



Annual Complaints Report

2021/2022

Adults

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1. Introduction

The NHS and Community Care Act 1990 requires all Local Authorities with social services responsibilities in England and Wales to have a complaints procedure for people dealing with social care services.

The 2009 regulations 'The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009' dictate that social care complaints follow a one stage process for complaints to be resolved by the Council. If the complainant remains unhappy with the outcome of their complaint, they have the right to approach the Local Government Ombudsman to investigate their complaint.

Part of the statutory requirement is the production of an annual report on complaints, which is information on social care complaints received about Adult Social Care Services in the financial year 2021/2022.

Complaints which contain an element of social care fall under the statutory Adults Social Care guidelines, however, the Council also has responsibility for processing '*corporate*' complaints which relate to customers who may be dissatisfied with services which are not related to social care, but which relate to other services provided by the Council (not including Children's Services). These complaints will follow the Council's two stage complaints process.

2. What is a complaint?

A complaint is defined as a written or verbal expression of dissatisfaction about the service provided by the Council.

We deal with two types of complaints – Corporate Complaints and Social Care Complaints. As mentioned above, Corporate complaints are those which do not contain elements of social care, so may be relating to staff conduct or in relation to financial payments. Social Care complaints are any complaints received which relate to social care issues, and this will include appeals against a reduction in personal budget.

We aim to acknowledge complaints within three working days and to send a full written response within 10 working days for Corporate Complaints or 20 working days if the complaint relates to social care. Should the investigation proceed beyond this timescale, we will advise the complainant of any delay.

If the complainant requires clarity of any of the points in their complaint response, following investigation, they can return to the Council for further information.

3. The complaints we received and how we responded

3.1 Complaints – timeliness of response

Table 1 – Complaint Types by number

Complaint Type	Timescale	Complaints responded to	Percentage responded to on time
All Social care complaints	20 working days	177	58%
Social care complaints averted	-	84	-
Stage 1 corporate complaints	10 working days	18	67%
Stage 2 corporate complaints	10 working days	1	0%
All corporate complaints	10 working days	19	63%
Corporate complaints averted	-	9	-
Ombudsman social care	28 calendar days	9	22%
Ombudsman nonsocial care	28 calendar days	-	-
All Ombudsman Complaints	28 calendar days	9	22%

2021/2022 has once again been a challenging year for the Council as we continued to respond to the pressures of the Covid-19 pandemic. In the previous year the Council changed how we record complaints and moved over to a new recording system; this required a period of adjustment, in order to be able to report more effectively.

During 2021/2022 a total of 289 complaints were received which expressed dissatisfaction with services provided by the Council's Adult Social Care Service, 261 (90%) of these were social care related complaints and 28 (10%) were non-social care complaints. This is an increase from the 270 received in 2020/2021 (7%).

Where possible, Complaints Officers will identify those complaints received which can be resolved prior to a formal investigation (these are known as averted complaints). This initial review can avert the need for a full investigation, by quickly resolving the concerns raised for the complainant, and therefore the complaint does not need to progress through the formal complaint procedure. A complaint which is averted must be resolved to the complainant's satisfaction within 24 hours.

During 2021/22 a total of 93 complaints received were averted (84 Social care and 9 Corporate), this is a decrease from 115 the previous year.

Social Care Complaints

A total of 177 formally recorded social care complaints were investigated and responded to in 2021/22. This is an 26% increase on the previous year (140 in 2020/21).

75 of the 177 social care complaints investigated were upheld or partially upheld (42%). This is a small decrease on the 44% upheld in 2020/21.

The main themes of the social care complaints received were around issues in relation to disagreement with a decision, concern for welfare, poor level of service or service failure and staff conduct

During 2021/22 there were no appeals received in relation to reduction in individual budgets.

Corporate Complaints

A total of 19 corporate complaints were responded to in 2021/22. This is a slight increase from 18 the previous year (6%).

Of the corporate complaints handled, 7 (37%) of these were upheld, or partially upheld, which is a decrease from 67% the previous year. This can be further identified as:

Stage one

Of the 18 corporate complaints handled at stage one, 6 (33%) of these were upheld, or partially upheld, this is a decrease on the previous year which was 67%.

Stage two

The one corporate complaint handled at stage two, was upheld (100%). Last year 67% of these were upheld.

The main themes of the corporate complaints received were complaints in relation to poor level of service, service failure and staff behaviour

Upheld Complaints

Whilst an upheld complaint can be seen as an indication of poor service, it also highlights that the Council recognises and acknowledges any errors and in doing so, has identified recommendations for service improvement.

When a complaint is upheld, we will acknowledge with the complainant that the complaint is justified and apologise for any error where we have not met a citizen's expectations with our service delivery. A learning action plan will be compiled to identify actions required to improve the service following the complaint investigation. The complainant will be advised of the actions we will take to ensure the error does not occur again within our final investigation report.

3.2 Reasons for dissatisfaction

The main areas of dissatisfaction in relation to complaints are summarised on the next page:

Table 2- Reason for dissatisfaction, Social Care

Reason for dissatisfaction, Social Care	Number
Disagree with a decision	17
Concern for welfare	16
Poor level of service or service failure	15
Staff Conduct	15
Communication	13
Financial Issues	9
Other	8
Adaptation Issues	8
Lack of support	7
Advice/Support required	7
Provision of service	7
Blue Badge	6
Contracts- Standard of Care	6
Disputed Assessment	5
Contracts- Late Calls	5
Delay in service delivery	4
Financial charging dispute	4
Assessment of need	4
Accommodation	3
Contracts- Staff Issues/Agency Numbers	3
Contracts- Staff Conduct /Behaviour	3
Contracts- Continuity of Care	2
Lack of Consultation regarding decision	2
Process/procedure issues	2
Quality of Care	2
Policy Resource/Issue	1
Hospital Discharge	1
Carer issues/assessment	1
Equipment	1
Total	177

Table 3 - Reason for dissatisfaction, Corporate

Reason for dissatisfaction, Corporate	Number
Staff Conduct	6
Poor level of service or service failure	4
Delayed Charges/Adjustments	2
Advice/Support required	1
Assessment of need	1
Blue Badge	1
Breach of Confidentiality	1
Delay in service delivery	1
Disagree with a decision	1
Lack of contact	1
Total	19

Local Government and Social Care Ombudsman

When a complaint is received from the Local Government and Social Care Ombudsman (LGSCO) on behalf of a citizen, the Council is given a timescale of 28 calendar days to provide a response to the LGSCO.

The Ombudsman will investigate concerns raised and will refer to ‘maladministration’ and ‘service failure’ should fault be found on the part of the Council. They will also consider, if fault is found, whether this ‘fault’ has had an adverse impact on the person making the complaint. This is referred to as ‘injustice’, and the Ombudsman may suggest a remedy to the Council in order to correct any fault.

The total number of formal LGSCO complaints responded to during the year was nine, this was an increase compared to the eight formal investigations responded in the previous year (13%). Of the nine investigations two were submitted to the Ombudsman within the 28 calendar days timescale and seven were submitted late.

There were also nine informal investigations received from the LGSCO, four were closed after initial enquiries, one was referred to the Council to investigate under our complaints procedure and three were escalated to full investigations, and we are awaiting the outcome of one.

The Council also received nine decisions from the Ombudsman during the period 1 April 2021 to 31 March 2022. Of the nine decisions received, five were upheld (56%), four were not upheld (44%).

Detail on the findings and the remedies put in place can be seen in the table on the following page.

Table 4 – Ombudsman decisions upheld and remedies

Decision	What did the Council Do Wrong?	Remedy
Mr A Upheld: maladministration and injustice	<ul style="list-style-type: none"> • The complainant felt intimidated by a carer at his supported accommodation, there was a delay in formally responding to his complaint and the provider did not keep details of the investigation into Mr A’s complaint. 	<ul style="list-style-type: none"> • An apology to Mr A • The Council has agreed to provide guidance to the Care Provider regarding complaint investigations.
Ms B Upheld: maladministration and injustice	<ul style="list-style-type: none"> • There was fault in the Council’s letters about charging, there was poor communication with Ms B. • The Council’s charging policy was unclear and out of date. • The Council also failed to provide certain documents and information to Ms B or provided the documents late. 	<ul style="list-style-type: none"> • An apology to Ms B • Adult social care staff of the importance of providing documents and information at the relevant time. • The Council had already implemented several service improvements as a result of Ms B’s complaint, prior to the decision from the ombudsman and has reviewed the charging policy and the standard letters

Mr C Upheld: maladministration and injustice	<ul style="list-style-type: none"> • The Council should have considered Mr C's concerns about the standard of care he was receiving and not passed them on to the Mental Health Trust without engaging with Mr C. 	<ul style="list-style-type: none"> • An apology to Mr C; • Outlined to both Mr C and the Ombudsman the improvements it proposes in its quality assurance and complaint procedures; • Pays Mr C £200 in recognition of the poor service that led him to feel the Council had not addressed his concerns fully.
Mr D Upheld: maladministration and injustice	<ul style="list-style-type: none"> • The Council delayed in treating the complainants concern as a complaint. • The complainant also had to chase officers for information. 	<ul style="list-style-type: none"> • An apology to the complainant for time and trouble. • Ensure residents of care home places commissioned by the Council are provided with information about the process for terminating a care home place and that charges will apply in the event of hospital admission.
Ms E Upheld: no further action	<ul style="list-style-type: none"> • The Council incorrectly charged for a residential placement 	<ul style="list-style-type: none"> • The Council issued a refund

4. Political enquiries received and timeliness of response

Political enquiries

Political enquiries are defined as enquiries received from Elected Members of the Council or Members of Parliament acting on behalf of their constituents. During the reporting period the directorate received a total of 257 political enquiries. This was an increase of 16% on 222 the previous year.

Table 5 – Political enquiries

Political enquiries by service area	Number
Social Care and Learning Disability	141
Business Delivery	87
Commissioning	24
Finance	3
Public Health	2
Total	257

An additional 22 enquiries were averted or referred elsewhere (either to another service within the Council or organisation).

Of the 257 political enquiries received 181 were responded to within the 10-working day timescale (70%).

Table 6 – Political enquiries, theme of enquiry

Theme of Political Enquiry	Number
Concern for welfare	73
Adaptation Issues	42
Assessment of need	25
Advice/Support required	18
Blue badge	14
Disagree with decision	11
Quality of Care	10
Financial Issues	8
Provision of Service	8
Equipment	6
Contracts- Standard of Care	6
Contracts- Staff Issues/Agency Numbers	6
Delay in service delivery	6
Other*	24
Total	257

**Other includes: Communication Issues, Contracts- Communication, Contracts- Continuity of Care, Contracts- Home Closure, Contracts- Late Calls, Disputed Assessment, Financial Charging Dispute, Funding Issues, Hospital Discharge, Lack of Support, Mental Health Assessment, Policy Issues, Poor level of service or service failure, Quality of care, Staff Conduct.*

Non-Political Enquiries

There was a total of 36 non-political enquiries in 2021/2022 of which the main theme was Advice/Support required. A non-political enquiry is an enquiry from members of the public which will usually relate to our process or procedures, is generally asking for advice or information, and is not an expression of dissatisfaction.

5. How we have improved our service as a result of complaints

We recognise that when things do go wrong, we need to learn from the mistakes made to ensure that we reduce the likelihood of the same mistake happening again. Any complaint which is upheld will identify errors made on the part of the Council and will identify actions and potential service improvements which need to be made as a result of the complaint investigation.

These actions are categorised as high or low risk learning points. High risk are those actions identified from Ombudsman Investigations, issues which affect all services across the City as opposed to one individual team, or those complaints which require significant change to team practices. These will often also involve a high degree of injustice for the customer.

Learning actions from cases identified as high risk are compiled into an action plan and allocated to appropriate managers to be implemented within a set deadline.

Table 7 - Learning categories in terms of risk

Learning Theme	Risk Level High	Risk Level Low
Contract Management review	1	18
ICT/technology review	-	3
No Action Required	1	14
Policy Review	2	1
Procedural review	1	3
Staff 1:1	-	16
Staff briefing	-	21
Staff levels/workload review	-	6
Total	5	82

The main actions identified from service improvements across the directorate were for staff briefings to be held, to discuss required improvements in performance or practice.

Table 8 – Summary of learning actions

Learning Root Cause	Risk Level High	Risk Level Low
Failure to follow process/procedure	2	26
Inadequate policy/procedure/service	-	7
Inadequate staffing levels	-	11
Inappropriate Behaviour	1	4
Incorrect/no Advice Provided	-	10
N/A	-	9
Staff caused a delay	2	7
Staff lack of knowledge/training	-	4
Technology/ICT failure	-	4
Total	5	82

The main root cause identified from complaints across the directorate were failure to follow process/procedure, followed by Inadequate staffing levels.

6. Compliments

During the year 1 April 2021 to 31 March 2022, the Directorate received a total of 155 written compliments. This is a large increase from 80 received the previous year. It is likely that since the introduction of the new complaints recording system the service has become more proactive at recording compliments.

Some examples of compliments received are detailed on the next page.

“In what was a stressful and worrying time for our family the help and support we received from the officer and the team of carers was both helpful and reassuring.”

“Thank you so much for your call earlier. I am very pleased and grateful to have spoken to someone as compassionate as yourself. You are an asset to the organisation. It can be quite difficult for us parents to find our voices and be listened to without being judged. I feel you gave me a great opportunity to tell you a little bit about my family and the struggles we face She went above and beyond and was so patient throughout.”

“The Assessor has been extremely helpful and so friendly – she has gone out of her way to provide support and equipment to help my independence”

“I wanted to thank you and your team for the ongoing service you have provided, the amount of times your service has saved my mums life, the peace of mind your service has given me, going above and beyond to keep me informed.”

“I would like to thank you for your commitment whilst mum was having her bathroom adapted. Your caring approach and the kindness you showed made her comfortable. You treated us with respect and were professional at all times.”

“wanted to express my thanks and appreciation for the work of your colleagues in giving their help and support to my Mother. Recently Officer A has been helping me through the complex process re Direct Payments. Officer A was very empathetic towards my Mother's situation and I know she advocated very determinedly on her behalf to try and ensure continuity of care for her via her current care agency. I am extremely grateful to her for doing so.”

“I can't thank you enough for supporting me and the children from start to finish, you've seen it right through to the end ... I honestly can't thank you enough for that alone, as well as all your hard work, supporting me enough to find the courage and confidence to fight for a life we deserved to live. I'll be forever grateful.”

“You have been so kind patient and considerate in getting Mr A through this very difficult time I don't think he would have felt comfortable with anyone one else but you. Your dedication and thoughtfulness and the wellbeing of the people you train and care for is shown in how you do your job.”

7. Final comments

The Council was unable to measure performance in the previous recording year due to the change in our recording system, and, whilst the response times are not at a level the Council would like, it is important to note, all services remained under pressure due to the evolving circumstances in respect of the global pandemic. All staff were required to change practices of working in order to continue to provide our essential services.

As is outlined in this report, the Council has experienced an increase in both complaints and enquiries during this reporting period (1 April 2021 to 31 March 2022).

The Council is committed to continuing to improve our performance activity across all areas of our complaints process in responding to complaints and enquiries. We will continue to ensure Complaints Officers fully support Investigating Officers in ensuring our investigation responses are delivered on time and are fit for purpose.

The increase in both Social Care and Corporate Complaints has likely impacted on response times as services prioritised the safety of our citizens.

The number of Local Government and Social Care Ombudsman enquiries has also increased during 2021/22.

Complaints Officers will be working closely with the Senior Management Team to identify further areas for improvement when responding to complaints and enquiries.

We will continue to endeavour to improve our response times, as well as reducing the numbers of complaints which are upheld both at a Council level and also by the Local Government and Social Care Ombudsman.

During 2021/22 staff have continued to evolve the way in which we work whilst we prioritised the safety of our citizens. We maintained our complaints service throughout the pandemic and faced the challenge of working differently in order to maintain the safety of our staff and citizens during this unprecedented period.

We have worked hard to ensure that for those complaints which are upheld, learning actions have been identified and lessons learnt to improve service delivered to the citizens of Manchester. We will also continue to consider, where fault is identified, appropriate remedies at an early stage in the complaint process.