss and review experiences as well as develop protocols for local use. It provides a useful forum to ensure that our experiences and aspirations are heard.

RECOMMENDATION

THAT the report on Herefordshire Social services performance be noted

BACKGROUND PAPERS

- None