

ABERDEEN CITY COUNCIL

COMMITTEE Social Care and Wellbeing DATE 25th February 2010
DIRECTOR Fred McBride
TITLE OF REPORT Complaints Annual Report 2008/2009
REPORT NUMBER: SCW/10/013

1. PURPOSE OF REPORT

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 2008 and 31st March 2009. This report will cover both the time when services were in the Neighbourhood / CSWO structures and also the period when services were brought together into a Social Work Service managed by the Interim Programme Director.

Complaints that are registered by the complaints section, as reported here, are those where the initial requirement is for a formal investigation and a full written response under the procedure.

2. RECOMMENDATION(S)

- (a) It is recommended that Elected Members note the contents of the Complaints Annual Report.
- (b) It is recommended that Elected Members note the changes which will be made to the complaints system from April 2010, which will:
 - (i) improve the way in which the social work service responds to complainants;
 - (ii) ensure that information gathered from comments and complaints is used to improve service delivery.

3. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

4. SERVICE & COMMUNITY IMPACT

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.

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.

5. OTHER IMPLICATIONS

There are no other implications arising from this report.

6. REPORT

Background

- 6.1 The recording, investigation and response to complaints made against Aberdeen City Council's Social Work 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.

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.

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.

- 6.2 The Annual Report highlights the number and type of formal complaints received about Social Work Services, during the period 01/04/08 to 31/03/09.

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.

This report does not detail enquiries about social work services raised and resolved through the Elected Member enquiry system.

Stage Two Complaints

- 6.3 In the period 1st April 2008 to 31st March 2009, there were a total of 167 complaints recorded, regarding the Social Work Service.

Of the 167 complaints, 31 were upheld, 59 were not upheld, 48 were partially upheld, 23 were not resolved and 6 were withdrawn by the complainant.

Complaints are “not resolved” where they have not been capable of reaching a conclusion by the end of the year, where the complaint is not capable of investigation, where the complaint is anonymous, where the complaint has been taken forward by another method (e.g. by regular meetings to resolve issues) or where the complaint relates to a service not provided by Aberdeen City Council.

The breakdown of the figures by client group for 2008-09 complaints is as follows:

Service	Upheld	Not Upheld	Partially Upheld	Not Resolved (inc withdrawn)	Total
Adult	15	32	27	16	90
Child Care	16	23	19	9	67
Criminal Justice	0	4	2	4	10
Total	31	59	48	29	167

- 6.4 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.

For the period 1st April 2008 to 31st March 2009, 90% of complaints were acknowledged within the 5 day timescale and 41% were responded to within the 28 day deadline. Complaints statistics for the period 1st April 2009 to 30th September 2009 were reported to this Committee in January and have shown a significant improvement in both acknowledgement and response times – 97% acknowledged within timescales and 53% responded to within timescales. The service will achieve the target date of 100% of acknowledgements within 5 days by 1st April 2010.

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

- 6.5 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.

For the period 1st April 2008 to 31st March 2009, 12 complainants took their cases to the Complaints Review Committee. Of these 12 requests, 9 were considered by the Committee and the recommendations of the CRC have been presented to the relevant Committee, in line with the Council's guidance.

Future Developments

- 6.6 Social Care and Wellbeing employs a part-time complaints officer. Previously this person's role has been an administrative one, supporting the complaints system. Improvements to administrative support in recent months has led to a refocusing of the role 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.
- 6.7 Work is currently ongoing to develop a new complaints policy and procedure for Social Care and Wellbeing Services. This will include changes to the way in which data is recorded within the careFirst system, which will ensure that more detail on complaints data is captured and is available for detailed analysis. 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.
- 6.8 Detailed complaints information will be reported to the Social Care Management Team on a quarterly basis and will be used by Heads of Service and Service Managers to address areas where complaints have highlighted issues relating to service provision or service quality. Information regarding the nature and type of complaints will also be used to inform service redesign and commissioning of services.
- 6.9 Complaints regarding proposed budget savings for 2010/11 will be recorded and reported separately and will not form part of the standard complaints reporting format.

7 REPORT AUTHOR DETAILS

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8 BACKGROUND PAPERS

None.