

ABERDEEN CITY COUNCIL

COMMITTEE	Social Care and Wellbeing
DATE	10 th March 2011
DIRECTOR	Fred McBride
TITLE OF REPORT	Annual Complaints Report
REPORT NUMBER:	SCW/10027

1. PURPOSE OF REPORT

- 1.1 This report presents information to Elected Members on complaints received and registered under the formal complaints procedure for Aberdeen City Council's Social Work Service between 1st April 2009 and 31st March 2010.
- 1.2 Complaints that are registered by the complaints section, as reported here, are those where the requirement is for a formal investigation and a full written response under the procedure. This report does not cover informal reports considered and investigated by the Social Care and Wellbeing Service.

2. RECOMMENDATION(S)

- 2.1 It is recommended that Elected Members note the contents of the Complaints Annual Report.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications arising from this report.

4. OTHER IMPLICATIONS

- 4.1 There are no other implications arising from this report.

5. BACKGROUND/MAIN ISSUES

5.1 Background

- 5.1.1 The recording, investigation and response to complaints made against Aberdeen City Council's Social Care and Wellbeing Service is primarily defined by SWSG Circular 5/1996, the NHS and Community Care Act 1990 and The Social Work (Representations Procedure) (Scotland) Directions 1996.

- 5.1.2 These lay out the methods and timescales for responding to complaints made orally, by e-mail, by telephone or in writing: by or on behalf of:
- a. A person for whom the local authority provides a service, either directly or indirectly;
 - b. A person whose request for a service has been refused by the authority and/or;
 - c. Other persons whose need or possible need for a service, which the local authority has the power to provide, has come to the authority's attention.
- 5.1.3 The guidance places a duty on local authorities to publish the results of complaints, to demonstrate that complaints are dealt with seriously and fairly. The Complaints Annual Report is the mechanism whereby the Council discharges this responsibility. Information on the number of reports received and the Service's acknowledgement and response times are also included in the Social Care and Wellbeing Committee's Performance Report.
- 5.1.4 The Annual Report highlights the number and type of formal complaints received about Social Work Services, during the period 01/04/09 to 31/03/10.
- 5.1.5 This report considers Stage Two complaints under the guidance, which are statutory complaints made by or in respect of a 'qualifying individual' or someone acting on behalf of the individual and; Stage Three complaints, which are statutory complaints where the complainant is not satisfied with the response they have received and which they have requested be examined by the Complaints Review Committee.
- 5.1.6 This report does not detail enquiries about social work services raised and resolved through the Elected Member enquiry system.

Stage Two Complaints

- 5.1.7 In the period 1st April 2009 to 31st March 2010, there were a total of 128 complaints recorded, regarding the Social Work Service. This compares with 167 complaints received in the period 2008-09.
- 5.1.8 Of the 128 complaints, 48 were upheld, 40 were not upheld, 35 were partially upheld, 3 were withdrawn by the complainant, 1 was resolved through meetings with the complainer and 1 was found on investigation to relate to a service not provided by Aberdeen City Council.
- 5.1.9 The breakdown of the figures by client group for 2009-10 complaints is as follows:

Service	Upheld	Not Upheld	Partially Upheld	Withdrawn or otherwise	Total

				resolved	
Other Services *	2	0	2	0	4
Adult	7	15	5	3	30
Child Care	8	18	20	1	47
Older People and Rehabilitation Services	31	7	8	1	47
Total	48	40	35	5	128

* Other services refers to the provision of transport and blue/green badges, both of which the Social Care and Wellbeing Service ceased to manage in 2009.

5.1.10 The 128 formal complaints should be considered in the context of the fact that at the time of writing there were 19,238 people receiving a social work service and that over the course of a 12 month period, the number would be higher. This 19,238 breaks down into 7,049 in Adult Services, 8,811 in Older People and Rehabilitation Services and 3,378 in Children's Services.

5.1.11 Of the 128 complaints, in two cases there were two complaints relating to an incident for one client (family member) and 1 individual put in two separate complaints during the course of the year.

5.1.12 Complaints are required to be acknowledged within 5 days and responded to within 28 days, where this response within 28 days is not possible a holding letter will be sent and a new timescale for response agreed.

5.1.13 For the period 1st April 2009 to 31st March 2010, 96% of complaints were acknowledged within the 5 day timescale and 56% were responded to within the 28 day deadline.

5.1.14 Many factors influence the ability of the service to respond to a complaint within 28 days. The need to consult the complainant and/or employees and access relevant reports etc. can delay the investigation and, consequently, the outcome for the service user.

Stage Three Complaints - The Complaints Review Committee

5.1.15 Where complainants are not satisfied with the outcome of their complaint, they have the right of appeal to an independent Complaints Review Committee. This Committee is administered by Aberdeen City Council's Corporate Governance Service.

5.1.16 For the period 1st April 2009 to 31st March 2010, 9 complainants took their cases to the Complaints Review Committee. Of these 9 requests, 5 have been considered by the Committee and the recommendations of the CRC have been presented to the relevant Committee, in line with the Council's guidance. The remaining 4 have yet to be concluded.

5.1.17 Of the 5 that were considered by the Complaints Review Committee, the Committee recommended and the Social Care and Wellbeing resolved:

- In 3 cases to uphold all of the complainers complaints, but make no recommendations of action for the Social Care and Wellbeing Service;
- In 1 case, not to uphold the complainers complaint, but to make recommendations regarding future management of the case and;
- In 1 case, to uphold some but not all of the complainer's complaints, but make no recommendations of action for the Social Care and Wellbeing Service.

5.2 Future Developments

5.2.1 Social Care and Wellbeing employs a part-time complaints officer. Previously this person's role had been an administrative one, supporting the complaints system. Since October 2009 there has been a dedicated full time administrator working to support the complaint process, although this post has yet to be filled on a permanent basis. This has led to the refocusing of the role of Complaints Officer into one which works more closely with members of the public, supporting people through the process, trying to seek resolution at an earlier stage and, in conjunction with operational services, in investigating complaints.

5.2.2 A new complaints policy and procedure for Social Care and Wellbeing Services., has now been finalised. From 1st April 2011, the service will agree in writing with a complainant the areas that the service will investigate. We will also provide an opportunity for a complainant who has received a response and remains unsatisfied, to have their complaint reviewed by someone within the service who is unconnected with the original investigation of their complaint. It is hoped that the introduction of this appeal stage will provide an additional opportunity to have their issues resolved, or to be able to reach a fuller understanding of why it may not be possible to resolve the issue of concern.

5.2.3 From 1st April we will also use careFirst Version 6 to record data relating to complaints, which will allow for more detailed analysis and ensure that complaint information is available for services. This data will be used to inform services of areas where improvements in services could be made and will also improve the type of data reported to Elected Members.

6. IMPACT

6.1 This report supports the Council's commitment to improving Social Work Services, by learning from the comments and complaints received from service users and their carers.

6.2 Responding to complaints about service type or service quality is used by the Social Care and Wellbeing Service to improve the services that are provided. This ensures that services are suitable for the individual, meeting their needs and delivering satisfactory outcomes, in line with the personalisation agenda of the 21st Century Social Work Review and the Council's own personalisation agenda.

7. BACKGROUND PAPERS

7.1 There were no background papers used for the preparation of this report. This report was prepared with statistical information retrieved from the Service's CareFirst case recording system and with information provided from staff within Corporate Governance who manage the Complaints Review Committee.

8. REPORT AUTHOR DETAILS

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