

# Appendix A – Adult Social Care Complaints Annual Report 2022-23

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## 2. SUMMARY

- 95 Complaints, 5 LGO complaints (plus 1 LGO remedy for 21/22 LGO complaint) and 26 Compliments.
- 92 people made complaints in 2022/23.
- The 95 complaints made represents 1.9% of the total number of people supported by Adult Social Care, down from 2.2% in the previous year.
- 48% of complaints responded to within 30 days down from 57% the previous year
- 86% of complaints responded to within 12 weeks, down from 94% previous year
- 21% of complaints upheld compared to 22% previous year (21/22)
- The two highest areas of complaint related to
  - Service delivery or quality (49%)
  - Communication (13%)

## 3. INTRODUCTION

The “Local Authority Social Services and National Health Service Complaints (England) Regulations 2009” (the Regulations) set out the way Lambeth Council must deal with complaints about its adult social care services. Under this statutory regulations, Lambeth Council is required to produce an annual report examining how it has dealt with its adult social care complaints, including the numbers received, issues highlighted, how many were upheld, and actions taken because of the complaints received.

This is the annual report of Lambeth Adults Social Care complaints and compliments, covering the period 1 April 2022 to 31 March 2023.

Lambeth Adult Social Care uses a two-stage complaint procedure to ensure that complaints are handled effectively and in line with regulations. If a complainant is dissatisfied with the response to their Stage 1 complaint, they have the right to appeal, and the matter will be considered under a stage 2 complaint. Should the complainant be dissatisfied with the response to the Stage 2 complaint, they can take the matter to the Local Government Ombudsman (LGO). Although complainants can refer their complaints to the LGO from the outset, the LGO will not normally investigate until the Council has conducted its own investigation and provided a response.

## 4. COMPLAINTS RECEIVED AND INVESTIGATED

A total of 95 complaints were received and investigated under the Adult Social Care complaints procedure from April 2022 to March 2023. This is a significant decrease of 31, from the 126 complaints investigated last year (21/22) and represents 1.9% of the total 4987 people receiving a service from Lambeth Adult Social Care in 2022/23. The graph below shows the total number of complaints received by Adult Social Care over the last 5 years.

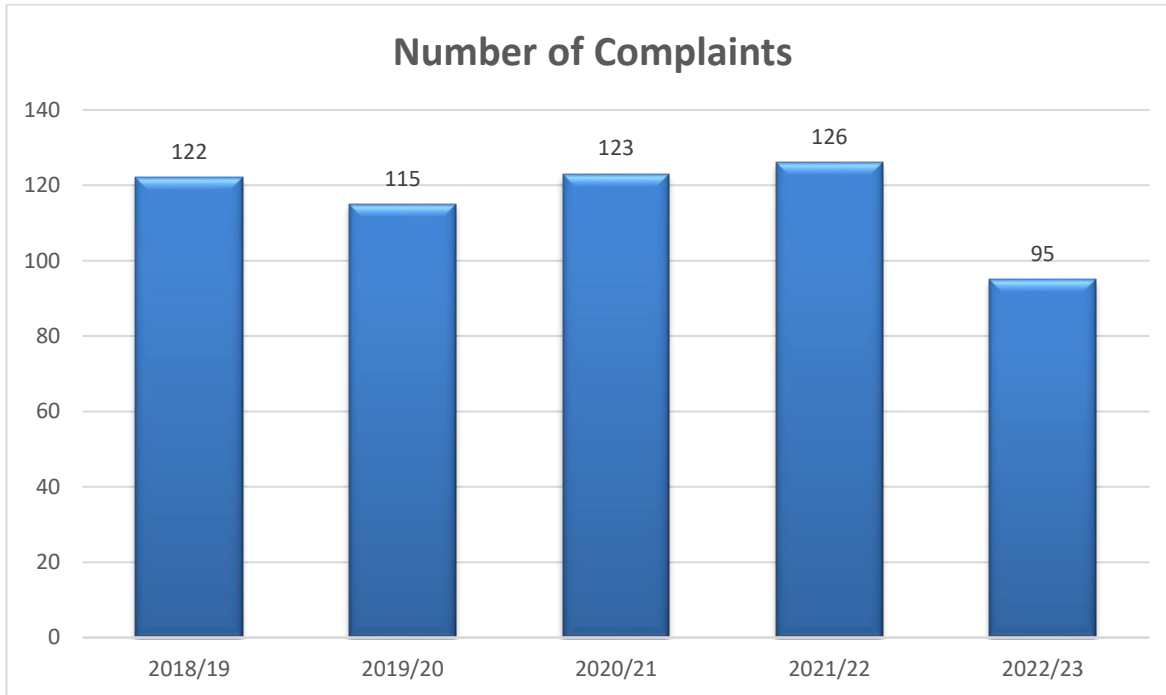


Figure 1: Complaints received by Lambeth Council Adult Social Care 2018/19 to 2022/23

The notable decrease in complaints in comparison with the increase in number of service users who received services in 2022/23 indicates that:

- We are identifying learning from previous complaints and updating local systems to mitigate some of the areas where service users were finding a reason to complain
- We are aiming to respond to any issues raised in a timely way, which is supported by our front door re-design, this negates the need for someone to complain

## 5. VOLUMES OF WORK

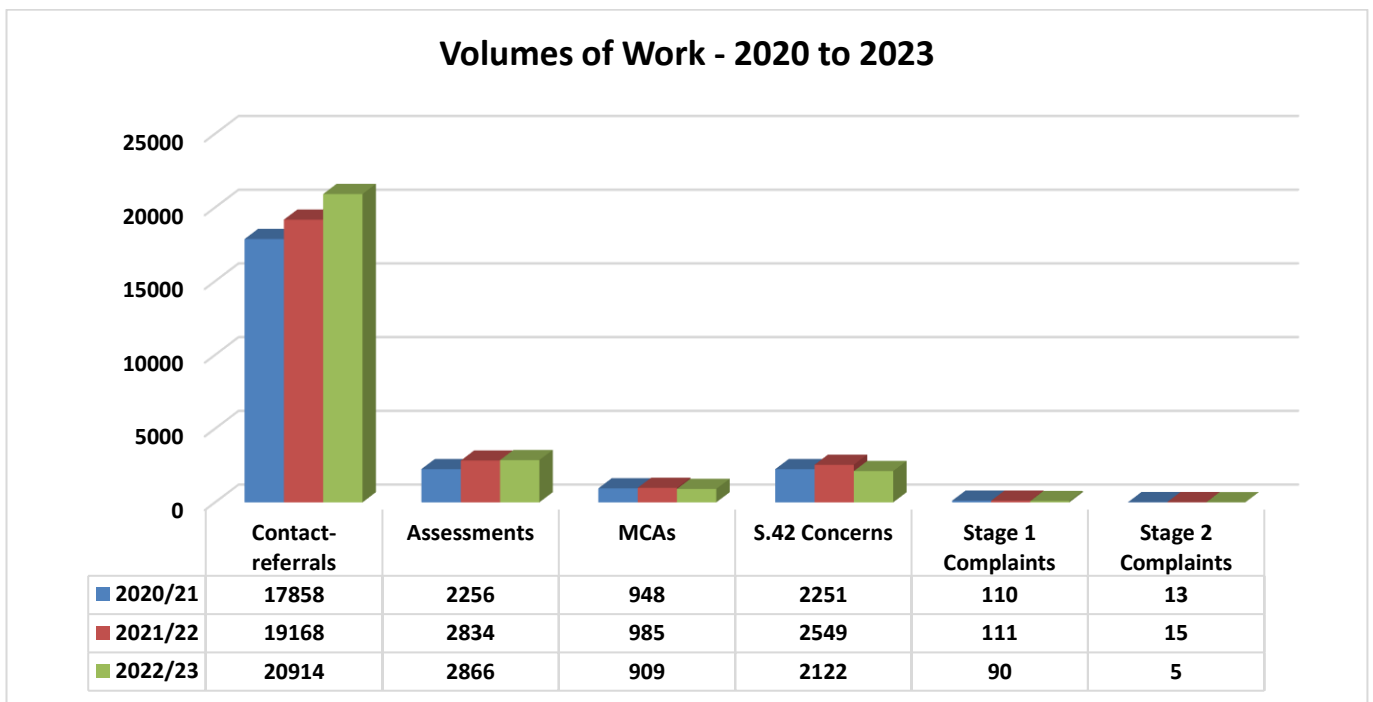


Figure 2: volumes of types of work 2020/21 to 2022/23

There has been a 5% increase in activity in the above types of work, which isn't including the number of reviews undertaken between 2022/23 and a 15% increase from 2020-2023.

- There has been a decrease in the number of Stage 1 complaint for 2022/23 of 21%
- There has been a decrease in the number of Stage 2 complaints for 2022/23 of 73%

The graph below shows that there has been a reduction in Stage 1 and Stage 2 complaints received in Adult Social Care from 2021/22 to 2022/23. There has been an increase of one LGO complaint over this same period.

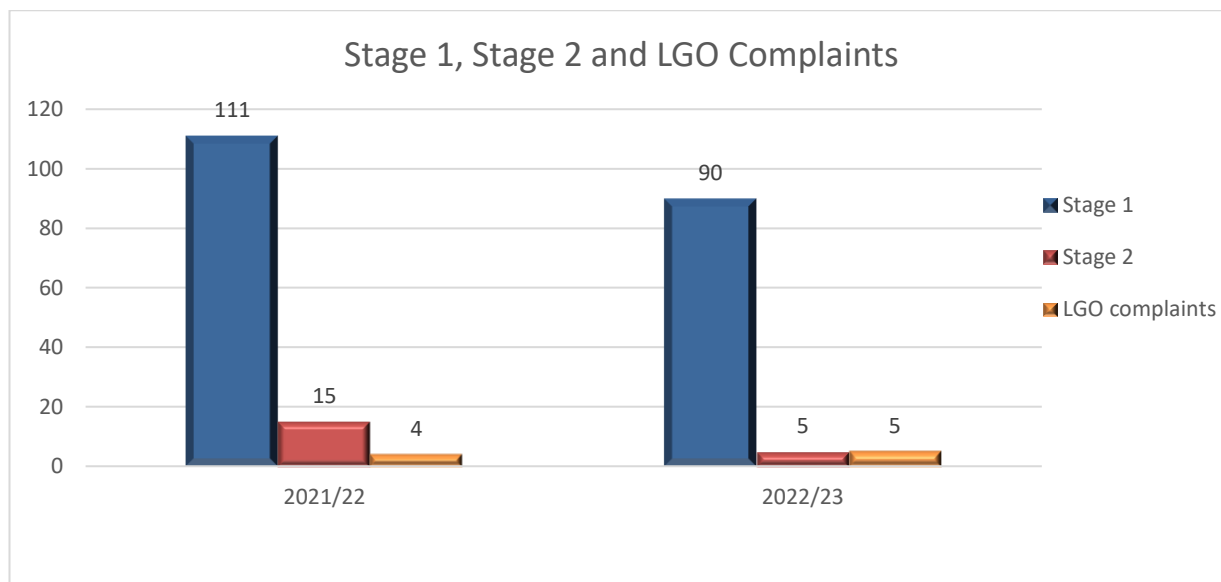


Figure 3 stage 1, stage 2 and LGO complaints 2021/22 to 2022/23

The complaints received and investigated include 90 stage 1 complaints, 5 stage 2 complaints and 5 LGO complaints. Out of 90 stage 1 complaints, only 5 were progressed as Stage 2 complaints, indicating a high satisfactory investigation and response to our stage 1 complaints.

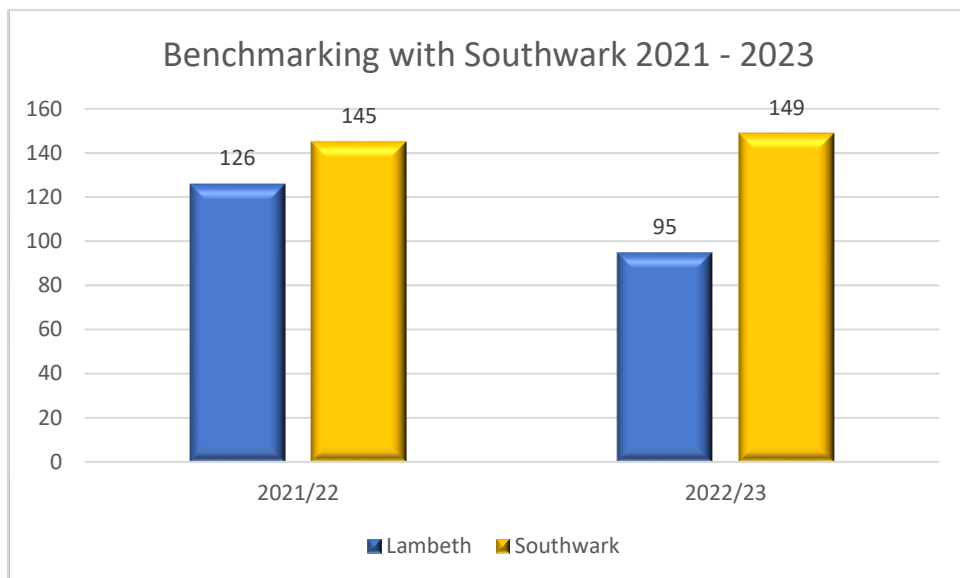
A stage 2 compliant is technically a continuation of a single complaint issue, therefore the level of complaint for 21/22 were 111 incidents and for 22/23 are 90 incidents. This is a significant reduction of 21 less complaints in the recent financial year. Objectively, this could be attributed to a number of factors including the updating of our local complaints process which sets out a timely acknowledgment of the complaint and encourages a good early conversation with the complainant in order to take proactive steps to resolve issues where they have been identified. In addition to this Lambeth ASC's front door re-design has had success with enabling timely responses to assessment requests and Safeguarding referrals, which could have a direct impact on service user's satisfaction with the services they are accessing.

## 6. BENCHMARKING FOR COMPLAINTS

We are interested in beginning to compare and benchmark our complaints data with other Local Authorities and have reviewed what published information and data is available to us. We acknowledge that there are no clear explanations of how they are managing or processing their complaints which means there are some limitations to the narrative and analysis we can collate from this comparison.

We have established that our nearest geographical neighbour, Southwark, has a similar complaints process and is therefore the best comparator to use. Southwark's published report which includes ASC complaints data showed that they had received 149 complaints of different types in 2022/23, this includes those complaints which were passed to the next 'stage' which is similar to our stage 2 complaint process. At this point, other comparator boroughs have not published their annual complaint reports. The graph

below shows our complaints received in 2021/22 and 2022/23 in comparison to Southwark Adult Social Care.



*Figure 4: Benchmarking ASC complaints with neighbouring borough (this does not include wider system complaints)*

## 7. WHAT THE COMPLAINTS WERE ABOUT

The table below shows a breakdown of what the complaints we received, were about. As illustrated, a larger proportion of total complaints received were in relation to assessments and social work at 72%, which is a small increase from 68% last year. Notably there was a decrease in actual complaints in 22/23 compared to the previous year, where there were 80 complaints relating to the area of assessment and social work. These numbers are expected as this covers a broad range of issues relating to eligibility of service, service delivery or quality, communication, financial assessments, and timeliness of provision which is the core business of Adult Social Care

Complaints about financial issues have reduced from 10% in 2021/22 down to 6% in 2022/23. Complaints relating to External providers received directly by ASC were the second highest function area, however this has still decreased from 15% in 2021/22 to 10% in 2022/23

Function complaint relates to	Issue Category	Stage 1	Stage 2	Grand Total
Assessment and social work	Communication	12		
	Delay	7		
	Eligibility for service	4	1	
	Financial assessment	2		
	Other	6		
	Service delivery or quality	34	2	
	Staff conduct	1		
	<b>Total</b>	<b>66</b>	<b>3</b>	<b>69</b>
Occupational Therapy	Service delivery or quality	2		
	<b>Total</b>	<b>2</b>		<b>2</b>
Deprivation of Liberty Safeguards	Service delivery or quality	1		
	<b>Total</b>	<b>1</b>		<b>1</b>
External Provider	Communication	1		
	Other	2	1	
	Service delivery or quality	4		
	Staff conduct	1		
	<b>Total</b>	<b>8</b>	<b>1</b>	<b>9</b>
Financial Issues	Delay	1		
	Financial	5		
	<b>Total</b>	<b>6</b>		<b>6</b>
Sheltered and Extra Care (Council Managed)	Staff Conduct	1		
	<b>Total</b>	<b>1</b>		<b>1</b>
Safeguarding Adults	Service delivery or quality	4		
	Other	1		
	Staff Conduct	1		
	Eligibility for Service		1	
		<b>6</b>	<b>1</b>	<b>7</b>

Table 1: Adult Social Care complaints 2022/23 broken down by the issue category within above functions complaints relate to.

Below are some examples of complaints received by ASC:

"I have had a visit from a disabled client, X who has asked me to write a complaint on his behalf as he is a disabled man.

He has a social worker, Y who he would like to make the complaint about.

He has previously visited Selfridges and the staff member was very racist and derogatory towards him. X returned to Selfridges one month later, unbeknown to him, one of the other staff at Selfridges had put in a complaint about the member of staff and it was under investigation.

X was offered £250 compensation, a undisclosed donation to his community centre however he also wanted a written apology from the member of staff, however this did not happen and Selfridges refused. After which point X reported to the police who failed to question the staff member from Selfridges. X went to the police as he wanted a proof of the investigation from Selfridges however they are now denying that the incident ever took place,

X wrote a letter of complaint to give to Y, the social worker, however he states that Y has failed to give this to the police which is the destination of the complaint.

As such, he would like Lambeth to investigate why Y has not given the letter of complaint to the police, he wanted the police to get Selfridges to give a proof of investigation. He feels that this is a conspiracy against him because of the disability.

**Resolution:**

- 3 separate meetings held with X and his representative to gather further information and share what actions had been taken prior to the complaint, including the SW supporting X to attend the police station and report the incident.
- Information provided to X to enable them to follow up directly with police, this included offer to support him to access his e-mail account where he had expected the police response to be received

“My social worker XX from the Council neglects her duties. My ill health does not allow me to leave my home to buy food. My very low income does not allow me to regularly buy overpriced food from internet with home deliveries. Right now I've finished the last food that I had at home. I am hungry. I have nothing to eat since now. This fact is even deteriorates my already ill health. Please help.

Y from Age UK, is trying to contact my social worker X from the Council to arrange the shoppings with home deliveries according to condition requirements of my ill health. No success, yet. My social worker X from the Council does not reply my emails, either.

Please help. This is urgent, emergency. I need emergency food parcels delivered to my home till the time the regular proper shopping with home deliveries will be arranged. Please, leave the emergency food parcel behind the door of my flat if I am sleeping and let me know by email it is there. Thank you.

**Resolution:**

- A one off food delivery was made on the day the complaint was received, this was done with clear information that food provision and delivery is not within the remit of ASC service provision and that we are reliant on local organisations to provide food parcels to be used in emergency situations only.
- Established that e-mail responses had been sent by the SW but could have been done in a more timely way- this was learning which was shared in the team
- Age UK who sit in our front door followed up with the complainant again around exploring food delivery options available to them with the offer to support in setting this up- this was the outcome from an assessment of need which had been completed
- With consent, a referral was made to a health professional to offer the complainant an appointment to explore the health conditions cited

## 8. PEOPLE MAKING MULTIPLE COMPLAINTS

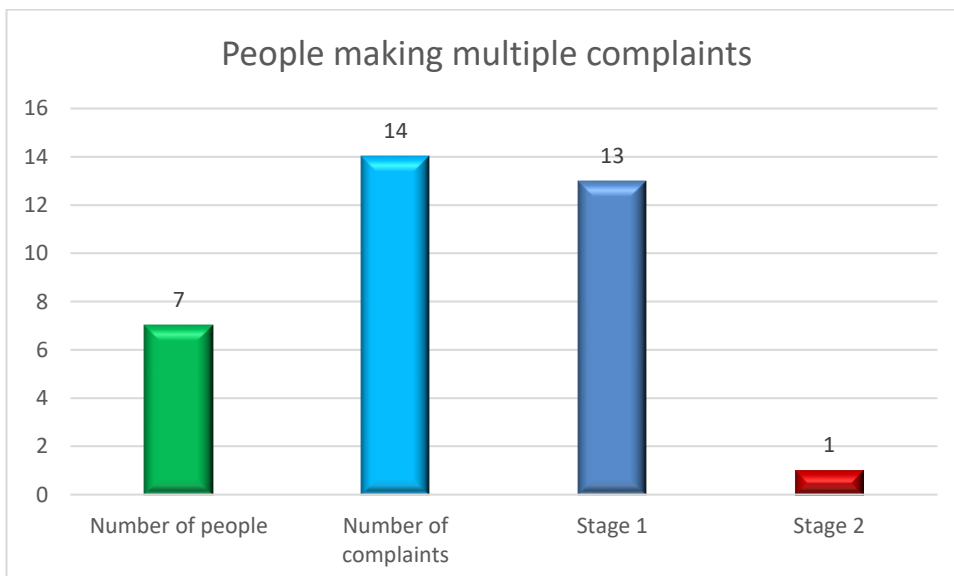


Figure 5: people making multiple complaints



In 2022/23, Lambeth Adult Social Care provided services for 4987 people. In total 88 people made complaints, and 7 (8%) of those people made multiple complaints (maximum of 2 complaints per complainant). Those complaints represent 7% of the total complaints we received. Their complaints represent 14% of our stage 1 and 20% of our stage 2 complaints this year. We recognise that it is important to understand the reasons behind the multiple complaints. In 2 of these instances the complaint related to the same issue category, in the remaining 5 complaints the issue category was different suggesting that although the person had complained more than once in the time period, their first complaint was resolved, and the second complaint was in relation to something else.

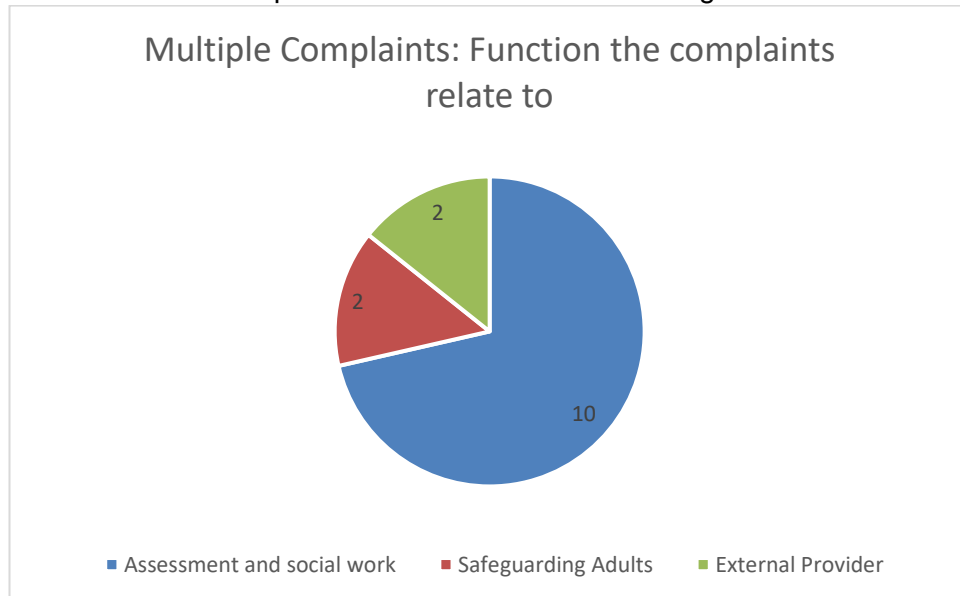


Figure 6: *Function of multiple complaints*

The multiple complaints were scrutinised to understand the overarching function. 72% related to Assessment and Social work which, as identified in Table 1, covers a broad range of functions including: communication, delay, eligibility for service, financial assessment, staff conduct, and service delivery or quality of care provided by services we commission.

14% related to External Providers and 14% related to Safeguarding Adults.

The 2 complaints in relation to Safeguarding Adults included a stage 1 and stage 2 complaint; this was then referred to the LGO and the outcome of this was that they did not find fault with the Local Authority, confirming that our processes were followed.

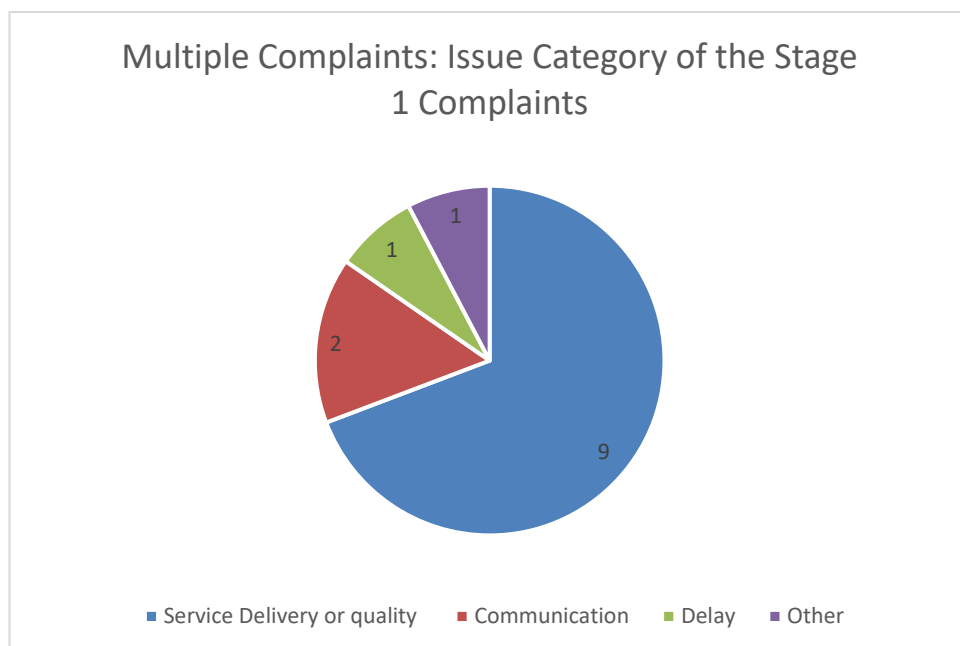


Figure 7: *issue category of multiple complaints, Stage 1*

70% of these stage 1 complaints are identified as relating to Service Delivery or Quality which encompasses a range of elements including case management and assessment functions. The types of complaints included request for food delivery services to a home address where attempts to link the person in with services who offer this, had already been declined; another complaint was due to a Social Worker completing an 'unannounced' home visit- it was determined that the service user did not have a telephone number and the Social Worker had sent the e-mail to arrange this visit to an invalid e-mail address in error. One of the complaints was in relation to the variety of meals offered at an extra care sheltered accommodation scheme. Notably all but 1 of these nine stage 1 complaints relating to service delivery or quality were resolved at this stage, indicating appropriate action and response to the complaint that was raised.

## 9. TIMELINESS IN RESPONDING TO THE COMPLAINTS

Under statutory regulations there is no set timeframe for complaint responses. However, the LGO suggests a reasonable response time of 12 weeks and locally, we have set a suggested target of 30 days.

48% of our complaints were responded to within our local timeframe of 30 days and 85% of our complaints were responded to within the LGO timeframe of 12 weeks.

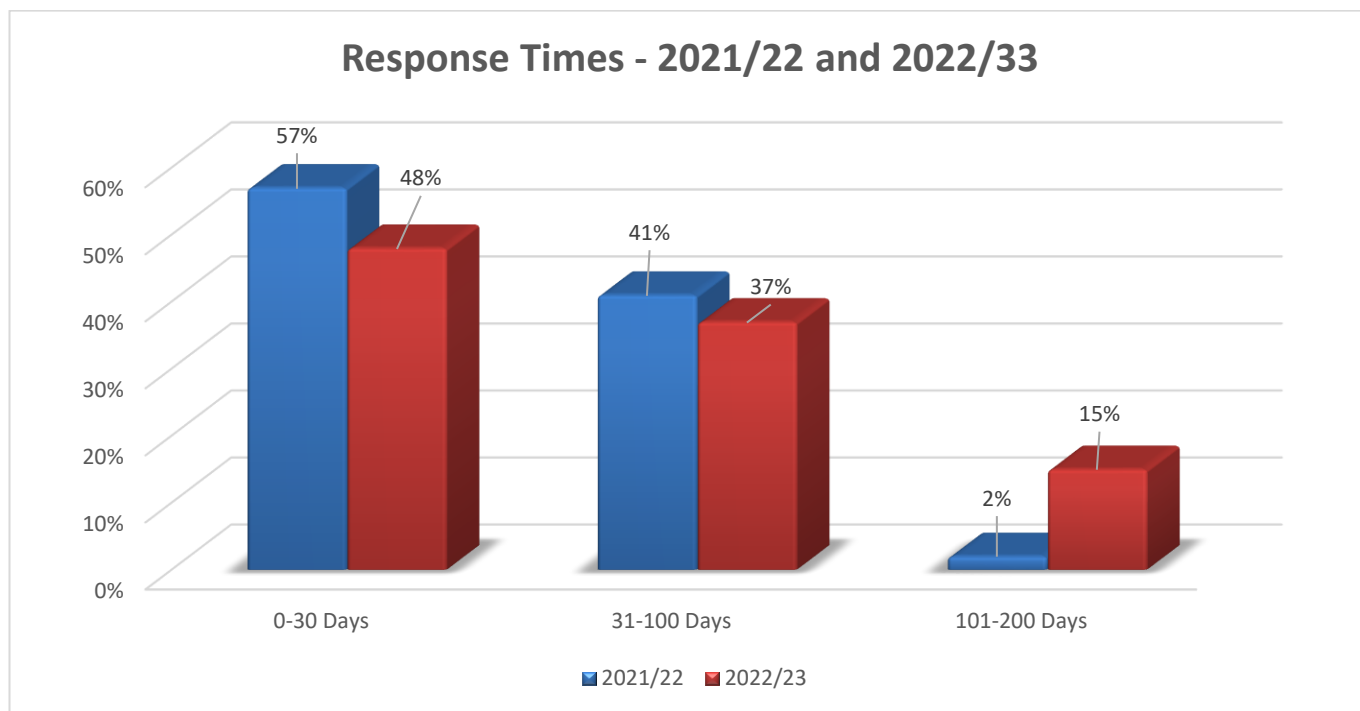


Figure 8: Complaint response times

We have seen a slight reduction in our timeliness of complaint response within 30 day from 57% in the year 21/22 to 48% in the year 22/23. We acknowledge that the 30 day response time is significantly shorter than the one prescribed by the LGO, and it is difficult to achieve at times as we often have to gather additional information to ensure we can provide an accurate and meaningful response to issue raised. We continue to set this as a standard that we want to achieve, in the delivery of good customer service.

As shown in figure 8, there has been an increase in complaint response times of over 100 days. This represents 14 complaints, and the detail of each one has been reviewed in order to establish if there are any themes or commonalities that have resulted in the length of time taken to conclude the complaint. In several instances, the complaint was dealt with and resolved in a timely way and the delay was around the administrative elements, for example, a concluding telephone call and letter being sent out. In other cases, the time taken to conclude the complaint was due to thorough investigations for more complex situations. In one of the cases the complaint was resolved after 3 separate meetings with the service user and their representative, a review of the case file and follow up with police colleagues which all took time to arrange and action.

Going forward there is an opportunity in our monthly performance meetings to identify those complaints that are taking a longer period to resolve, and for prioritisation of these matters to be made for a timely conclusion.

## 10. OUTCOME OF THE COMPLAINTS

The table below shows the breakdown of the outcome in relation to Stage 1, Stage 2 and LGO complaints.

	Issue category	Not upheld	Partially upheld	Upheld
<b>Complaint Stage 1</b>	Communication	10	3	
	Delay		4	4
	Eligibility for service		4	
	Financial assessment process	1	1	5
	Other	7		2
	Service delivery or quality	22	14	9
	Staff conduct	3	1	
<b>Complaint Stage 2</b>	Communication			
	Eligibility for service	2		
	Other		1	
	Service delivery and quality	1	1	
	Staff conduct			
<b>Grand total</b>		<b>46</b>	<b>29</b>	<b>20</b>

Table 2: Outcome of all complaints received and investigated in 2022/23

In 2022/23, 21% of complaints were upheld, a decrease from 22% in 2021/22. 31% were partially upheld in 2022/23 compared to 30% in the previous year. 48% of complaints were not upheld in 2022/23, which is the same as the previous year. This shows that whilst we continue to receive complaints, we are effectively improving our practice, systems and processes and delivering services in line with our statutory responsibilities.

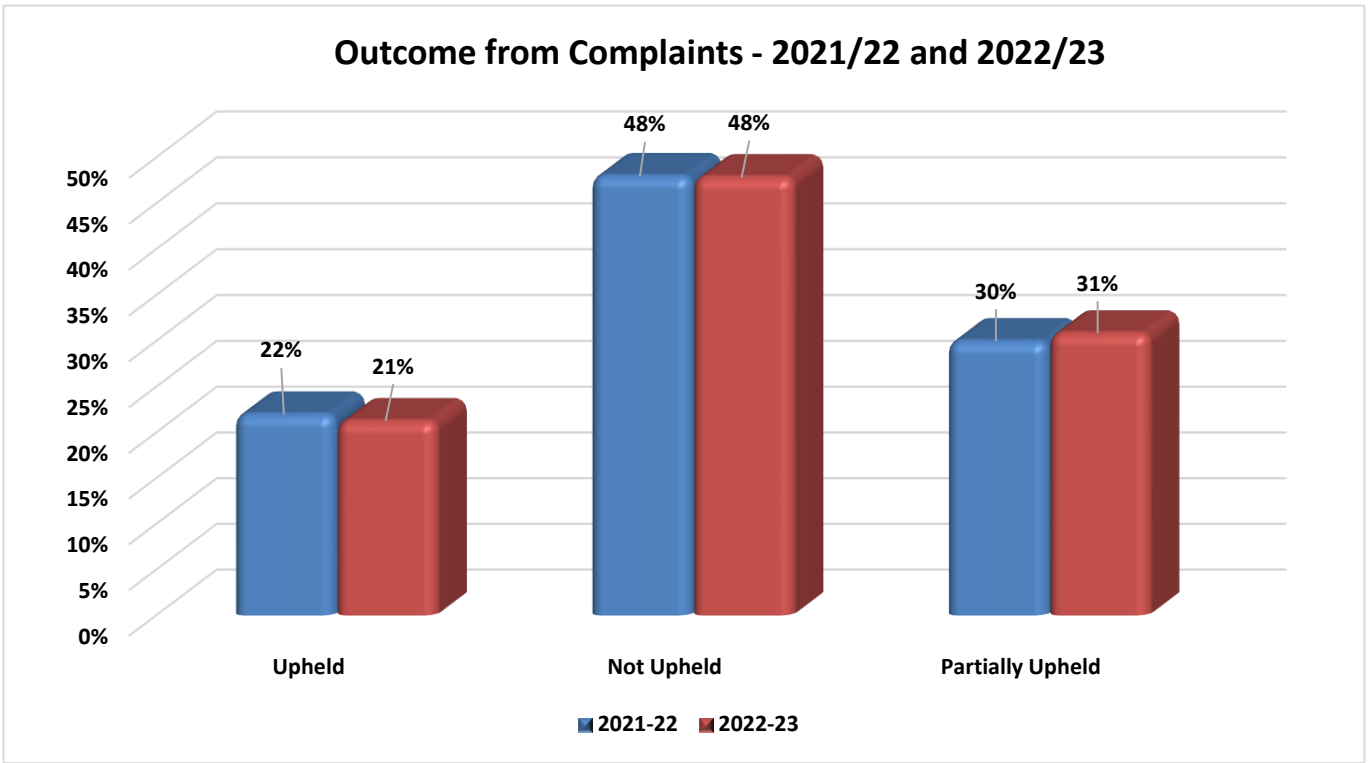


Figure 9: Outcome of complaints

## 11. SUMMARY OF COMPLAINTS MADE TO THE LOCAL GOVERNMENT OMBUDSMAN

LBL Ref	LGO Ref	Summary	Outcome
UFN10833113	21004725	Complaint regarding financial contributions and third party to up for residential care. This was remedied through a refund being paid with an additional distress payment.	Upheld; investigation discontinued due to Council offering suitable remedy for injustice.
UFN11279761	21008098	Complaint regarding the financial assessment process and the associated outcome which was a client contribution. The customer complained about failings in the services and support he receives from the Council's Adult Social Care Services, including being notified about the financial assessment and the need for a contribution towards the cost of the support received, causing an injustice. The remedy included an apology and re-assessment to review the support plan in place, carry out a further financial assessment, and discuss what would be required to reinstate direct payments. For these discussions to be facilitated with Mr X and an advocate.	Upheld; Maladministration and Injustice
UFN12611505	22001653	<p>Complaint about a (late) relative's financial assessment which was found to have had an error in its calculations, and the time it took the Council to look into and resolve this once the representative had made their initial enquiries about the matter.</p> <p>It has agreed to enable an application by her great-niece, Ms A, to become the administrator of the estate and so accept the back-payment due. This arrangement contributed to delays in the agreed payments being made which caused inconvenience to Mrs X's previous representative and the Council agrees to apologise to him and pay a remedy to recognise the time and trouble he went to in resolving the matter.</p>	Upheld; Maladministration and Injustice
UFN15219945	22003758	Complaint about the Council's Safeguarding Enquiry and how it was carried out and measures put in place to support the customer. The LGO determined that the Council correctly followed their S42 Enquiry processes and that	Not upheld; no injustice

		steps were taken to support Mr X to mitigate the identified risks.	
UFN16182549	22004656	Complaint that the Council reduced care support hours without a change in needs, has requested a client contribution towards care support and is not supporting her to arrange her care via a direct payment.	Case still under investigation

Table 3: Summary of complaints to the LGO 2022/2023

## 12. LEARNING FROM COMPLAINTS & MAKING IMPROVEMENTS

### TYPICAL COMPLAINT THEMES

#### Communication

Complaints raised the issue of not being able to contact the allocated worker despite sending emails and leaving voice messages. The majority of these instances relate to the allocated worker being on leave or out on visits. There were also complaints about a delay in getting in touch to complete the requested assessment or intervention.

**Action taken** – Standard out of office message formulated to be set by all practitioners stating when they were out of office and date they would be returning if they were on leave. The response details where the client could access support in the workers absence. Staff instructed to redirect their telephones and mobiles to duty numbers.

Similar standard out of office message for managers, with the contact details of the managers who are providing cover for them. In relation to delays which includes communication about waiting times, the front door re-design is setup to provide a responsive service and the monthly performance board has evidenced the reduction in waiting times. This will contribute to less delays and timely communication with service users and their families/ representatives.

#### Practice, Professionalism and Behaviours

Complaints identifying those timeframes had not been adhered to in returning calls, or in finalising an assessment/review, and delays in sending out documentation. In some of these cases it was clear that there was cause for complaint. In others, some of the delays related to ASC gathering information from others. However, the overarching issues here are: Timeliness, Communication and Recording.

**Action taken-** Lessons learnt from these complaints which have been discussed in Managers Meetings and during practice weeks include:

- Importance of maintaining good communication with clients and their representatives
- Standards of recording
- Requirement to share documentation in a timely way
- Requirement to implement services following assessment or review in a timely way
- Organisational and professional risk of not following statutory requirements
- Good practice guidance developed and shared with staff

#### Service Delivery

Complaints relating to delays in assessment being undertaken for new clients, or delays in reviews being undertaken when the persons needs have increased. There are a wide range of reasons for these delays, which include, the person being referred to the wrong team or department (CHC clients), volume of work coming into the department, mixed caseloads in teams, resulting in higher risk cases and safeguarding being prioritised. Some of the complaints identified as service delivery included where concerns had been

raised about care provision from care agencies, and in these instances it was helpful for the operational teams to work alongside commissioning and brokerage to remedy the situation.

**Action taken** – Streamlined pathways to get people to the right part of the service as quickly as possible by the redesign of community services which includes a Safeguarding Hub that receives all Safeguarding referrals for OP/PD and LD, and determines next actions; the information contact and assessment team which includes Age UK signposting to community services, and where all new assessment requests are completed; and community duty which works with service users already known to ASC.



### 13. KEY LEARNING THEMES

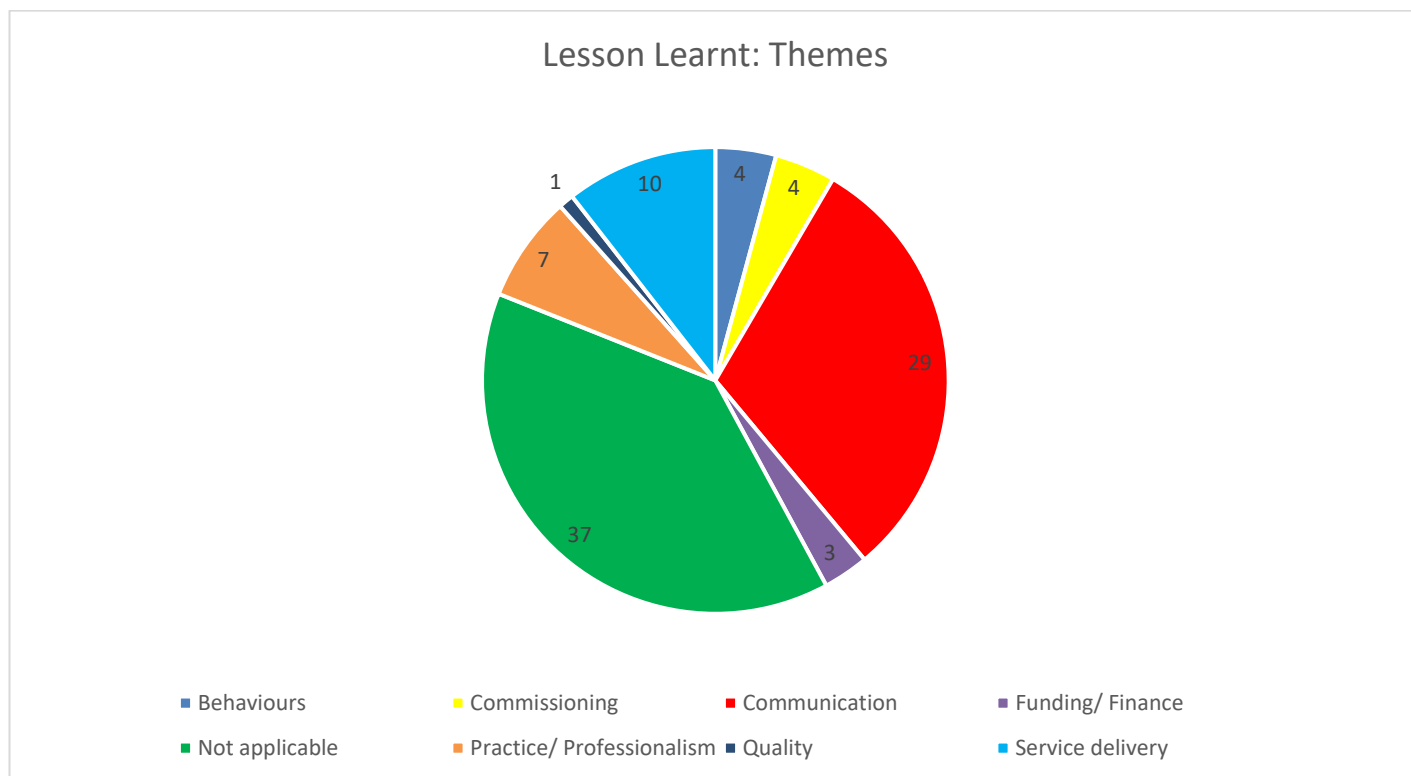


Figure 11: Learning Themes

Communication remains the single highest area of learning from the review of our complaints this year at 230%, with Service Delivery the second highest area for improvement at 11%. We continue to improve our website, improve our online referral forms and monitor our response times to telephone calls and referrals. This is being taken forward by our ASC engagement group.

We have 39% of complaints with a not applicable recorded in the learning theme. These are outcomes where the complaint has not been upheld, and no fault has been found. This also indicates that for 19% of cases that were not upheld, there was still learning identified from the case.

Lesson learnt theme	Actions taken / to be taken
Behaviours Practice/Professionalism Training and Development	<ul style="list-style-type: none"> <li>Learning from complaints and LGO's are tabled in meetings with Managers and staff, to disseminate the messages.</li> <li>Case studies, bought into peer support learning groups, for information sharing and problem solving</li> <li>Working with HR to review mandatory training compliance and to focus training sessions from areas of improvement, identified through Complaint, LGO's and quality audits</li> <li>Good Practice guidance developed</li> </ul>
Communication	<ul style="list-style-type: none"> <li>Website further developed to improve information available about our services and also now includes a 'Know your Rights' section</li> <li>New telephony system introduced</li> <li>Service redesigns have resulted in improvement in our timeliness of response and reduction in lost calls</li> </ul>

Funding/Finance	<ul style="list-style-type: none"> <li>Financial process review has been undertaken and project to strengthen and improve the financial assessment and billings and collection services is in progress. This is ongoing.</li> <li>Information relating to Disability Related Expenditure shared with Managers and Teams.</li> </ul>
Quality	<ul style="list-style-type: none"> <li>Head of Safeguarding &amp; Quality Assurance appointed to post in February 23</li> <li>Refreshed Quality Assurance Framework with programme of regular audits</li> <li>Audits on MCA, S.42 safeguarding work, assessment and reviews have been completed.</li> <li>Development of a safeguarding hub to improve our pathway into services and improve our initial response to concerns</li> <li>Complaints data reviewed at monthly performance board for all managers</li> </ul>
Service Delivery	<ul style="list-style-type: none"> <li>Redesign of our front door Information, Contact and Assessment Service improving and simplifying the pathway into mainstream ASC. Dedicated team to undertake new assessments, improve on quality, consistency and timeliness</li> <li>Developed a Centralised Community Duty team, to respond to enquiries relating to adults in receipt of a service. Simplified pathway into service, and reduction in hand-offs</li> </ul>

Table 4: Lessons learnt and actions

## 14. COMPLAINTS ABOUT COMMISSIONED SERVICES

### Introduction

Lambeth commissions services from a range of providers, including registered providers such as the 39 care homes in Lambeth, and the 42 domiciliary care providers on our approved provider list (APL), plus 26 additional specialist domiciliary care providers.

At the end of the 2022/23 financial year, in March 2023, Lambeth was commissioning approximately 4536 packages or services for 4278 individuals (some of whom receive more than one service). In total, Lambeth commissioned 338 provider organisations to deliver this care. It has been possible to consider data representing approximately 75% of all Lambeth funded placements for this report.

Whilst some services are commissioned on block contracts, many placements are individually spot-purchased arrangements. Where Lambeth has a commissioned contract with a provider, they are required to have policies and procedures that cover the recording and resolution of complaints.

The Care Quality Commission (CQC) requires that all registered services ensure that people can make a complaint about their care and treatment. To meet their standards providers must have an effective and accessible system for identifying, receiving, handling and responding to complaints from people using the service, people acting on their behalf or other stakeholders. All complaints must be investigated thoroughly, and any necessary action taken where failures have been identified.

Most complaints about commissioned services are made to, and resolved by, the provider without involvement from Lambeth Integrated Health and Care.

Some complaints concern significant or recurring incidents which are dealt with through Lambeth's routine quality and safety monitoring and provider concern process. These incidents are usually

concerns relating to quality and safety. Key provider concerns are reported to the Lambeth's Quality Assurance Board. Issues or incidents which put the safety or wellbeing of one or more service user at risk are reported by providers and resolved through Lambeth's safeguarding processes.

## Summary Findings

Grouping complaint data by whether it has come from Lambeth's Block Contract services, or from Spot Placement services leads to a breakdown as follows in Table 1.

**Table 1: Complaints by Contract Type**

Service Type	No of Placements	Complaints	Substantiated			
			Yes	Partly	No	Ongoing
Spot Purchased Care Placements	434	61	29	7	20	5
Block Contracts	2956	200	76	41	61	8
<b>Total</b>	<b>3390</b>	<b>261</b>	<b>105</b>	<b>48</b>	<b>81</b>	<b>13</b>

## Block Contract Complaints

Complaint data is reported as part of routine contract monitoring where services are delivered as part of a block contract commissioned by Lambeth. A summary of the complaints received by these providers is available in Table 1 below:

**Table 2.a: Block Contract Complaints**

Service Type	No of Placements	Complaints	substantiated			
			Yes	Partly	No	Ongoing
Day centre	58	2	1	1	0	0
Extra Care	44	6	1	0	3	2
Floating Support	85	2	2	0	0	0
Home Care (Domiciliary Care)	2057	131	44	29	41	3
ILCP	N/A	2	1	1	0	0
Mental health	350	2	0	2	0	0
Care homes	174	33	12	4	15	2
Shared Lives	29	0	0	0	0	0
Supported Living (Mental Health & Learning Disabilities)	39	9	2	4	2	1
Transport*	120	9	9	0	0	0
<b>Total</b>	<b>2956</b>	<b>200</b>	<b>76</b>	<b>41</b>	<b>61</b>	<b>8</b>

Of the 200 complaints received by Lambeth's block contract providers, 76 were substantiated on investigation, and 41 were partially substantiated.

Most complaints made to block contract providers were made regarding providers on the domiciliary care framework. This framework is substantially the largest contract held by Lambeth Adult Social Care. 2,100 people receive support through the framework, which equates to an approximate annual rate of one complaint per 15 service users. Over the course of the year over 4 million hours of home care support was provided, which comes to approximately 47,000 hours per week.

This data could be improved by providing guidance alongside a standardised complaint reporting framework. Commissioners have encouraged and improved complaints recording and reporting, however there are still some discrepancies across service areas and providers. Learning from this will be

carried forward to next year's complaints data gathering process., which should provide better insight into quality of service received by Lambeth's residents.

### 7.3 Individual Placement Complaints

In addition to individuals whose support is provided through block contracts between Lambeth and service providers, many individuals receive care and support commissioned through individual spot placements, which are not governed by the same contractual requirements, including with regards to recording and reporting complaints. Registered providers still must meet the standards set by the regulator, CQC.

Commissioners contacted all providers of spot purchased care and support placements and asked them to report on the complaints they had received in the 22/23 financial year. 110 organisations responded in time for inclusion in this report..

**Table 3: Spot Placement Complaints**

Service type	Nr of providers responded	number of Lambeth placements	number of complaints	Substantiated?			
				Yes	Partially	No	Ongoing
Day Centre	8	39	3	3	0	0	0
Extra Care	1	40	3	1	2	0	0
Home Care	9	157	28	13	3	11	1
Care home	32	114	14	2	1	7	4
Supported	23	84	13	10	1	2	0
<b>Spot Placement Total</b>	<b>73</b>	<b>434</b>	<b>61</b>	<b>29</b>	<b>7</b>	<b>20</b>	<b>5</b>

### 7.4 Typical Complaint Themes

The nature of complaints made in 2022/23 are similar to those in the preceding year. Reviewing a non-exhaustive selection of complaints submitted by providers last year, they broadly can be grouped into three themes: Quality of Care; Timekeeping and Delays; and Communication. Below are case studies that illustrate each of the three most prominent themes.

- **Quality of Care** - A new attendee to a day centre with ASD and requiring 1:1 support was provided with a support worker with no experience or training of ASD. This led to a difficult start for this new student and the staff at the workshop. The care agency has since been changed and a new support worker with lived experience is supporting the student after both her mother and the day centre complained.
- **Rotas, Timekeeping and Delays** – A student was not collected by his travel buddy escort at the end of the day on at least two occasions resulting in him being taken home by a manager and arriving 2 hours late. The person now has a taxi arrangement after his mother complained.
- **Communication** – A client reported that her carer had not turned up. She called the provider office and subsequently also complained about the response she received during this phone call. The service manager apologised for the missed visit and response. An investigation found that the carer who was scheduled to provide care did not log in to the care visit as she was having problems with her phone. This was not immediately flagged with the provider due to the system they use for staff to log in to visits. This incident led to a more proactive process for monitoring staff use of log-in system.

The majority of complaints are investigated and resolved by providers, and learning adopted, without need for officer involvement.

Some complaints are made regarding incidents which reach thresholds for Section 42 enquiries. Incidents of this type are reported directly to Lambeth and managed in line with the Lambeth Safeguarding Adults Board policy and processes, with support from commissioners as required.

Where there are repeated complaints on similar issues at the same provider, this may indicate organisational concerns that are investigated by commissioners. If it is determined that issues rise to the threshold to be considered a provider concern, they are managed in line with the Lambeth provider concerns policy.

## **Safeguarding**

Of 228 complaints received by service providers, only 10, or less than 4%, lead to safeguarding investigations that were found to be substantiated. Three of the complaints about block contract services led to substantiated safeguarding investigations.

There were 61 reported complaints about spot placement providers in other areas. Seven were found to be substantiated safeguarding concerns. In these situations, Lambeth worked with the host Local Authority in which the service is situated to resolve the issues, keeping the safety and wellbeing of people receiving support central to decision making.

## **Substantiated Safeguarding Concerns**

There was no clear theme that emerged from the safeguarding concerns raised due to an initial complaint. Issues highlighted that were concerned with staff competency or the level of support a person receiving being inadequate were addressed and resolved by service providers. This would have been with the support and oversight of the investigating local authority.

Two of the complaints not relating directly to level of care of staff competency was neglect of property people were residing in one had a pest infestation and another was found to be very dirty. Discovery of these conditions lead to review by service provider's and they were resolved.

## **Compliments for Commissioned Services**

The services that Lambeth commissions also receive compliments, primarily from service users and their family members. Whilst compliments are not recorded systematically, below are examples of typical compliments received by commissioned homecare providers:

Daughter sent the following email: Just a quick email to say thank you for providing care for my mum. In particular, K is such a nice & warm carer and my mum likes her very much, and she is very happy having her. Many thanks from all of us

J contacted to say the carer had just left, and stated she is great and so glad she came and thanked me so much for sending her, she mentioned that she hopes she would be the one coming tomorrow of which I mentioned she doesn't normally work on Sunday, but i would ask and get back to her. Contacted the carer advice her she had received a compliment and read out the text received & then asked if she was able too, could she visit her in the morning of which she agreed to go.

Z called to say the carer this morning gave her a proper wash and she feels nice and clean , she said the carer sat and talked with her and when she mentioned that she was hot and couldn't feel the fan breeze , the carer came up with an idea to buy her an extension lead so that the fan could come closer, Z gave the carer 6 pounds and she brought her an extension lead and now feels cool throughout the day.. Z went on to say the heat was very bad and mentioned its even worse for me as I'm confound to a bed , but thanks to [the carer] I'm feeling nice and cool Now...

I especially ask you to thank the office staff for the good organization of the service during the holidays in December and January. I want to note the good work of the cares group at the present time.

**Appendix B – Breakdown of home care complaints by provider**

**Table 2.b: Complaints to Home Care services by provider**

<b>Care Provider</b>	<b>No of Placements</b>	<b>Complaints received</b>	<b>Approx. complaints per placement/ service user</b>	<b>substantiated complaints</b>	<b>Approx. substantiated complaints per placement/ service user</b>
Provider 1	100	2	1 for 50 SUs	2	1 for 50
Provider 2	173	39	1 for 4 SUs	12	1 for 14
Provider 3	121	2	1 for 60 SUs	2	1 for 60
Provider 4	27	5	1 for 5 SUs	4	1 for 7
Provider 5	192	10	1 for 20 SUs	2	1 for 96
Provider 6	88	4	1 for 22 SUs	4	1 for 22
Provider 7	82	1	1 for 82	0	0
Provider 8	36	2	1 for 18	1	1 for 36
Provider 9	135	16	1 for 8	4	1 for 34
Provider 10	8	0	0	0	0
Provider 11	99	6	1 for 16	2	1 for 50
Provider 12	171	13	1 for 13	2	1 for 86
Provider 13	132	6	1 for 22	0	0
Provider 14	170	12	1 for 14	2	1 for 85
Provider 15	77	1	1 for 77	1	1 for 77
Provider 16	99	1	1 for 99	1	1 for 99
Provider 17	81	8	1 for 10	2	1 for 40
Provider 18	7	0	0	0	0
Provider 19	228	1	1 for 228	1	1 for 228
Provider 20	31	2	1 for 15	2	1 for 15
<b>Home Care Total</b>	<b>2057</b>	<b>131</b>	<b>1 for 15 or 6.4%</b>	<b>44</b>	<b>1 for 46 or 2.1%</b>

## 15. EQUALITY DEMOGRAPHICS

The demographic data relating to the people who are making complaints to ASC are broadly representative of the people in receipt of service. This is an area we are keen to focus our attention on so that we can be certain that we are not disadvantaging any client or groups of people. If there are increases in particular groups of people relating to their individual protected characteristics, we can focus on those areas of disadvantage and dissatisfaction.

We are aware that there are areas to improve on with regards to recording our demographic data. These include ensuring that key demographic data is recorded as part of the complaint process covering: Religion, Gender identity & Sexuality, Disability, Race and Age. This data is key in helping to have a better understanding of the protected characteristics of the people that use our services which will further assist us in understanding barriers that people may face in relation to Adult Social Care services.

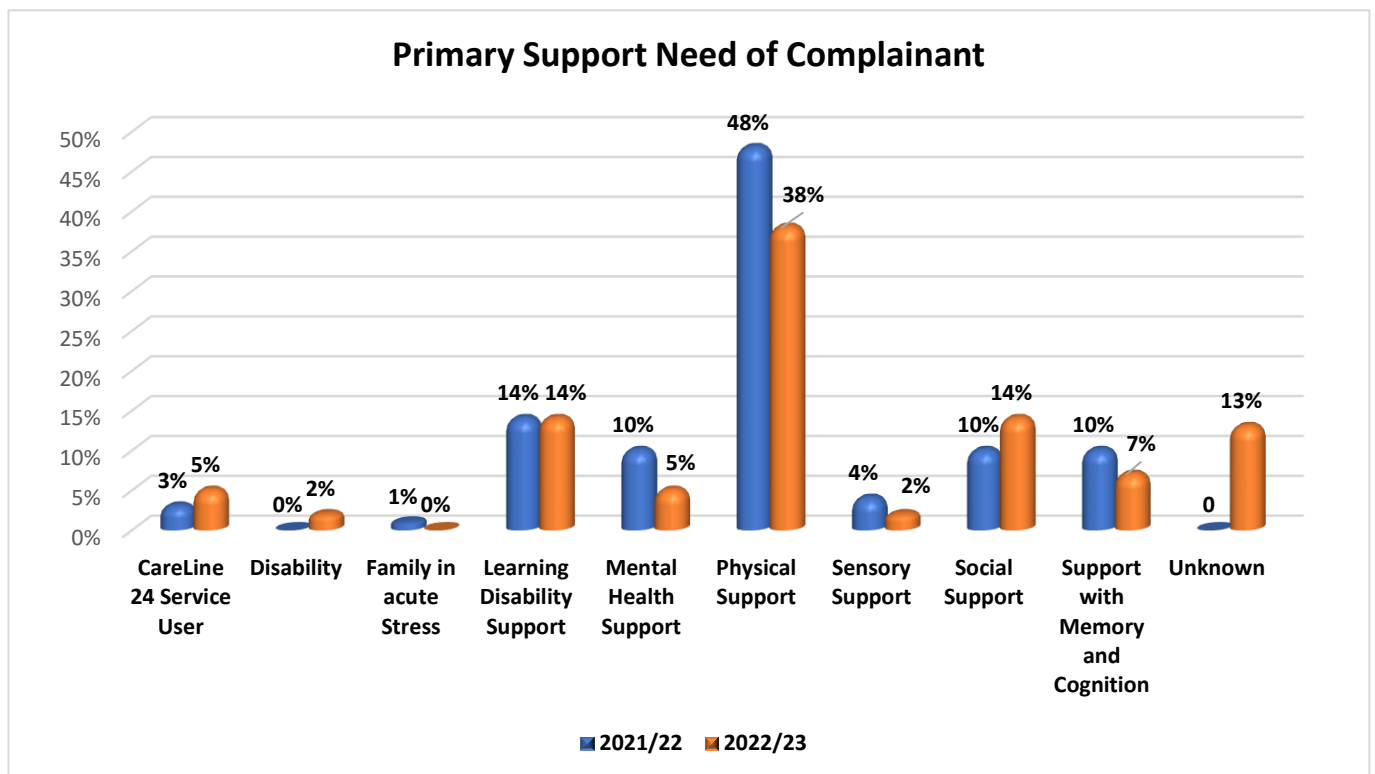


Figure 12: Primary need of complainant

### Age Range of Complainant - 2021/22 and 2022/23

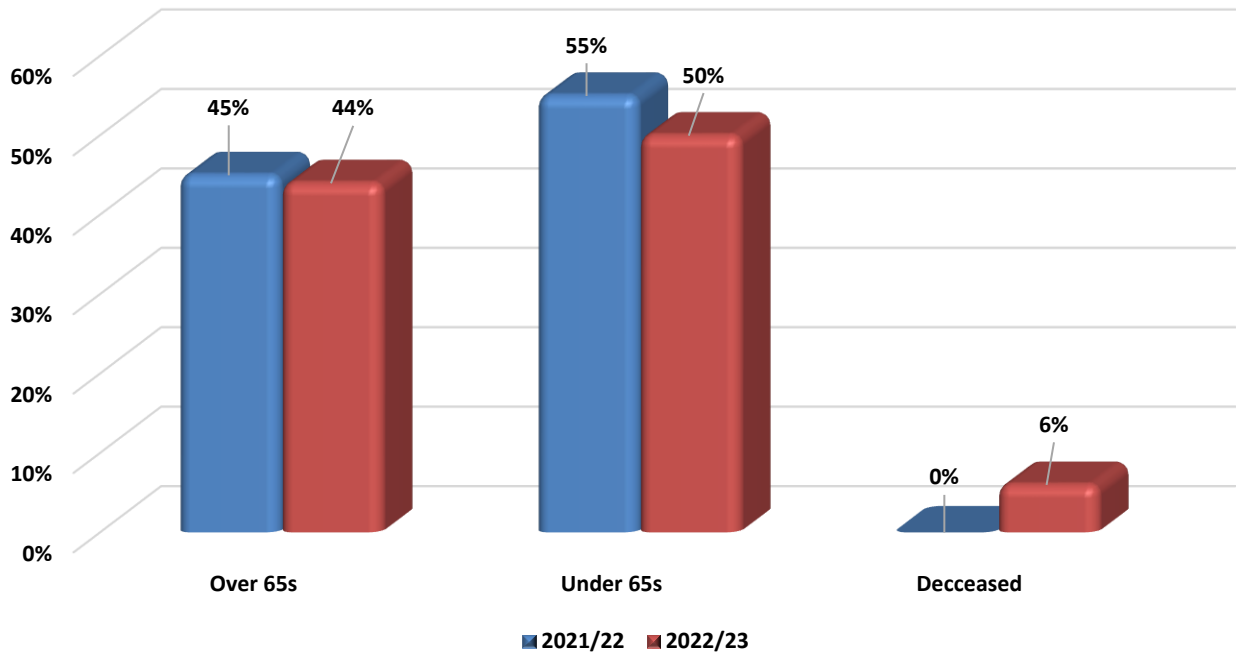


Figure 13: Age range of complainant

### Gender of Complainant - 2021/22 and 2022/23

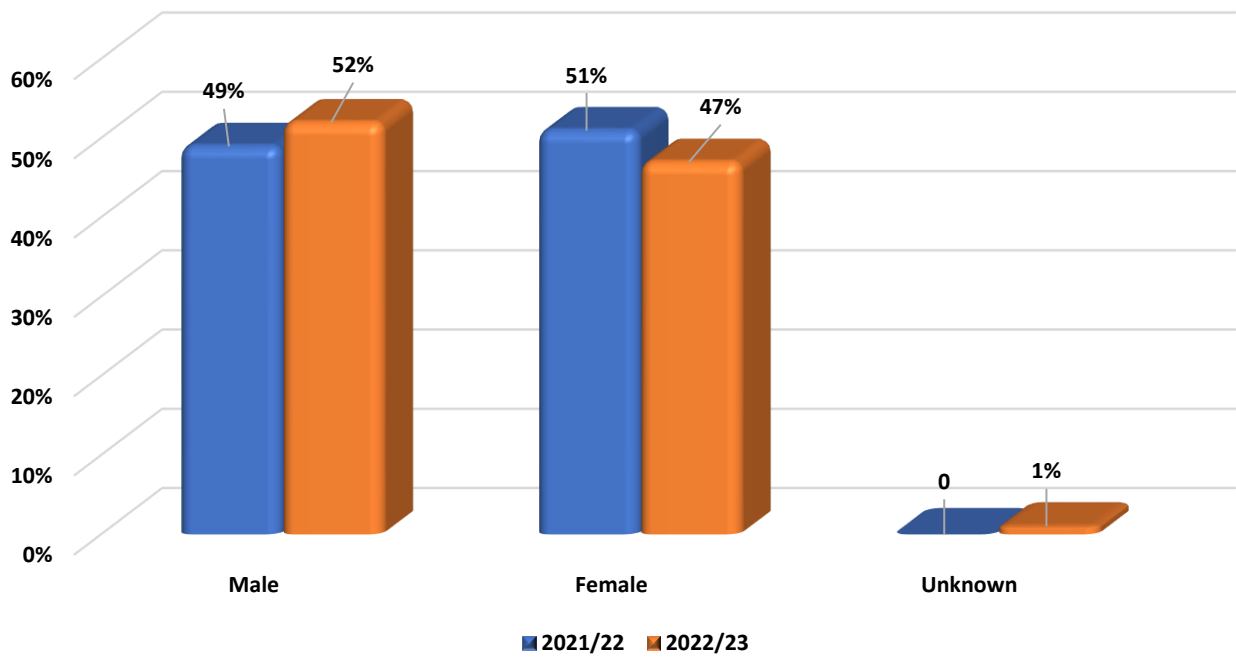


Figure 14: Gender of complainant



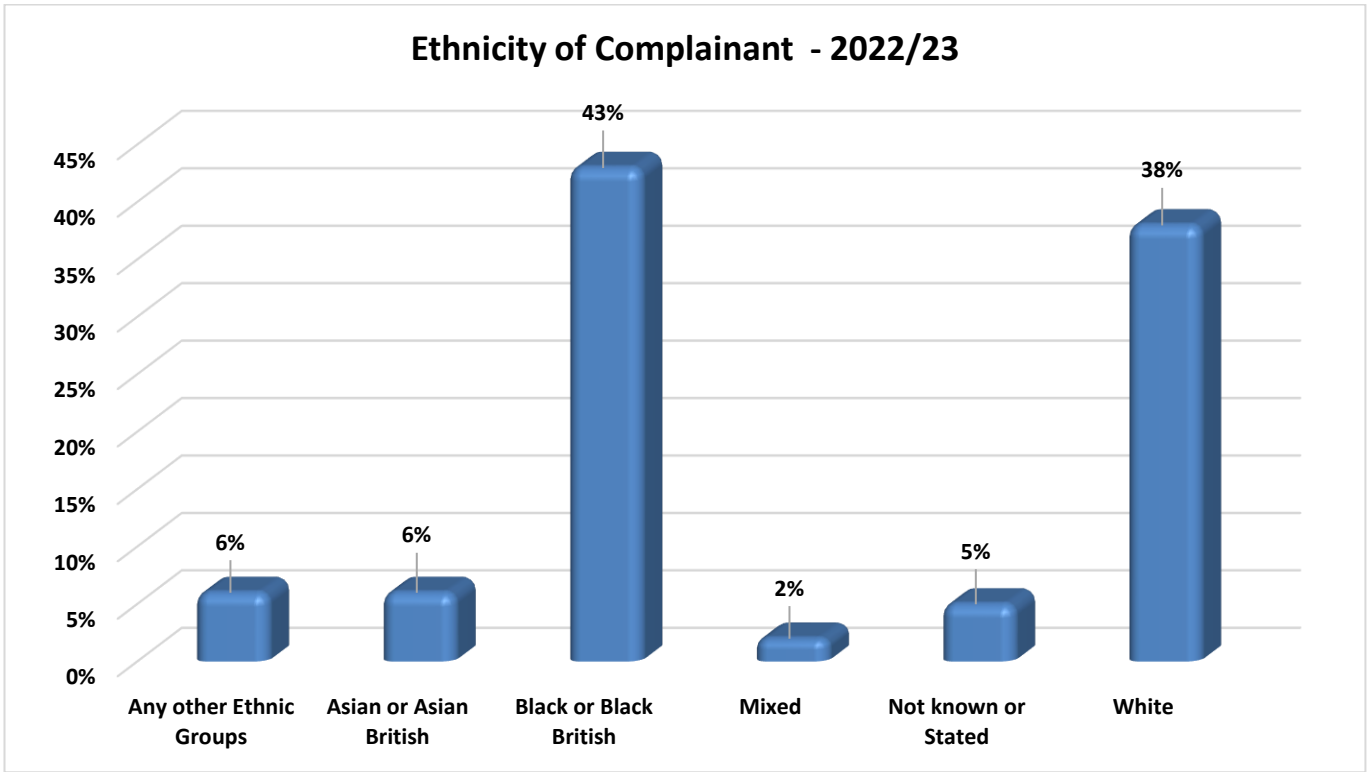


Figure 15: Ethnicity of complainant

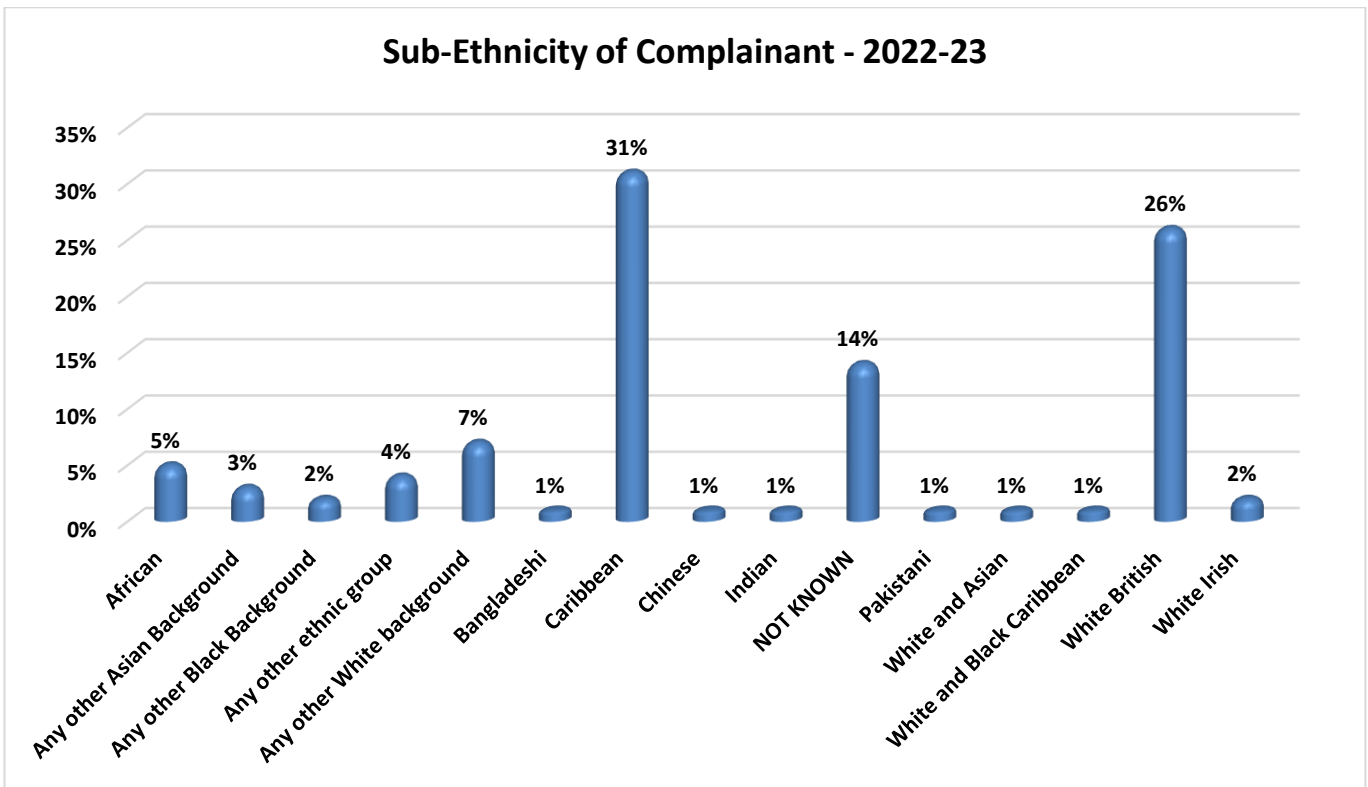


Figure 16: Sub-Ethnicity of complainant

## 16. HOW THE COMPLAINTS WERE RECEIVED

By far and away the primary source of receiving complaints is by e-mail, generally through our Adult Social Care Complaints account. This is broadly representative of the primary method of communicating with the department although we are aiming to increase the use of our online forms through our website and this may impact the primary way in which we receive complaints, going forward.

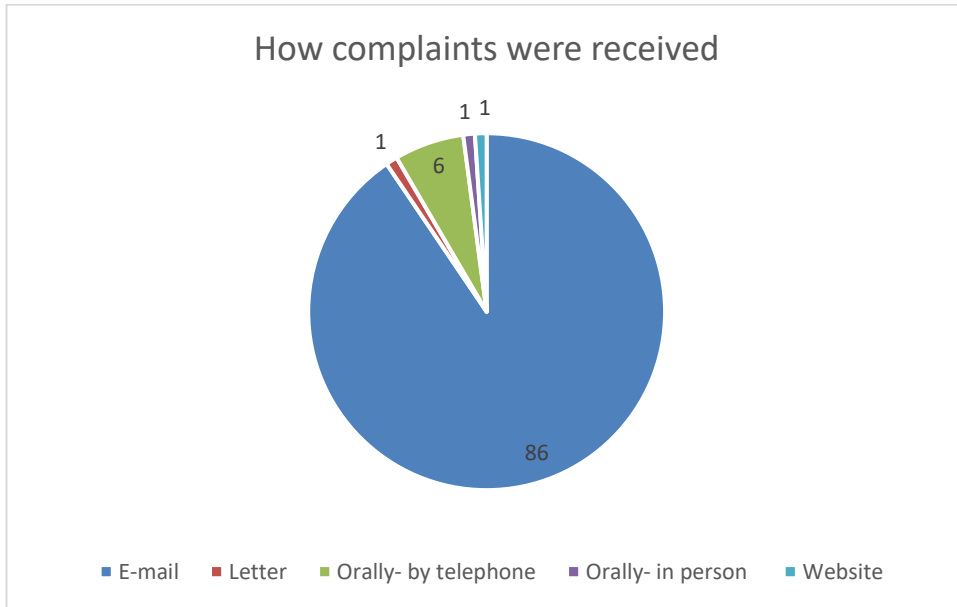


Figure 17: How complaints were received

## 17. COMPLIMENTS

Adult Social Care recorded 26 compliments in this reporting year. We continue to encourage staff to log compliments sent to them so that we can acknowledge their hard work and share with teams, what made the difference for these clients and their families. This is being further supported by our refreshed Quality Assurance Framework which includes triangulation of case audits completed, including a conversation directly with the service user or their representative to find out about their experience of the service. This is in early stages of being rolled out and has already captured compliments about strength based and person-centred interactions. We look forward to showcasing this in the 23/24 annual complaints and compliments report.

## 18. WHAT THE COMPLIMENTS WERE ABOUT



Figure 18: Compliment themes for 2022/23

As illustrated, the two main themes around compliments received were for staff conduct and professionalism (46%) and Service delivery or quality (42%). This reflects some of the excellent, person centred and efficient work being undertaken in the operational teams and reflects the values and behaviours we have at Lambeth ASC.

Below are some examples of the compliments received.

*I am the mother of xxx and I just wanted to express my appreciation to Alexander and especially Kiri (who has been working with xxx for a few years). They have both proved to be efficient, professional, and sincere in doing their job. The efforts they have displayed, by working hard to achieve and get the desired results have been appreciated by my family. We are grateful for all the help and support given to xxx and the family.*

*"I just wanted to let you know on behalf of my family how grateful we are to have had the assistance of Claire Marum with our Mum's recent discharge from hospital. Claire was very quick to understand Mum's complex needs and situation, and was also profoundly empathic and supportive towards us all. She took time to listen, and was also diligent in putting Mum forward for further support and services. We all know what pressure social services and health services are under these days, which makes her care and hard work even more extraordinary and even more appreciated. Claire is a wonderful person to have on one's side in a crisis! If others on your team are similar, then you are running a wonderful team. A huge thank you to you for that and all your hard work for the community."*

*"Hi Jo-Ann I have never really thanked you properly for the support you have given to myself and M. I know this is the job you do but I think you went over and above what was required on so many levels and I will never forget you and I will always be grateful. It has been 18 months -ish and all is good. Mainly thanks to you. M is doing OK, actually he is doing very well. Nothing is perfect but M is very happy. Without your support M's transition would not have happened. How many false starts were there? Gosh. But You were determined and accepted all my calls no matter how often , what time of the day. You showed compassion when I was my usual angry with the world self! I saw many, many things on the ward that I would not like to repeat and I am sure you saw/heard of them too! Thankfully he is in placement where he can have alone time but also engage with his peers when he wants to. He has an oodles of open space which he takes advantage when he chooses and he accesses the community when he chooses to. He has recently started shopping for his own clothes and toiletries 'independently' with staff support. Equally he can meditate on his terms and is supported to do so. I am still a regular visitor to x but I can go away on holiday and it is not a thing. We communicate on a Facebook call and he is completely chilled with that. I have my life back (to some extent anyway) because of you . You saved my son. Thank you."*

*“Thank you for your visit and again thank you so much for the MCA and Housing Information you sent over on Tuesday. It was all so incredibly helpful. I called the hft after reading about them in the info you sent. They have arranged to call me back next week to discuss the possibility of putting some support in place for Z and I. Using the information, you sent Z and I were able to talk about accommodation options without the usual anxiety causing to think I wanted him to leave home and him saying will be die if he has to live away from home. The information helped Z to see it in a different context, using your presentation Z made the task more interesting for Z. Z and I plan to create an accommodation board, hopefully Z and I will be able to continue to talk about accommodation options, the responsibilities of sharing a home and about what an alternate home might be. Thank you for bring some closure to questions I have been asking since 2018, signing off before I start crying again...”*

*“Dear Julie, It was such a pleasure speaking with you today. Thank you for giving so much time and for outlining all the amazing work and developments you are hoping to put in place. I got a heavy feeling when the message about a review came in. But soon into our conversation, that lifted and changed into lightness and reassurance and I very much look forward to meeting you with mum on Friday 17th at 12pm at Windmill. I'd like to take this opportunity to say how impressed I am with your warmth, professionalism and care, and the passion and humanity you clearly bring to your work. Social services often get a bad image/negative perceptions. I have read such difficult stories on the Alzheimer's forums etc. ...I have developed such a positive view of Lambeth Adult Care SS in all my dealings to date, but within a group of great people, you stand out as far exceeding anything I, or, I suspect, most people in my situation would have imagined. You are clearly one of those special people who love their job and your clients, and hold respect, compassion and professional standards at heart of what you do. I know that should be a given, but we all know that is not always the case. You are a shining example of social care at its best and so, please pass this email to your supervisor/manager/head of dept, with my consent and gratitude. “*

## 19. APPENDIX A: WHAT IS A COMPLAINT?

A complaint is an expression of dissatisfaction about an adult social care service, whether that service is provided directly by the council or by a contractor or partner, which requires a response. There is no difference between a 'formal' and an 'informal' complaint. Both are expressions of dissatisfaction that require a response.

As most of our work in adult social care is involved with supporting people to overcome problems, our staff will often hear about a lot of things that are not going as well as our customers would like. Service users and their representatives do not have to label an issue as a complaint for it to be addressed in line with our policy and the regulations. It is up to the Council to ensure it can recognise when an issue is a complaint.

### What comes under the Lambeth Adult Social Care Complaints process?

The adult social care complaints process can be used where these relate to adult social care, which includes:

- Assessment and care planning by assessors, Occupational Therapists and Social Workers
- Our work in commissioning and contract management of social care service providers
- Financial assessment and charging in relation to adult social care
- Safeguarding adults enquiries regarding where there are concerns about abuse or neglect of an adult with care and support needs
- The Council's Supervisory Body function under the Deprivation of Liberty Safeguards of the Mental Capacity Act 2005
- Handling Direct Payments for social care
- Clients Affairs work such as benefit support/advice
- Management of affairs such as through Appointeeship
- Management of affairs through the Mental Capacity Act 2005 such as a Deputy
- In-house social care provision such as day centres that the council manage

The Adult Social Care process can be used to address things like:

- Quality or amount of service
- Charges for a service
- A decision
- Failure to follow correct procedure
- Delay
- Application of assessment and eligibility criteria
- Attitude or behaviour of staff
- Failure to communicate with people either reasonably clearly or in a timely manner

People who are paying a charge for home care and similar services may either seek a review of their assessed charge using the Council's Fairer Contributions Policy Review and Appeals process, or they may make a formal complaint to the Council if they are dissatisfied with any aspect of the assessment. The flexibility to use either process is in line with the requirements of the "Fairer Charging Guidance".

### What is not covered by the Adult Social Care Complaints process?

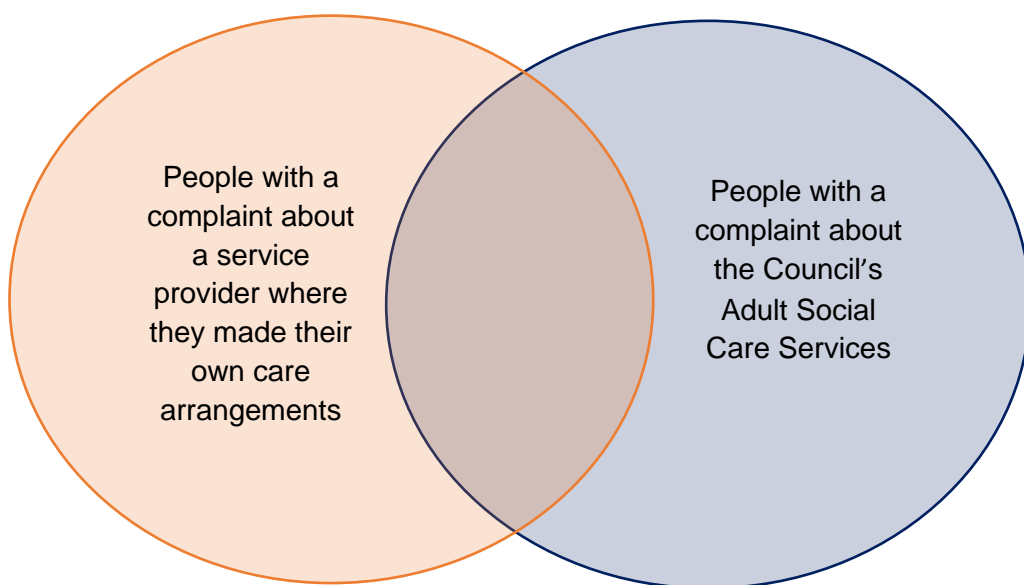
There are things that the Adult Social Care complaints process cannot be used for:

- Matters that should be dealt with through other procedures. This includes things that should be dealt with under
  - Disciplinary or grievance proceedings
  - Criminal investigations
  - Where a statutory appeals process is in place
  - Where the complainant intends to take legal proceedings in relation to the substance of the complaint

- A complaint by another organisation, unless that organisation is acting as the representative of the person as described in the section below
- Complaints which relate to contractual arrangements or other business arrangements made with the Local Authority
- Complaints by an employee of the Local Authority about any matter relating to that employment
- Complaints that have already been dealt with in line the Regulations
- Any complaint which is being or has been investigated by the Local Government Ombudsman
- Complaints arising out of the alleged failure to comply with a request for information under the Freedom of Information Act 2000
- Complaints arising out of the alleged failure to comply with a request for information under the Data Protection Act 1998

### **Complaints about social care providers**

Complaints about social care services provided by independent and voluntary providers will need to be responded to by that service using its own complaints process. However, where there has been involvement from the local authority, such as having commissioned the care from that independent provider, the matter will fall within the local authority complaints process as well as that of the organisation providing the service. This allows the local authority to oversee the process of managing complaints and scrutinise the outcomes.



**Care Provider Complaints Process**

**Adult Social Care Complaint Process**

*Figure 1: The relationship between the Council's complaints process and a care provider's process*

### **Complaints about Direct Payments**

Service users and their representatives cannot raise issues under the Complaints Procedure about services that they arrange and pay for themselves through a direct payment or a personal budget. However, issues can be dealt with under this process that relate to the Local Authority's role in Direct Payments or Personalised Budgets, for example in determining the amount of service or in the advice and assistance given in setting up and managing such payments.

## 20. APPENDIX C: HOW WE RESPOND TO COMPLAINTS

The Regulations define two key roles:

**The Responsible Person:** This person is responsible for ensuring compliance with the arrangements made under these Regulations, and ensuring that action is taken if necessary, in the light of the outcomes of a complaint. In Lambeth, this is the Executive Director of Adult Social Care.

**The Complaints Manager:**

This person is responsible for managing the procedures for handling and considering complaints in accordance with the arrangements made under these Regulations. In Lambeth, this is the Deputy Director for Adult Social Care.

In practice, these roles are often delegated, with the Team Manager of the relevant social work team taking on the delegated Complaints Manager role and the Head of Service for that area taking on the delegated Responsible Person role. This is monitored at the monthly ASC performance board.

Sometimes the complaints relate to the service provided directly by our social work teams, and others may relate to other parts of our services or to services we have arranged from another organisation such as a care home or community support service. The coordination of the response is done via our social work teams.

If the person who made the complaint is still dissatisfied after we have responded to their complaint, they have the right to appeal and the matter will be considered under a stage 2 complaint. Following this, if the person still feels dissatisfied by the response to their complaint, they can take the matter to the Local Government Ombudsman. The Ombudsman will review the situation and will reach a view as to whether the local authority has caused an injustice to the person or whether the way it has dealt with the matter amounts to maladministration. In serious cases, it may make its finding public.

The response to all adult social care complaints is now led by the relevant social work team and Mosaic (the Adult Social Care case recording system) is used for recording adult social care complaints. This allows the integration of complaints recording with client records to support the department in taking account of the whole picture of the work being undertaken with each person.



# 21. APPENDIX D: COMPLAINT PROCESS FLOWCHART

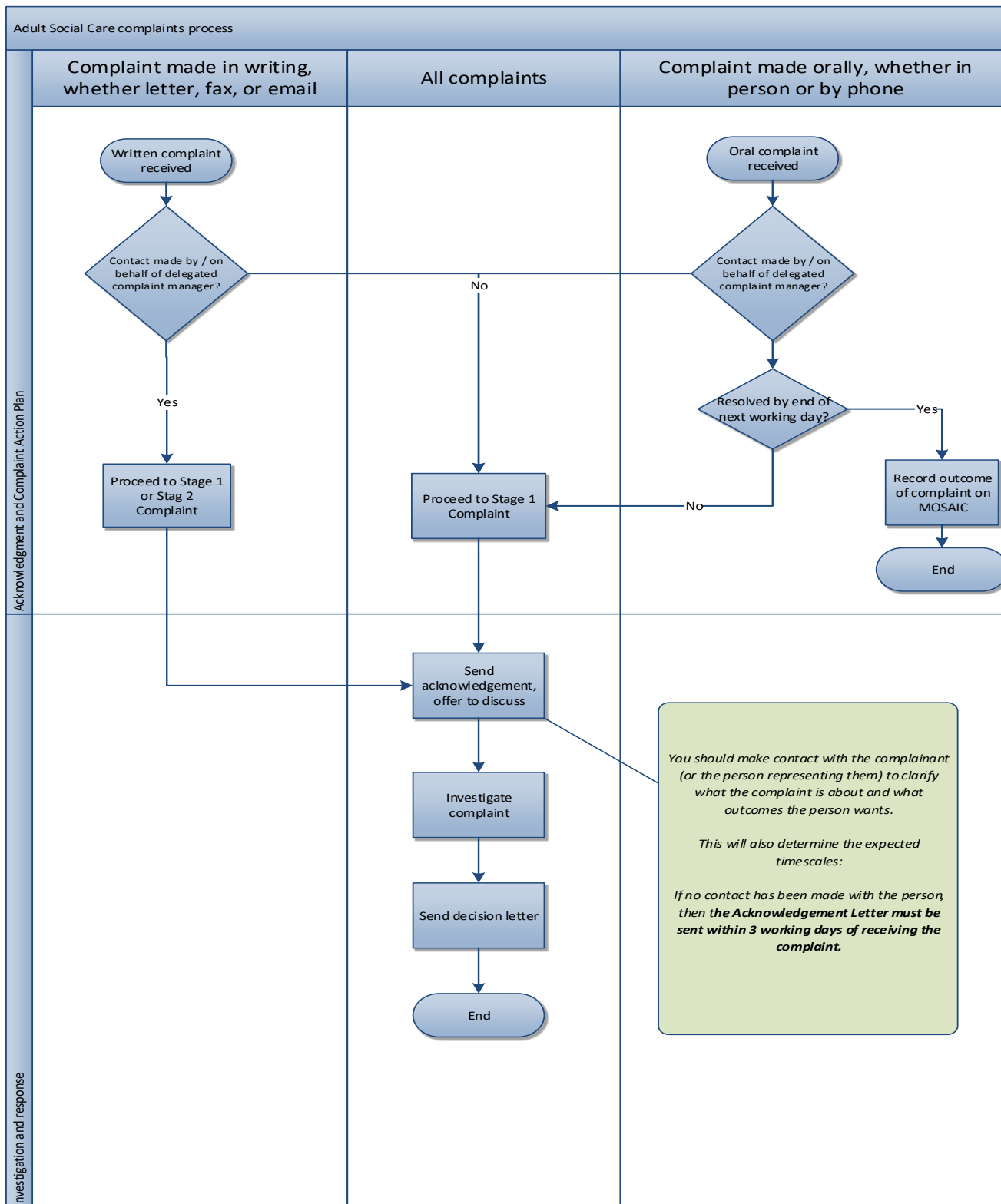


Figure 19: Complaint process flowchart