

Annual Report of Adult Social Care Complaints and Compliments 2023/24



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1. Executive Summary

In accordance with the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, this report sets out the complaints received by Hartlepool Borough Council's adult social care during the period 1 April 2023 to 31 March 2024.

How adult social care respond to complaints and any learning arising from them is an integral part of how we improve our services. This also aligns with being open, transparent and accountable.

The feedback we receive from compliments about our adult social care services is also included in this report. Compliments are seen as an indication of good outcomes for those who have used our services.

Both the complaints and compliments received in adult social care serve to provide wider lessons about the quality of our adult social care service.

Summary for 1 April 2023 to 31 March 2024

- 85% of complaints were received electronically in 2023/24.
- 26 complaints were received in 2023/24 compared to 24 complaints in the previous year. This represents an increase of 2 complaints. However, 10 of 26 complaints received in 2023/24 did not progress to investigation leaving 16 complaints for investigation.
- Despite an increase of 2 complaints being received in 2023/24 compared to 2022/23, the same number of complaints were investigated in both respective financial years.
- 2 of the 16 complaints investigated in 2023/24 were managed and responded to jointly with health in accordance with statutory complaint regulations.
- 1 of the 16 complaints investigated in 2023/24 included an Advocate who supported the complainant with their complaint.
- 2 complainants referred their complaints on to the Local Government and Social Care Ombudsman in 2023/24.
- 1 of the 16 complaints investigated in 2023/24 remained ongoing as at 31 March 2024 and has been carried forward to 2024/25.
- 47 compliments were received about adult social care in 2023/24.
- This annual report will be published on the Council's website.

2. Introduction

In accordance with the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, this annual report covers the complaints received about adult social care services during the period 1 April 2023 to 31 March 2024. The feedback we receive from compliments about our adult social care services is also included in this report.

The annual report sets out:

- An overview of the complaints framework;
- An analysis of compliments and complaints received by adult social care services during the reporting period;
- An overview of the adults social care complaints adjudicated upon by the Local Government and Social Care Ombudsman during the reporting period; and
- Highlights the action taken and improvements made to adult social care services following complaint investigations.

The Council's adult social care encourage and welcome compliments and complaints as a means of continual assessment of the services we provide. Complaints are investigated and, where appropriate, redress made. Compliments and complaints are valued as an important source of feedback in helping to improve the quality of our adult social care services. Complaint outcomes provide evidence of the action we have taken to learn from the complaints received and drive continual improvement.

3. What is a complaint?

A complaint is an expression of dissatisfaction about any aspect of a service that is being delivered, or the failure to deliver a service. The Local Government and Social Care Ombudsman define a complaint as *“an expression of dissatisfaction about a council service (whether that service is provided directly by the council or on its behalf by a contractor or partner) that requires a response.”*

4. Who can make a complaint?

A complaint can be made by:

- A person who is in receipt of an adult social care service;
- A person who has been refused an adult social care service for which they think they are eligible for;
- A person who is, or is likely to be, affected by the action, decision or omission of the service which is the subject of the complaint; or
- A carer acting on their own behalf.

A person may choose for someone else to represent them in the matter of a complaint. With the person's signed consent, their representative can make a complaint and act on their behalf. In the case of a person who lacks mental capacity (within the meaning of the Mental Capacity Act 2005) to give their informed signed consent, a representative may make a complaint on behalf of the person but the statutory complaint regulations set out that the Council must be satisfied the representative making the complaint is acting in the person's best interests.

5. How can someone make a complaint?

There are a number of ways a person can make a complaint. Adult social care services has a publicly accessible Factsheet which outlines the various ways someone can make a complaint together with some information about the Council's adult social care complaints procedure. A complaint can be made:

- Verbally - in person or by telephone; or
- In writing - by letter or by filling in our complaint form and posting it to us;
- Electronically - by email or by filling in our online complaint form through the Council's website.

Every effort is made to assist a person in making a complaint and any member of staff can take a complaint. Most complaints are sent directly to the adult social care complaints team.

6. Method used to submit a complaint in 2023/24

For complaints received during 2023/24, 85% were received electronically. The method of contact is broken down as follows:



42.5% of complaints received were from someone who used the online electronic complaint form.



42.5% of complaints received were from someone who sent an email.



4% of complaints received were from someone who telephoned to make a complaint.



11% of complaints received were from someone who posted a complaint form to us.

7. Adult Social Care Complaint Framework

The adult social care complaint function sits within the Quality and Review Team under the management of the Head of Service (Quality and Review). The remit of the Complaints Manager's function is to:

- Develop, manage and administer the adult social care complaints procedure;
- Provide assistance and advice to those persons who wish to make a complaint;
- Oversee the investigation of complaints;
- Monitor and report on complaints activity; and
- Support and train staff.

Adult social care staff will always try to resolve problems or concerns before they escalate into complaints and this ensures that, wherever possible, complaints are kept to a minimum. The Council's adult social care complaints procedure aims to be as accessible as possible and is available for anyone to access on the Council's website. It is flexible to ensure that the needs of the complainant are paramount and allows for a complaint handling approach based upon the best way to reach a satisfactory resolution.

The adult social complaints procedure is underpinned by:

- Being fair, clear, robust and accessible;
- Support being available to those wishing to make a complaint;
- Timely resolution following a complaint investigation;
- Action taken following complaints to improve the quality of the service provided; and
- Monitoring as a means of improving performance.

Good complaint handling involves:

- Keeping the complainant informed and at the centre of the complaint process;
- Being open, accountable and transparent;
- Responding to complaints in a way that is fair and reasonable;
- Being committed to try and get things right when they have gone wrong; and
- Seeking to continually improve services.

The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009:

- Sets a 12 month time limit from when the subject matter being complained about occurred or came to the attention of the person making the complaint, to when a complaint may be made. After this time, a complaint will not normally be considered although there is discretion to accept a complaint after the 12 month time limit if the Council is satisfied that the complainant had good reason(s) for not making the complaint within the time limit and it is still possible to investigate the complaint effectively and fairly.
- Places a duty on adult social care and NHS bodies to coordinate the handling of complaints received across their respective jurisdictions and provide a joint response;

- Sets a mandatory timescale of 3 working days to acknowledge receipt of a complaint; and
- Allows for a maximum 6 month timescale to investigate and respond to a complaint.

Some complaints can take considerably longer to investigate than others and the statutory timescale provides a flexible approach to complaint response times dependent upon the nature and complexity of the complaint. The person allocated to investigate a complaint usually seeks to negotiate the time period for responding to the complaint with the complainant wherever possible. There are a range of factors that can impact upon a timescale such as the number of points of complaint for investigation, the availability of key people and conducting interviews, reading material relevant to the complaint, consideration of all available information and writing a report or proportionate response.

If, at the end of the adult social care complaints procedure, the complainant remains dissatisfied with the outcome or in the way which their complaint has been handled, they may refer their complaint on to the Local Government and Social Care Ombudsman, the independent body who looks into complaints about Councils. The time limit for raising a complaint with the Local Government and Social Care Ombudsman is 12 months but, like Councils, the Local Government and Social Care Ombudsman may choose to waive the time limit if there is good reason to.

Learning from complaints is shared and discussed within relevant management forums to ensure that the improvements identified are cascaded throughout the workforce.

8. Compliments received in 2023/24

During 2023/24, 47 compliments were received relating to adult social care services.

The compliments received range from an expression of thanks and appreciation in the form of a thank-you card to written communication. They broadly reflect the work being delivered across adult social care with someone expressing their thanks for a piece of equipment which improve their daily living as well as a general appreciation of the social work teams who have made a difference to their lives.

The table below provides some examples of the compliments received during the reporting period.

Service area	Compliment
Occupational Therapy Team	<i>" I would really like to thank you from the bottom of my heart for all your help. To me you have gone over and above what is required of you As a person that has been independent and on the go all the time, needing to use a crutch to get about, has been really difficult to deal with, not only physically but mentally too. With all your help in getting me</i>

	<i>aids to assist me and make me feel more capable of doing these things by myself, is a total blessing to me, and I have you to thank for that."</i>
Preventative Mental Health Team	<i>"I don't know where me or my daughter would be without her or where we would be. She has stuck up for our rights so many times and she listens to me when I call her. Nothing ever is a bother to her, my daughter is autistic and she loves her social worker. She has a lot of difficulties that's how kind she is. She deserves platinum stars and many of them! We're just so grateful to her. I don't think she knows how grateful we are because of her we can now start our new life, we haven't had that for a very long time, she has never judged us once. I thank her for that."</i>
User Property and Finance Team	<i>"there's not many people these days that stand out and go that extra mile and your one of them. You're a credit to your department and the council."</i>
Locality Team	<i>"thank you for your help and advice with mam during this difficult time. Just a little note to say thank you for all your help and advice over the last couple of months. It is hard enough trying to come to terms with mams devastating illness but then you have all these decisions to make regarding mams future, with your help and guidance it was made easier. ..."</i>
ISPA	<i>"You know I like to give praise for where it's due. As you may know S helped to put care in place for my Mam. J quickly reached out to us as a family, the SPA girls were outstanding in getting her pain sorted then D put her care package together for her. This journey has been a pleasure to go along. It's not nice asking for help when you are not coping but your department and your employees are second to none, they are the brightest stars in the sky. ... I feel we are very fortunate as a town to have such a caring community around us at our time in need."</i>
Young Adults Transition and Learning Disability Team	<i>"We have found each individual involved to be extremely efficient and professional whilst maintaining a caring and understanding attitude toward our ward staff and most importantly, E. We have all worked together well and have swiftly achieved the best outcome for E."</i>

9. Complaints received in 2023/24

A total of 26 complaints were received during 2023/24. The number of complaints received has increased by 2 from the previous year.

Of the 26 complaints received, 1 complaint was resolved within 24 hours and 9 complaints were not considered further leaving 16 complaints investigated. This is the same number of complaints investigated as the previous year.

Of the 9 complaints not considered further, this was because:

- 4 complaints were not accepted for investigation because the person who was eligible to make a complaint had not provided their signed consent for someone else to act on their behalf and represent them in the matter of the complaint;
- 1 complaint was withdrawn by the complainant and therefore not considered any further;
- 1 complaint was withdrawn by the Council when the complainant did not communicate further despite repeated efforts by the Council to engage with the complainant;
- 1 complaint was resolved and not considered further when the complainant accepted a reassessment of their needs was a suitable outcome;
- 1 complaint was not accepted for investigation because the subject of their complaint related to matters that had happened some 8 years ago; and
- 1 complaint was not accepted because despite the subject of their complaint which related to matters that happened more than 12 months ago, there was nothing further the Council could add to its previous information to the complainant.

Of the 16 complaints investigated in 2023/24:

- 3 complaints were received directly from the person concerned, 1 of whom chose to have an Advocate to assist them with their complaint.
- 3 complainants who signed their consent for someone else to represent them and act on their behalf in the matter of the complaint;
- 3 complainants represented a deceased relative in bringing their complaint; and
- 7 complainants represented someone who lacked mental capacity within the meaning of the Mental Capacity Act 2005.

There were 2 of the 16 complaints investigated which spanned both health and adult social care. In these cases, a joint response to the complainants from the relevant NHS health body and adult social care were sent to the complainants in accordance with statutory complaint regulations.

Complaints which are assessed upon receipt and determined to be complex are usually investigated by someone independent of the Council. This adds credibility and demonstrates accountability in the complaint handling process. In 2023/24, 4 of the 16 complaints investigated were allocated to an independent investigator, the remaining 12 complaints were investigated and responded to internally.

The table below shows a breakdown of the complaints received by service area together with comparative data for the previous 2 years.

Service area	2023/24	2022/23	2021/22
Older Persons (including User Property and Finance)	10	10	9
Young Adult Transition and Learning Disability	1	1	2
Occupational Therapy	4	5	1
Preventative Mental Health, AMHP, DoLS and Adult Safeguarding functions	3	4	4
Commissioned Services	8	4	9
Carers	0	0	0
Total number of complaints received	26	24	25

Of the 26 complaints received in 2023/24, 10 complaints were received within the older person's service followed by 8 complaints about commissioned services, 4 complaints were received in occupational therapy and 3 complaints were received in the mental health/adult safeguarding area, leaving 1 complaint within the learning disability service area.

Whilst complaints received about the older person's and learning disability service areas have remained the same, complaints received about commissioned services has doubled in the past year whereas complaints received in the occupational therapy and mental health/adult safeguarding service areas have decreased by 1 complaint. There has been no complaints received from carers year on year.

Of the 16 complaints investigated in 2023/24, 15 complaints have concluded the adult social care complaints procedure and 1 complaint remains ongoing which will be carried forward to 2024/25.

10. Complaints referred to the Local Government and Social Care Ombudsman in 2023/24

There were 2 complainants who referred their complaint onto the Local Government and Social Care Ombudsman in 2023/24. Of these:

- 1 of the 2 complaints referred to the Local Government and Social Care Ombudsman in 2023/24 was investigated by the Council's adult social care in 2022/23. The Local Government and Social Care Ombudsman decided not to investigate the complaint because it was unlikely that further investigation would find evidence of fault or injustice.
- The remaining complaint which was referred to the Local Government and Social Care Ombudsman was the 1 of the 10 complaints which had not been

accepted for investigation in 2023/24, because despite the subject of their complaint which related to matters that happened more than 12 months ago, there was nothing further the Council could add to its previous information to the complainant. The Local Government and Social Care Ombudsman notified the Council's adult social care that they had closed the complaint.

11. Actions and improvements from complaints investigated in 2023/24

An integral part of complaints management is ensuring that when service delivery failures are identified, proportionate and timely action is taken to remedy any personal injustice to the complainant and action is taken to improve the quality of service being provided.

The table below provides some examples of the complaints received during the reporting period and the actions taken as a result.

Complaint	Actions taken
The complainant (a representative of a service user) was unhappy with an investigation by a contracted provider and that safeguarding meetings has not been carried out appropriately. The complaint was independently investigated.	The independent investigator made some recommended improvements which included ensuring that all evidence for consideration in safeguarding meetings is circulated in a timely way and whether independent clinical advice is needed in cases where there is an injury. An apology was provided to the complainant for those areas of the complaint that was upheld.
The complainant (a representative of a service user) expressed that the service user's care and support had ceased and he was dissatisfied with this. The complaint was investigated internally. This element of complaint was jointly responded to with the relevant NHS body.	Although the complaint itself was not upheld as the service user's care and support being complained about had not ceased, it was recognised how the Social Worker's letter could have caused some confusion for the complainant's family. Social Work Teams were reminded of how information may be interpreted differently to others and consider whether a letter may require further clarity. Learning can be gleaned from complaints even when the main substance of the complaint is not upheld as in this case.

The complainant (who was supported by an Advocate) expressed that she believed she was being supported to move but was later told the move was not an option which has left her feeling upset. The complaint was investigated by a Head of Service.	It was found that although the complainant was informed at the outset formal approval was required, the events which followed led the complainant to believe it was a secure arrangement. An apology was provided to the complainant who expressed her satisfaction with other options which had been presented to her as an interim solution.
The complainant (a representative of a service user in a care home contracted with the Council) was unhappy with aspects of her relative's care.	The Social Worker and Safeguarding Officer met the relative and brought forward a review of her relative's care. This resolved the complaint with the complainant expressing she felt listened to and the matters she was unhappy about had been satisfactorily resolved.
The complainant (a relative of a service user) was unhappy with the outcome of an OT assessment and expressed that it did not take into account all the family's needs.	In discussion between the OT Lead and the complainant, an agreed way forward was found which would take into account the whole family's needs. This included a risk assessment being carried out and an explanation of the areas to be considered as part of the risk assessment was explained to the complainant who was agreeable with the approach as a resolution to the complaint.

12. Conclusion

The Council's adult social care will continue to monitor its complaint handling process and performance so that we can further improve the experience for someone making a complaint and continue to make every complaint count as a learning opportunity to improve the quality of its adult social care service.