
Report To:	Health & Social Care Committee	Date: 27 August 2009
Report By:	Robert Murphy Acting Corporate Director, Social Care	Report No: SW/32/09/MMcG/AM
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Subject:	Social Work Services Complaints Procedures - Annual Report 2008- 2009	

1.0 PURPOSE

- 1.1 The purpose of this report is to inform Committee of the annual performance of Social Work Services in respect of the statutory Procedures as determined by the Scottish Executive Guidance and Directions on the operation of complaints procedures in respect of Social Work function (SWSG5/1996).

2.0 SUMMARY

- 2.1 The annual report provides the following information:
- i. Performance Information
 - ii. Analysis of complaints activity
 - iii. Update of developments linking complaints to quality assurance and service development.

3.0 RECOMMENDATION

- 3.1 The Committee is asked to note the annual performance of Social Work Services in respect of the statutory complaints procedure. (2008-2009)

Colin Struthers
Head of Support & Development

4.0 BACKGROUND

- 4.1 The purpose of this report is to inform the Health and Social Care Committee of the annual performance of Social Work Services in relation to the statutory complaints procedure.
- 4.2 All formal complaints are investigated in accordance with the Statutory Complaints Procedures laid down by the Scottish Executive Guidance (SWSG5/1996). This sets out response times and reporting requirements including performance in handling and responding to complaints. The responsibility for this statutory function lies with the Chief Social Work Officer.
- 4.3 Social Work Services Contract Monitoring and Complaints Team has the responsibility for managing, co-ordinating and developing the Complaints function in Social Work Services. Contracted Social Care Services are included in the statutory framework.
- 4.4 The appendix to this report includes details of the following:
 - Annual Performance
 - Analysis of complaints in respect of Community Care, Children and Families and Criminal Justice Services
 - Compliments and comments made from Service Users, Families or other representatives
 - Outcomes and Service Improvement

5.0 KEY DEVELOPMENTS 2008 - 2009

5.1 Complaints Procedures

The Social Work Services Complaints Procedure was updated in November 2008 to include the following:

- i) Time restrictions on complaints;

A “time-bar” of twelve months has been introduced to ensure that a complaint is appropriately investigated and resolved as close to the time and event as possible in line with part 30.5 of the statutory guidance (SWSG5/1996) and in keeping with other scrutiny bodies.

- ii) Persistent or vexatious complaints;

The Complaints Procedure has been updated to include a procedure for handling persistent or vexatious complaints.

- iii) Learning from Complaint Outcomes;

The procedure has been updated to include the service improvement process informed by the outcome of complaint investigations.

5.2 Complaints Leaflets

As stated in point 6.1 (Future Planning) of this report Inverclyde Council has introduced its complaints handling procedure. As a result of this new development the Council have introduced a corporate complaint leaflet (Inform). The Inform leaflet outlines Social Work Services complaints process and provides contact details of the Complaints Officer for Social Work Services. Social Work Services Complaints Leaflet will now be updated in various formats to meet the needs of the public.

Equalities Information

The new Corporate complaint handling system will capture and collate equalities information from complainants. This process will be subject to a quality Impact assessment. Social Work Complaint Leaflets will be updated to capture equalities information and to reflect our revised procedures. The leaflets will also be in various formats to meet the needs of the public.

5.3 Complaints Evaluation

Inverclyde Council's Corporate Communications have implemented a new corporate complaints handling system. This new system will incorporate and produce an evaluation/survey for all complaints made to Inverclyde Council including those made to Social Work Services. This evaluation will be reported to the Policy and Resources Committee. This information will also be used in future Social Work Services annual complaints reports to the Health and Social Care Committee.

5.4 Informal Concerns Reporting

A system has been developed to collate concerns relating to the provision of contracted social care services. The Contract Monitoring and Complaints Team have attended various meetings to raise the awareness of this protocol with professionals from Health, the Care Commission and Social Work Services to ensure that issues of concern regarding Providers services are appropriately and expediently resolved.

5.5 Quarterly Complaints Logs from Contracted Services

Service Improvement

Complaints Logs are submitted by contracted services to the Contract Monitoring & Complaints Team detailing complaints activity.

The quarterly logs were updated to collate information regarding improvements and recommendations made following the outcome of complaints. This information is shared with the Care Commission on a quarterly basis within the terms of the Memorandum of Understanding (MOU) protocol between Inverclyde Council and the Care Commission.

5.6 Staff Awareness

Over the course of this reporting period representatives from the Contract Monitoring and Complaints Team have attended various internal Social Work staff meetings to promote the complaints process and procedure. This has been positively received.

5.7 Comments & Compliments

In line with the Corporate Comments, Compliments and Complaints leaflet (Inform) Social Work Services have introduced a process of collating and reporting Comments and Compliments made by Service Users or their representatives about the services they received.

6.0 FUTURE PLANNING 2009-2010

6.1 Corporate Complaints Procedure

Inverclyde Council is introducing a corporate performance system in relation to complaints management. Social Work Services will be included in this system.

6.2 Public sector scrutiny and handling of complaints

In September 2007 The Scottish Government commissioned a review of the Independent Regulation, Audit, Inspection and Complaints Handling of Public Services in Scotland. The review focused on the current public scrutiny and complaints landscape. The review carried out by Professor Loran Crerar (Crerar review) recommended a reduction in the number of existing external public scrutiny bodies/agencies and the need to develop a simplified, easily accessible and consistent complaints handling process across Public Services in Scotland.

In March 2009 The Scottish Government Action Group set up to respond to the Crerar review accepted the recommendations. The implication of this review is that the way complaints are handled within the public sector may be streamlined to provide a more consistent and simple process for members of the public to make representations and complaints.

The committee are asked to note that as a result of this review a change to the Statutory Social Work Directions 1996 on which Inverclyde Social Work Services complaints procedure is based may change. Crerar recommended that The Scottish Public Services Ombudsman (SPSO) oversee and approve a Council's complaints procedure. This may result in the streamlining of the appeals process. As yet there is no set timescale to implement the Crerar recommendations.

If necessary the Social Work Services Complaints Procedure will be reviewed and altered to meet any changes to meet its Statutory duties.

6.3 Community Health Partnership

Joint Working with the Community Health Partnership in relation to the investigation of complaints involving both Health and Social Care are in negotiation.

6.4 Complaint Investigations by the Care Commission

Reporting of complaints investigated by the Care Commission regarding registered Social Work Services will be collated and analysed during 2009/2010.

7.0 IMPLICATIONS

7.1 Finance:

There are no implications for the Council's Capital or Revenue Budgets.

7.2 Legal:

There are no implications for the Council's Legal Services.

7.3 Personnel:

There are no implications for Human Resources.

7.4 Equalities

Equal Opportunities processes and procedures are embedded within the operational practices of Social Work Services Complaints. Processes to measure performance on the delivery of equal opportunities and equalities are being implemented by Inverclyde Councils Corporate Services.

8.0 LIST OF BACKGROUND PAPERS

8.1 Scottish Executive Circular – SWS56/1996.

- 8.2 'How to Turn Complaints into Service Improvements' - Scottish Public Services Ombudsman (November 2006).
- 8.3 'Listening, Hearing and Responding' – Scottish Office (1998).
- 8.4 'Unacceptable Actions of Complainants' - Glasgow City Council (August 2007).
- 8.5 'Matters We Can and Cannot Consider' - Scottish Public Service Ombudsman (2006).
- 8.6 'Complaints Procedure' - Scottish Commission for the Regulation of Care (2008, LEG013/0108)
- 8.7 The Report of the Independent Review of Regulation, Audit, Inspection and Complaints Handling of Public Services in Scotland, The Scottish Government (Sept 2007)
- 8.8 The Fit-for-purpose Complaints System Action Group, The Scottish Government, (November 2008)
- 8.9 Government Response to Crerar Review, The Report of the Independent Review of Regulation, Audit, Inspection and Complaints Handling of Public Services in Scotland. The Scottish Government, (January 2009)

Appendix 1

**Social Work Services
Annual Complaints Report
Performance Information**

2008/2009

Social Work Services Annual Complaints Report 2008/2009

Complaints

Annual Complaints Summary	3
Summary of Performance	4
Complaints Outcomes	5
Appeals	5
Social Work Service Improvements	5
Independent Sector Complaints Activity	8
Outcomes & Service Improvement For Independent Sector	9
Comments and Compliments	9

Social Work Services Annual Complaints Report 2008/2009

Annual Complaints Summary

Records show that there were a total of **43** formal complaints handled in relation to Social Work Services across the 2008/09 reporting period. This is a decrease of **28%** for the same period last year 2007/2008. Table 1 highlights that most complaints were handled in first quarter of the reporting cycle (46%) with the third quarter having the fewest complaints (14%).

Table 1

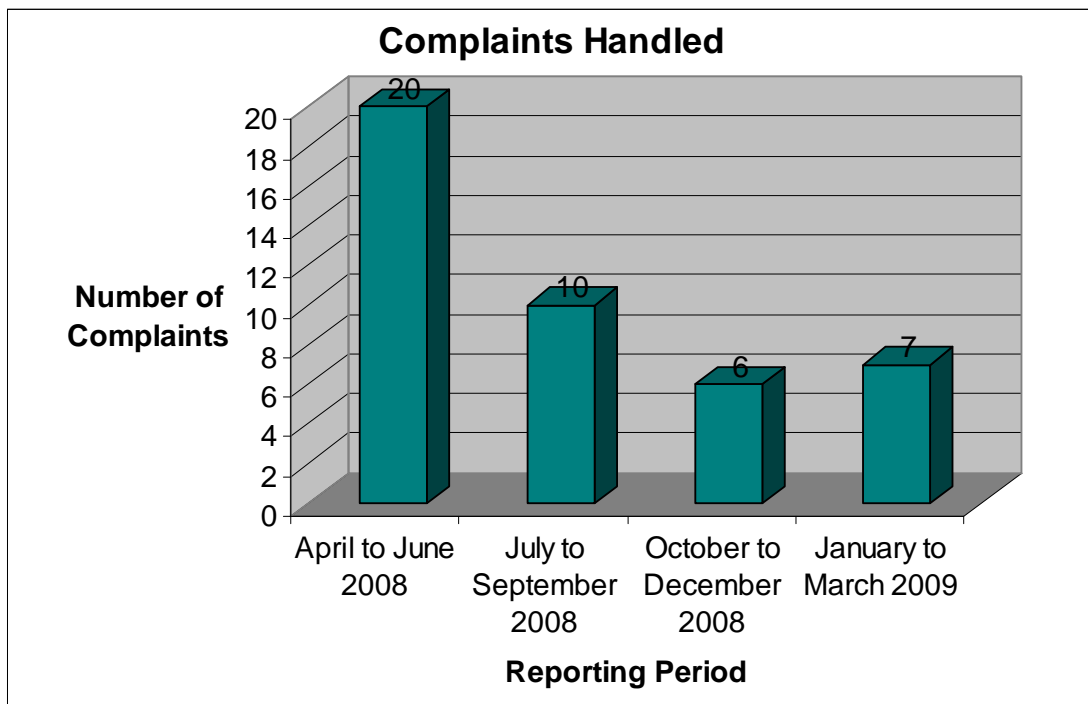
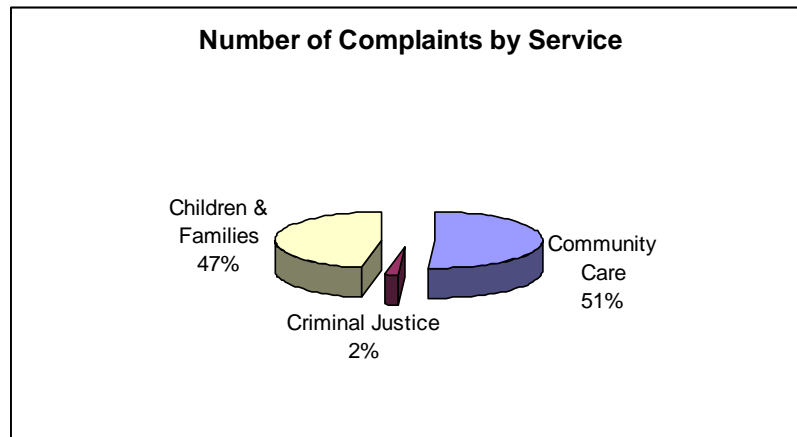


Chart 1 overleaf provides a breakdown of the number of complaints by specific services. The highest number of complaints 51% was in relation to Community Care Services and the fewest was Criminal Justice Services with 2% of the total number of formal complaints received.

Social Work Services Annual Complaints Report 2008/2009

Chart 1



Summary of Performance

Table 2 below shows the breakdown of complaints across all the services in the reporting period. The percentages of complaints acknowledged with the 5 day acknowledgement target, the number of complaints closed within the 28 day or agreed extension timescale and the number of complaints closed out with the target response timescale.

Table 2

Closed Complaints by Service	5 Day acknowledgement	Number closed with 28 day or agreed timescale	Out with Timescale	Carried Forward
Community Care	81%	18	1	3
Children & Families	95%	17	1	2
Criminal Justice	100%	1	0	0

The table indicates that our performance standard for complaints being acknowledged within the 5 day timescale has fallen in this reporting year (12%). This has been due to delays in internal processes, which has been addressed. The table also highlights that 2 complaints (5%) were closed out with the response timescale.

5 complaints were not completed within the reporting year and therefore carried forward to the 2009/10 period.

Social Work Services Annual Complaints Report 2008/2009

Complaints Outcome

Out of the 38 complaints which were closed during the reporting period, 18 were up held or partially up held (**47%**). 16 complaints were not upheld (**42%**). 4 complaints were withdrawn (**11%**)

Table 3

Outcome of Complaints by Service	Up Held or Partially up Held	Not Up Held	Withdrawn
Community Care	9	8	1
Children & Families	8	8	3
Criminal Justice	1	0	0

Where complaints were upheld or partially upheld, a formal written apology was made to complainants as a form of redress. Complainants are also advised that where appropriate action is taken to improve the quality of the service.

Appeals

In line with the statutory complaint procedure Complainants have a right to appeal if they continue to be dissatisfied with the outcome of their formal complaint. Complainants are provided with a leaflet 'Our Response to Your Complaint' together with a formal written response to their complaint advising them of the appeals process.

In the reporting period 2008/2009 there were **3** complaints which were appealed. This indicates that out of the 38 complaints closed within this period, **92%** of complainants were satisfied with the outcome of their complaint.

Social Work Services Improvement

In March 2007 a Service Improvement process was established which linked the findings of upheld or partially upheld complaints with Social Work Services quality assurance system. This process is a mechanism to review improvement and ensure implementation of recommendations. During 2008 / 2009 this process has been embedded into the quality assurance system, for

Social Work Services Annual Complaints Report 2008/2009

example, the ASM for Quality Assurance has met with every Service Manager to discuss what progress has been made in addressing recommendations outlined in Service Improvement Action Plans and has also met with the ASM for Complaints to discuss any issues arising on a bi-annual basis. These elements provide a confidence in the process that where a complaint is upheld or partially upheld and recommendations are made, that this results in a direct improvement in the service area.

Service Improvement Action Plans

There has been a significant reduction in the number of upheld / partially upheld complaints requiring a Service Improvement Action Plan from eighteen in 2007 / 2008 to seven during 2008 / 2009 (refer to the Table below). This reduction is particularly apparent in Community Care and one explanation offered by a Service Manager is that in their own service they have adopted a much more proactive approach to informal complaints. This has resulted in service users being satisfied with the response at this stage, therefore not pursuing the formal complaints procedure.

Table 3

<i>Service Area</i>	<i>Number of Service Improvement Action Plans</i>	<i>Number of Recommendations</i>
Community Care	5*	14
Children and Families	2*	4
Advice and information	1	1
Criminal Justice	0	0
Homelessness	0	0
Total	7	19

* One upheld complaint involved a Service Improvement Action Plan for Community Care and Children and Families.

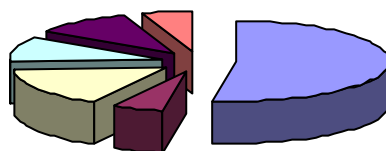
Theme of Recommendations

The chart and table overleaf outlines the common themes of the recommendations.

Social Work Services Annual Complaints Report 2008/2009

Chart 2

Theme of Recommendations



- Recording
- Service
- Training
- Line Management Action
- Communication
- Policy / Procedure

Table 5

Theme of Recommendation	Number	Percentage
Communication	2	11%
Policy / Procedures	1	5%
Training	3	16%
Line Management Action	2	11%
Service	1	5%
Recording	10	52%

As demonstrated above, the largest theme is recording. This theme includes ensuring processes are in place to record information, as well as reminding staff of existing processes that information is needing to be recorded accurately and kept up to date. Five of the recommendations made in this theme were with regard to one particular complaint and involved developing a process of recording with regards to external contractors. This is a good example of how a complaint can lead directly to service improvements.

Training was another theme and has included staff attending development days; and attending specialist training, for example, in child protection. This training is also followed up in staff supervision sessions.

Line management action has been taken with regards to two members of staff. This has included additional training being given and issues progressed through staff supervision.

Communication continues to be a theme of recommendations, and includes where a service user should be notified of particular pieces of information regarding the service they are receiving / requesting.

One recommendation was made whereby it was agreed following the complaint investigation that as a good-will gesture a service could be offered

Social Work Services Annual Complaints Report 2008/2009

on a one-off basis to rectify matters. The appropriate service has subsequently been delivered.

Finally, the one recommendation made regarding policy / procedures involved another agency having the lead on this area in developing a joint protocol.

Overall, it is evident that the steps taken in addressing recommendations made in a Service Improvement Action Plan are taken seriously and assist in very practical ways in driving the quality of service delivery.

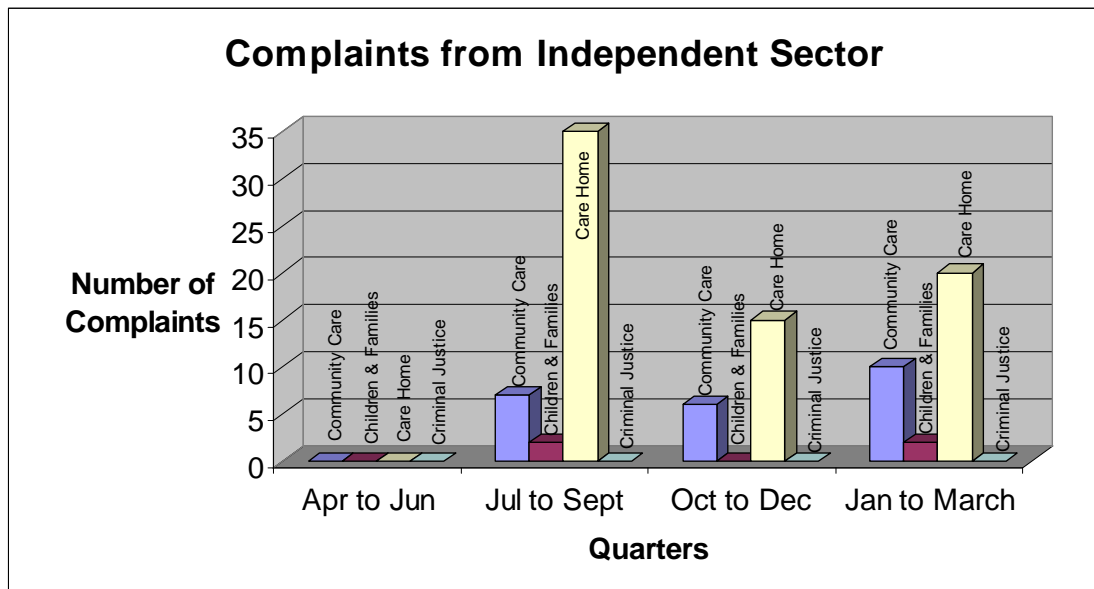
Independent Sector Complaints

As part of our statutory duties to investigate complaints about internal Social Work Services, there is also a requirement to gather and monitor the complaint activity of private and voluntary organisations who are contracted by Inverclyde Social Work Services to provide care and/or support to Service Users.

Across the 2008/09 reporting period a total of 97 complaints were received by private and voluntary sector providers. Out of these complaints **67** were formal and **30** were on an informal basis.

Chart 2 below shows the number of complaints and services broken down by each quarter across 08/09.

Chart 3



72.2% of all complaints were in relation to services for Older People and represent the highest number overall. Of these complaints **56** (80%) were formal and **14** (20%) informal.

Social Work Services Annual Complaints Report 2008/2009

Adult services represent **23.7%** and the lowest activity was from Children's Services representing **4.1%** of the overall complaints activity in this period.

Outcomes and Service Improvement

Formal and informal complaints have resulted in 58 upheld or partially upheld outcomes to complaint investigations. These outcomes generated 92 recommendations. The table below indicates the themes of the recommendations.

Table 6

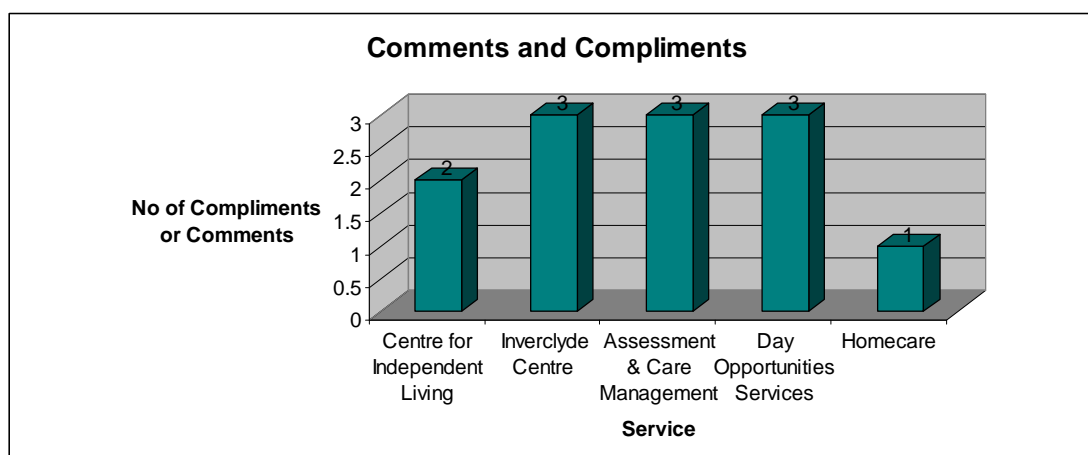
Theme of Improvement Action	Number
Communication	15
Procedures	10
Training	28
Line Management Action	33
Assessment	6

Comments and Compliments about Social Work Services

Social Work Services have introduced the gathering of comments and compliments about the services we provide. Collation and analysis of this information is in the initial development stage.

During the 2008/09 reporting period Social Work Services received 12 letters of thanks and appreciation from Service Users or their representatives. Table 7 below provides a breakdown of the compliments by service.

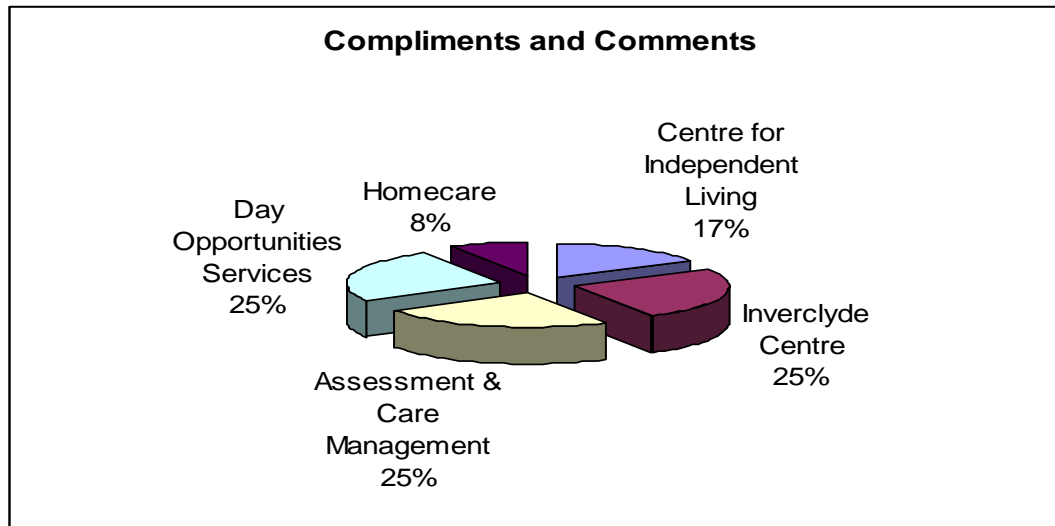
Table 7



Social Work Services Annual Complaints Report 2008/2009

The Chart below provides a parentage breakdown of Comments and Compliments

Chart 4



A sample of comments and compliments are as noted.

"I write to express my sincere thanks and gratitude for the provision of support and advice..... The personnel who carried out the installations were not only extremely competent, but were also courteous and cheerful at all times."

"I would like to thank your organisation for helping me in those hard for me moments by giving me temporary accommodation I'll tell everyone wherever I go how good you are"

"Just a wee card to say thanks.....I wouldn't have gotten as far as I have today if it wasn't for you"

"Thanks for all your help before, during and after my stay in [the service]"

"Just a wee note to say a Big Thank You, for all your help.....without your help and support I would not have known the extent of the situation....."

"I 've really appreciated all the help u gave to me on securing my tenancy & helping with all those forms...."

"Don't quite know what words to use but thank you so much"

"... express our thanks for the support and help given whilst awaiting a place Your visits and professionalism were a comfort and greatly helped..... Many thanks for a great job done"

Social Work Services Annual Complaints Report 2008/2009

“.....how kind and helpful all your staff have been toward me..... You’ve got a great worker and nice person”

“Thank you for everything you have done for me.....believe it or not I still miss ... everyone”

Comments

Feedback from Evaluations/Surveys undertaken in Day Services have resulted in the following positive comments

“Excellent impression gained of all ... the support team.....cohesive and dedicated staff group who are keen to support individuals in a positive manner”

“Thanks for ... the support you have given” (Parent)

“[The Service] has made a huge difference to ... his quality of life”
(Parent)

“I just don’t know what I would do without [Service], ...so anxious about .. moving from school. They do a wonderful job”

“Thank you all for providing the ... service”

“Support workers always prompt and helpful”