

**LONDON BOROUGH OF TOWER HAMLETS**

**CHIEF EXECUTIVE'S DIRECTORATE**

**ADULTS' AND CHILDREN'S SERVICES**

**COMPLAINTS UNIT  
ANNUAL REPORT**

**2005/2006**

## 1. **Introduction**

- 1.1. This report addresses the complaints received by the Council, for Social Services, during the period 1<sup>st</sup> April, 2005 to 31<sup>st</sup> March, 2006. It also indicates the work undertaken by the Social Services Complaints Unit during this period.
- 1.2. At the period reported the Directorate had a Designated Complaints Officer, who was responsible for the central administration of complaints. In addition the staffing compliment consisted of one full-time Senior Complaints Officer and one Complaints Officer. There was also a full time administrator. The Complaints Unit formed part of the wider Quality and Performance Team within Strategic Services.
- 1.3. In September, 2006 two new procedures for adults and children's services came into force. This report deals with the complaints procedure that was previously in operation as set out in Section 2.

## 2. **The Social Services Complaints Procedure.**

- 2.1. The Council places a strong emphasis on the informal resolution of complaints and in assisting Social Services Teams in effectively managing and resolving complaints.
- 2.2. There is a legal requirement under the NHS and Community Care Act 1990 and Children Act 1989 for Local Authorities to have a system for receiving representations and complaints by, or on behalf of people who use social services or their carers.
- 2.3. The main purpose of the complaints procedure is to ensure the voices and experiences of young people, vulnerable adults and their representatives are heard and to highlight where things have gone wrong in the system and help to ensure that the organisation learns from feedback from complaints.
- 2.4. The complaints process has three stages.

### **Stage One Complaints – Informal.**

Team Managers provide a written response to complainants within 15 working days. The Complaints Unit has a role in receiving complaints and ensuring that systems are in place for Team Manager's to respond to complaints on time.

### **Stage Two Complaints – Formal.**

If complainants are not happy with the Stage One response they have a right to go to Stage 2. Complaints are generally investigated internally however in exceptional circumstances external consultants are used.

An independent person is appointed to oversee formal complaints at Stage 2 relating to children and young people. This ensures that there is an impartial element and is a legislative requirement under the Children Act 1989.

The Complaints Unit undertakes a thorough investigation of the complaint and produces a report making recommendations to the relevant Head of Service. An internal adjudication meeting is held and following this a copy of the report sent to the service user and relevant managers within the Directorate.

### **Stage Three Complaints – Independent Review Panel.**

There was a proposal for Stage 3 complaints to fall outside the remit of the Local Authority and become the responsibility of the Commission for Social Care Inspectorate (CSCI). However, this change was not implemented.

The complainant has a right of appeal to an Independent Review Panel if they don't agree with the findings of the Stage 2 investigation. This is chaired by an independent chair and at least two other people who are independent of the service concerned.

The Panel will review the case and where appropriate make recommendations. The Director of Social Services has the opportunity to make recommendations.

#### **4. Local Government Ombudsman.**

4.1 If the complainant is not satisfied with the outcome of the Independent Review Panel they have the right to take their complaint to the Local Government Ombudsman.

4.2 The Local Government Ombudsman is an independent watchdog and generally considers complaints after the complainant has exhausted the internal complaints procedure.

#### **5. Role of the Social Services Directorate's Complaint Unit.**

The Complaints Unit's role is:-

- To receive complaints, enquiries and representations from service users and carers.

- To support front line services by advising on statutory duties, internal policies and procedures.
- Offer training and support to staff in resolving complaints
- To undertake formal complaints investigations.
- To organise and facilitate Complaints Review Panels.
- The Complaints Unit also provides reports to Team Managers and the Directorates Management Team on a regular basis regarding the trends and progress of complaints.
- To facilitate advocacy and support to complainants.
- Ensure effective access for all service users to the statutory processes.

### **Complaints Statistics and Analysis for 2005 to 2006.**

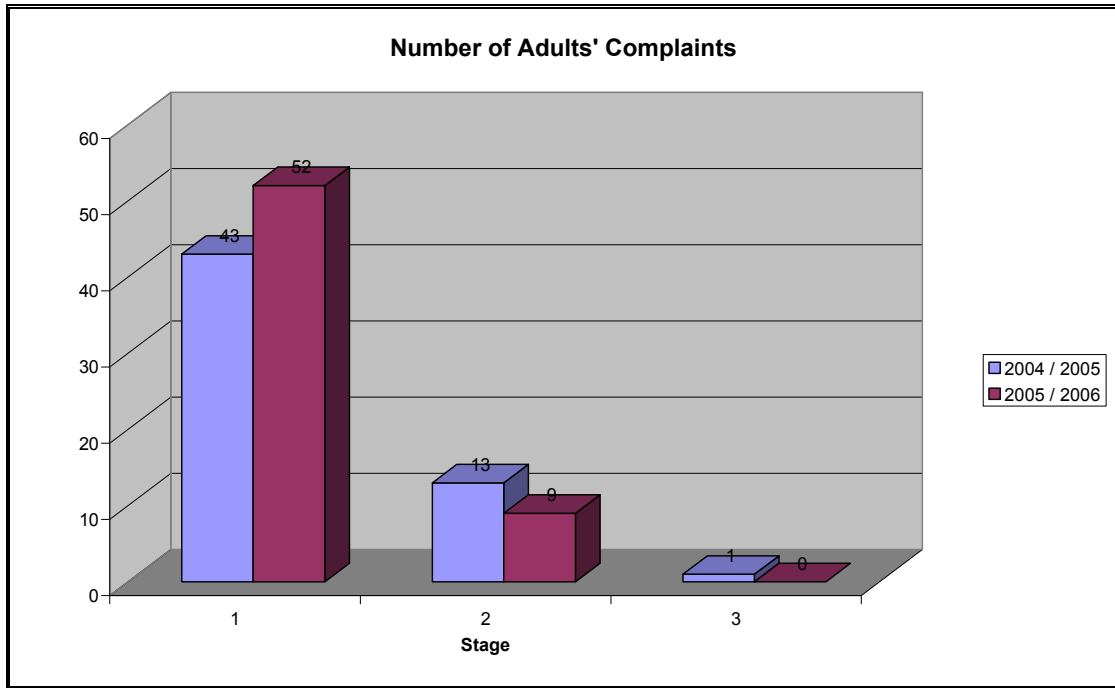
#### **6. General Trends in Complaints.**

6.1 During the period 2004/2005 a total number of 93 complaints were registered at Stage One and Stage Two of Social Services complaints procedure from both the adults and children. For the year 2005/2006 there was a total of 89 complaints were received.

6.2 It is important to note that there are a total of approximately 5,800 service users in adults services and 2,000 service users in children's services. This means that only 1% of service users make complaints. In this context the Directorate receives only a small number of complaints.

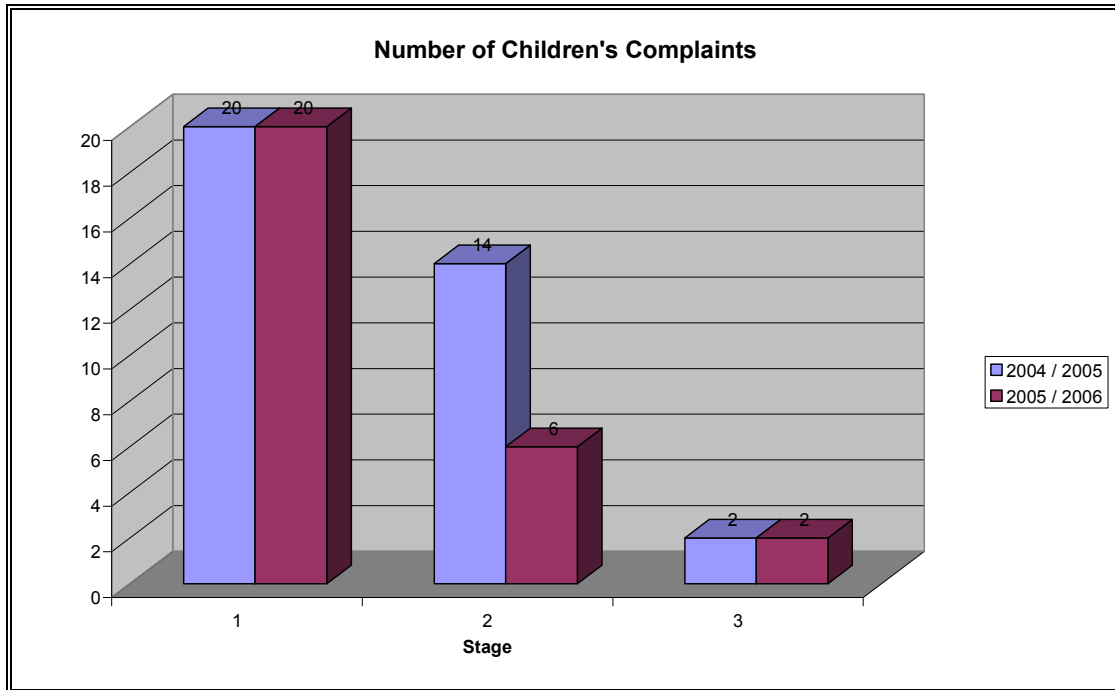
#### **7. Complaints registered.**

<b>TOTAL ADULTS' SERVICES COMPLAINTS</b>			
<b>Stage</b>	<b>2004 / 2005</b>	<b>2005 / 2006</b>	<b>Percentage Variance</b>
1	43	52	17.0%
2	13	9	-30.8%
3	1	0	-100.0%
<b>Total Complaints</b>	<b>57</b>	<b>61</b>	<b>6.6%</b>



- 7.1 The table shows that the number of Stage 1 complaints increased by 17% in 2005/06 and Stage 2 complaints reduced by 30.8%. However the number of complaints escalated to Stage 2 decreased by 29%.
- 7.2 The increase in the number of Stage 1 complaints can be seen as a positive indication that service users and carers are better able to access Social Services complaints procedure. This coupled with the fact that there is a significant decrease in complaints at Stage 2 indicates more effective resolution of complaints at Stage 1 of the process.
- 7.3 There has been a small reduction of complaints at Stage 3 and there were no Independent Review Panels held. This suggests better resolution at earlier stages.

TOTAL CHILDREN'S SERVICES COMPLAINTS			
Stage	2004 / 2005	2005 / 2006	Percentage Variance
1	20	20	0.0%
2	14	6	-42.9%
3	2	2	0.0%
<b>Total Complaints</b>	<b>36</b>	<b>28</b>	<b>-22.2%</b>



7.4 The table shows that the number of Stage 1 complaints for Children's Services has remained the same for 2005/06. However, the number of Stage 2 complaints has reduced by 42.9%.

7.5 There has been a significant decrease within Children's Services in the number of Stage 2 complaints and this is a positive indication that young people's concerns are being resolved more effectively at earlier stages.

7.6 The number of Independent Review Panels remains the same. There have only been 2 Review Panel's held for the last year and this year. This indicates that complaints are being resolved at earlier stages.

### 8. Complaint Response Times.

STAGE 1 COMPLAINTS - RESPONSE TIMES FOR ADULTS' & CHILDREN'S SERVICES COMPLAINTS			
	Answered within 15 days	Answered outside 15 days	Average response time (days)
2004/2005	41 65%	22 34.9%	Unavailable
2005/2006	39 54.2%	33 45.9%	20

8.1. The percentage of complaints answered within the 15 day timescale has fallen from 65% to 54.2%. The Complaints Unit take this seriously. The Unit has a role in monitoring complaints and are taking steps to

ensure that performance in relation to responding to Stage 1 complaints is improved.

- 8.2 Systems have been put in place by the Complaints Unit to ensure that performance is reported on a regular basis and failure to meet timescales escalated appropriately, this includes sending Team Managers early reminders for over-due complaints. A weekly list of overdue complaints is also sent to the Departmental Management Team.
- 8.3 The Siebel Customer Relations System (CRM) was implemented in October, 2005 and this brings Social Services Complaints Unit in line with the Corporate Complaints system. It will also continue to improve the monitoring and recording of complaints.
- 8.4 In addition to this the Complaints Unit supports front line staff by advising on Stage One responses. The Complaints Unit has also recently commissioned training and it is anticipated that this will also help to improve Stage One response times.

### Stage 2 Complaints

<b>STAGE 2 COMPLAINTS – RESPONSE TIMES FOR ADULTS’ SERVICES COMPLAINTS</b>			
	<b>Answered within 28 days</b>	<b>Answered outside 28 days</b>	<b>Average response time (days)</b>
2004/2005	0 0%	13 100.0%	193
2005/2006	2 22.2%	7 77.8%	160

- 8.5 The above Table demonstrates that two complaints have been answered within the statutory time scales which is an improvement on last year. The average response time for Stage 2 complaints in relation to adult services has been reduced by 33 days. This is a 17% improvement in performance.
- 8.6 It is recognised nationally that there is a difficulty in meeting the statutory time scales. However, there has been an overall improvement in the average response times for Stage 2 complaints within services. It is anticipated that with the new complaints procedures being introduced in September, 2006 that performance will continue to improve next year.

<b>STAGE 2 COMPLAINTS - RESPONSE TIMES FOR CHILDREN'S SERVICES COMPLAINTS</b>			
	<b>Answered within 28 days</b>	<b>Answered outside 28 days</b>	<b>Average response time (days)</b>
2004/2005	0 0%	27 100.0%	188
2005/2006	0 0.00%	6 100.0%	160

8.7 The above Table shows that average response time for Stage 2 complaints in Children's Services has been reduced by 28 days. This is a 15% improvement in performance.

## 9. Breakdown of complaints by Service.

### Adults' Services – Breakdown of Complaints.

<b>COMPARISON OF ADULTS' SERVICES COMPLAINTS BY SECTION</b>						
<b>SECTION</b>	<b>Stage 1</b>			<b>Stage 2</b>		
	<b>2004 / 2005</b>	<b>2005 / 2006</b>	<b>Variance</b>	<b>2004 / 2005</b>	<b>2005 / 2006</b>	<b>Variance</b>
Disabilities	6 13.6%	10 19.2%	4 5.6%	6 40.0%	0 0.0%	-6 100.0%
Elders	15 34.1%	12 23.1%	-3 -11.0%	3 20.0%	2 22.2%	-1 16.7%
Learning Disabilities	4 9.1%	5 9.6%	1 0.5%	0 0.0%	1 11.1%	1 -16.7%
Mental Health	2 4.5%	5 9.6%	3 5.1%	0 0.0%	1 11.1%	1 -16.7%
OT Services	6 13.6%	6 11.5%	0 -2.1%	3 20.0%	3 33.3%	0 0.0%
Resources	11 25.0%	14 26.9%	3 1.9%	3 20.0%	2 22.2%	-1 16.7%
<b>Total</b>	<b>44</b>	<b>52</b>	<b>8</b>	<b>15</b>	<b>9</b>	<b>-6</b>

(This includes 43 Stage 1's and 13 Stage 2's).

9.1 It is evident from the above Table that Elders Care Management continues to receive the highest number of complaints at Stage 1. This is consistent with the fact that they are the largest single service within



the Adults Division. However, there has also been a slight reduction in complaints from Elders Care Management Services.

**10. Breakdown of complaint by reason for complaint.**

<b>COMPARISON OF ADULTS' SERVICES COMPLAINTS BY REASON FOR COMPLAINT</b>		
<b>REASON FOR COMPLAINT</b>	<b>2004 / 2005 (aspects)</b>	<b>2005 / 2006 (complaints)</b>
Delays in service provision	6 8.1%	7 11.5%
Failure to provide a service	16 21.6%	9 14.8%
Challenge Assessment decision	15 20.3%	18 29.5%
Attitude of staff	11 14.9%	7 11.5%
Competence of service	16 21.6%	10 16.4%
Lack of information	2 2.7%	0 0.0%
Appropriateness of service	3 4.1%	6 9.8%
Breach of confidentiality	0 0.0%	3 4.9%
Discriminatory practice	1 1.4%	0 0.0%
Change in Service Provider	0 0.0%	0 0.0%
Other reason	4 5.4%	1 1.6%
<b>Total</b>	<b>74</b>	<b>61</b>

10.1 Please note that figures for 2004/05 include complaint aspects (that is elements of complaint) rather than counting whole complaints, due to a change in monitoring system. Therefore the figures for 2004/05 are higher.

10.2 The highest number of complaints for this year is in relation to challenging assessment decisions. This would reflect the fact that due to

competing demands on service provision the Department's eligibility criteria has a higher threshold.

### Children's Services – Breakdown of Complaints.

COMPARISON OF CHILDREN'S SERVICES COMPLAINTS BY SECTION						
SECTION	Stage 1			Stage 2		
	2004 / 2005	2005 / 2006	Variance	2004 / 2005	2005 / 2006	Variance
Child Protection & Reviewing*	4 16.7%	1 5.0%	-3 -11.7%	1 7.1%	0 0.0%	-1 12.5%
Fieldwork Services	13 54.2%	12 60.0%	-1 5.8%	9 64.3%	4 66.7%	-5 62.5%
Health Partnership*	6 25.0%	6 30.0%	0 5.0%	4 0.0%	1 16.7%	-3 37.5%
Resources	1 4.2%	1 5.0%	0 0.8%	0 0.0%	1 16.7%	1 -12.5%
<b>Total</b>	<b>24</b>	<b>20</b>	<b>-4</b>	<b>14</b>	<b>6</b>	<b>-8</b>

- 10.3 The Service descriptions are different to those used in the 2004/05 report. This is because of recording changes in the move onto Siebel.
- 10.4 The 2004/05 figures have been grouped together into the most appropriate category. E.g. 'Looked After Child' service has been included under 'Child Protection & Reviewing'. 'Looked After Child' Service has been included under 'Child Protection & 'Children with Disabilities Team' is included under Health Partnerships.
- 10.5 The Fieldwork services have received the largest number of complaints at Stage 1 and Stage 2 as would have been expected because of the contentious nature of the service and the large number of service users. There are no other significant trends.

<b>COMPARISON OF CHILDREN'S COMPLAINTS BY REASON FOR COMPLAINT</b>		
<b>REASON FOR COMPLAINT</b>	<b>2004 / 2005 (aspects)</b>	<b>2005 / 2006 (complaints)</b>
Delays in service provision	13 13.1%	3 11.5%
Failure to provide a service	19 19.2%	4 15.4%
Challenge Assessment decision	20 20.2%	7 26.9%
Attitude of staff	7 7.1%	2 7.7%
Competence of service	17 17.2%	4 15.4%
Lack of information	11 11.1%	2 7.7%
Appropriateness of service	5 5.1%	3 11.5%
Breach of confidentiality	3 3.0%	0 0.0%
Discriminatory practice	2 2.0%	0 0.0%
Lost child care file	1 1.0%	0 0.0%
Other reason	1 1.0%	1 3.8%
<b>Total</b>	<b>99</b>	<b>26</b>

- 10.6 Please note that figures for 2004/05 include complaint aspects rather than complaints. Therefore the figures for that year are considerably higher.
- 10.7 The highest number of complaints in Children's Services relates to challenging assessment decisions. One of the reasons for this is that there has been a change in the way services are delivered in the Children with Disabilities Team. In line with good practice guidance services are being provided by a range of other agencies and include services outside of the home rather than care packages. The Service Manager has acknowledged that this can be a difficult change for service users and carers and this is reflected in the rise in complaints.

11. **Breakdown of complaints by ethnicity.**

<b>PROPORTION OF COMPLAINTS FROM ETHNIC GROUPS RELATIVE TO NUMBER OF SERVICE USERS (ADULTS' &amp; CHILDREN'S SERVICES)</b>					
	No. of service users in 2005-06	No. of complaints received	Percentage of service users by ethnicity	Percentage of complaints by ethnic group	Variance
Asian	2198	28	27.3%	31.4%	4.1%
Black	953	8	11.8%	8.9%	-2.9%
White	4908	53	60.9%	59.5%	-1.4%
<b>Totals</b>	<b>8059</b>	<b>89</b>	<b>100.00%</b>	<b>100.00%</b>	

11.1 The current breakdown is not fully consistent with the corporate monitoring categories in relation to ethnicity. Therefore the above figures only include combined 'Asian' 'Black' and 'White' categories and do not include data for 'mixed race' and other ethnicity categories. A change request has been made to ensure that next years figures comply with these categories and provide a more detailed breakdown.

11.3 In general the number of people complaining is proportionate to the number of service users from minority ethnic groups. This indicates that there is no significant relationship between ethnicity and dissatisfaction with service provision. It also indicates that service users from minority ethnic groups are accessing the complaints procedure.

12. **How complaints were made.**

<b>CONTACT CHANNEL OF COMPLAINANT (ADULTS' &amp; CHILDREN'S SERVICES COMPLAINTS)</b>		
Contact Channel	Number of Complainants	Percentage of Total Contact
Phone	51	57.3%
Post	35	39.7%
In Person	3	3.4%
Email	0	0.0%
Fax	0	0.0%
<b>Total Complaints</b>	<b>89</b>	<b>100%</b>

12.1 The above table demonstrates that the majority of complainants prefer to make complaints by telephone.

### 13. Who made the complaint

<b>WHO MADE THE COMPLAINT? (ADULTS' &amp; CHILDREN'S SERVICES)</b>		
<b>Complainant</b>	<b>Number of Complainants</b>	<b>Percentage of Complaints</b>
Advocate - Advice Worker	2	2.3%
Advocate - Family Member	12	13.6%
Service User	60	67.4%
Service User (Living out of Borough)	3	3.4%
Service User (Child)	5	5.7%
Service User (Carer)	2	2.3%
Parent / Carer of Child	5	5.7%
<b>Total Complaints</b>	<b>89</b>	<b>100.0%</b>

13.1 The above table shows that the largest single source of complaints is service users themselves.

13.2 A breakdown of complaints by ward is detailed in the table below.

<b>Breakdown of complaints by Ward</b>			
<b>Ward</b>	<b>Stage 1</b>	<b>Stage 2</b>	<b>Stage 3</b>
Bethnal Green North	3	2	
Bethnal Green South	4	2	
Blackwall & Cubitt Town	4	2	
Bow East	4	1	
Bow West	6		
Bromley-By-Bow	1	1	
East India & Lansbury	4		
Limehouse	3	2	
Mile End & Globetown	4	1	
Mile End East	3		
Millwall	7	1	1
Shadwell	2		
Spitalfields & Banglatown	2	1	
St Dunstan's & Stepney Green	4	1	
St Katharine's & Wapping	2		1
Weavers	5		
Whitechapel	3	1	
Out of Borough	11		
<b>Total</b>	<b>72</b>	<b>15</b>	<b>2</b>

## 14. **Improvement Initiatives.**

### 14.1 **Publicity**

The Complaints Unit continues to deliver training and information sessions to teams. They also offer advice and support to staff and managers. For example by assisting managers to improve the quality of their Stage 1 responses.

### 14.2 **Monitoring.**

Weekly outstanding lists are circulated to the Departmental Management Team. The complaints unit now use Siebel. This has improved monitoring and recording of complaints providing more effective information themes, trends and outcomes of complaints. It will also provide an integrated system and more effective sharing of information with colleagues from Corporate Complaints.

### 14.3 **Lessons Learned.**

Recommendations from complaints are used to highlight deficiencies in the system and there is a commitment by Senior Management to take on board feedback from complaints.