

**CABINET**

**On 15 July 2008**

Report Title: Adult, Culture and Community Services Annual Complaints Report 2007/08

Report of: **Director of Adult, Culture and Community Services**

Wards(s) affected: All

Report for: Non Key

**1. Purpose**

- 1.1 To report on the statutory complaints procedure for Adult Social Care for the year 2007/08 and make appropriate recommendations to improve complaint handling and performance.
- 1.2 To seek member approval for the Adult Social Care Annual Complaints Report for 2007/08.

**2. Introduction by Cabinet Member**

- 2.1 We recognise that there has been improvement in the performance of complaints for Adult Social and that the performance target was exceeded.

**3. Recommendations**

- 3.1 That the Adult Social Care Annual Complaints Report be received.
- 3.2 That the performance for 2007/08 be noted.
- 3.3 That proposed initiatives for performance improvements are noted.

Report Authorised by:

**Mun Thong Phung, Director of Adult, Culture and Community Services**

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#### **4. Executive Summary**

4.1 The enclosed report outlines the performance of the Adult Social Care complaints handling procedures and practices for the period 2007/08. The regulations require that for monitoring purposes the Local Authority must produce annual reports on the operation of their complaint procedures

4.2 The report provides recommendations for improving complaint handling and ensuring early resolution

#### **5. Reasons for any change in policy or for new policy development (if applicable)**

5.1 Non applicable

#### **6. Local Government (Access to Information) Act 1985**

6.1 The following background papers were referred to in the preparation of this report:

- Annual Report on the Council's complaints procedure for the years, 2006/07.

Department of Health statutory guidelines. To access these guidelines please go to <http://www.dh.gov.uk/PolicyAndGuidance/OrganisationPolicy/ComplaintsPolicy/SocialServicesComplaintsProcedure/fs/en>

- Complaints Professional
- Letter from DH – Philip Burgess – Director Early Adopter Programme

#### **7. Background**

7.1 In line with the Local Authority Social Services Complaints (England) Regulation, 2006, the local authority is legally obliged to produce an annual report reviewing the complaints handling performance.

#### **8. Description**

8.1 The attached report will discuss the handling of Adult Social Care, Local Government Ombudsman, and the handling of the corporate complaint procedure within Social Care.

8.2 The report will also make reference to the demographic information and to compliments and suggestions made to Adult Social Care Services.

#### **9. Consultation**

9.1 No consultation was required in drafting this report.

## **10. Summary and Conclusions**

- 10.1 In order to ensure that we are responding to enquiries within timescale, regular complaints meetings are conducted with Service leads, enabling complaints to be reviewed and monitored to ensure effective closure of cases at early resolution stage.
- 10.2 Weekly reports on outstanding complaints are submitted to the Service Leads and Service Managers.
- 10.3 Monthly performance reports are submitted to the Directorate Management Team (DMT) and cascaded down to management meetings.
- 10.4 We continue to raise awareness of the Council's Feedback Scheme through publicity information.
- 10.5 The performance target for 2007/08 was set at 80% of stage 1 complaints to be completed within the 10 day timescale, 91% was achieved.
- 10.6 As an appendix, attached is the Complaints & Member Enquiry Improvement Plan

## **11. Recommendations**

- 11.1 For the annual report to be received and noted

## **12. Comments of the Chief Financial Officer**

- 12.1 The Chief Financial Officer has been consulted and there are no direct financial comments to make on this report

## **13. Comments of the Acting Head of Legal Services**

- 13.1 All local authorities are legally required to have a social care complaints procedure as ordered by the Secretary of State under section 7B of the Local Authority Social Services Act 1970 (LASSA). The Local Authority Social Services Complaints (England) Regulations 2006 (and statutory guidance) set out the procedures which the local authority must follow for complaints made on or after 1<sup>st</sup> September 2006. These Regulations require:
- A complaint to be made within one year of the event complained about, unless it would be unreasonable to expect the complaint to have been made earlier than it was and provided it is still possible to consider it effectively and fairly.
  - A complaints manager to be appointed who, at the investigation stage, should ensure the appointment of an investigating officer to report in writing for adjudication by a senior manager.
  - Liaison and co-operation between local authority and NHS bodies if a complaint includes elements that relate to part of the NHS, and time limits.
- 13.2 The Regulations emphasise the need to take all reasonable steps to resolve complaints informally and require a record to be kept of all representations made, the outcome and compliance with statutory time limits:
- Stage 1 - Informal or problem solving – 10 working days (which can be extended to 20 days if necessary), in default of which a request for a stage 2 investigation can be made.

- Stage 2 formal – complete within 25 working days if possible and in any case, within 65 working days
- Stage 3 – Review Panel - complainant has 20 working days within which to request review and a Review Panel must convene within 30 working days of that request and inform the complainant and the local authority of the outcome of that review within a further 5 working days. If the Review Panel decides the complaint was not adequately dealt with, the local authority has 15 working days to inform the complainant of the action it proposes to take as a result. The Stage 3 review panel must have at least two independent members. Officers of the Council (or their spouse/civil partner) can no longer be part of the panel; one council member can be on the panel, but not as the chairperson.

13.2 Provided the investigation is being conducted diligently, the authority is unlikely to be criticised either by the courts or the ombudsman if the time limits are not complied with.

13.3 The Local Government Ombudsman is empowered to investigate written complaints made by members of the public who claim they have suffered injustice as a result of mal-administration by or on behalf of the local authority but is reluctant to become involved unless other avenues of investigation have been exhausted.

13.4 The Government plans further reforms to the complaints process for health and social care to come into force in 2009.

#### **14. Equalities Implications**

14.1 Please note the detailed equalities analysis of complaint in section 8 of the main report which shows here were no obvious trends to suggest that any ethnic group were making complaints about specific services. Although White British people appear on paper to be the ethnic group making the most complaints these figures are distorted by the high number of people who don't complete ethnicity or disability information so it is impossible to make accurate comparisons when the majority of people making a complaint are ethnicity unknown. In relation to age, the largest group registering a complaint is in the 60+ group and more women have complained than men this is a consistent trend across all council complaints monitoring as more women access council services than men. During 2008/09 we will be looking at ways to ensure complainants complete the monitoring data.

#### **15. Use of Appendices / Tables / Photographs**

15.1.1 Four images were used in this report, and were supplied by Third Avenue Adult Social Care Complaints Annual Report

15.2 Statistical data from the Local Government Ombudsman.

15.3 Complaints & Member Enquiry Performance Improvement Plan – Appendix 1

# ADULT SOCIAL CARE



Complaints Annual Report

2007-2008



# **Adult Social Care**

## **1. Background to Complaints Procedure**

Haringey Adult Social Care aims to provide services of the highest standard. In order to achieve this we need to involve service users and listen to their views.

Adult, Culture & Community Services is a large department providing a wide range of services. We accept that things can go wrong and if anyone feels unhappy about the way they have been treated then they have a right to complain.

The Social Services Complaints (England) Regulations 2006, state that as a working guide, a complaint may be generally defined as “an expression of dissatisfaction or disquiet about the actions, decisions or apparent failings of a local authority’s adult’s social care provision which requires a response”.

A person is eligible to make a complaint where the local authority has a power or a duty to provide, or to secure the provision of, a service for him/her, and his/her need or possible need for such a service has (by whatever means) come to the attention of the local authority. This also applies to a person acting on behalf of someone else.

The complaints' procedure consists of a three-step process. The first step is local resolution. Whenever possible, managers will try to resolve your complaint speedily and informally. If we are not able to resolve your complaint locally, you may then ask for a formal complaint. If you are still not satisfied with the outcome you can then request a review panel.

Not only does Adult Social Care handle complaints under the Social Services Complaints (England) Regulations 2006, they also handle complaints under the corporate complaints procedure.

We welcome compliments and suggestions so that we can learn from these and improve our services.

## **2. Reporting Mechanisms**

The Directorate’s Designated Complaints Officer (DCO) now reports to the Head of Business Management, who in turn reports to the Assistant Director of Commissioning & Strategic Services.

The DCO is a fourth tier manager and has worked up very good working relationships with all senior managers.

Below is a brief outline of the complaints process within the Council:

- The DCO manages the complaints process.
- The Council has a central database for logging all complaints.
- Complaints are taken in any format such as: written, oral or electronic.
- An acknowledgement letter will be sent within 2 working days of receiving the complaint. This letter will provide the complainant with the contact details of the person investigating their complaint and when the response is due. Complaints will be completed within 10 working days.
- All complaints are sent via email to the service manager of the team directly responsible.
- Response letters at all stages carry an escalation paragraph, explaining how the complainant may take their complaint to the next stage of the complaint procedure.
- If there are any recommendations after any stages of the complaints procedure, the DCO will monitor that these have been implemented.
- The Complaints Team will generate weekly reports that are sent to all service heads; this shows how many complaints they have and the due date.
- The Complaints Team will chase up the service heads daily for complaints that are due imminently.
- The DCO produces monthly performance reports for Directors Management Team (DMT), which are cascaded to all service heads.
- The DCO produces a quarterly report and which is cascaded to all service heads.
- We are always looking for ways to improve our services and feel that there are many benefits to a good complaints procedure.

### **3. Advocacy Services**

The Council will support anybody in their request to use an advocate in helping with their complaint through the complaint process, as the Council appreciates that people may become confused by the complaints process.

The Council uses independent advocacy services to specific vulnerable groups through a number of community based organisations:

- MIND in Haringey offer advocacy for Mental Health service users;
- HAIL (Haringey Association for Independent Living) is for service users with Learning Disabilities;
- Age Concern run an advocacy service for people in hospital addressing concerns such as making life changing decisions, moving into long-term care or not (if others had suggested it).
- Haringey has commissioned Rethink in London to act as the Council's Independent Mental Capacity Advocate (IMCA) service provider. This service covers service

users with both Learning Disabilities and Mental Health needs. There have been a total of 21 referrals to Rethink since August 2007.

Rethink IMCA service provides an Independent Mental Capacity Advocate to represent and support people who meet all the following criteria:

1. a decision is being made about either
  - serious medical treatment or
  - long term care and health moves (more than 28 days in hospital/8 weeks in a care home)
2. and it is believed the service user does not have the capacity to make that decision independently
3. and the service user has no appropriate family or friends available to represent them

The DCO is aware of the providers of the advocacy services and would know how a service user may make contact with these organisations.

Part of the role of the Supported Housing Scheme Manager, is to advocate on behalf of a tenant if they are unable to complain for themselves. The Day Centre Managers in Older People Services also act as advocates to assist users in complaining.

Haringey Carers, receive further support from a different group of community based organisations:

- Learning Disabilities advocacy project Mencap;
- The Haringey Carers Centre provides advocacy: [info@haringeycarers.org](mailto:info@haringeycarers.org) tel. 020 8888 0831;
- Mental Health Carers Support Association has an advocacy project for mental health carers;
- Asian Carers Support Group;
- Black and Minority Ethnic Carers Support Service, (does offer advocacy services although this is not something that they are contracted to do for the Council).

Discussions and meetings have taken place with some of the voluntary organisations in the borough, in order to further develop the offering of advocacy services. The purpose of these meetings has been to review the services in detail and highlight issues and agree a way forward. These have focussed on the monitoring of advocacy provision, quality standards and benchmarks, providers working in partnership to reduce duplication, and an expectation that training of volunteer advocates will take place.

The Complaints Team acknowledges that complainant's advocates can also be a friend or family member.



Whenever the Complaints Team receive a complaint from a Third Party, they will send a client consent form to the complainant to get confirmation that somebody other than themselves would be handling the complaint on their behalf. This form would give the details of the advocate. The Complaints Team are aware that service users may not be in a position to give consent and they will discuss this with the individual care teams.

The Complaints Team will provide assistance to service users who do not speak English as a first language. The Council has its own translation unit and has staff throughout the Council who will offer to interpret on an ad hoc basis.

The Complaints Team will always ask if there is any way we can offer any help or support for e.g. Translation, Braille or large print copies of correspondence.

#### **4. Performance 2007/08**

##### **4.1 Compliments/WOW Awards**

Apart from dealing with complaints, we encourage people to write to the Complaints Team to give us compliments about staff or teams. We do ensure that the person or teams that are complimented are formally acknowledged. As of the 01 May 2007, the Council now belongs to the WOW! Award scheme which is for outstanding customer service. This is an outside organisation and is open to all Council Staff. Being a part of this scheme has had a very positive effect on our compliments. During the 2006/07 the Adult Social Care Service received 30 compliments. This is an increase on the previous year where we received 13. For the year 2007/08 the service received a total of 78.

**Some of the compliments we received were .....**

**Thank you to the manager at the Haven Day Centre she is professional, welcoming, caring, concerned and comforting.**

**A big thanks to all the staff at the Alexandra Road Crisis Centre they excelled in everything and were able to accommodate my different needs and fit with my work schedule. I now feel 100% better and have avoided going into St Ann's Hospital.**

**Thanks to the Occupational Therapist who with her help my life has been made a lot easier, nothing was too much for her.**

## **4.2 Suggestions**

Adult Social Care received one suggestion during this period. Suggestion forms are available in all reception areas and suggestions can be made via the web, telephone or on our complaint form.

## **4.3 Whistle-blowing**

For the reporting period there were no reports of whistle-blowing incidents. Whistle-blowing is a complex element of complaint management. The Council will deal with these concerns anonymously when an individual does not wish to give their details.

All allegations are investigated by a senior member of staff. The Council's whistle-blowing policy is currently under review.

## **4.4 Complaints**

Performance on complaints handling is determined by whether or not responses have been sent to the complainant within the set timescale.

### **Stage 1 – Local Resolution**

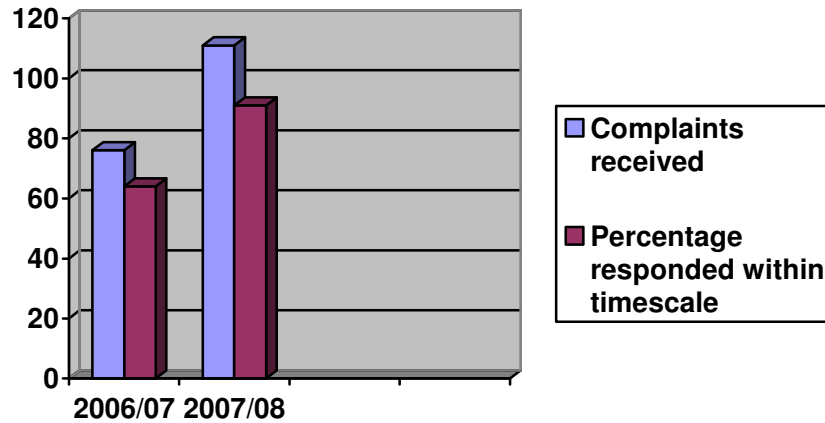
This is the most important stage of the complaints procedure. The Department's teams are expected to resolve as many complaints as possible at this initial point.

The performance target set for the period 1 April 2007 – 31 March 2008 was 80% resolved within 10 working days of receiving the complaint. This target was set locally as opposed to a statutory target.

For the period 01 April 2007 – 31 March 2008 Adult Social Care achieved a performance target of 91% for complaints completed within the 10 day timescale. The outturn figure was 111 complaints received, this is an increase of 46% of complaints received. All staff involved in complaints in the Adult Social Care Service have worked extremely hard to achieve this performance target.

For 2006/07 Adult Social Care achieved 64%. The outturn figure was 76 complaints received and 49 were completed within timescale.

The graph below provides a comparison of the last two consecutive years on the number of complaints received and whether or not they were handled within timescale



## **Stage 2 – Formal Investigation**

This stage is implemented where the complainant is dissatisfied with the findings of Stage 1. Stage 2 is an investigation conducted by either an internal manager or an external investigating officer. In most cases, Haringey appoint investigating officers from a pool of external investigating officers. The role of the investigating officer involves interviewing staff and file reviews, reviewing policies and procedures, and producing a comprehensive report. Once the investigating officer has completed their report an Assistant Director is appointed to consider the findings and respond to the complainant accordingly.

The procedure that took effect from September 2006 states that Stage 2 investigations are to be completed within 25 working days and in certain cases can be extended to 65 working days. The majority of our stage 2 investigations do need to be extended to the 65 working days due to the complexity of the complaint.

For the reporting period, two Stage 2 investigations were completed within the 25 day timescale and a total of 11 were extended to 65 days. Of the 11, eight were completed within the timescale and 3 missed the deadline. The performance figure was 73% completed within timescale. The performance target for Stage 2's was 40% for 25 days and 60% for the extended period.



For the period 2006/07 there was two statutory complaints procedures. Pre September 2006 the timescales were 28 days and an extension to 90 days.

After 01 September 2006 the timescales changed to the current timescales which are listed above. In 2006/07 we received a total of 6 Stage 2 investigations.

The complexity and nature of Adult Social Care complaint investigations can lead to delays. A lot of work has taken place between the complaints team and the investigating officers to help ensure delays are kept to a minimum.

We have seen an increase in the number of Stage 1 complaints and therefore a rise in the number of Stage 2 investigations. In the coming year we will be providing staff with training and in particular in how to resolve complaints at Stage 1. We have recruited extra investigating officers to our independent investigating officer's pool. An annual meeting with the independent investigating officers takes place which also incorporates a monitoring session. It was also emphasised to them the need to meet timescales. This seems to be having a positive effect on performance

### **Stage 3 – Review Panel**

Where complainants are dissatisfied with the finding of the Stage 2 investigation, the Council is required to establish a Complaints Review Panel. The panel makes recommendations to the Director who then makes a decision on the complaint and any action to be taken. Review Panels are made up of two independent panellists and one Councillor. The timescales for Review Panels are as follows:

- Within 30 days set up the Panel
- Producing the Panel's findings within 5 days
- Produce the Councils response within 15 days.

For the reporting period Adult Social Care had 1 complaint that went to Review Panel. This indicates that complainants are generally satisfied with the responses to their complaints.

For 2006/07 there was also 1 Stage 3 review panel.

### **Corporate Complaints Procedure**

In the Adult Culture & Community Services Directorate there are two complaints procedures. Adult Social Care uses a statutory procedure which is for any social services you may receive. The corporate procedure is a separate procedure and is used for all other council services.

The outturn figure for Adult Social Care for the period 2007/08 were 25 complaints received under the corporate complaints procedure, of which 20 (80%) were completed within the 10 working day timescale.

For the period 2006/07 were 34 complaints received under the corporate complaints procedure, of which 23 were completed within timescale. This shows 68% were dealt within timescale.

The Complaints Team also has a management role in all the complaints, member enquiries and FOI's received for the whole Directorate.

## **5. Local Government Ombudsman**

The Commissioners for Local Administration (generally known as the Local Government Ombudsmen) were established by the Local Government Act 1974, Part III. They are empowered to investigate (among other things) any Local Authority. All complaints must be in writing and made by members of the public who claim to have sustained injustice in consequence of mal-administration in connection with action taken by or on behalf of an Authority.

Reporting on this will be in the Feedback & Information team's corporate annual report.

## **6. How did we handle your complaints**

The following table shows examples of complaints that were received during this reporting period and what we did in response to those complaints.

WHAT YOU TOLD US	WHAT WE DID
"I was very unhappy with the way the weekend carer was handling me when carrying out the personal care."	We apologised and changed the carer. The regular week day carer provided care at the weekend and a new carer was found who would carry out the duties during the week..
"We had cancelled the lunchtime carer but the carer was still coming to the house."	After investigation it was clear that this information had not been passed along to correct person which would have enabled the visits to cease. We apologised and credited service user for these visits.
"I live in sheltered housing and at the weekends I do not want anybody to call to check I am ok, I leave the "out card" but I still get disturbed most weekends and it is always the same member of staff."	The member of staff was interviewed and she apologised for causing the tenant distress. As a result all staff were reminded of the procedures which respects the tenants rights not to be disturbed."

## 7. How did we respond to your complaints?

The Council takes complaints seriously. When you complain about our services, we find ways to improve the quality and delivery of services. Common themes for complaints have been long waiting times and issues with service delivery these issues are currently being addressed in the respective departments.

## 8. Who complained to us?

Equalities data is collected to assess how Adult Social Care can better address the needs of the community. However, only a small number of complainants supplied information. With your help in filling out feedback forms, we will be able to serve you better.

There were no obvious trends to suggest that any ethnic group were making complaints about specific services. In relation to age, the largest group that we have registering a complaint is in the 60+ group and more females have complained than men. The tables below illustrate the ethnicity and diversity of people who complain about the Council.

Ethnicity	No. of Records	
	2006/07	2007/08
Black or Black British	2	3
Asian or Asian British	2	0
White British	16	23
White Other	3	0
Mixed	2	0
Other Ethnic Group	4	1
Unknown	47	84
<b>Total</b>	<b>76</b>	<b>111</b>

For this reporting period we have started monitoring the number of carers who have complained and we had a total of 17 complaints received from a carer or advocate.

Gender	No. of Records	
	2006/07	2007/08
Female	45	56
Male	20	49
Male & Female	10	2
Unknown	1	4
<b>Total</b>	<b>76</b>	<b>111</b>

How Received	No. of Records	
	2006/07	2007/08
Complaint form	6	n/a
Email	7	26
Fax	4	n/a
Feedback form	8	18
In person	4	9
Letter	29	27
Phone	12	29
Web Form	6	2
<b>Total</b>	<b>76</b>	<b>111</b>

Age Group	No. of Records	
	2006/07	2007/08
18-23	1	0
24-45	6	8
46-59	10	9
60+	22	14
Not known	37	80
<b>Total</b>	<b>76</b>	<b>111</b>

Disability	No. of Records	
	2006/07	2007/08
Yes	27	16
No	6	11
Unknown	42	84
<b>Total</b>	<b>76</b>	<b>111</b>

## **9. Learning from Complaints and Improving Services (Outcomes)**

Adult Services is committed to delivering quality services that meet the needs of users and carers, complaints and feedback are utilised as a mechanism for continuous service improvement.

The purpose of the complaint's procedure is to ensure that we learn from complaints and make improvements to service quality. Significant changes have been made to improve communication, increase efficiency in handling complaints, and deliver better services and we will continue to ensure that this process is adhered to. The Feedback & Information team produces regular reports for all directorates on 'learning points' for Stage 3 investigations and Ombudsman cases. Work will continue in 2008/09 on embedding the learning process.

Below are a few examples as to how we have learned from complaints and what improvements we have made.

After complaints relating to sub standard communications relating to our in-house home care service it was decided that discussions around communication issues and sensitivity would be held in group supervision. Group supervision is held once every 6 weeks in area patches and issues such as communication are prioritised.

Complaints were received relating to our in-house home care service where staff was unable to attend due to an emergency or sickness. In some instances replacement care staff were turning up late. It was agreed that there needed to be quicker access to home care staff in a crisis and a crisis team has now been developed. Effective management and use of the crisis workers means that the majority of replacements are at the usual time. However, there are times when home care staff ring into the office to say they are sick first thing in the morning and the early morning call replacement may take a little time to organise. A planned improvement is to require the prospective absentee to ring the 24 hour on call manager at any time to warn the service of the absence.

A client, who attends a Day Centre, requested to be dropped at her daughter's house by transport instead of her own home. Staff had failed to discuss the change of arrangements with the daughter. Transport did not wait to see that the client was safe.



A review of Day Centre systems across the service included what to do if a client cannot gain access and a discussion about the rights of clients versus the Council's duty of care in the wider general context of health & safety and risk assessment.

Staff have been given guidance by their managers as to what to do in similar circumstances in future, which includes referring back to management in the Day Centre if in any doubt, carrying out a risk assessment to be included with the support plan if this is a regular event, ensuring the client has gained access to the property before they leave. One of the residential care homes has been designated as a holding point for clients who cannot gain access until carers return (also if keys are lost etc.) The tension between service user choice/rights and our duty to care is a constant in such situations. There have been no similar occurrences since.

Service users and carers are enabled through the complaints procedure to have their concerns heard. Adult Services has been able to clearly demonstrate to its users/ carers that these complaints are acted on and do make a difference to how services are delivered.

## **9. Initiatives for 2008/09**

An updated Social Care training tool has been now been purchased and the Designated Complaints Officer and a member of the Organisational & Development Team completed the "train the trainer" training for this particular tool. We are now discussing the best way of rolling out this training. This course is aimed at all staff and the objective is to ensure that staff know how to resolve complaints at Stage 1. We are developing a training course for senior managers who investigate Stage 2 complaints and also for the adjudicating officer.

- We have revised the Complaints Improvement Plan, this includes:
  - i. Continuing to develop and embed the importance of learning from complaints to improve our services
  - ii. Achieve the performance targets
  - iii. Ensuring that investigators of Stage 1 complaints are briefed on the importance of resolution at Stage 1
  - iv. Ensure that complainants are kept informed through out the procedure
  - v. Ensure that stage 1 responses cover all issues raised
  - vi. Publicise the complaints procedure where ever possible.
  - vii. Recommendation that meetings are to be held after each Stage 2 investigation, with the senior managers and the complaints team. These meetings will ensure all recommendations are carried out.

Information gathered by the Contracts team from a range of sources indicates a need for a more pro active approach to, resolving minor issues in order to ensure that new care packages set up, are meeting needs, service users have access to information.

This feedback indicates that in a significant number of instances minor problems/ issues were not brought to light before the 6 week review so could not be resolved prior to the case being closed and put back in to the review system.

A consequence of this is that some service users feel their concerns are not heard and in instances where they have raised complaints/issues no one has followed up to verify resolution has occurred. In some instances issues/complaints raised do not relate to service providers, however it is not always clear to a service user the difference between issues that the care provider is responsible for and issues that are the responsibility of Council, or other services e.g. the length of time, tasks to be undertaken, supply of equipment.

This lack of clarity can create tension between the service user and care provider/care worker and can result in a lack of confidence by the service user in the Council who purchased the service, resulting in complaints.

## **10. Reform of the Complaints arrangements across Health and Social Care**

In the Government's White Paper '*Our health, our care, our say*' (January 2006) was not only to develop a comprehensive system across health and social care, but to develop one that will '*focus on resolving complaints locally with a more personal and comprehensive approach to handling complaints*'.

Health care is becoming increasingly community-based, with a much stronger focus on the Primary Care Trust (PCT) role as commissioners of all health services with greater joint commissioning with local authorities. The reforms also need to reflect the new delivery of services provided by Children's Departments, joint health and social care teams, and the relationships between local authorities and the regulators, and the Local Government Ombudsman.

The focus therefore is on the development of more easily accessible, simple and straightforward arrangements for both health and social care that will encourage and empower people to come forward with compliments and constructive views as well as complaints; and which will ensure lessons are learnt and applied to organisational learning.

The Department of Health (DH) feel that this is a challenging agenda and they envisage it will take several years to embed thoroughly into the health and social care services of the future. The DH believes that any new complaints arrangements should meet the following criteria:

- **open and easy to access** - flexible about the ways people can complain and with effective information and support for people wishing to do so, including specialist advocacy as appropriate;
- **fair** - emphasising early resolution and minimising the strain and distress for all those involved;
- **responsive** - providing appropriate and proportionate response and redress;

- **providing an opportunity for learning and developing** - ensuring complaints are treated as a positive opportunity to learn from service users' experiences and views to drive continual improvement in services.

The DH held a consultation on the new regulations which ran between 18 June 2007 and 17 October 2007.

The full response to the consultation on a joint complaint procedure can be found at [http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_082714](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_082714)

The DH set up a national Early Adopter programme with a number of Local Authorities and PCT's being chosen to become Early Adopters. This trial will run from April 2008 – October 2008 and the aim will be to begin working on developing a new two stage process, which will require:

- Local Resolution
  - Facilitate the resolution of complaints locally, through a more accessible, personal and flexible approach to handling complaints;
  - Treat and respond to each case according to its individual nature and wishes of the complainant; and
- Ombudsman

The Early Adopters have been told that, there is no right or wrong way, arrangements are determined locally.

The DH believes a reformed complaints process will improve and enhance local resolution and better support ongoing improvements in service delivery.

## 11. Conclusion

We take our complaints, compliments and suggestions feedback very seriously. We appreciate the need to act on this feedback to continue to improve our services by listening properly to our service users.

We endeavour to encourage all services to support early intervention, and emphasis on preventing problems is paramount. We aim to provide services that will help maintain the independence for the individual whilst providing a well-trained workforce.

Early resolution of complaints is a priority, which we are working hard to achieve by implementing initiatives such as 'Learning from Complaints', and training. All Adult, Culture & Community Services staff are committed to the Council's vision of high performance and improvement. The initiatives referred to in paragraph 9 will help to achieve this.