

**HEALTH AND ADULT SOCIAL CARE  
OVERVIEW AND SCRUTINY COMMITTEE**

**22 AUGUST 2017**

**ADULT SOCIAL CARE  
ANNUAL COMPLAINTS AND COMPLIMENTS REPORT  
April 2016 to March 2017**

Report from: Linda Jackson, Assistant Director of Adult Social Care

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**Summary**

The report provides information on the number, type and other information on adult social care complaints received during the period April 2016 - March 2017. It also highlights some examples of the many positive things people have said about the provision of adult social care in Medway over the same period and the service improvements the Council has made as a result of lessons learnt from complaints.

**1. Budget and Policy Framework**

- 1.1 The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, requires local authorities to have in place procedures for dealing with complaints relating to Adult Social Care.
- 1.2 There is a further statutory requirement to produce and publish an annual report specifying the number of complaints received, the number of complaints which the Council decided were well-founded, and the number of complaints that the Council has been informed have been referred to the Local Government Ombudsman (LGO).
- 1.3 In accordance with the council's constitution, paragraph 22.2 (c)(iii) of the Overview and Scrutiny rules, this Committee is responsible for the review and scrutiny of all the functions and duties of the Council under relevant legislation in force from time to time and relating to residential and day care, domiciliary care, respite care and social work for older people, adults with physical disabilities, adults with mental health problems and learning disabilities, homecare services and hospital social work.

## **2. Background**

- 2.1 The aim of adult social care is to make sure that local people get the best possible care during the times in their lives when they need help. There may be occasions when things go wrong or when people are unhappy with the service they receive. When this happens people should, and have a right to, complain. The Council's complaints arrangements focus on dealing with problems quickly and effectively, putting things right and learning from complaints to improve services. This report explains how the Council is doing in this respect, providing information on the number, type and other information on adult social care complaints.
- 2.2 It is also important to reflect on the compliments and thanks received, frequently remarking on the professionalism and commitment of staff, which can provide an equally valuable insight into the provision of adult social care services. This report therefore also highlights some examples of the positive things people have said about the provision of adult social care services.
- 2.3 The Council uses complaints and compliments as important learning opportunities. We use the information from complaints to make changes and improvements to our services.

## **3. Complaints Process**

- 3.1 The Local Authority Social Services and NHS Complaints Regulations 2009 introduced a single, more customer focused approach to complaint handling across health and social care. This consists of a single local resolution stage, in which the complaint must be investigated and resolved as speedily as possible and in a manner that best meets the needs of the complainant. The legislation stipulates that complaints should be completed six months from the date the complaint was received. If the complainant is unhappy with the outcome of the complaint the next step is a referral to the Local Government Ombudsman.
- 3.2 Medway Council's complaint arrangements focus on achieving the best possible outcomes for those making a complaint. The aim is to give the service user answers or an explanation to help them to understand what happened and, where appropriate, an apology and a commitment to change the way things are done. The objective is to provide reassurance that when a complaint is upheld the errors made will not be replicated either to them, or to anyone else, and that the Council will take action to ensure this.

## **4. Managing Complaints**

- 4.1 Complaints that are made verbally and are solved within 24 hours are not recorded as a formal complaint. An example is if a service user contacts her social worker because she has not received minutes of a meeting and the social worker sends the minutes the next day, this is not a formal complaint.

- 4.2 A complaint can be made verbally to any staff member, by telephone, by e-mail or in writing. The complaint must be sent to the Social Care Complaints Manager (SCCM) who will assess the complaint and the seriousness of the issues raised to establish the risk and actions needed to reduce that risk. Complaints are acknowledged within three working days. The social care complaints manager will determine the most appropriate course of action for resolving the complaint which, in line with good practice, will be that staff at the point of delivery should discuss and address the complaint with the complainant as quickly as possible and respond in writing or by e-mail within 20 working days. In more complex cases the response may take longer.
- 4.3 If the complainant remains dissatisfied with the outcome of the Medway complaints process and an acceptable resolution cannot be offered, the complainant is informed about their right to complain to the Local Government Ombudsman (LGO) and provided with information on how to complain to the LGO. In dealing with any complaint, the LGO will consider how the Council has dealt with the complaint, including the reasonableness and appropriateness of the Council's decisions.
- 4.4 During the course of making a complaint a service user may require assistance from an advocate or an interpreter. Advocacy and interpreting services can be arranged by the social care complaints manager. These services will then help service users to make a complaint, to understand the process or speak for them if they wish and support them throughout the complaints process.
- 4.5 In managing complaints we are guided by the following principles of good complaint handling:
- Getting it right first time
  - Providing clear information about how to complain
  - Providing support to the complainant
  - Being customer focused
  - Listening to customers
  - Being open and accountable
  - Acting fairly and proportionately
  - Recording complaints
  - Responding in a timely way
  - Putting things right if a mistake was made
  - Learning from complaints and seeking continuous improvement.
- 4.6 Quarterly reports provide information on the number and type of complaints, and learning from complaints as well as recommendations to improve services if this was appropriate. These reports are sent to and, presented to the Adult Social Care Performance Meetings.

## 5. Role of the Local Government Ombudsman

- 5.1 The role of the Local Government Ombudsman (LGO) is to provide redress in cases of service failure, which has caused injustice to the public and seeks to resolve cases informally where it can, determining the reasonableness of decisions of bodies being complained about.
- 5.2 The Local Government Ombudsman's recommendations aim to put complainants back in the position they were in before the maladministration occurred.
- 5.3 The LGO will consider complaints from people whose social care is funded or partly funded by the Council and from people who 'self-fund' from their own resources. The LGO will ensure that everyone has access to the same independent Ombudsman Service, regardless of how the care service is funded.

## 6 Complaint Analysis: 1 April 2016 to 31 March 2017

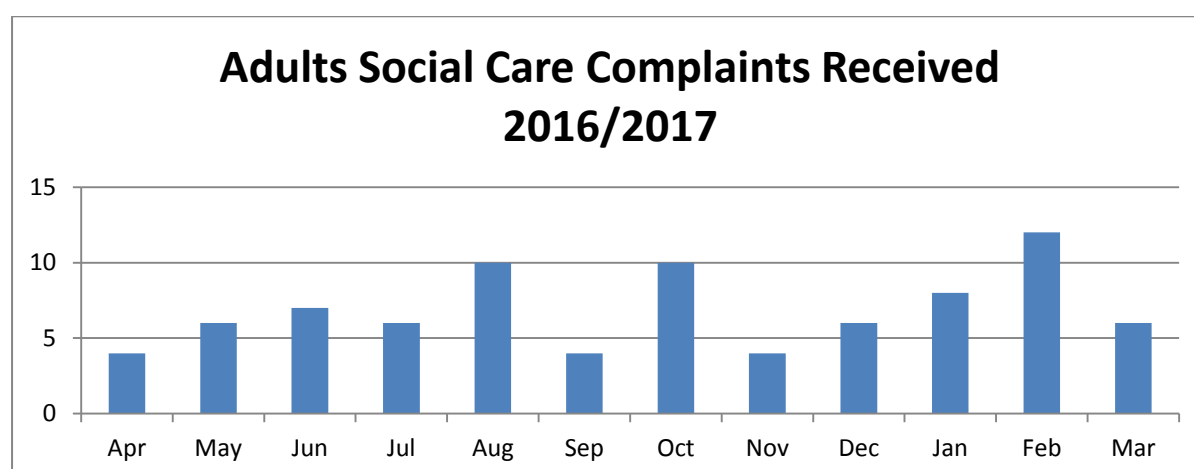
### 6.1 Complaints handled in 2016-2017

Brought forward from 2015 - 2016	<b>14</b>
<b>New complaints received between 1 April 2016 and 31 March 2017</b>	<b>82</b>
Complaints handled between 1 April 2016 and 31 March 2017	<b>96</b>
Complaints dealt with under safeguarding procedures	<b>1</b>
Complaints withdrawn	<b>7</b>
Complaints responded to between 1 April 2016 and 31 March 2017	<b>73</b>
Open complaints still waiting for a response at year-end	<b>15</b>

## 6.2 Breakdown of Stage 1 complaints, received between 1/4/16 to 31/03/17

	A	M	J	Q.1	J	A	S	Q.2	O	N	D	Q.3	J	F	M	Q4	Total
Complaints carried over from previous quarter	14				7				9				6				
Total complaints received	4	6	7	17	6	10	4	20	10	4	5	19	8	12	6	26	82
Total complaints responded to	7	4	11	22	7	3	7	17	10	7	3	20	6	7	2	14	73
Total number of complaints withdrawn	0	1	2	3	1	0	1	2	1	0	1	2	1	0	0	1	8
Total number of complaints responded to in 20 days.	4	2	2	8	4	2	2	8	5	3	1	9	3	3	2	8	33
% of complaints dealt with within 20 days*	57%	50%	18%	36%	57%	66%	28%	47%	50%	43%	33%	45%	50%	43%	100%	57%	45%
% of complaints acknowledged within 3 days	100%	50%	100%	83%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	96%
Total number of complaints not responded to at end of each quarter				7				9				6				15	

## 6.3 New Stage 1 complaints received in 2016-2017, by month



6.4 Comparison of number of complaints received, by year

2016-2017	2015-2016	2014-2015	2013-2014
82	95	98	91

6.5 Number of complaints carried over into next financial year

2016-2017	2015-2016	2014-2015	2013-2014
15	14	20	14

6.6 The number of people making more than one complaint was seven in 2016-2017, compared with:

- seven complainants in 2015-2016
- three complainants in 2014-2015
- six complainants in 2013-14.

6.7 Seven (9.5%) complainants were not satisfied with the initial response in 2016-2017 compared with:

- 11(11%) complainants in 2015-2016,
- 11(11%) in 2014-2015
- 16 (19%) in 2013-2014.

6.8 Stage 1 complaints by team compared to previous years.

Service	2016-2017	2015-2016	2014-2015	2013-2014
Disability plus 25	25	37		
Disability under 25	5	0		
Mental Health	8	3	5	5
Older People	22	23	25	14
Occupational Therapy	3	2	2	2
Integrated discharge	7	4	9	2
Commissioning & Partnership	6	15	19	6
Client Financial Services	9	13	3	
Client financial assessments	5	12	17	9
Client financial affairs	6			

Exchequer Services	8	14	19	33
Shared Lives	2			
<b>Total</b>	<b>109*</b>	<b>124*</b>	<b>125*</b>	<b>102 *</b>

\* This number is greater than the number of complaints received as some complaints involve more than one team.

6.9 Comparison of numbers of complaints about the frontline teams in Adult Social Care (not including Partnership Commissioning Team and Client Financial Services).

2016-2017	2015-2016	2014-2015	2013-2014
63	69	63	54

6.10 How complaints were received in 2016/17

Service users and their relatives can make their complaints through a variety of methods, with e-mail and hard copy post being the dominant channels that are used:

Channel	Number
All contacts involving E-mail	39 E-mail - 24 E-mail & letter - 10 E-mail & Lagan CRM - 5
Post	27
Telephone	11
Face to face at Gun Wharf to the Social Care Complaints Manager	4
Referred by the Local Ombudsman	1
<b>Total</b>	<b>82</b>

6.11 Complainant's ethnicity

The information on ethnicity was taken from Framework-i, the electronic information system.

- 40 (49%) of complainants were White British
- 1 (1%) complainant was White Irish
- 1(1%) complainant was Asian/Pakistani
- 1 (1%) complainant was mixed race
- 39 (48%) of complainants had no information regarding ethnicity recorded on Framework-i.

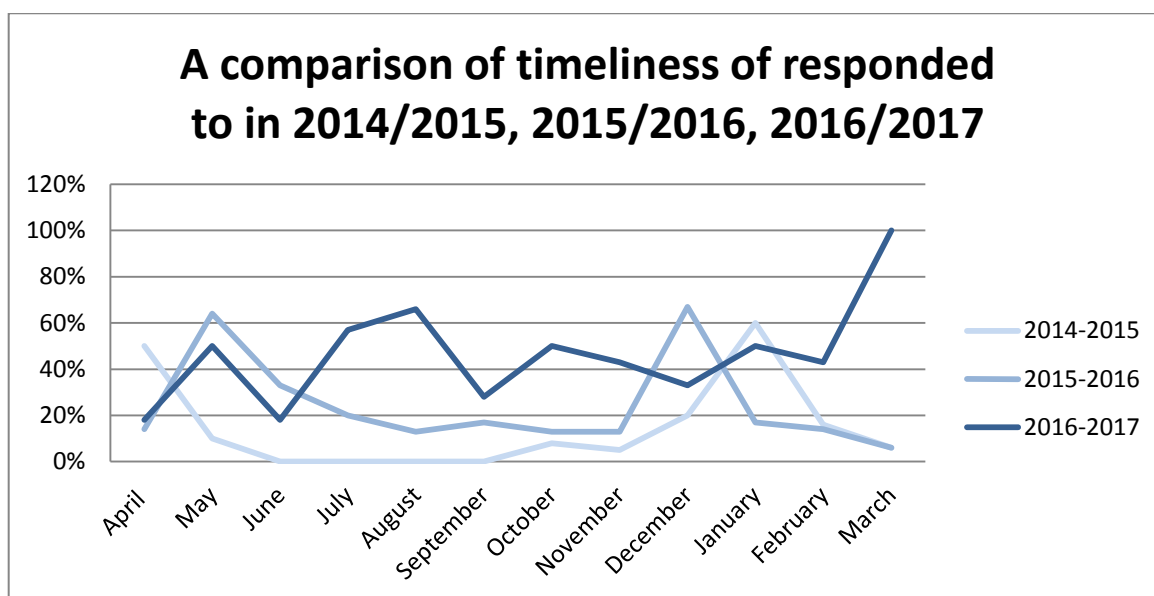
## 7. Timeliness of Responses

7.1 Health and Adult Social Care Overview and Scrutiny Committee made a recommendation, in June 2015, that the timescale for adult social care complaints to be responded to should be changed from 10 to 20 working days. Cabinet accepted this recommendation, commencing on 1 August 2015. Medway Council now aims to reply to social care complaints within 20 working days, although this may vary depending on the complexity of the case and how many issues are raised. Some complaints can involve several teams and services, for example, customer services, client financial services and older people services as well as service providers.

### 7.2 Time taken to respond to complaints in 2016-2017.

	Within 20 days	21-25	26-64	65+	Total
<b>Number of responses</b>	33	7	23	10	<b>73</b>
<b>% of complaints answered</b>	45%	10%	31%	14%	<b>100%</b>

7.3 In 2016-17 (45 %) of complaints were answered within 20 days, compared with 50% in 2015-2016 and 46% 2014-2015.



7.4 A number of outstanding complaints were carried over from 2015-2016 which resulted in only 36% of responses being on time in quarter one. There was an improvement in response timeliness by the end of the year.

2016-17	Responses within 20 working days
Q1	36 %
Q2	47 %
Q3	45 %
Q4	57 %



## 8. Complaint Types and Outcomes

8.1 Types of issues raised and outcomes for complaints responded to between 1 April 2016 and 31 March 2017.

Complaint type	Not Upheld	Partially Upheld	Upheld	TOTAL
Behaviour or attitude of staff	6	0	1	7
Lack of support	8	1	5	14
Disagreeing with an assessment	3	0	0	3
Not providing a service	6	0	2	8
Disagreeing with a decision re service provided	3	1	3	7
Delays in providing a service	1	1	4	6
Delays in assessing needs	0	1	1	2
Disagreeing with a financial decision	1	0	2	3
Lack of/ poor communication	1	2	10	13
Lack of information	0	0	7	7
Discharge from hospital	8	0	0	8
Standard of residential care	1	1	3	5
Standard of home care	0	0	0	0
Standard of respite care	0	0	0	0
Standard day care	0	0	0	0
Changes in social worker	0	0	1	1
Financial	5	2	12	19
<b>Total</b>	<b>43</b>	<b>9</b>	<b>51</b>	<b>103*</b>

\*The total number of issues complained about is greater than the number of 73 responses sent out in 2016/2017, as one complaint can be about several issues.

8.2 49% of the issues responded to in 2016/2017 were upheld, compared with 39% in 2015-2016. The number of complaints decreased by 10 in 2016-2017 however the numbers of issues complained about increased from 94 in 2015-2016 to 103 in 2016-2017, which could explain the higher number of upheld complaints.

## 9. Decisions made by the Local Government Ombudsman (LGO)

- 9.1 The Local Government Ombudsman received six complaints about adult social care in 2016-2017, as compared with 11 complaints between 1 April 2015 and 31 March 2016, a 27% reduction. The Ombudsman completed their investigation into five of these complaints and one was carried over into 2017-2018.
- 9.2 Two investigations were carried over from 2015-2016 and completed in 2016-2017. The LGO found that Medway Council was at fault in one complaint and not at fault in the other complaint.

- One complaint was from a service provider about delays in communication and inappropriate comments made by Medway Council officers following a safeguarding investigation. Medway Council had undertaken an independent review of Mr X's complaint but he remained unhappy and referred his complaint to the Ombudsman. The final decision was that there was delay, communication failure and inappropriate comments made by Council officers investigating safeguarding allegations against the Care Home. The LGO concluded there was fault by the council, and this caused injustice to Mr X and his staff. The Council agreed to apologise to Mr X for the uncertainty and anxiety caused by the poor communication and for the delays in progressing the safeguarding investigation. Medway Council now has a separate e-mail box for safeguarding which is continually monitored and lessons have been learnt about sending minutes of safeguarding conferences in a timely way.
- Mrs V complained that Medway Council had failed to assess her needs properly and did not respond to her correspondence about this. The LGO findings were that Medway Council had not kept all the correspondence relating to Mrs V's concerns and that it was likely that all her correspondence had not been responded to. However the Council had visited Mrs V to discuss her concerns and arranged a further assessment by an Occupational Therapist. The finding was that Medway Council had assessed Mrs V on two separate occasions and decided that Mrs V no longer needed help with her personal care. The Local Ombudsman concluded that there was no evidence of fault affecting the Council's decision to withdraw her domiciliary care.

### 9.3 The outcomes of the five investigations concluded in 2016-2017

The LGO found that Medway Council was

- not at fault in two of the cases,
  - at fault but there was no injustice in one case
  - at fault and there was injustice in two cases
- i. A niece complained to the Local Ombudsman on behalf of her uncle. She was not happy that Medway Council had not contributed towards the cost of her uncle's care. The Local Ombudsman did not find any evidence of fault by Medway Council in how Mr W's needs were assessed or its decision not to contribute towards the cost of his care home fees after he left hospital.

- ii. A son complained that Medway Council did not properly consider his mother's needs when she was discharged from hospital to a care home in another area. He complained that Medway Council would not pay for her care at the same rate as Council D. He complained that he was paying the top up and could not continue to do so. When his mother was discharged from hospital Medway Council had assessed that she could be supported to remain in her own home. The son did not agree with this and so Medway Council agreed to fund their standard rate for a residential placement. The son was advised that he would have to pay a third party top up for anything over this amount. The son arranged his mother's placement and a change of room without consultation with Medway Council, so this was considered to be a private arrangement. The Local Ombudsman did not find Medway Council to be at fault.
- iii. A son complained the Council did not provide all the information, in June 2015, that he needed to make an informed decision about how to finance his mother's residential care. He said that if he had received all the relevant information in a timely manner, he would have chosen the option that would not have resulted in an increase in his mother's care home fees. Medway Council told him that his mother could consider a deferred payment agreement (DPA), in which Medway Council would charge interest on the total amount owed. He was told that if the property was sold the DPA would come to an end and he would have to arrange a contract directly with the care home. However, he was not told that this could, and most likely would, result in a significant increase in the care fees his mother would have to pay as his mother would have to start paying the amount the care home charges for privately funded residents, rather than the reduced rate that Medway Council would pay.

When he sold his mother's home in December 2015 he found out that her care home fees would substantially increase. If he had known this at the time, he would have chosen not to sell his mother's home and instead remain on the DPA and pay the interest on the loan.

The LGO found that Medway Council was at fault and that caused the mother financial injustice.

The Local Ombudsman recommended that Medway Council should:

- Apologise for their mistakes
- Pay the difference in fees for the period 30 November 2016 to 8 January 2016.
- Include the information about advantages and disadvantages of the deferred payment agreement in leaflets.
- Ensure that all relevant staff learn from this complaint and provide clients with detailed information about DPA.

Medway Council accepted all these recommendations. The Deferred Payments leaflet was updated.

- iv. Mr B complained that his wife, Mrs B, was assaulted in a care home by another resident. He said he was not told about it for two days, and had he been aware of it he would have removed Mrs B from the home immediately. Medway Council apologised to Mr B for the distress caused by this delay. The care home should have reported the incident as soon as possible, but did not report it until the manager returned to work two days later who told Mrs B's social worker. While the care home may have considered the rape allegation to be unsubstantiated at the time, this was a decision for the Council to make as the safeguarding authority, not the care home. The requirement to make a referral in these circumstances is set out in the Council's safeguarding protocols. There was fault in the way the referral was delayed. However, as the outcome of the Council's safeguarding investigation was that the rape allegation was unsubstantiated the Ombudsman did not consider this delay to have put Mrs B at risk of harm, or to have caused her an injustice.
- v. A son-in-law complained that Medway Council misled the family when his father-in-law Mr X entered a nursing home in March 2015 as they did not explain that they would have to pay full fees for Mr X's care when the health service stopped paying for his care.

Mr X suffered a serious permanent injury in late 2014. When he left hospital in March 2015, the Council assessed he needed adaptations to his home. Because these adaptations would take 12-18 months, the assessment recommended he enter a nursing home. The NHS agreed to provide continuing healthcare, which meant there were no charges for Mr X's care. The NHS wrote to Mr X's family at the end of April 2015 to say it would no longer provide continuing health care.

The Ombudsman found that Medway Council was at fault for failing to tell the family, until 2 November 2015, that the NHS decision at the end of April meant that his care was chargeable. Medway Council was also at fault for not applying the 12 week property disregard from 2 November 2015 when they assessed his financial means to pay for his care. Medway Council accepted the Local Ombudsman's recommendations and waived the charges for residential care from the end of April to 2 November 2015. In addition the 12 week property disregard was applied from 2/11/15 to 25/1/16.

## **10. Learning from Complaints**

- 10.1 Quarterly reports on adult social care complaints are discussed at performance and quality assurance meetings to ensure that lessons are learnt from complaints and performance is monitored in terms of timeliness of responses to complaints.
- 10.2 Twelve complaints about financial issues were upheld:
- Four upheld complaints were about people not being informed that they would have to pay for services or how much they had to contribute towards a service. In each case their invoices were adjusted. Leaflets have been updated to provide more clarity regarding financial

assessments. Recent feedback from service users about the financial assessments process is that they had a good understanding of what they have to contribute towards their care.

- Five upheld complaints were about incorrect invoices, for example being charged for services they were not receiving or being overcharged. They also complained about how long it took to sort the problems out.
- One complaint was that the direct debit did not cover the full amount of the care package and how long this took to sort out.
- One complaint was about the eight month delay in arranging an annual financial assessment review. They complained that the service user was sent an invoice for the increased amount, backdated for eight months. The complainant received an apology and the increased contributions started from the actual date of financial assessment review.
- A parent complained that he had not received an invoice for his daughter's respite care. This was because the service had not been recorded on Framework-i.

The learning from these complaints is that all services should be recorded on Framework-i as well as any variations to services provided. All staff, in all sections relating to adult social care, need to ensure that financial complaints do not take so long to resolve.

### 10.3 Complaints about services included:

- i. Six complaints about delays in providing a service were upheld.
  - A delay in re-instating four hours a week respite care.
  - A delay in informing a daughter about her request for residential care for her mother.
  - A delay in assessing a mother's needs when she returned following a period in residential care.
  - A delay in providing a daughter with respite care at weekends. This was due to the worker was on sick leave.
  - A daughter complained about the delays in her mother's discharge from hospital. The social worker agreed to look at residential care. There was a delay as the social worker was on sick leave.
  - A mother complained about a delay in allocating a social worker when her daughter was transferred to the over 25 years Disability Team which resulted in a lack of support.

Managers need to make decisions about how to manage the work when a staff member is ill and when they need to allocate the work to another worker.

- ii. Upheld complaints about services provided include:
- Parents complained about the way the staff at a residential placement (outside Medway Council's area) treated their son after he jumped out of a first floor window and was injured. They complained that he was discharged from hospital back to the same provider. The risks were assessed, extra supervision was put in place and he was moved as soon as there was a vacancy in another suitable placement. The concerns about the service provider were investigated by the appropriate local authority.
  - A service user complained about a decision made that a Day Centre was not a suitable service for her. She wanted to attend this centre as many of her friends went there. As a result of her complaint it was agreed that she could attend the centre.
  - A solicitor complained that Medway Council had failed to provide direct payments to his client for college breaks. The direct payments were back paid.

#### 10.4 Complaints about lack of information/communication

- A son complained that his father was incorrectly invoiced for residential care for a month after he had left the care home. He was told that this would be rectified. Some months later he was sent an invoice for a week. He complained that he was not told that there was any outstanding money due when he contacted Medway Council. He received an apology for the lack of communication.
- There were two complaints about the lack of up to date information regarding residential care for older persons following their discharge from hospital. These complaints were upheld as they had been given an old leaflet.
- A husband complained about the delay in providing his wife with respite care; she had not had any respite care for two years. He received an apology as the social worker had not been able to identify an appropriate respite provider. There are two lessons to be learnt from this complaint, firstly the need for good communication and feedback to the service user even it is just to say we are sorry but we are trying to identify an appropriate service. Secondly to collate information about gaps in services.
- In October a daughter complained about delays in assessing her father's needs while he was in hospital. It was not possible for adult social care to accept responsibility for the father's care at that time as his needs were predominately health service related. The daughter received an apology that that this information was not communicated to the father and his family.

## 11. Compliments

- 11.1 Compliments provide valuable information about the quality of our services and identify where they are working well. Compliments were sent to the social

care complaints manager for logging (it is likely that more were received locally by front line service areas). Quotes from compliments are listed below.

11.2 The self directed support team received the following compliments:

- “I would like to thank you all for your hard work over the years. This direct payment scheme has changed my life and given me the care and freedom most people take for granted.”
- “Thank you for your time yesterday, it has answered our questions and put our minds at rest to enjoy being cared for now which we both badly need.”
- “Thank you for your team’s support and advice in looking after Mum.”
- “This is just to say thank you for your support, help and advice you have given us. Also thank you for enabling us to visit the peak district for the first time. It was glorious.”
- “Thank you for allowing my husband to use direct payments as a means of getting out the house with a carer. The carer took him to the seaside, to hospital appointments and visited him in hospital. It was a wonderful service.”
- “I am writing to you in connection with the Direct Payments made to my mother, who has sadly died. I wanted to express my sincere thanks and gratitude, especially to C, for all the help, support and advice given to us over the last couple of years. Our initial contact was made to the adult care team in desperation as we just didn’t know where to turn to. After the initial meeting with A, who was very helpful and understanding, we were referred to C who did everything she could to help. Receiving these payments allowed us to provide 24 hour care, on a one to one basis, for our Mum in the comfort and familiarity of her own home, and meant the last years of her life were the best we could have every hoped for. I wanted to make you aware of what an excellent job your team are doing, please pass my thanks on to everyone concerned.”
- “We just wanted to say a big thank you for all your support. You have been amazing and always explain every fear we have in a most positive way.”

11.3 The team leader from Dementia Support Services wanted to compliment two staff members:” They have worked really well with the Dementia Support Services, resulting in positive outcomes for patients. There is good communication with the care managers. The referrals are brilliant and detailed, helping us to provide a good service.”

11.4 Managers need to be reminded to send any compliments to the social care complaints manager so they can be logged and included in the quarterly reports and the annual report. It is just as important to learn what works well and is valued by service users as it is to learn from our mistakes.

## 12. Equalities Data

- 12.1 The Council is committed to achieving equality of opportunity, access and outcomes for all, through the delivery and commissioning of high-quality services that are accessible and fair and mainstreaming equality and diversity across all service delivery activities. All new services commissioned are subject to a diversity impact assessment that compels service providers to think carefully about its target audience and demonstrate how it intends to serve their needs. This gives the Council a better measure of the impact the services are having on the community.
- 12.2 Service users come from many different ethnic backgrounds and many have disabilities. We will refer vulnerable adults to an advocacy service if they need assistance in making a complaint. We have made sure that a complainant who was visually impaired received letters in large print. If a complainant is not able to send in a written complaint we will see the complainant at a venue that is convenient and assessable for them. We will organise a translator if required. We will continue to look at ways to make the complaints process more accessible to adults with disabilities by ensuring that information to about how to complain is published in easy read.

## 13. Risk management

- 13.1 Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community.

<b>Risk</b>	Not handling complaints properly and importantly not learning from complaints could put an adult at risk.
<b>Description</b>	Good complaint handing, including the identification of improvement opportunities from complaints received, helps ensure that services are provided in a complete and timely way, minimising the possibility of a vulnerable adult being put at risk.
<b>Action to avoid or mitigate risk</b>	Improved management and control of complaint procedures, learning from complaint analysis, helps to identify and minimise potential risk or impact of risk to adults.

## 14. Financial and Legal Implications

- 14.1 The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, requires local authorities to have in place procedures for dealing with complaints relating to Adult Social Care. There is a further statutory requirement to produce and publish an annual report specifying the number of complaints received, the number of complaints which the Council decided were well founded, and the number of complaints that the Council has been informed have been referred to the LGO. The



Council must also summarise the subject matter of complaints received, any matters of general importance arising out of those complaints, or the way in which the complaints were handled and any matters where action has been or is to be taken to improve services as a consequence of those complaints.

14.2 There are no financial issues arising directly from this report. However, good practice is always more cost effective than poor performance.

## **15. Recommendations**

15.1 It is requested that the Committee notes and comments on the report presented.

### **Lead Officer Contact**

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### **Appendices**

None.

### **Background Papers**

None.