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**Report To:** Community Health & Care  
Partnership Sub Committee

**Date:** 25 August 2011

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Corporate Director Inverclyde  
Community Health & Care  
Partnership

**Report No:** CHCP/38/2011/HW

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**Subject:** Community Health and Care Partnership Complaints  
Procedures - Annual Report 2010- 2011

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## 1.0 PURPOSE

1.1 The purpose of this report is to inform the Sub-Committee of the annual performance of the Community Health and Care Partnership (CHCP) with regard to the statutory Procedures as determined by the Scottish Government 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 Sub-Committee is asked to note the annual performance of CHCP in respect of the statutory complaints procedure. (2008-2009).

**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 the CHCP 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 Government 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 The Social Work Services Contract Monitoring and Complaints Team has the responsibility for managing, co-ordinating and developing the Complaints function in CHCP. 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 Health and Community Care, Children's Services and Criminal Justice
  - Mental Health, Addictions and Homelessness
  - Informal resolution of Complaints
  - Compliments Comments or Suggestions made from Service Users, Families or other representatives
  - Outcomes and Service Improvement

## **5.0 KEY DEVELOPMENTS 2010 - 2011**

### **5.1 Complaints Procedures**

Social Work Services and the Community Health Partnership merged in October 2010 to form Inverclyde Community Health & Care Partnership. Work will be undertaken to promote joint investigation of complaints as appropriate between Social Care and Health Services and to harmonise complaints relating to health services wherever possible.

Work is currently being undertaken to promote and raise awareness of both Social Care and Health complaint procedures with CHCP operational teams.

### **5.2 Corporate Complaints Procedure**

As stated in the annual report 2009/10, key performance information in relation to complaints, comments and compliments is provided to Inverclyde Council's corporate complaints process as required.

### **5.3 Public Sector scrutiny and complaints handling**

As noted from the annual report 2009/10 the Committee is advised that the Public Services Reform (Scotland) Act 2010 has not directly impacted on the statutory complaints function.

## **6.0 FUTURE PLANNING 2011-2012**

### **6.1 Public sector scrutiny and handling of complaints**

Further to the introduction of the Public Services Reform (Scotland) Act 2010 and introduction of the new Complaint Standards Authority (CSA), consultation is underway with the Scottish Government regarding the need to streamline the number of review stages in the current complaint procedures.

Consideration is being given to the removal of the Complaint Review Committee (CRC) stage and proceeding to the final review stage by the Scottish Public Services Ombudsman (SPSO). There may be a requirement to repeal or amend the Social Work (Scotland) Act 1968 to achieve this goal. The Committee will be informed of any changes required to the current Statutory Complaints Procedures as this policy is driven forward.

## **6.2 Complaints handling and Investigation Training**

The SPSO has developed a one day training package on good complaints handling and investigation skills. Opportunities will be sought for CHCP staff to undertake this course to ensure consistency of approach to complaints handling.

## **6.3 Social Care and Social Work Improvement Scotland (SCSWIS)**

From April 2011, the function and role of the Care Commission has been passed to a new scrutiny body Social Care & Social Work Improvement Scotland. Discussion will take place to establish a new liaison and information sharing process of complaint activity for the independent sector previously set out in the Memorandum of Understanding between The Care Commission and Inverclyde Council.

## **7.0 IMPLICATIONS**

### **7.1 Finance:**

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

### **7.2 Legal:**

There 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 The Public Services Reform (Scotland) Act 2010.

8.3 The Fit-for-purpose Complaints System Action Group, The Scottish Government, (November 2008).

8.4 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**

**Inverclyde Community Health & Care Partnership  
(Social Work Services)  
Annual Complaints Report  
Performance Information**

**2010 / 2011**

Inverclyde Community Health & Care Partnership (Social Work  
Services) Annual Complaints Report  
2010/2011

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# Inverclyde Community Health & Care Partnership (Social Work Services) Annual Complaints Report 2010/2011

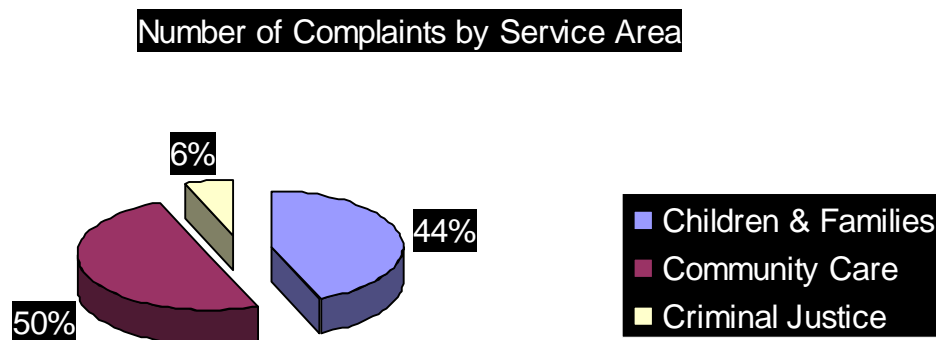
## 1.0 Annual Complaints Summary

There were a total of **48** formal complaints handled in relation to Social Work Services within the 2010 / 2011 reporting period. While this is an increase of **65%** for the same period last year, the average number of complaints received per annum over the previous five year trend is **46.8**. There is evidence that this year's figure is also in part attributed to repeat complainants, where individuals have submitted complaints concerning different aspects of a variety of services they have received. These complainants have collectively made **10** complaints. This significantly influenced the activity in this reporting period by **21%**.

The Inverclyde Community Health and Care Partnership was established on 1<sup>st</sup> October 2010 with a new senior management structure commencing. In view of this, the reporting information outlined in this report, where indicated, reflects both the former Social Work Service areas and the new CHCP structure.

Chart 1 below provides a breakdown of the total number of complaints for the reporting period 1<sup>st</sup> April 2010 – 31<sup>st</sup> March 2011 by specific services.

### Chart 1



Inverclyde Community Health & Care Partnership (Social Work  
Services) Annual Complaints Report  
20010/2011

## 2.0 Summary of Performance

A further breakdown to reflect the reporting period for both the former Social Work reporting period and CHCP is outlined in Table 1 below. Of the 48 complaints received, 42 were due to be completed during the 2010/11 timeframe. Of these 42, 34 (81%) were completed within the 28 day target or agreed timescale. Eight (19%) complaint investigations were completed outwith the 28 day or agreed timescale. A further 6 investigations were not concluded within the 2010 / 2011 reporting period and therefore will be carried forward into the 2011 / 2012 reporting period.

**Table 1**

<b>Reporting Period 01.04.10 – 30.09.10 (Social Work)</b>			
Service Area	Number of Complaints	Number of Complaint Investigations Completed in 28 Day or Agreed Timescale	Number of Complaint Investigations completed outwith 28 day or agreed Timescale
Children and Families	11	9	2
Community Care	12	9	3
Criminal Justice	1	1	0
<b>Reporting Period 01.10.10 – 31.03.11 (CHCP)</b>			
Children Services & Criminal Justice	12	9	1
Health & Community Care	9	4	1
Mental Health, Addictions & Homelessness	2	1	1
Planning, Health Improvement & Commissioning	1	1	0
<b>Total</b>	<b>48</b>	<b>34</b>	<b>8</b>

## Inverclyde Community Health & Care Partnership (Social Work Services) Annual Complaints Report 2010/2011

The performance standard for complaints being acknowledged within the 5 day timescale is **100%** in this reporting period.

### 3.0 Complaint Outcomes

From the **42** complaints which were closed during the reporting period, **16** were upheld or partially upheld (**38%**); **19** were not upheld (**45%**) and **7** were withdrawn (**17%**). This is detailed in Table 2 below.

**Table 2**

<b>Reporting Period 01.04.10 – 30.09.10 (Social Work)</b>				
Complaint Upheld	Complaint Partially Upheld	Complaint Not Upheld	Complaint Withdrawn	Complaint Investigation Ongoing
4	4	14	0	2
<b>Reporting Period 01.10.10 – 31.03.11 (CHCP)</b>				
2	6	5	7	4

Where complaints were upheld or partially upheld, a formal written apology was made to complainants as a form of redress. A complainant has also sought financial redress and details have been given to the CHCP Insurance Company to consider this request. Complainants are also advised of subsequent actions taken following their complaint to improve the quality of service delivery through the CHCP internal Quality Assurance process.

### 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:

1. Review by Chief Social Work Officer
2. Independent Review by Complaints Review Committee
3. Appeal to Scottish Public Services 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.



# Inverclyde Community Health & Care Partnership (Social Work Services) Annual Complaints Report 20010/2011

In this reporting period **5** complaints were reviewed by the Chief Social Work Officer. No complaint continued to the Complaints Review Committee and none subsequently went for review by the Scottish Public Services Ombudsman. This would indicate that of the **42** complaint investigations concluded within this period, **37 (88%)** of complainants were satisfied, initially with the outcome of their complaint, and the remaining 5 complaints who asked for a review by the Chief Social Work Officer were satisfied after review and did not wish to proceed to formal appeal.

## **5.0 Outcomes and Service Improvements (Internal Services)**

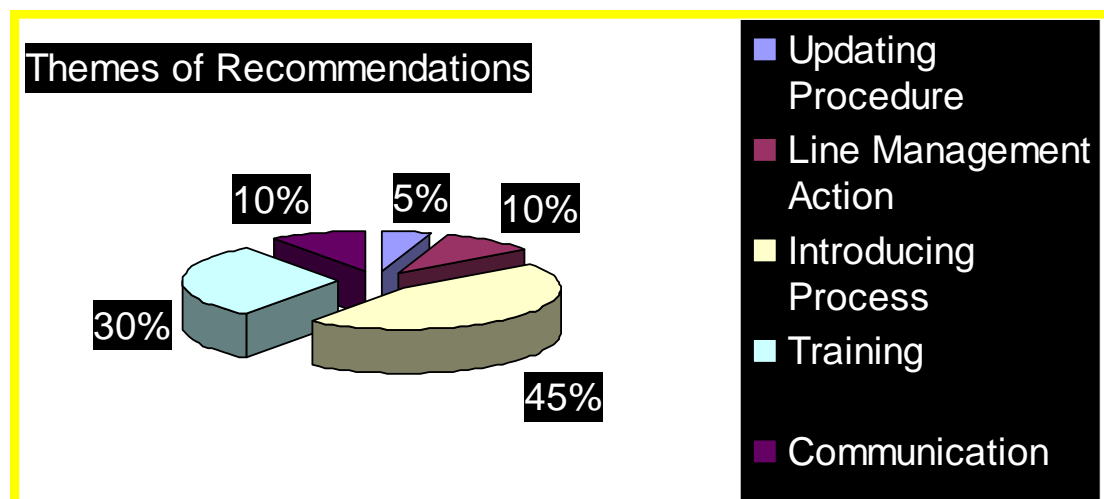
Following the investigation of a complaint, where the complaint is upheld or elements are partially upheld, recommendations are made in a Service Improvement Action Plan. These are forwarded to the Team Leader, Quality Assurance, who is responsible for ensuring the appropriate steps identified in the Service Improvement Action Plan are completed. This includes meeting with the respective Service Manager to discuss progress and to request evidence of action taken. During the reporting period it is important to note that following the establishment of the Inverclyde CHCP there have been several new Service Managers in post. All attempts have been made to ensure that this transition period has had minimum impact on both the quality of service delivery and maintaining a consistent approach when following through Service Improvement Action Plans.

### **Service Improvement Action Plans**

There were **7** Service Improvement Action Plans during the period 2010 / 2011, however, one of these was following a complaint that was not actually upheld but where the complaint investigation highlighted areas for improvement. From the **6** Service Improvement Action Plans where the complaint was upheld or partially upheld, **20** recommendations were made. The Chart and Table below outline the common themes from these.

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**Chart 2**



**Table 3**

Theme of Recommendation	Number	Percentage
Updating Procedure	1	5%
Line Management Action	2	10%
Introducing Process	9	45%
Training	6	30%
Communication	2	10%

The largest theme for this reporting period is where a new process was required to be implemented. This may include incorporating it into an existing framework. It also reflects both the need to have clear processes that record necessary information and that is able to evidence a high quality of service delivery. Training continues to be a common theme and emphasises the need for all staff to have access to various means of training and professional development in an environment where there are continuous legislative and policy changes that impact on practice. Line management action has also been taken and has been followed-up in staff supervision. With the establishment of the CHCP strenuous efforts have been made in ensuring effective communication at all levels of staff from Senior Management meetings, team meetings, staff supervision, newsletters and the Council intranet and website. A specific

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procedure also required updating and reflected an aspect of the complexities of intra-agency working.

With the establishment of the CHCP there is a real commitment to continually improve the quality of service delivery and positive outcomes and the importance of this is demonstrated in one of the CHCP strategic objectives being “*We will strive to do better*”.

## 6.0 Summary of INFORM Complaints / Enquiries 2010 / 2011

Inverclyde Council’s INFORM electronic Complaints, Compliments and Comments feedback system has been established to allow members of the public to make representations, enquiries or make their views or opinions known to the Council. The Contract Monitoring & Complaints Team has been processing complaints / enquiries in respect of Social Work during the reporting period. This activity is outlined in Table 4 below.

**Table 4**

<b>Reporting Quarter</b>	<b>Number of Complaints / Enquiries</b>
April - June 2010	12
July – September 2010	17
October -November 2010	6
December – March 2011	7
<b>Total</b>	<b>42</b>

The majority (98%) of the correspondence received from INFORM were enquiries for information about services.

## 7.0 Independent Sector Complaints

As part of our statutory duties to investigate complaints about internal services, there is also a requirement to gather and monitor the complaint activity of private and voluntary organisations, contracted by Inverclyde CHCP to provide care and / or support to service users. This includes **247** different services being delivered by **111** providers. The service user groups include older people;

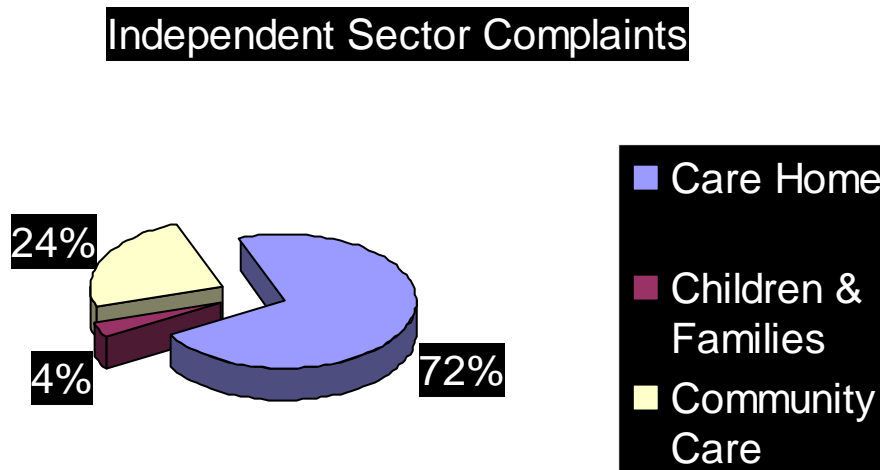
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physical disability; mental health; young people; homelessness; addictions and complex care needs.

During 2010 / 2011 a total of **112** complaints were received by private and voluntary sector providers. Of these complaints **78 (70%)** were formal and **34 (30%)** were on an informal basis.

Chart 3 below shows the number of complaints in the service areas of care home; children and families and community care. Of these complaints **59 (73%)** were formal and **22 (27%)** informal.

**Chart 3**



**7.1 Outcomes and Service Improvement (Independent Sector)**

From the **112** complaints Table 6 below details the outcome following investigation.

**Table 6**

<b>Reporting Period 01.04.10 – 31.03.11</b>				
Complaint Upheld	Complaint Partially Upheld	Complaint Not Upheld	Complaint Withdrawn	Complaint Investigation Ongoing

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<b>38</b>	<b>18</b>	<b>33</b>	<b>4</b>	<b>19</b>
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Formal and informal complaints have resulted in **56 (50%)** upheld or partially upheld outcomes to complaint investigations. These outcomes generated 85 recommendations. Table 5 below outlines the themes of the recommendations.

**Table 5**

<b>Recommendation Themes</b>	<b>Care Home</b>	<b>Children and Families</b>	<b>Community Care</b>
Line Management Action	26	-	5
Communication	12	-	2
Training / Instruction	22	1	2
Assessment	3	-	-
Policy / Procedures	9	-	3

## **8.0 Informal Complaints, Comments and Compliments about Inverclyde CHCP**

The CHCP Contract Monitoring and Complaints Team (CM&CT) have directly received and resolved **27** informal complaints without the need to proceed to formal investigation in line with statutory directions.

The CM&CT gathers, collates and analyses Compliments, Comments and Suggestions about the services we provide. This does not fully represent the profile across all services.

During the 2010 / 2011 reporting period the CHCP received **21** letters and expressions of thanks and appreciation from Service Users or their representatives.

A sample of comments and compliments are as noted.

“...we appreciate your help & the support you gave to.....when experiencing difficulties. Your kindness and friendship meant a lot”

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“Particular thanks to the 2 ladies.....who responded so promptly to the call”

“Without such a service mum could never have remained at home. Keep up the good work”

“Thank you for allowing your girls and lads to look in on me on the mornings while my press button was not working. ....made me feel lots safer”

“...like to take this opportunity to thank you.....We wouldn't have managed without you all, plain and simple”

“I was impressed by all the petitioners' witnesses; they were professional and obviously dedicated.” (Lord Pentland)

“....one of best social worker witnesses .....to give evidence. (Social Worker) was 'rock solid' and knew case inside out”

Comment Feedback from Evaluation / Surveys

“The programme was done very well and I enjoyed doing it”

“It was delivered well as it gave me a chance to enhance my skills”

“..... did an excellent job in helping me refresh the problem solving aspects ”

“..... was good in letting me take my time as she knew I was struggling at times.....thanks” (Work with prisoners)

“Very helpful”

“Very impressed with service” (Information Service – ICIL)

“....very helpful to aiding my independence and self dignity” (Community Rehabilitation Service)

“I found your people very helpful anytime I contacted them .....excellent” (OT)

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“.....would not hesitate to recommend it” (Sensory Impairment  
Service)

“A very valuable service” (Joint Equipment Store)