

Delivering the Difference Together



Putting the people of Staffordshire first



COMPLAINTS TEAM
STATUTORY ANNUAL REPORT 2019-20
ADULT SOCIAL CARE

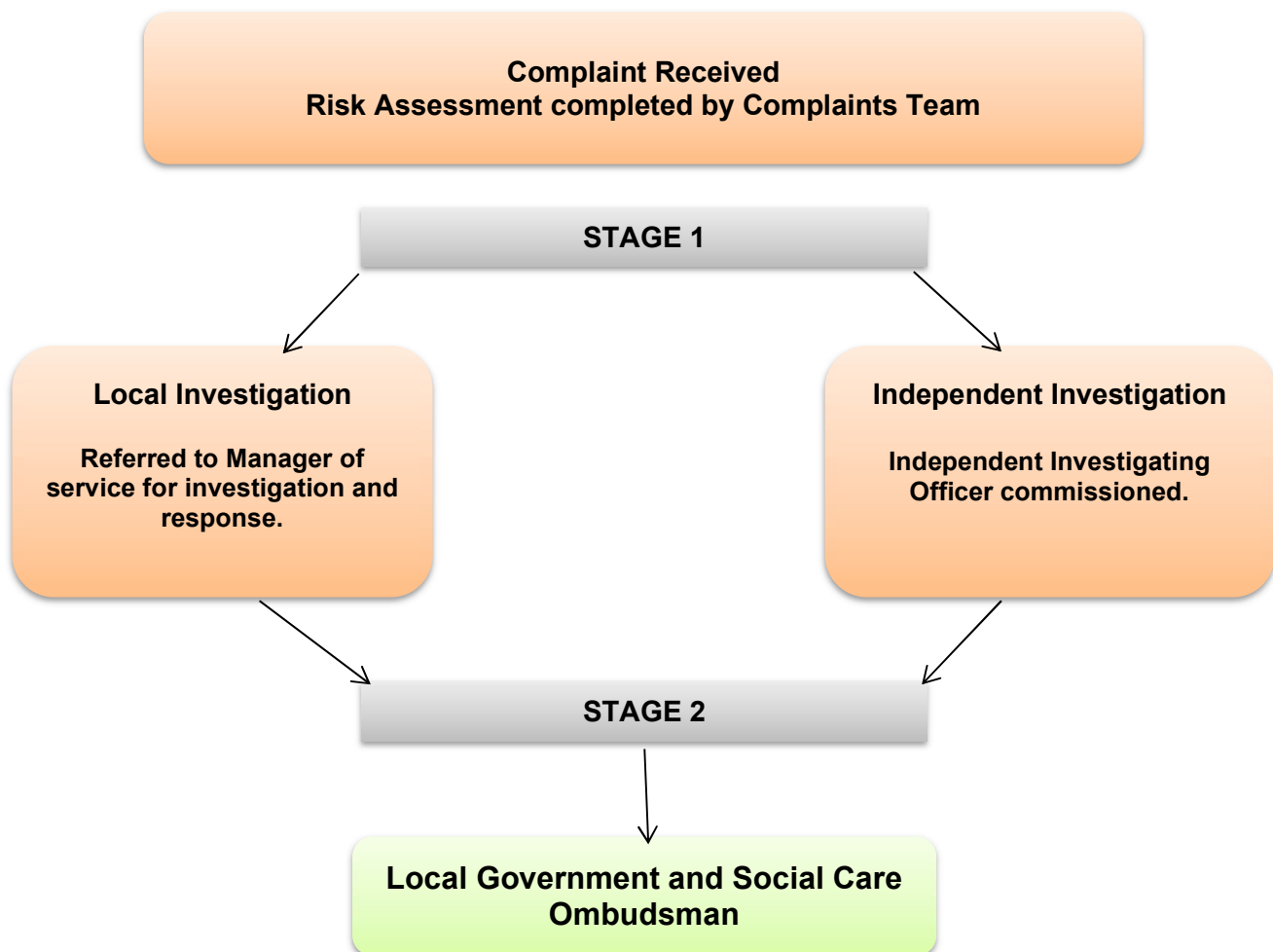
Introduction

This report provides information about complaints made during the twelve months between the 1 April 2019 and the 31 March 2020 under the complaints and representations procedures established under the NHS and Community Care Act 1990 and the Local Authority Act 1970.

From April 2012 Adult Social Care, Older People’s front line services were transferred over to Midland Partnership NHS Foundation Trust (formally Staffordshire and Stoke-on-Trent NHS Partnership Trust). From April 2017 the Trust co-ordinates all statutory complaints which relate to Adult Social Care services provided by the Trust.

The Statutory Complaints Procedure

The Council has a statutory obligation to operate a complaints procedure concerning statutory provision for adults. This is in accordance with the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009. These regulations set expectations for the handling of complaints by Councils, NHS bodies, Primary Care providers and independent sector providers responsible for the provision of NHS and Social Care.



Criteria for Accessing the Statutory Complaints Procedure

Who can Complain?

The NHS and Community Care Act 1990 and the Local Authority Act 1970 places the following restrictions on who can access this procedure:

- Complaints under these procedures must be made by or on behalf of an eligible person and must be in respect of that person
- An eligible person is anyone for whom the Council has a power or duty to provide, or secure the provision of a service, and this need or possible need has come to the attention of the Council
- Complaints can be made on behalf of an eligible person where the eligible person lacks capacity to make the complaint themselves (In accordance with the Mental Capacity Act 2008 or has given explicit and verified consent for the Complainant to act on their behalf

Time Limit:

Section 12 of the statutory regulations advise that the complaint must be made no later than 12 months after the date in which the matter which is the subject of the complaint came to the notice of the complainant, unless the complainant has good reason for not making the complaint within this time limit.

Overview

Careful consideration is given to the operation of the Complaints Procedure to ensure an appropriate and proportionate response is provided. Communication, coordination and information sharing are critical and ensure that safeguarding measures are applied where necessary. In addition, liaison with the Council's Care Commissioning and Midland Partnership Foundation NHS Trust ensures a coordinated response to concerns about commissioned services. Similarly, dialogue with the office of the Local Government and Social Care Ombudsman ensures that the Local Authority is able to take steps to resolve complaints locally where possible.

'Lessons Learnt' from complaint investigations remain a key feature for the service and are always fed back to services and performance groups for action within the Council and Partnership Trust.

Key Numbers



187

**Statutory Stage 1
Complaints**



35

**Local Government
and Social Care
Complaints**



0

**Statutory
Independent
Investigations**



114

**Complaints
handled informally**

TOP 5 areas of complaint;

Case Management - **31**
Poor Communication - **29**
Financial Contribution – **28**
Delay in receiving a
service – **19**
Quality of care - **14**

The total amount of monies
paid to complainants as an
outcome of an

Ombudsman

investigation is **£1,900**
in recognition for the time and
trouble in raising the
complaint and any distress
caused

Comparison with Preceding Year

As with the previous year, the rise in complaints for services provided by the Council is due to an increase in complaints regarding the outcome of financial assessments for non-residential services following the implementation of the Care Act. This also includes the lack of information provided regarding financial contributions.

The Council has seen a rise in the number of complaints received regarding the 'Quality of Care' which has been delivered by the Council's contracted providers. This was often combined with an incorrect invoice due to missed care visits.

SCC Adult Social Care Services			
	2017/18	2018/19	2019/20
Local Investigation	160	176	187
Independent Investigation	4	2	0
Local Government Ombudsman	28	27	35

Staffordshire County Council Adult Social Care Services

Stage 1 – Local Investigation – Breakdown

The complaints procedure aims to resolve complaints at a local level within 20 days. This is not a statutory time limit but a goal for effective complaints management. According to the complexity and needs for an effective investigation, this timescale can be extended by agreement with the complainant.

The current guidance suggests that the majority of complaints should be resolved locally, and frontline managers are encouraged to meet with complainants and attempt to address complaints in a swift and effective manner.

187 complaints were recorded under Stage 1 – Local Investigation during 2019-20

Service	District (if applicable)	Number
Adult Learning Disability Team		
	<i>Lichfield</i>	4
	<i>East Staffs</i>	2
	<i>Tamworth</i>	2
	<i>South Staffs</i>	2
	<i>Stafford</i>	2
	<i>Cannock</i>	3
	<i>Newcastle</i>	5
	<i>Moorlands</i>	7
	TOTAL	27
Adult Social Care First Contact		10
Adult Social Care Review Team		3

Brokerage Service		24
Commissioning Service		
- All Age Disability & Mental Health		2
- Older People & Physical Disabilities		3
- Supported Living / Extra Care		1
- Carers Hub		2
- Care Provider – Home Care agency		18
- Care Provider – Residential / Nursing		2
	<u>TOTAL</u>	<u>28</u>
Community Mental Health Team (NORTH)		2
Contact Centre		2
Deprivation of Liberty Safeguards (DoLS)		7
Financial Services;		
- Debt Recovery		3
- Direct Payments Team		8
- Non-Residential		17
- Residential		10
- Welfare Benefits & Fairer Charging		45
	<u>TOTAL</u>	<u>83</u>
Prisons and Approved Premises SW Team	<i>Stafford</i>	1
	Total	<u>187</u>

It is important to note that some complaints concern more than one service area and therefore require a joint response. However, each service area is recorded separately in the table above in order to capture all areas of complaint.

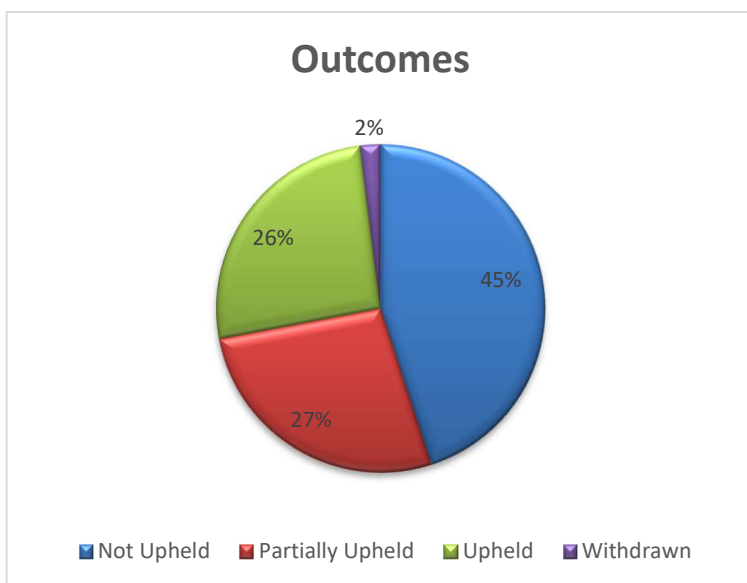
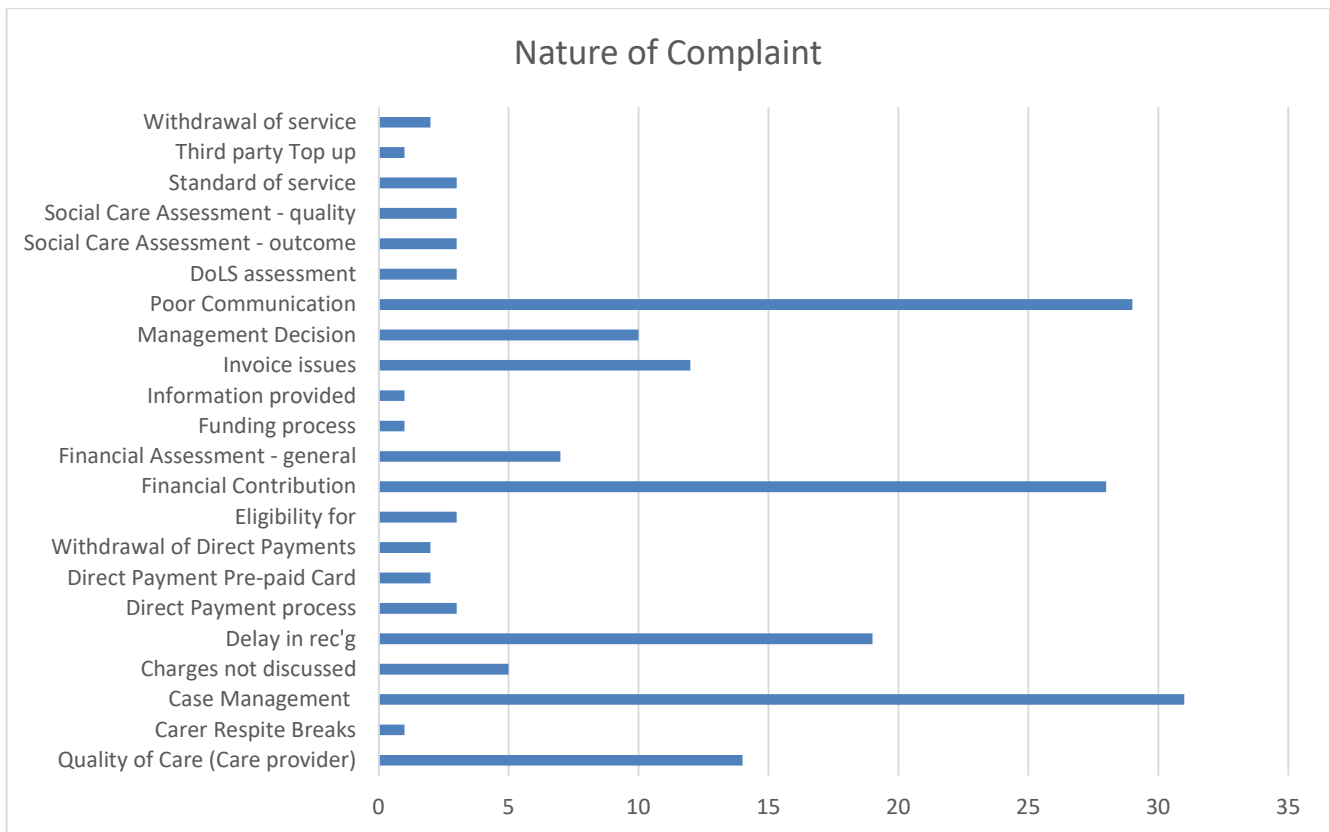
38 % of the complaints received were in respect of the Fairer Charging Service (including residential / non-residential). This was mainly concerning the outcome of a financial assessment and the client contribution figure.

Last financial year, the Brokerage Service investigated 31 Stage 1 Complaints. This financial year has seen the figure reduced to 24 Stage 1 complaints. This is due to more concerns being resolved outside of the complaints process this financial year.

There has been a steady increase in complaints over the last two years which is due to the number of complaints in relation the outcome of financial assessment's and client contribution figure

Stage 1 – Local Investigation Adults Social Care (Council) – Nature of complaint and Outcomes

The charts below provides an overview of the nature of complaints received during 2019-20 and the outcome of the complaints investigated.



32% of complaints received were regarding **Poor Communication** and **Case Management** by staff

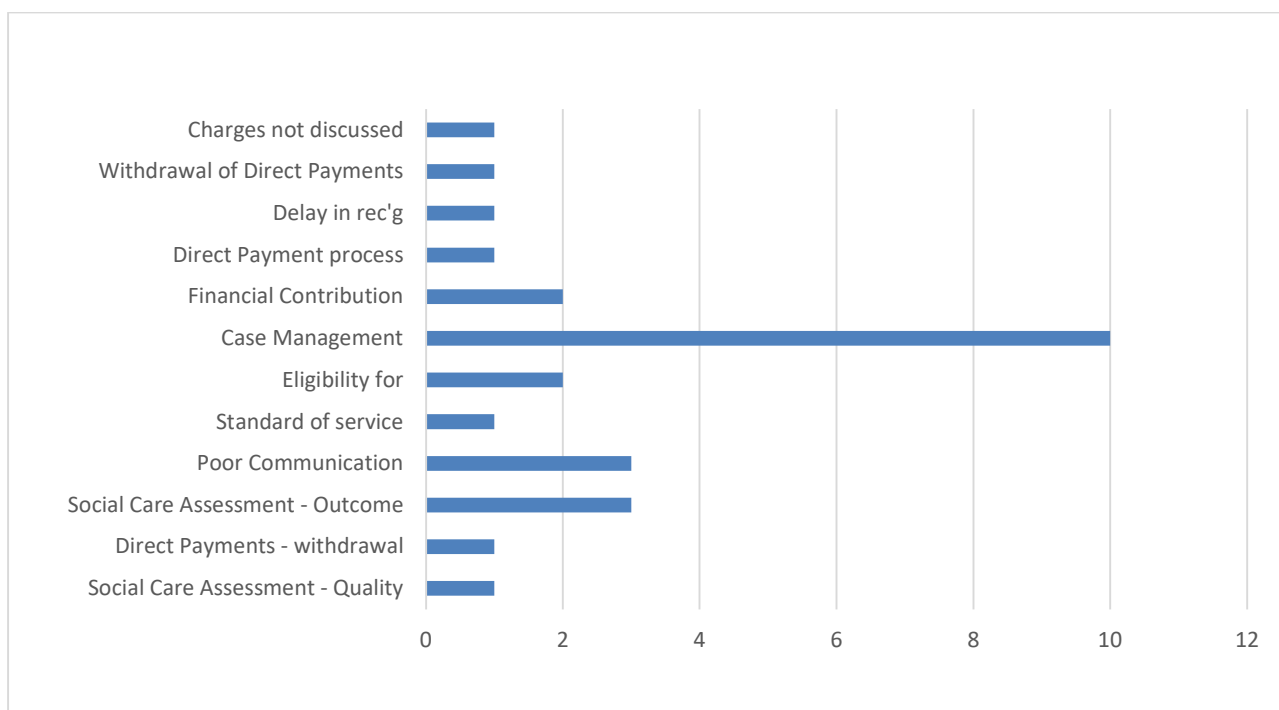
Stage 1 – Local Investigation Adult Social Care (Council) – Breakdown by service

The charts below show the nature of complaint and outcome for services areas within Staffordshire County Council during 2019/20.

Adult Learning Disability Team

There has been a slight reduction in complaints received for Adult Learning Disability Team's this reporting year in comparison with the previous year. 31 complaints were registered last financial year compared to 27 this year. The ALDT carried out 140 Assessments of new people and 1,350 full reviews of people who are already receiving care.

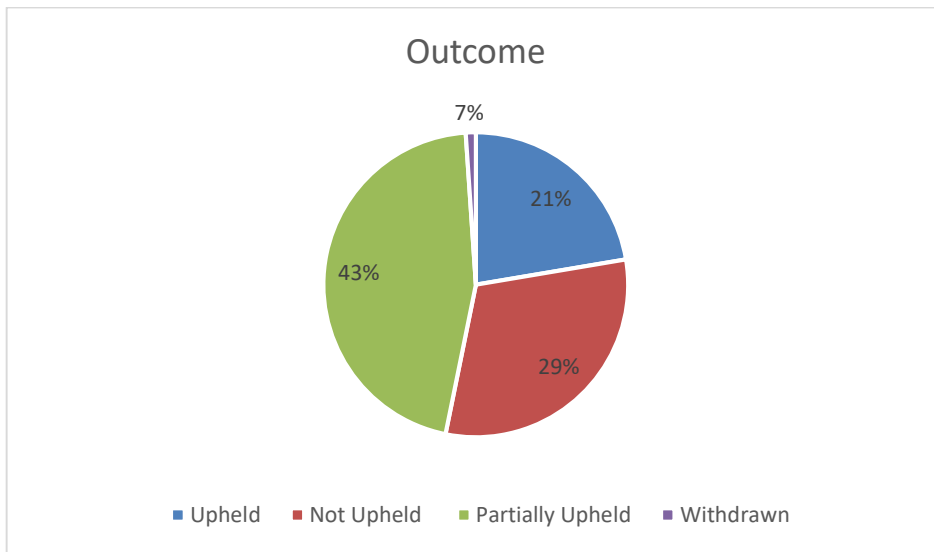
Nature of Complaint



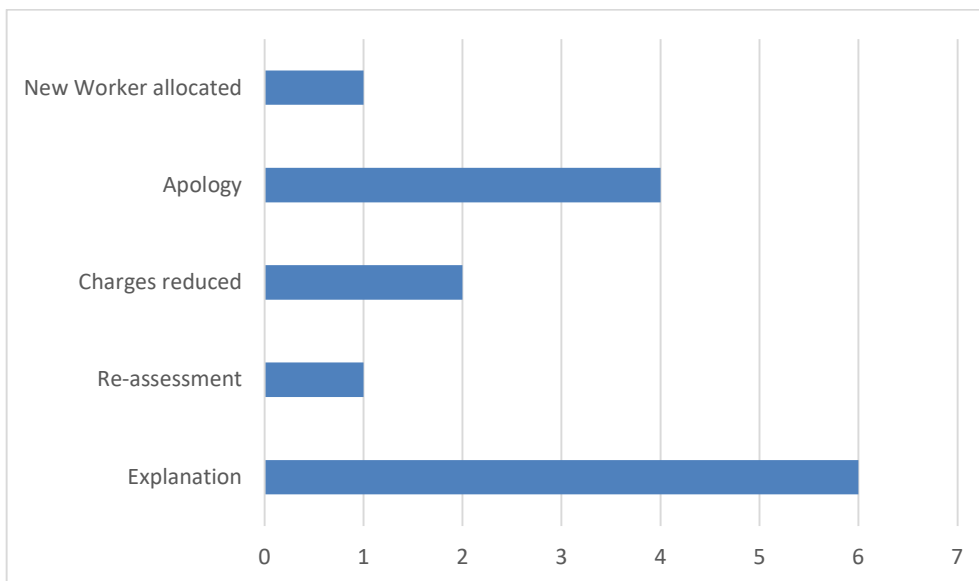
37% of complaints were regarding **Case Management** from staff. This includes the management of an individual person's case by the allocated worker.

15% of complaints were regarding **Social Care Assessments** – this includes the quality of an assessment and / or the outcome which has resulted in a reduction in services.

The tables below show the outcome of the complaints investigated for the Adult Learning Disability Teams during 2019-20.



Recommendation / Learning Action



Organisational Learning and Recommendations

- Addressed issues via staff supervision;
- Invoice reduced;
- Outstanding debt written off;
- Explanation provided re Autism Act and how SCC adhere throughout the assessment process.

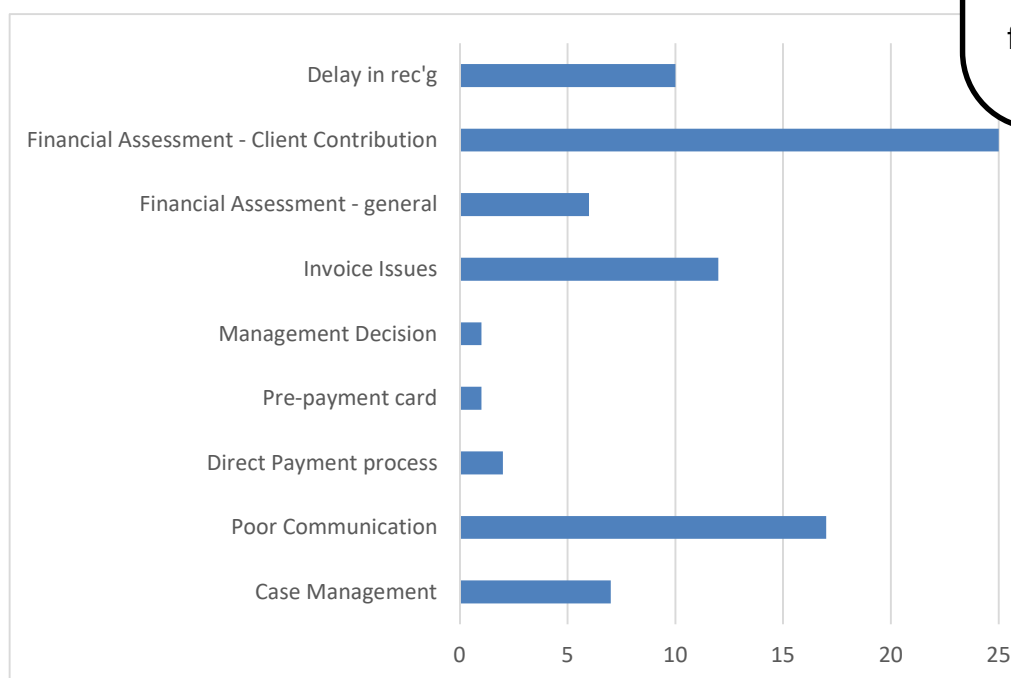
Adults and Children's Financial Services

ACFS completed 4684 financial assessments this financial year annually. Around 2000 of these financial assessments were reviews of people who are already receiving care.

The detail below includes the following services;

- **Welfare Benefits and Fairer Charging Services;**
- **Residential and Non-Residential Finance Team;**
- **Debt Recovery;**
- **Direct Payments.**

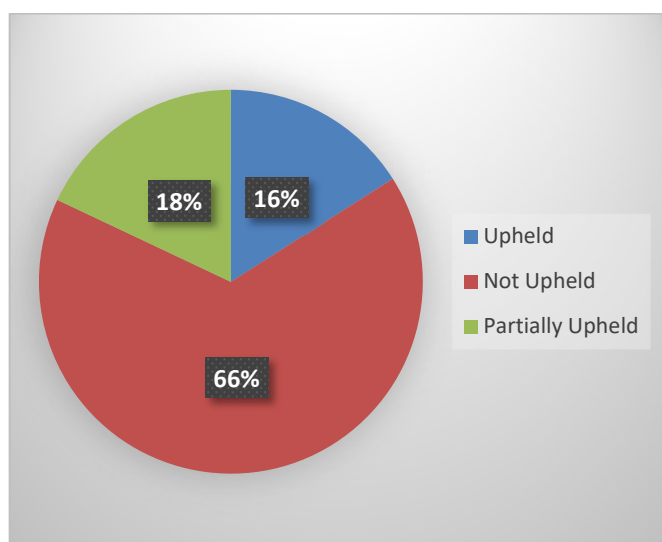
Nature of Complaint



30% of complaints were regarding the **assessed weekly client contribution**. This was due to the weekly charge increasing following a re-assessment in line with the Care Act.

20% of complaints were regarding **poor communication** in relation to financial information. This also includes length of time for contact to be made with the citizen.

Outcome of Complaint



Resolutions and Organisation Learning;

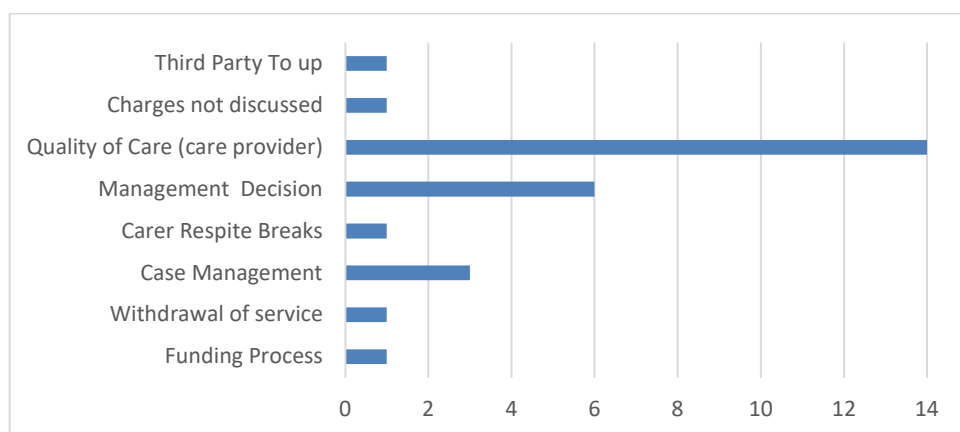
- Apology provided where complaints were Upheld.
- Explanation of events provided to complainant.
- Explanation of financial assessment process and DRE that is included.
- Explanation of invoice and charges.
- Explanation of charges for respite care.
- 4 complaints resulted in charges being waived / reduced.

Care Commissioning

The detail below includes the following services:

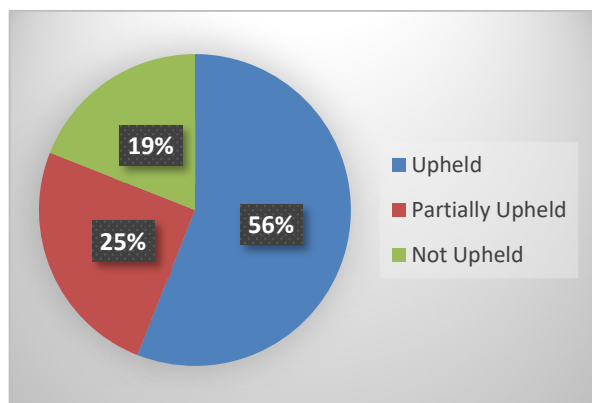
- Older People and Physical Disability and Sensory Impairment
- All Age Disability & Adult Mental Health (AD&AMH)
- Care Providers e.g. Home Care Agency and Residential Homes
- Supported Living / Extra Care
- Carers Hub

Nature of complaint



50% of complaints received for Care Commissioning were regarding the **service provided by a Care Provider**. The Council becomes involved with the complaint if the complainant is unhappy with responses previously received by management.

Outcome



38% of complaint's received by the Commissioning Service were in respect of decisions made at panel in relation to the services a client receives following a social care assessment

Resolutions and Organisation Learning

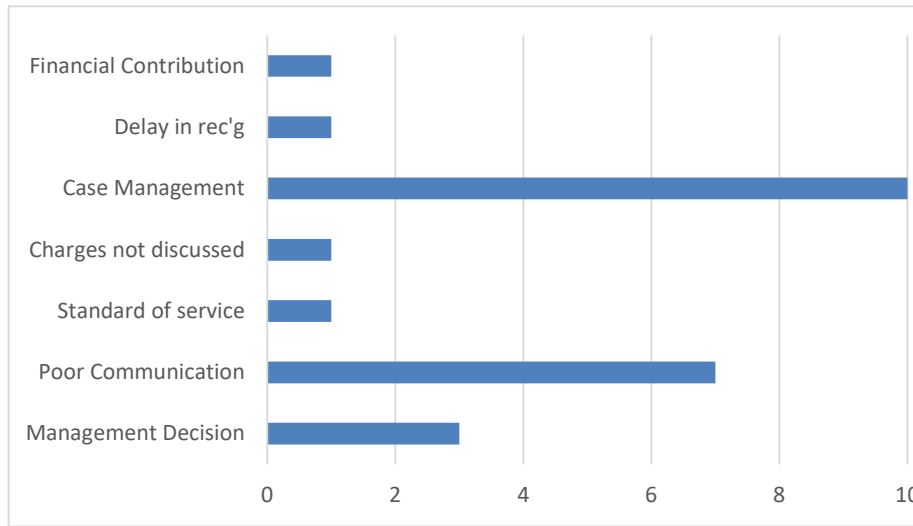
- Recommended that the current PWB guidance is reviewed and strengthened by the Carers Hub and the Council.
- Refund £400 by home care agency. Agency should not have requested payment whilst service user was in respite.
- A further 5 complaints were resolved by charges being waived / reduced due to the care provided.
- Apology / Explanation provided.
- Outcome shared with Team

Brokerage Service

The Brokerage Service are responsible for sourcing a provider for home care and residential establishments for service users following a social care assessment when a service has been identified. It is important to note that some complaints investigated by Brokerage also required input from MPFT in order to provide a full answer to the complaint raised. This is because MPFT undertake the social care assessment.

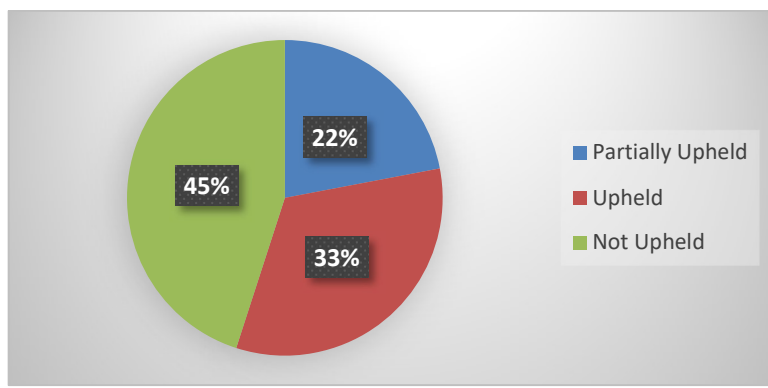
During 2019-2020, the Brokerage Service actioned / sourced 7,955 care package and placement requests

Nature of complaint



41% of complaints were regarding the **management of individual cases**. This can include lack of contact, timescale for sourcing placements and concerns regarding the providers sourced.

Outcome



30% of complaints were in relation to **Poor Communication** from the Brokerage Service. This includes telephone calls not returned and lack of updates provided to families.

Resolutions and Organisation Learning

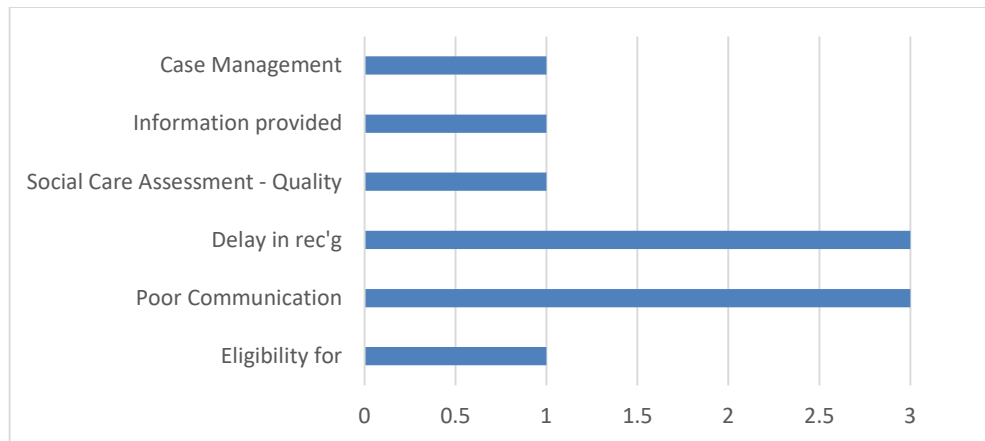
- Explanation of events provided.
- Apology provided to those complaints upheld and partially upheld.
- Review of the current process and introduced a tracking system to ensure that where a brokerage request is made in advance that the individual, families and carers are provided with sufficient notice to undertake the necessary arrangements in a timely manner.
- Discussed the learning from the complaint with the team and detailed within procedures the arrangements for transport for citizens with a GP outside of Staffordshire.
- Discussion with staff about the level of communication with families and re-iterated the importance of updates being provided.

Adult Social Care First Contact Team

The service is point of contact for citizens who wish to request social care assistance and initial assessments are undertaken in order to establish whether a referral is made to MPFT or sign-posting to other services.

The service received 10 complaints which were investigated under Stage 1 of the complaints process.

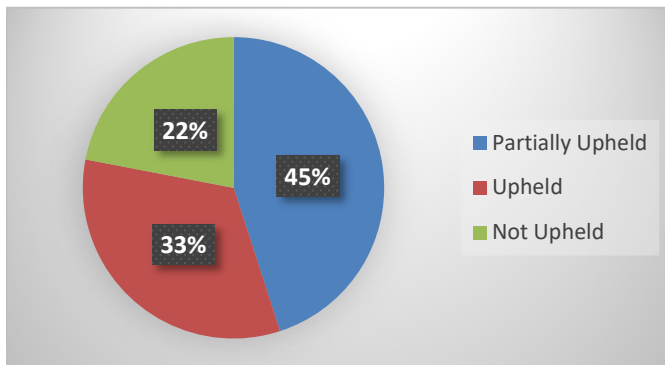
Nature of complaint



30% of complaint's received were regarding the **delay in receiving an update** following contact with the service.

30% of complaint's are regarding **Poor Communication** from the service. This can include the quality of information provided and telephone calls not returned.

Outcome



Resolutions and Organisation Learning

- Explanation of events provided.
- Apology provided to those complaints upheld and partially upheld.
- Issues addressed via staff supervision i.e staff attitude.
- Capacity issues have now been addressed. Apologies offered for the delays caused with regards to the completion of the initial assessment.

Stage 1 – Independent Investigation Adults Social Care

Independent investigation is initiated in circumstances where a complaint is complex and / or a level of seriousness is identified. This is often in circumstances of multi-agency involvement. The independent investigation is conducted by a commissioned external Investigating Officer.

A report of investigation is produced that details conclusions reached and recommends action to both resolve the complaint and make improvements for the organisation. The relevant Senior Officer adjudicates the report and provides the Council's formal response to the complainant.

The timescale under this part of the procedure is 25 days, although there is facility to agree with the complainant an extension up to 65 days. (Again, this is not a statutory requirement but an operational goal that may be subject to negotiation)

There have been **0** complaints independently investigated during 2019-2020.

Stage 2 - Local Government and Social Care Ombudsman Complaints (to include Staffordshire County Council and Midlands Partnership NHS Foundation Trust - MPFT)

The Local Government and Social Care Ombudsman (LGSCO) is empowered to investigate where it appears that a Council's own investigations have not resolved the complaint. Whilst anyone can approach the Ombudsman at any time, the Complainant is usually required to first take up their complaint with the relevant Council to allow a local response. However, if the Complainant remains dissatisfied following local or independent investigation by the Council they then have the right to pursue the matter with the Local Government and Social Care Ombudsman.

The Local Authority has received **35** complaints which have been referred to the LGSCO, **22** complaints were fully investigated by the LGSCO and **3** were referred back to the local authority for investigation. **5** complaints were closed after enquiries were made with the Council and it was concluded that the Council was not at fault. At the time of writing this report, the Council is currently awaiting a decision on **2** complaints in respect of whether the LGSCO will be pursuing an investigation.

Compared to last financial year, the numbers of complaint considered by the Ombudsman remain consistent.

The Council has received a Public Report during this financial year in respect of the Council's failure to implement the recommendations of a previous Ombudsman complaint investigation. The Council agreed to implement the Ombudsman's recommendations in respect of this;-
 Pay £500 to the complainant for the distress it has caused and the trouble she has been put to;
 Apology to the complainant and pay her £250 for the distress caused to her, if she returns the personal data about someone else and it confirms what she has said.

Summary of Local Government and Social Care Ombudsman Complaints

Out of the **22** complaints which were received by the LGSCO, the Council received **8** outcomes where the complaint was **Upheld** and maladministration and injustice was found. A total of £1,900 'time, trouble and distress caused' payments was awarded to complainants following referral to the Ombudsman. For **1** complaint it was recommended that the Council repay £6,400 of service user's Housing Benefit Debt.

The Council is currently awaiting the outcome of **4** complaints which have been investigated and **2** complaints remain under investigation.

Further details of the investigations can be found in the table below;

Staffordshire County Council Services			
Service	Nature	Outcome	Recommendation
Adult Learning Disability Team (Tamworth)	1. The Council should not have charged her son £810	Upheld – Maladministration and injustice	Provide an apology for the faults above and the impact this had on Mrs C. It

	<p>as a contribution towards the cost of his respite care (in 2016-17) on top of the contribution he was paying for his homecare support.</p> <p>2. The Council has failed to provide / pay the funds into son's account for his respite care for two years, since November 2016. The Council also failed to notice this, until she raised problems with the payment of respite care invoices.</p> <p>3. The company who the Council has commissioned to manage her son's direct payments account (Rowan) has failed to properly manage his son's account. In addition, there was nobody appointed to manage his account.</p> <p>4. The Council ignored her repeated requests (by email) for a review to take place of her complaint, because she was unhappy with the complaint response.</p>		<p>should also pay her £200.</p> <ul style="list-style-type: none"> • Review its system, to ensure that the allocation for respite care funding does not automatically stop, in cases where the Council has failed to complete a statutory annual care review of a client on time.
Adult Learning Disability (Newcastle)	The Council has failed to properly carry out social care assessments of the service user's eligible care needs since 2017. And reduced the support hours from 24 hours to 16 ½ hours without proper consideration of her eligible needs or consultation with the family.	Upheld – Maladministration and Injustice	Within one month of the date of the final decision, the Council has agreed to carry out a financial assessment, to determine what the service user can afford to contribute towards the costs of her care. The Council will not seek to recoup any shortfalls in contributions she has paid in the past. If there has been an overpayment in contributions previously, the Council will repay this amount
Adult Learning Disability (Moorlands)	The Council's handling of daughter's direct payments. The Council failed to identify that it had made an overpayment and is seeking to recoup this payment. The personal contribution has increased from £0 to £12:41 per week. Carers have also had no respite .	Awaiting Final Decision	Awaiting Final Decision
Adult Learning Disability (Lichfield)	Decision to reduce direct payment following a reassessment of care and support needs	Not Upheld – No Maladministration	The Council was not at fault when it reassessed the service user as no longer being eligible for support. Investigation closed.

Adult Learning Disability (Moorlands)	Delay in completing the 'needs assessment and care and support plan'. Council has failed to meet the service users needs as the respite payment is insufficient to cover the respite costs and there is no provision within the support plan to fund activities.	Awaiting Final Decision	Awaiting Final Decision
Brokerage Service and Adult Social Work Team	Complaint that the Council failed to provide correct advice about care costs when service user moved residential placements.	Investigation on-going	Investigation on-going
Brokerage Service	REP is unhappy that the Council have advised her that her mother is not eligible for council assisted care, REP's mother has dementia and her step father has bone cancer. PA needed respite care in October 2019 for 1 week, when the Social Worker came out and did a full assessment REP suggested that they use the top up from previous care and the Social Worker stated that this was fine. Brokerage have advised REP that PA is not eligible for this and suggested they went private.	Preliminary enquiry stage	Preliminary enquiry stage
Commissioning – All Age Disability & Adult Mental Health	Ms X complained the Council has not paid her care.	Decision not to investigate	Complaint is over 12 month old. Complaint is regarding a contractual issue and would be best challenged through the Courts if a resolution cannot be met.
Commissioning – Care Provider Home Care Agency	Service user has been charged for care that has not been provided. The standard of care is not acceptable. There is no consistency in the carers, so they are unable to build a relationship and understand how to communicate with the service user. The Council has continued to send bills at the original rate.	Awaiting Final Statement	Awaiting Final Statement
Commissioning – Care Provider Home Care Agency	Tamworth Home Care keeps changing the staff rota without informing the service user. This means a different	Upheld – Maladministration and injustice	Apologise to service user for the distress and frustration caused to him by the faults;

	<p>carer to who he is expecting turns up. The teatime carers do not stay for the full half hour of support, as they have other clients booked in and leave early</p>		<p>Ensure the care provider is following its complaints procedure and providing information on how a person can escalate their complaint if they are unhappy with its response; Ensure the care provider has systems in place to communicate any changes in rota.</p>
Commissioning – Care Provider Care Home (funded by health)	<p>Complaint that service user's leg deteriorated leading to the development of a serious infection and gangrene in May 2018. It is alleged that this was avoidable and happened because of inadequate care at the care home.</p>	<p>Closed after initial enquires – out of jurisdiction.</p>	<p>The Ombudsman cannot investigate complaints about care home placements that are funded by a CCG because it is outside of their jurisdiction. This complaint has been transferred to the Parliamentary and Health Services Ombudsman (PHSO)</p>
Commissioning – Care Provider Care Home	<p>Mrs X complains about how she has been treated by the manager of a care home where her late husband was a resident. The Council funded Mrs X's husband's care so the complaint is against the Council</p>	<p>Closed after initial enquires</p>	<p>Investigation discontinued. Outcome can not be achieved.</p>
Commissioning – Care Provider Care Home	<p>Chaseview Nursing Home failed to look after father properly went the Council placed him there for two weeks of respite care.</p>	<p>Upheld – Maladministration and injustice</p>	<p>Apology and payment of £300 The Council to identify the action it needs to take to ensure Chaseview produces a person-centred care plan for each resident, involving their carer where relevant.</p>
Commissioning – Older People & Physical Disabilities	<p>Complaint about the Council's decision to cancel service user's direct payment used to pay for respite care. This has affected the complainant's ability to arrange suitable respite care for his mother and he has been unable to take a break from his demanding caring responsibilities. This has affected their wellbeing.</p>	<p>Under investigation</p>	<p>Under investigation</p>
Deprivation of Liberty Safeguards (DoLs)	<p>DOLS assessment not undertaken</p>	<p>Premature complaint</p>	<p>Referred to Council for investigation under complaints process.</p>
Deprivation of Liberty Safeguards (DoLs)	<p>The Council and its care provider, Transparent Care, failed to deal properly with service users finances, resulting in her capital increasing to the extent she was no longer eligible for</p>	<p>Upheld – Maladministration and injustice</p>	<p>The council to repay £6,400 of service user's Housing Benefit Debt. If the DWP seeks recovery of the benefits overpayment, then the Council is to repay that for her.</p>

	state benefits and having to use her savings to pay bills.		The Council considers whether it is in the service users best interests to repay the remaining Housing Benefit debt from her capital. The Council to find out whether there are other things the service user wants to do with her disposable income; The council has agreed to write to the complainant apologising for its failings and pays him £250 for the time and trouble he has been put to in pursuing his complaint
Direct Payments Team	Ms A says the Council took over funding for her brother, Mr B's care and became his court appointed deputy for finances but failed to consider paying her and her partner for providing his care. Ms A says there are exceptional circumstances in this case and it took the council nine months to agree to provide direct payments for them to deliver his care.	Decision not to investigate	The Ombudsman will not investigate Ms A's complaint. This is because the Council has agreed Ms A and her partner can be Mr B's paid personal assistants and backdated payments to October 2018. There is no unremedied injustice for the Ombudsman to consider
Finance Team – Residential Care	Mr B complains that: <ul style="list-style-type: none"> • the Council delayed in completing a financial assessment in respect of his late father's contribution towards the cost of his care. It did not notify him of the contribution until after his father's death by which time he, as trustee of the estate, had distributed his late father's assets; • Neither he nor his father were made aware that the NHS had stopped funding CHC for his father in May 2018. 	Upheld – Maladministration – no injustice	The Council was at fault in that it delayed in confirming Mr C's assessed contribution towards the cost of his care. However, this did not cause a significant injustice because Mr C received the care he needed and was required to pay for it. No fault in the Council's decision to seek to recover the amount owing in respect of Mr C's contribution towards the costs of his care from his estate. Mr B was aware of the estimated contribution and the onus was on him to check with the Council before distributing Mr C's estate.
Welfare Benefits and Fairer Charging	The Council has increased daughter's contribution towards her care from £0 to £34.53 per week and has failed to consider the following expenses as Disability Related Expenses: Therapy dog; Mobile phone; Swimming	Not Upheld	No evidence of fault in the way the Council reached its decision.

Welfare Benefits & Fairer Charging Team and Adult Social Care (MPFT)	The Council carried out a reassessment that reduced the service user's direct payments. The Council has accessed his medical records without consent. The Council has not arranged a home visit so he can show the financial assessor receipts from his Disability Related Expenses (DRE).	Awaiting Draft Decision	Awaiting Draft Decision
Welfare Benefits & Fairer Charging Team	The Council has increased Ms A's contribution towards her care. She also complains that the Council has failed to consider the following expenses as disability related expenses (DRE): <input type="checkbox"/> Internet <input type="checkbox"/> Specialist soap and Shampoo	Not Upheld – No Maladministration	No recommendations
Welfare Benefits & Fairer Charging Team	Mrs Y, complains on behalf of her son Mr X, about the way the Council dealt with his financial assessment. Mrs Y says the Council has failed to make allowance for Mr X's 'disability related expenditure' needed to allow him to pay for extra therapies such as rebounding and hydrotherapy.	Decision not to investigate	The Ombudsman will not investigate as there is no evidence of fault in its handling of Mr X's financial assessment.
Welfare Benefits & Fairer Charging Team	Mr Y complained for Mrs X about the Council's refusal to retrospectively reassess the contributions she made to the cost of her care.	Not Upheld – No Maladministration	The Council was not at fault for charging Mrs X the full cost of her care or for refusing to carry out another assessment after Mrs X died.
Welfare Benefits & Fairer Charging Team	The complainant says the Council has without warning charged him a contribution towards his care costs and has failed to fully consider his Disability Related Expenses	Not Upheld – No Maladministration	Council not at fault – no recommendations
Adult Social Care Team (MPFT)	Mrs X complains that the Council charged her for her care when she believed it would be free	Not Upheld – No Maladministration	No evidence of fault in the way the Council reached its decision.
Hospital Discharge Team (MPFT)	Mrs A has complained about a proposed discharge of her grandmother, Mrs B, from hospital in September and October 2018. The	Not Upheld – No Maladministration	Mrs A has complained about a delay in discharge of her grandmother, Mrs B, from hospital in October 2018. The Ombudsmen

	delays by social services (provided by the Midlands Trust on behalf of the Council) and the Walsall Trust meant that by the time a discharge to a nursing home placement was organised, her grandmother had contracted pneumonia and sadly died shortly afterwards in hospital in October 2018.		propose to find fault with Walsall Trust which caused an undue delay in discharge. We do not propose to find fault with the Council.
Adult Social Care (MPFT)	Mrs A has complained about services provided by the Midlands Partnership NHS Foundation Trust (the Midlands Trust) on behalf of Staffordshire County Council (the Council). This was in relation to social care assessment and provision for her grandmother, Mrs B, for the period April to September 2018. Mrs A said the Council did not properly assess her grandmother's social care needs. This led to inadequate social care provision being put in place for her grandmother while she was being cared for at home.	Upheld – Maladministration and injustice	Write to Mrs A apologising for its failings and pays her £300 for the distress it has caused and the time and trouble it has put her to in pursuing her complaint; <ul style="list-style-type: none"> • The Council to take action (and provides evidence of this) to ensure: <ul style="list-style-type: none"> a) officers consider the use of respite care when appropriate; b) it fulfills its duty to meet the need for help maintaining a habitable home. The Council has agreed to do this.
Safeguarding	Mr X complains about how the Council conducted a safeguarding investigation into concerns about his late mother's finances. He says: <ul style="list-style-type: none"> • a social worker failed to make him aware he was subject to a safeguarding investigation • as next of kin he was not informed his mother was considered at risk of harm • only his brother was contacted re financial assessment • he was not contacted about the care fees. 	Not Upheld – no Maladministration	There is no fault by the Council in the way it undertook a safeguarding investigation into concerns about how Mr X and his brother managed his late mother's finances. It acted properly and in accordance with the law
Mental Health Team - North	Following a review, Mr X was no longer eligible for social care. On the 21st of June Mr X put in a complaint to challenge this, however this was not responded to	Upheld – Maladministration and injustice	Apologise and pay Mr X £100 to recognise the distress, uncertainty and time and trouble caused to him by failing to respond to or progress his appeal and complaint about the outcome of his Care Act needs assessment.

			<ul style="list-style-type: none"> Formally respond to Mr X's appeal against the outcome of his Care Act needs assessment and explain how he can provide further evidence to support this appeal. It also agreed to offer him a face to face meeting.
Mental Health Team – North	Mrs A complains that the Council has cancelled her direct payments and asked her to pay back £158.08 surplus in her account. Mrs A says that the Council has cancelled her direct payments because she does not want to purchase the services of a PA and because she is supported by family and friends. She also says that the Council has failed to explain how it has calculated the surplus in her account	Closed – service user has passed away	Closed – service user has passed away
Supported Housing – Home Care Agency	Complaint raised regarding care provider.	Preliminary enquiry stage	Preliminary enquiry stage
Adult Social Care (MPFT)	The outcome of an assessment in March 2019 which stated that Mr A could go home as he could use a zimmer frame and that his medical condition was not taken into account. Delays in assessment, sharing information with Birmingham council, sharing assessment with service user/family (specific details in the complaint letter) Lack of communication from SCC council despite family writing on several occasions including letters to MP's who have also requested responses from SCC.	Premature complaint	Referred to Council for investigation under complaints process.
Adult Social Care (MPFT)	Delay's in funding for residential placement	Premature complaint	Referred to Council for investigation under complaints process.
Brokerage	Mrs B complained that the Council agreed to commission a placement for her father, Mr C, which proved not to be appropriate and he received poor care.	Decision not to investigate	The Ombudsman will not investigate this complaint. This is because the Council has considered the matters that it would expect it to consider in the decision-making process.

Direct Payments	Mr X complains about the Council's policy of using pre-paid cards as its preferred method for making social care direct payments	Decision not to investigate	The Ombudsman will not investigate Mr X's complaint about the Council's management of his direct payments. This is because there is not enough evidence of fault causing injustice. Also, at this stage, an investigation by the Ombudsman could not achieve anything more for Mr X.
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Other Activity

In addition to the recording and administering of Statutory Complaints, the Customer Feedback and Complaint Service have formally acknowledged and monitored an additional **253** enquiries each requiring redirection to other organisations/authorities or action into other procedures.

Dealt with by Complaints Team*	114
Referred to Adult Social Care (MPFT)**	54
Complaint refused	1
Joint Statutory Stage 1 response with other organisation / NHS	8
Referral to another Organisation for action / investigation	12
MP Enquiry (Adult Social Care)	51
Public Enquiry	8
Safeguarding referral initiated	2
Corporate Complaints Procedure	3
Total	253

*Complaints / enquiries which are handled by the Complaints Team consist of liaising with the service team in order to resolve the complainants concerns or the Complaints Team solely investigating the complaint and providing a response to the complainant. Depending on the nature and complexity of the concern raised this can take 24 hours to complete or several weeks of investigative work in order to fully conclude.

16% of duty matters were resolved with the **Brokerage Service**. Generally concerns are resolved by an update being provided on a case.

39% of duty matters were resolved with the **Financial Services**. This often included a telephone call to the complainant to explain an invoices / charges.

** The Council's Complaints Team refer a complaint to MPFT when the complaint solely concerns the actions of a social worker or social care assessment (Adult Social Care Team's managed by MPFT).

A common complaint received is regarding the information provided by a social worker in respect of charges for services when a care is arranged.

Compliments

During 2019/20 a total of **33** compliments were recorded with the Customer Feedback and Complaints Team which related to Adults Social Care. This figure may not represent all the compliments received as some staff members may have received a compliment directly.

Services provided by Staffordshire County Council	No. Rec'd
Adult Learning Disability Team	27
Brokerage Service	3
Quality Assurance (Provider Improvement Response Team)	2
ASSIST Specialist Support Service	1
TOTAL	33

Adult Learning Disability Team

"Mr A contacted me on Monday this week to sing your praises. He was very complimentary about the way you handled the visit and the update to the assessment. He thanked me for sending you out!. He also said that if all of my workers were as good as you I would never get any complaints"

"CW from the **Brokerage Service** performed a minor miracle in matching an available bed to dad's needs, arranging for June and I to visit, then doing a Friday evening email session with the tenancy agreement, finishing it off with arranging the move the following Tuesday."

Adult Learning Disability Team

"Just to thank you so much for your support for Miss A's fragile life, and ours! Without you I don't know where we would be. Actually I do, and it would not be a good place. I'm sure Miss A would be so grateful too if only she knew. We await the decision of the panel."

"I just wanted to pass on my sincerest thanks to MT, **ASSIST Lead Interpreter** for his typically fantastic work on Jan 6th, interpreting for MW for a biopsy at the Royal Stoke. I was present with MW to support him but having MT there was a key factor in M's coping with the situation. M has also asked me to send thanks. He was very nervous and very grateful to have Mike there; always that wonderful combination of professionalism, courtesy and compassion. Can't beat it"

Service Approach for 2020/2021

- Continue greater emphasis on quality of Stage 1 responses to complainants and the importance of discussing the complaint details with the complainant during each investigation.
- Continue to work with Midlands Partnership Foundation NHS Trust in order to administer complaints for adult social care in line with the Section 75 agreement.
- To continue to comply with the Care Act which came into force in April 2015 and any future changes to the complaints process.
- To develop and enhance reporting processes and requirements with colleagues within Staffordshire County Council in order to provide complaint data regularly to senior management.

Author; **Natalie Smith**
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 Customer Feedback and Complaints Team
 Staffordshire County Council