



# **Sheffield City Council**

## **Annual Report of Complaints Received About Adult Social Care Services**

1 April 2018 – 31 March 2019

## **1. Introduction**

- 1.1. This report provides information on the complaints received about Adult Social Care services between 1 April 2018 and 31 March 2019.
- 1.2. The provision of an annual Adult Social Care complaints report is a requirement of the complaints procedures established through the NHS and Local Authority Social Services Complaints (England) Regulations 2009.
- 1.3. The report has been written by the Council's Complaints Manager (in the role of Complaints Manager as defined in the Regulations) on behalf of the Director of Human Resources and Customer Services.
- 1.4. Adult Social Care services form part of the People Portfolio of Sheffield City Council. Services are delivered to people in need of social care under the Fair Access to Care Services criteria. Services are delivered to people with a learning disability, physical disability and/or sensory impairment, and to older people. Mental health services are provided by the Sheffield Health and Social Care Trust; complaints and feedback about mental health services are reported separately by the Trust.

## **2. What is a complaint?**

- 2.1. Sheffield City Council defines a complaint as "any expression of dissatisfaction whether justified or not".
- 2.2. The aim of the Council is to resolve complaints to the satisfaction of the customers who have made them.

## **3. Who can make a complaint?**

- 3.1. Anyone who uses Sheffield City Council services can make a complaint.
- 3.2. The Council's corporate complaints procedure provides a process for all customers to use.
- 3.3. If a complaint is about Adult Social Care, the statutory complaints process, as defined by the NHS and Local Authority Social Services Complaints (England) Regulations 2009, is used.

## **4. The statutory complaints procedure**

- 4.1. The statutory complaints procedure is a single stage process designed to resolve matters at the earliest opportunity. However, Sheffield City Council has introduced an optional 'review stage', through which a customer who remains dissatisfied may request that a review of the investigation is carried out by a more senior officer. Where a complaint cannot be resolved, and the customer remains dissatisfied, they are informed of their right to raise this with the Local Government & Social Care Ombudsman.
- 4.2. A key characteristic of the statutory complaints process is the involvement of the customer in how their complaint will be resolved and how long this will take to investigate.

- 4.3. On receipt, the complaint is assessed against a set of criteria that determines the way it will be investigated. The majority of complaints are investigated and resolved by the service, but complaints can be investigated by independent investigators where this is judged appropriate. Independent investigators make recommendations to the Council's senior managers.
- 4.4. Complaints that are about both health services and social care services are investigated jointly with relevant NHS organisation/s. A single, coordinated response is made.
- 4.5. All complaint responses are approved and signed by the relevant Head of Service or, where appropriate, the Director of Adult Services.

## 5. Analysis of complaints and feedback

### Numbers received

- 5.1. A total of 184 new complaints were received about Adult Social Care services between 1 April 2018 and 31 March 2019. Of the new complaints 49 complaints were problem solved by the service (47 in 2017/18) and 135 were dealt with via an investigation (152 in 2017/18).
- 5.2. The Adult Social Care service also received/formally recorded a total of 20 compliments. The service does receive a number of compliments that do not get formally recorded.
- 5.3. The table below shows the number of complaints dealt with through an investigation broken down by service area (due to internal structure changes, the numbers for each service are not compared with previous years):

**Table 1: Complaints received per service 2017/18 & 2018/19**

Service area	2017/18	2018/19
0-25 Service/Future Options	2	8
Access & Prevention	13	0
Adult Provider Service	11	n/a
Equipment & Adaptations	9	0
Localities	67	52
Safeguarding	1	1
Social Care Accounts Service	19	26
Contracts/Strategic Commissioning & Partnerships	30	23
Transitions	0	n/a
City Wide Care Alarms	n/a	3
STIT	n/a	9
First Contact Team	n/a	5
Hospital & Out of Hours	n/a	8
<b>Totals</b>	<b>152</b>	<b>135</b>

### What the complaints were about

- 5.4. An analysis is made of each complaint on receipt. Therefore, the categorisation in the table below is based on the customer's perception on making the complaint, and does not take into account the findings and conclusions following investigation.
- 5.5. It should be noted that complaints are categorised against multiple categories to capture all areas of dissatisfaction. Therefore, the totals in the table are greater than the total for the number of complaints received.

**Table 2: Complaints by subject**

	2016/17	2017/18	2018/19
<b>Access</b>	7	1	4
<b>Policy</b>	9	1	5
<b>Service Quality</b>	128	132	147
<b>Failure or refusal</b>	119	87	95
<b>Delay</b>	60	33	38
<b>Staff Conduct</b>	53	40	41
<b>Total</b>	<b>376</b>	<b>294</b>	<b>330</b>

- 5.6. Overall, the number of causes of complaint recorded has risen slightly in 2018/19, after a reduction in 2017/18. Numbers have increased against all categories with 'quality of service' remaining the biggest cause of complaint and now accounts for 45% of all complaint causes.

### Responding to complaints

- 5.7. During 2018/19, a total of 106 complaint responses were issued about Adult Social Care services through the statutory complaints process and 15 complaint responses about Adult Social Care services through the corporate complaints procedure.
- 5.8. The Department of Health has recognised the complexities of Adult Social Care complaints, and the difficulties in ensuring a quality response in a set timescale, and so took this into account when drafting the complaint Regulations.
- 5.9. The Regulations require that a timescale is agreed with the customer for each individual complaint, as opposed to their being a set response timescale. However, the Regulations expect all complaints to be resolved within six months.
- 5.10. Sheffield City Council has a corporate target for responding to complaints of 28 days but in line with the regulations expects the timescale for all statutory complaints to be agreed with the customer in each individual case.
- 5.11. The overall average response time in 2018/19 for the Adult Social Care service was 79 days which is the same number of days reported in 2017/18.
- 5.12. The percentage of complaints responded to in 28 days has risen from 19% in 2017/18 to 20% in 2018/19.

5.13. The table below provides further detail on the statutory response time by specific service area in 2018/19.

**Table 3: Response time by service area**

Service Area	Number of responses	Average response time	% within 28 days
Localities	42	108	12%
City Wide Care Alarms	3	42	33%
Equipment & Adaptations	2	57	50%
STIT	7	36	29%
Hospital & Out of Hours	5	64	20%
First Contact Team	5	26	80%
Safeguarding	1	64	0%
Social Care Accounts Service	15	68	27%
Strategic Commissioning & Partnership	6	84	33%
Contracts	11	88	0%
0-25 Service (Adults Statutory Procedure)	5	58	20%
Future Options (breakdown of Teams under development)	2	69	50%
<b>Totals</b>	<b>104</b>	<b>81</b>	<b>21%</b>

### Complaint escalation

5.14. Escalation is where continued customer dissatisfaction following the initial response led to a review by a more senior manager. During 2018/19, 6% of complaints about adult social care services were escalated in this way (up from 1% in 2017/18).

5.15. However, the escalation rate is 15% when you take into account complaints referred to the Ombudsman (down from 16% in 2017/18).

### Outcomes

5.16. When a complaint is responded to, we record the complaint outcome. In 2018/19, the complaints responded to had the following outcomes:

- Service failures identified – 34%
- Service agreed a way forward with customer – 36%
- Misunderstanding clarified – 23%
- No action necessary – 7%
- Complaints withdrawn by customer – 0%

5.17. The Council is committed to working together with customers to agree resolution. These figures demonstrate that in most cases the Council identified areas for action and improvement.

## **6. Quality assurance**

6.1 The Complaints Team carries out quality assurance checks throughout the year on a sample of complaint responses. Forty responses were sampled during 2018/19, and Adult Social Care services scored a quality rating of 82% against a target of 80%. Generally scores were positive, this reflects work carried out in this area to deliver workshops around improving the quality of responses.

Areas identified for improvement from QA this year are around the level of personal contact made within 3 working days, personal contact was only made within 3 days in 38 out of 135 responses (28%). This was also a common theme from the 3 responses that fell below the expected standard, along with a lack of empathy and the responses being focussed on the outcome rather than what had gone wrong.

## **7. Multi-agency complaint handling**

7.1. The Adult Social Care service has signed an inter-agency protocol with the local NHS organisations, and aim to work together with local NHS organisations to provide single complaint responses to customer problems. This ensures the joint consideration of issues to assist in the improvement of services across health and social care boundaries.

7.2. Those NHS organisations that Adult Social Care services work with most frequently are:

- NHS Sheffield (usually in respect of funding decisions and processes)
- Sheffield Health and Social Care Trust (usually around health and social care joint services to learning disability and mental health service clients)
- Sheffield Teaching Hospitals NHS Foundation Trust (usually around discharge from hospital and health and social care services in the community)
- Clinical Commissioning Group

7.3. A total of 18 complaints were the subject of joint investigations with health partners in 2018/19.

- 12 complaints were conducted with the Sheffield Teaching Hospitals Trust (STHT led on 11 complaints)
- 3 complaints were conducted with the Clinical Commissioning Group (SCC led on 2 complaints)
- 2 complaints were conducted with the Sheffield Health and Social Care Trust (SCC led on both)
- 1 complaint was conducted with NHS England (and they led on the complaint)

These complaints involved the following Council services:

- 1 complaint involved Contracts/Strategic Commissioning
- 6 Complaints involved the Hospital and out of Hours Team

- 4 complaints involved Localities (2 for Locality 1, 1 for Locality 4 & 1 for Locality 7)
- 5 complaints involved the Short Term Intervention Team
- 2 complaints involved Strategic Commissioning (Mental Health Team)

## 8. Complaints to the Local Government & Social Care Ombudsman

- 8.1. Complaints about Adult Social Care services received by the Ombudsman may become the subject of informal enquiry or formal investigation, or the Ombudsman may issue a decision without making any enquiries of the Council.
- 8.2. Occasionally, the Ombudsman will receive complaints that have not been considered by the Council, and in those cases may choose to refer the complaint to the Council to deal with first. These are known as 'premature'.
- 8.3. In 2018/19 the Ombudsman received and referred 18 complaints about Sheffield City Council's Adult Social Care Services, 5 of which were subject to formal investigation.
- 8.4. From an outcome perspective the Ombudsman closed 19 complaints in 2018/19. Of these
  - 5 complaints were upheld
  - 2 were not upheld.
  - 6 were closed after initial enquiries with no further action required
  - 1 was closed after initial enquiries as it was out of jurisdiction
  - 5 referred to council as premature
- 8.5. 3 financial remedies were paid based on Ombudsman recommendations in 2018/19.

## 9. Remedies and service Improvements

- 9.1. A total of 153 remedies and/or service improvements have been identified from the 121 complaints that were responded to in 2018/19.
- 9.2. This demonstrates a positive and resolution focused approach to complaints by Adult Social care services, and a willingness to learn from customer feedback to make continuous improvements for future service users and their families.

**Table 4: Adult Social Care remedies and service improvements**

	2016/17	2017/18	2018/19
Financial Remedy	6	7	2
Apology	61	96	76
Change, review or provide a service	6	4	17
Improve customer care	1	4	6
Provide or review employee training or guidance	13	20	6
Provide additional information or explanation	1	13	5

Review or change customer literature	2	0	2
Review or change policy or procedure	12	25	13
Take action or enforce a decision	10	25	24
Take action against contractor/partner	1	2	0
Change Carer	0	0	1
Change service criteria	0	0	1
<b>Total</b>	<b>113</b>	<b>196</b>	<b>153</b>

9.3 A number of complaints resulted in learning and improvements from an individual practice point of view, in particular around communication which fell below the standard expected. Examples of areas of wider key learning and improvements for the Adult Social Care Service during 2018/19 are outlined below:

#### Monthly reports for ASC

- Draw up a communication contract in complex cases so that it can be agreed what information is exchanged and by what method.
- Implement a policy for providers reporting failed discharges from hospital to SCC
- Due to lack of medical support to people with outstanding immigration claims, issue to be raised with CCG
- SCAS to verify information regarding death of service users before appointments are cancelled.
- Reinforce the need for both care and financial assessments to be undertaken when service users are in rehabilitation beds and communication with families to be clear.

## 10. Progress and achievements in 2018/19

10.1 Below is an outline of some of the key areas of development work we were able to progress/achieve in 2018/19:

- Developed joint protocol for joint with health complaints
- Developed social care quarterly reporting to include quarterly summaries of joint with health complaints
- Workshops held with managers to understand current issues with recording and processing complaints. Outcomes to feed into development of complaints Customer Relationship Management system.
- User experience work commissioned and carried out to gain insight into customer experience of making a complaint online. Improvements based on this information will be in place shortly
- Produced complaint leaflet outlining adult social care complaints process
- Introduced classroom training course for managers on effective complaint handling.
- Produced guidance and templates on consent in line with GDPR changes
- Renewed focus and training for all managers in SCAS on complaints to ensure timely and appropriate response. Focussing on listening and quality.



## **11. Priorities for 2019/20**

- 11.1 Develop management information and coordination of multi-agency complaints
- 11.2 Introduce new CRM based system for recording complaints to replace iCasework
- 11.3 Introduce recording complaints dealt with using problem solving on CRM
- 11.4 Improve online customer complaints form
- 11.5 Create a SharePoint site to provide a resource for the organisation to access complaint template letters; policy information; training and performance information in one place.
- 11.6 Develop workshops (initially for Locality Teams) around tying complaints principles into agreed behaviours, learning from complaints and impacts on customers.
- 11.7 Financial assessment team undergoing significant transformation to ensure we are providing an easier and more transparent service which will reduce complaints and improve response times.

## Contact Us

If you would like to make a complaint, suggestion, or compliment, you can do this by completing an on-line form on Sheffield City Council's website: [www.sheffield.gov.uk/tellus](http://www.sheffield.gov.uk/tellus)

You can also telephone us on 0114 273 4567, or write to:

Customer Services  
Sheffield City Council  
Town Hall  
Pinstone Street  
Sheffield  
S1 2HH

If you would like to comment on this report, or have any questions about the complaints procedure, please contact the Complaints Team at:

Email: [complaintmanagers@sheffield.gov.uk](mailto:complaintmanagers@sheffield.gov.uk)

Telephone 0114 273 4567, or write to the above address.