

**Report To:** Health & Social Care Committee      **Date:** 26 August 2010

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Community Health & Care  
Partnership      **Report No:**  
SW/32/10/MMcG/AM

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**Subject:** Social Work Services Complaints Procedures - Annual Report  
2009 - 2010

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## **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. (2009-2010).

Robert Murphy  
Corporate Director  
Inverclyde Community Health & Care Partnership

## **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 2009 - 2010**

### **5.1 Corporate Complaints (Inform System)**

The Complaints Officer has been co-ordinating complaints/enquiries relating to Social Work Services which are received via the Inform System.

See Appendix 1 6.0

Appendix 1

- 5.2 In accordance with the Council's Transformation Programme, Social Work Services Complaints, Comments and Compliments systems are included in the Terms of Reference relating to customer management.
- 5.3 The Complaints Officer for Social Work Services is the Council Liaison Officer for Social Work Services Complaints.

## **6.0 FUTURE PLANNING 2010-2011**

### **6.1 Corporate Complaints Procedure**

Inverclyde Council has introduced 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

Committee were advised in last year's Annual Complaints Report in detail, the implications of the Crerar Review. The implication of this review is that the Scottish Public Services Ombudsman (SPSO) is now required to oversee and approve Complaints procedures in the public sector.

- **The Public Services Reform (Scotland) Act 2010** gives the Ombudsman the lead role in developing complaints handling systems.
- The Act also provides the Ombudsman with the power to publish model complaints handling procedures.
- Based on the principles and guidance, the Ombudsman will establish a complaints standards authority (CSA) with individual public sector areas, the CSA will oversee the process of developing simplified handling procedures for each sector. The CSA will be in place later this year and ready to commence implementation in 2011.

The SPSO has launched a consultation that outlines the way forward for improved Complaints handling in the Public Sector.

The Statement of Complaints Handling Principles & Guidance (SPSO) is the focus of the consultation.

The Timeframe for the consultation process is 16 June until 8 September 2010.

It is intended that the Statement of Principles will be sent to the Scottish Parliament for approval in Autumn 2010.

Social Work Services' Complaints Procedure will be reviewed in accordance with any required changes.

## 6.3 Community Health Partnership

A process for the joint management of Health & Social Care Complaints will be developed during 2010/2011.

## 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 Council's 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 The Report of the Independent Review of Regulation, Audit, Inspection and Complaints Handling of Public Services in Scotland, The Scottish Government (September 2007).
- 8.4 Transformation Information Pack. (2 June 2010).  
Scottish Public Services Ombudsman - Consultation on Complaints Handling (6/10/2010).
- 8.5 The Public Services Reform (Scotland) Act 2010

**Appendix 1**

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

**2009/2010**

# Social Work Services Annual Complaints Report 2009/2010

## Complaints

|  |                |
|--|----------------|
| <b>Annual Complaints Summary.....</b>                                      | <b>3</b>       |
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# Social Work Services Annual Complaints Report 2009/2010

## 1.0 Annual Complaints Summary

Records show that there were a total of **31** formal complaints handled in relation to Social Work Services within the 2009/2010 reporting period. This is a decrease of **28%** for the same period last year 2008/2009. Chart 1 highlights that most complaints were handled in the fourth quarter of the reporting cycle (35%) with the first quarter having the fewest complaints (19%).

**Chart 1**

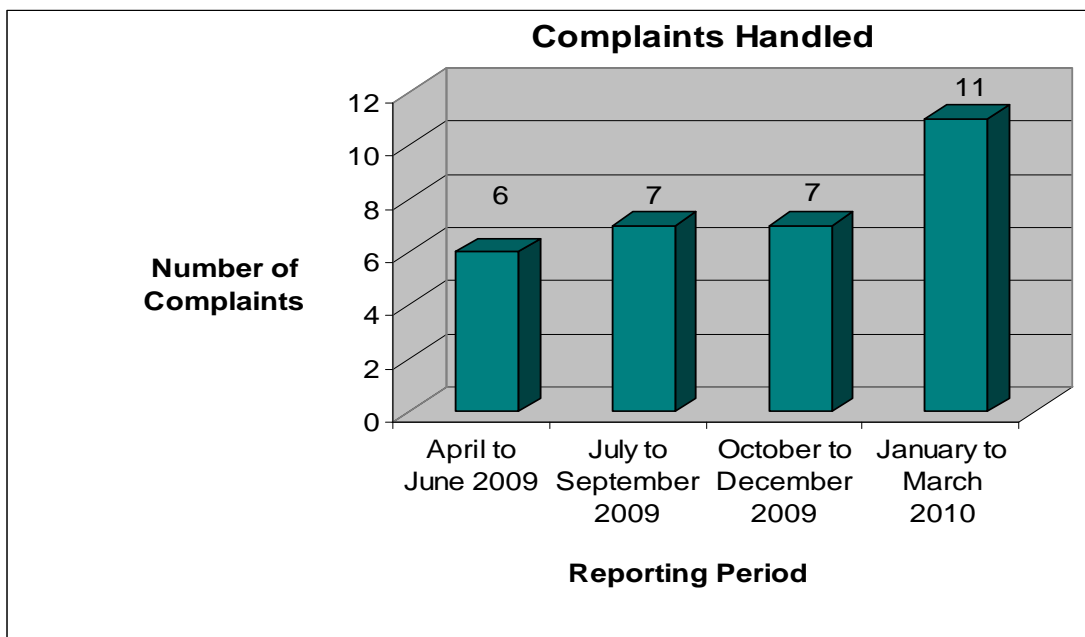
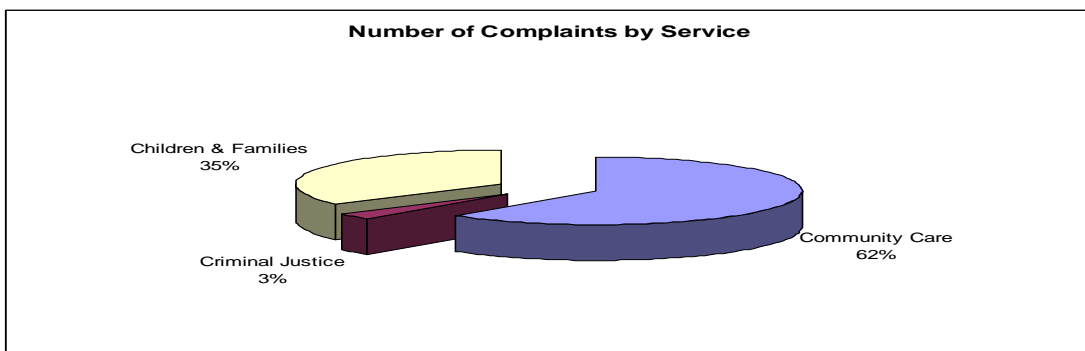


Chart 2 below provides a breakdown of the number of complaints by specific services. The highest number of complaints 62% was in relation to Community Care Services and the fewest was Criminal Justice Services with 3% of the total number of formal complaints received.

**Chart 2**



# Social Work Services Annual Complaints Report 2009/2010

## 2.0 Summary of Performance

Table 1 below shows the breakdown of complaint timescales across all service areas within the 2009/2010 in the reporting period. The percentages of complaints acknowledged within the 5 day acknowledgement target, the number of complaints investigated and closed within the 28 day period or agreed extension timescale and the number of complaints closed outwith the target response timescale.

**Table 1**

| Closed Complaints by Service | 5 Day acknowledgement | Number closed with 28 day or agreed timescale | Out with Timescale | Carried Forward |
|------------------------------|-----------------------|---|--------------------|-----------------|
| Community Care               | 84%                   | 12  | 2                  | 5               |
| Children & Families          | 81%                   | 7   | 1                  | 3               |
| 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 (**4%**). This has been due to delays in internal processes, which have been addressed. The table also highlights that 3 complaints (10%) were closed out with the response timescale.

**8** complaints were not completed within the reporting year and therefore carried forward to the 2010/2011 period.



# Social Work Services Annual Complaints Report 2009/2010

## 3.0 Complaint Outcomes

Out of the 23 complaints which were closed during the reporting period, 7 were up held or partially up held (**30%**). 14 complaints were not upheld (**61%**). 2 complaints were withdrawn (**9%**)

**Table 2**

| Outcome of Complaints by Service | Up Held or Partially up Held | Not Up Held | Withdrawn |
|----------------------------------|------------------------------|-------------|-----------|
| Community Care                   | 7                            | 6           | 1         |
| Children & Families              | 0                            | 7           | 1         |
| Criminal Justice                 | 0                            | 1           | 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.

## 4.0 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. The appeals process consists of three stages:

- Review by Chief Social Work Officer
- Independent Review by Complaints Review Committee
- Appeal to Ombudsman

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 2009/2010 there were **7** complaints which were reviewed by the Chief Social Work Officer. 1 complaint continued to the Complaints Review Committee. (This indicates that out of the 23 complaints closed within this period, **16** of complainants were satisfied with the outcome of their complaint).

# Social Work Services Annual Complaints Report 2009/2010

## 5.0 Outcomes and Service improvements (Internal Services)

### Outcomes and Service Improvements

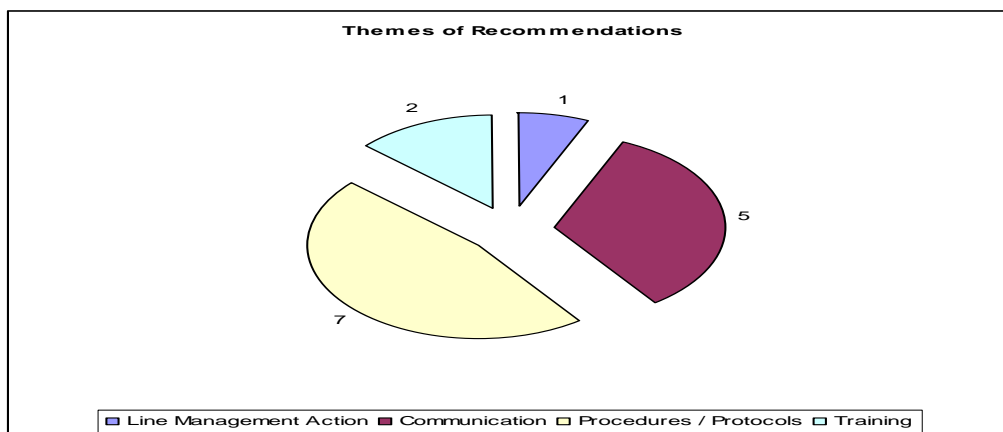
Following the investigation of a complaint, where the complaint is upheld or elements are partially upheld, recommendations are made in a Service Improvement Action Plan. These are forwarded to the Assistant Service Manager, Quality Assurance, Social Work Services, who is responsible for ensuring the appropriate steps identified in the Service Improvement Action Plan have are progressed. This includes meeting with the respective Service Manager to discuss progress and to request evidence of action taken.

### Service Improvement Action Plans

There has been a continuing downward trend in the number of Service Improvement Action Plans across Social Work Services from 18 in 2007 / 2008; 7 in 2008 / 2009 to 4 in this reporting period 2009 / 2010. It would appear that Service Managers have adopted a much more proactive approach towards informal complaints, resulting in service users being satisfied with the response from the service at this initial stage, thus not needing to pursue a formal complaint.

From the four Service Improvement Action Plans identified above for this years reporting period there were 15 recommendations made. The Chart and Table below outlines the common themes.

### Chart 3



### Table 3

| Theme of Recommendation | Number | Percentage |
|-------------------------|--------|------------|
| Line Management Action  | 1      | 7%         |
| Communication           | 5      | 33%        |
| Procedures / Protocols  | 7      | 47%        |
| Training                | 2      | 13%        |

# Social Work Services Annual Complaints Report 2009/2010

The largest theme was around procedures and protocols and generally involved intra-agency working in very complex situations. Communication continues to be a theme and demonstrates the importance of having effective communication systems at all levels of Social Work from Senior Management meetings, team meetings, staff supervision, newsletters and the Council intranet and website. Training also remains a theme and where this has been identified can be reflected in appropriate training being delivered and discussed at team meetings, staff supervision and included in Continual Professional Development folders. Line management action has also been taken and has been followed-up in staff supervision.

In each of the Service Improvement Action Plans appropriate action has been taken in addressing all of the recommendations made and this forms an important part of continually striving to improve the quality of service delivery.

## 6.0 Summary of INFORM Complaints/ Enquiries 2009/2010

The Contract Monitoring & Complaints Team has been processing complaints/ enquiries in respect of Social Work Services during the reporting period.

The Inform reporting system presently only provides details on the number of complaints/ enquiries. It is anticipated future reports will identify specific trends relating to services and types of complaints/ enquiries.

**Table 4**

| <b>Month</b>   | <b>Number of Complaints/ Enquiries</b> |
|----------------|--|
| April 2009     | 9                                      |
| May 2009       | 5                                      |
| June 2009      | 3                                      |
| July 2009      | 2                                      |
| August 2009    | 12                                     |
| September 2009 | 5                                      |
| October 2009   | 1                                      |
| November 2009  | 4                                      |
| December 2009  | 5                                      |
| January 2010   | 2                                      |
| February 2010  | 7                                      |
| March 2010     | 3                                      |
| Total          | 58                                     |

# Social Work Services Annual Complaints Report 2009/2010

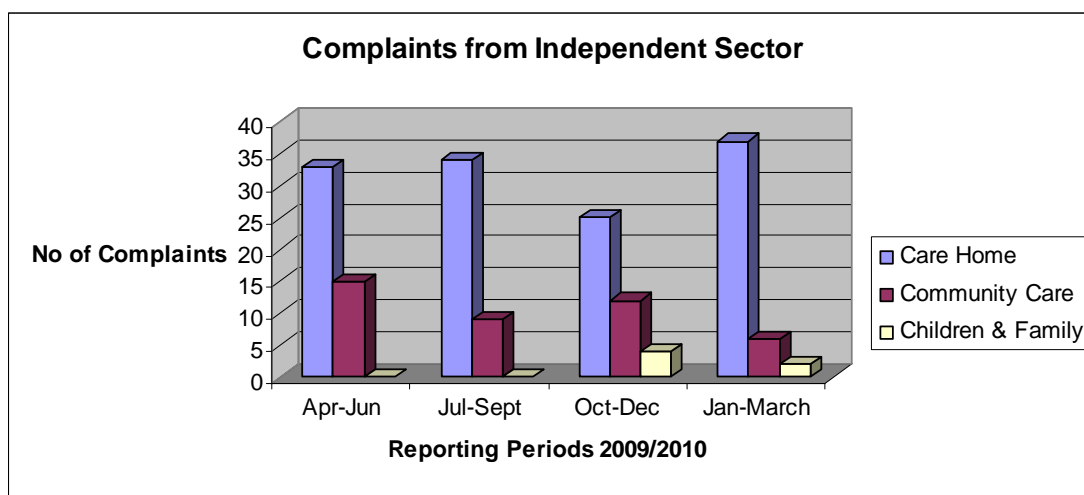
## 7.0 Independent Sector Complaints

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, contracted by Inverclyde Social Work Services to provide care and/or support to Service Users.

Across the 2009/2010 reporting period a total of 177 complaints were received by private and voluntary sector providers. Of these complaints **130** were formal and **47** were on an informal basis.

Chart 4 below shows the number of complaints and services broken down by each quarter across 2009/2010.

**Chart 4**



**73%** of all complaints were in relation to services for Older People and represent the highest number overall. Of these complaints **95** (74%) were formal and **34** (26%) informal.

Adult services represent **97%** and the lowest activity was from Children's Services representing **3%** of the overall complaints activity in this period.

# Social Work Services Annual Complaints Report 2009/2010

## 7.1 Outcomes and Service Improvement (Independent Sector)

Formal and informal complaints have resulted in 112 upheld or partially upheld outcomes to complaint investigations. These outcomes generated 153 recommendations. The table below indicates the themes of the recommendations.

**Table 5**

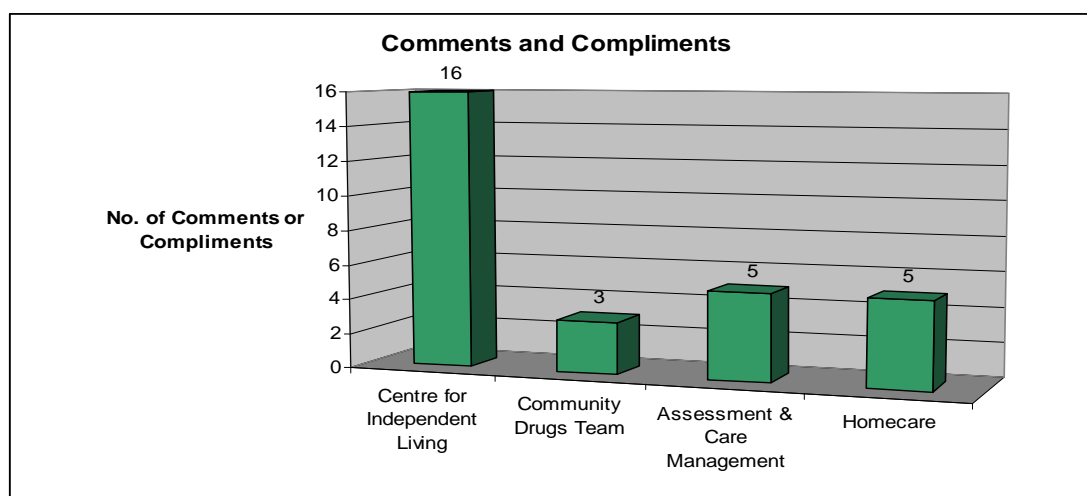
| Theme of Improvement Action | Number |
|-----------------------------|--------|
| Communication               | 34     |
| Procedures                  | 3      |
| Training                    | 36     |
| Line Management Action      | 76     |
| Assessment                  | 4      |

## 8.0 Comments and Compliments about Social Work Services

Social Work Services Contract Monitoring and Complaints Team collates and analyses the comments and compliments about the services we provide. This is in the initial stages of implementation and does not fully represent the profile across all service sectors.

During the 2009/10 reporting period Social Work Services received 29 letters and expressions of thanks and appreciation from Service Users or their representatives. Chart 5 below provides a breakdown of the compliments by service.

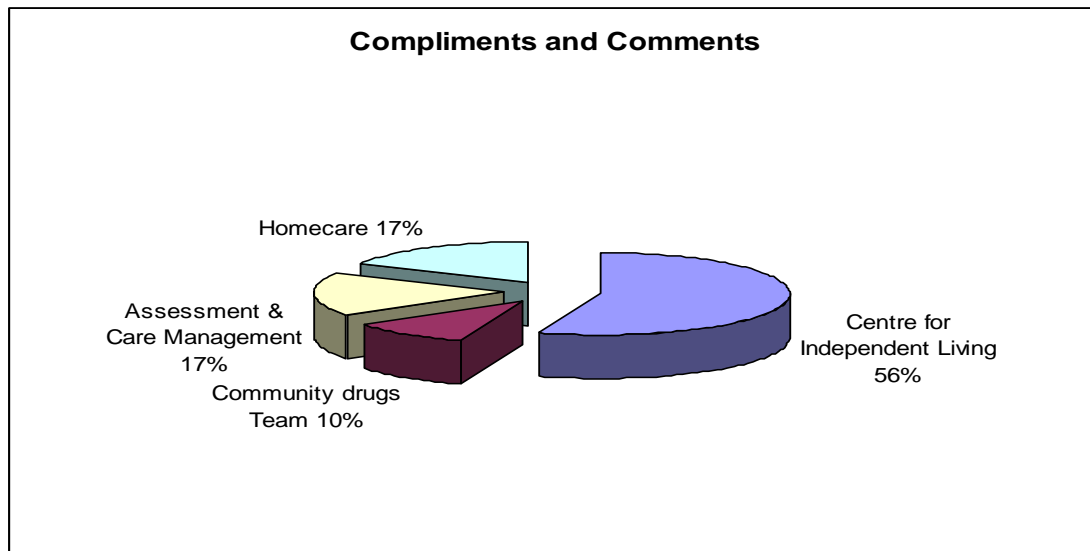
**Chart 5**



# Social Work Services Annual Complaints Report 2009/2010

Chart 6 below provides a percentage breakdown of Comments and Compliments.

## Chart 6



A sample of comments and compliments are as noted.

“Just to say thank you for everything you’ve done without your help we wouldn’t be where we are now”

“I would like to take this opportunity to express our gratitude for your assistance over the past months, both my wife and I are very grateful for the help we received”

“.....was particularly impressed by the sterling efforts of .....in resolving issues and effecting a care package in a judicious manner. I have had the opportunity of meeting.....both of whom came across as caring, capable and conscientious.....catered for my mother’s needs whilst taking into consideration the constraints and pressures that I was under at the time”

“I am now able to not only look after myself better but also look after my young disabled daughter. The staff that I have dealt with are a credit to (service)..... I have really benefited from there visits and advice .....”

“You made a difficult and emotional decision so much easier to deal with”

# Social Work Services Annual Complaints Report 2009/2010

## Comments

Feedback from Evaluations/Surveys

"I had a visit from (xxx), who was very helpful in every way, so pleasant, so good at her job."

"I was very satisfied with .... He was extremely helpful in every way"

"Absolutely delighted with the service & aids supplied. Very prompt"