

ADULT SOCIAL CARE ANNUAL COMPLAINTS REPORT

2023-2024

Westminster City Council

Westminster City Hall
64 Victoria Street
London SW1E 6QP

020 7641 6000
westminster.gov.uk



City of Westminster

Table of contents

At a glance	3
About this report	4
About the process	4
Volume of complaints	4
Nature of complaints	5
Complaints activity by team	5
Outcomes	7
Local Government and Social Care Ombudsman activity	8
Member enquiries	8
Compliments	9
Learning for Service Improvement	9
Our priorities for 2024/25	11
Team Details	12



Volume

132 statutory complaints received



Complaints by nature of issue
23% of total complaints were about communication
43% of total complaints were about service quality



Complaints by Service Area
50% of total complaints relate to care and assessment

21% of total complaints relate to home care provision



Outcomes

26% Upheld
53 % Not Upheld
21% Partially Upheld



Member Enquiries

128 enquiries received this year

Compliments

29 received this year



Escalations

3 Local Government and Social Care Ombudsman investigations completed

About this report

This report provides an overview of complaints, compliments and investigations between April 2023 and March 2024. The report highlights how various services within Adult Social Care (ASC) have performed in line with key principles outlined in the Local Authority Social Services and National Health Complaints (England) Regulations 2009 and the complaints process.

About the complaints process

Our one-stage process for statutory complaints is in line with The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 and related Department of Health and Social Care's (DHSC) guidance. All complaints are logged and acknowledged by the Customer Engagement (CE) Team within three working days. The Council will try to resolve the complaint within 10 working days. If more time is required, this is agreed with the complainant.

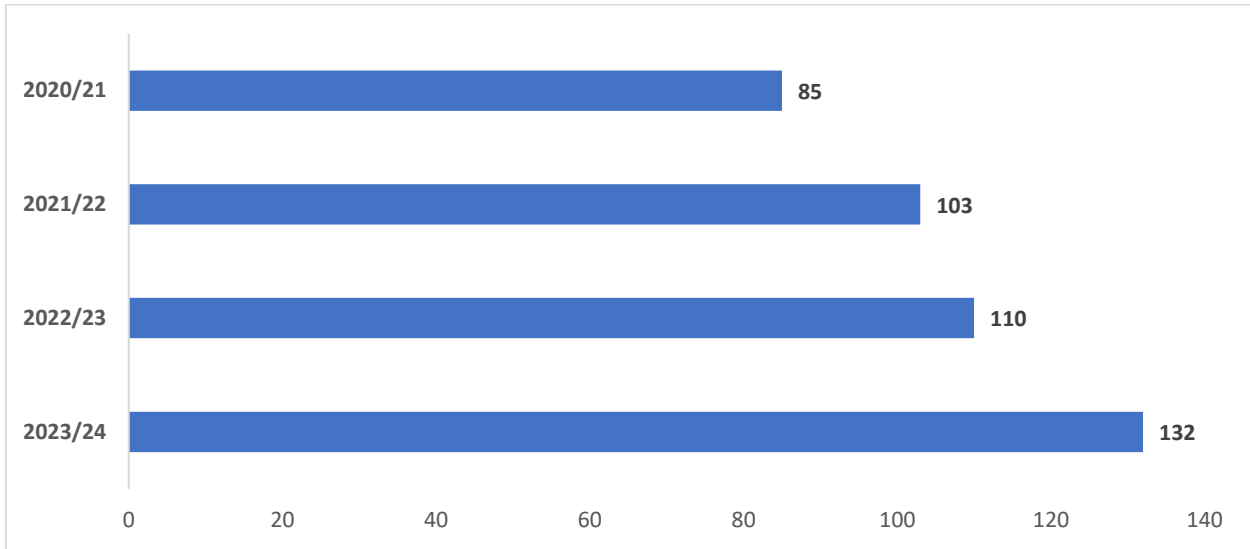
Anyone who has received a service, is currently receiving a service, or is seeking a service from the Council can make a statutory complaint. This includes anyone who is affected by decisions the Council might make about social care, including a service provided by an external provider acting on the Council's behalf e.g. family members or representatives of the service user. The Council will conduct a thorough and fair investigation into the concerns raised and provide a comprehensive written response with clear findings and recommendations. The Council will also outline the complainant's right to escalate their concern to the Local Government and Social Care Ombudsman (LGSCO) should they remain dissatisfied with the Council's response.

The statutory complaints guidance stipulates that the method and timeframe for responding must be commensurate to the seriousness of the complaint and completed within 6 months. We always seek to resolve the complaint as soon as possible, and in the absence of a prescribed timescale use an internal timescale of 10 working days, in consultation with the complainant.

Volume of complaints

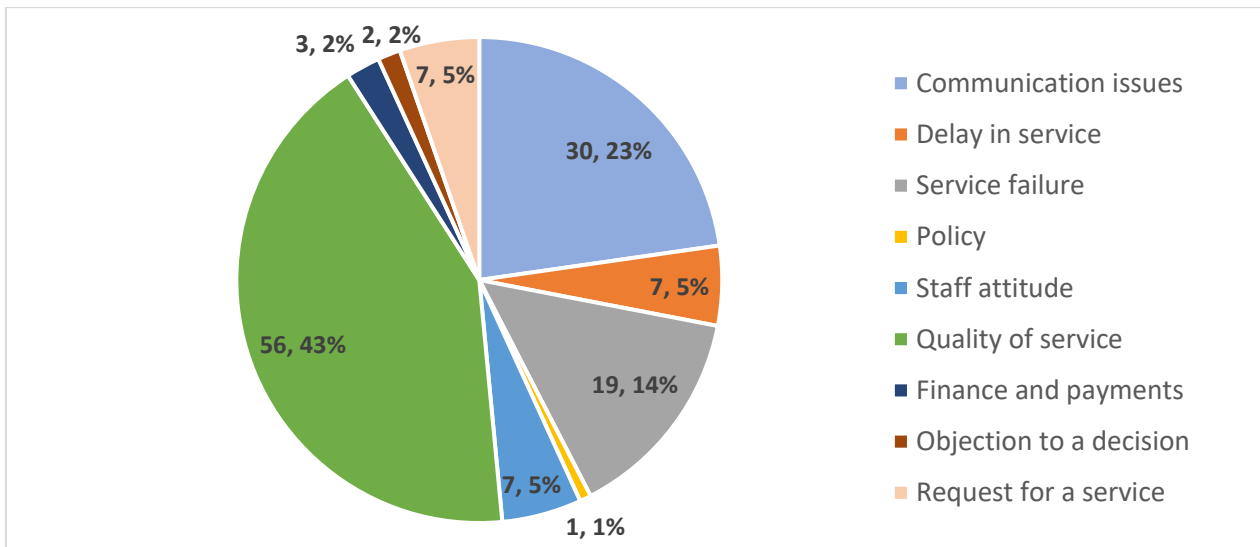
The CE Team recorded and investigated 132 complaints in 2023/24. This number is 20% higher than the complaints received in 2022/23 as detailed in Figure 1. Part of this increase in the number of complaints is due to the conclusion of the Section 75 arrangements with Central and North West London NHS Foundation Trust (CNWL), which resulted in mental health social care teams transferring to the Council. Previously, CNWL received and managed complaints related to mental health services. The breakdown of the reasons for why complaints were made in 2023/24 is shown in Figure 2 using actual figures and percentages.

Figure 1 – Number of complaints received over the last 4 years



Nature of complaints

Figure 2 – Complaints by nature of issue for 2023/24 (actual figures and percentages)



The reasons for why complaints were made in 2023/24 are shown and explained above using actual figures and percentages. The category with the most complaints was “Quality of service.” This is a broad category that could relate to (but is not limited to) carers not completing care tasks, interactions with social workers, or equipment provided. Of the total complaints, 23% were focussed on the communications residents received, and 14% were related to an allegation of failure to provide a service.

Complaints activity by team

As shown in Table 1, the majority of the complaints 66 (50%) in 2023/24 were about assessment and care services, a slight increase on the previous year (62). The nature of these complaints relates to objections to eligibility or assessment decision or the quality of service that has been offered.

This year, 28 complaints were about homecare services compared to 30 recorded in 2022/23, most of which were related to quality of service or service failure. The CE Team works closely with the Quality Assurance team and Care Markets team to monitor the quality of contracted services. The CE Team ensure issues raised in complaints are known and communicated to support improvements to practice, and individual complaint cases are dealt with in line with contractual arrangements and the LGSCO's own guidance to care providers, which is in line with the statutory regulations.

The complaints that are made to the Council are investigated and resolved in line with statutory guidance. These are separate to the complaints made directly to one of our commissioned care providers; these are resolved under a Care Quality Commission (CQC) compliant complaints process. The LGSCO advises that it is the Council's responsibility to have oversight of these complaints as well as the ones received by the Council directly. The Council works in partnership with providers by supporting the investigation process and ensuring that action is taken to resolve the complaint and prevent its recurrence.

In line with the LGSCO's categorisation, the CE Team has tabulated all the complaints it received in 2023/24 in the table below.

Table 1 – Number of complaints by area in 2023/24

	Area	Total no of complaints	% of total complaints	% of cases fully or partly upheld	LGSCO cases
Arranging Social Care	Assessment & care planning	66	50%	38%	2
	(Complex Social Work Teams)	(28)	(42%)	(32%)	
	(Learning Disability Team)	(8)	(12%)	(38%)	
	(Information and Advice)	(20)	(30%)	(45%)	
	(Review Team)	(10)	(15%)	(50%)	
	Charging/Finance	11	8%	36%	
	Hospital Social Work Team	2	2%	50%	
	Mental Health Social Work Team	8	6%	38%	
Providing Social Care	Occupational Therapy	8	6%	38%	1
	Homecare	28	21%	64%	
	Care Home	1	1%	100%	
	Reablement & Community Independence Service (CIS)	8	6%	100%	

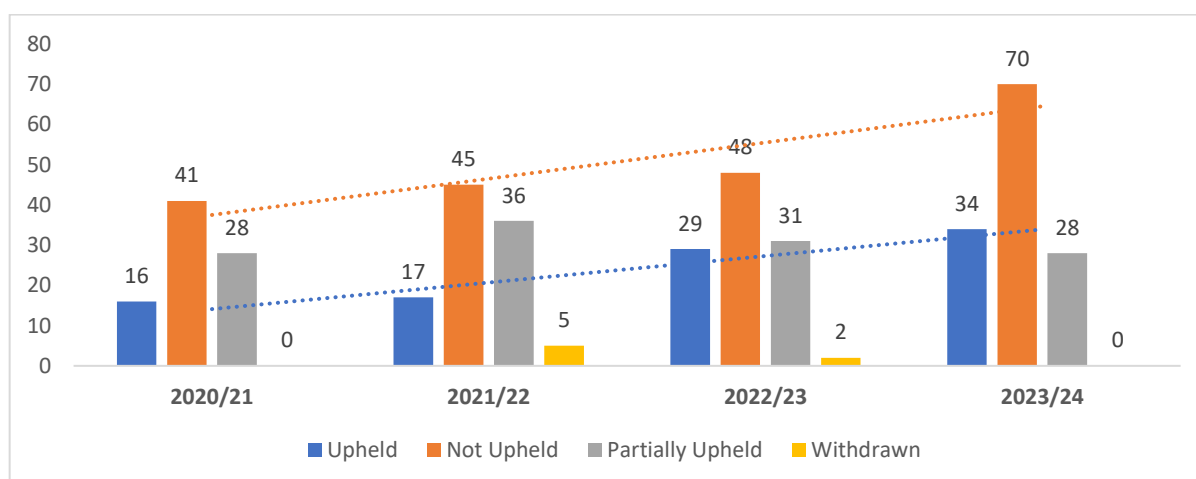
TOTAL		132	100%	47%	3
--------------	--	------------	-------------	------------	----------

Outcomes

In 2023/24, 34 (26%) complaints were fully upheld and 28 (21%) were partly upheld. Where the complaint has been upheld, the Council (or its commissioned partner) has offered an apology where appropriate, made commitments to improve the service, clearly explained reasons for delays, and addressed ineffective communication (if that was identified as an issue). An in-person meeting to explain the complaints investigation is offered alongside the letter of apology.

Figure 3 below shows the outcomes of all complaints made to ASC since 2020/21. Since 2020, there has been an increase in the number of complaints upheld and a steeper increase in the number of cases not upheld.

Figure 3 – Complaint outcomes over the last 4 years



The DHSC’s statutory complaints regulations stipulate that the method and time frame for response must be commensurate to the seriousness of the complaint and completed within six months. The CE Team always seeks to resolve the complaint as soon as possible. In the absence of a prescribed timescale, it uses an internal ambitious timescale of 10 working days, in consultation with the complainant. Of the complaints received this year, 77% were responded to within 10 working days. A further 17% needed an additional 10 working days, and only 6% took more than 20 working days to complete. This is an improvement compared to 2022/23 when 63% were responded in 10 working days and 11% complaints needed more than 20 days.

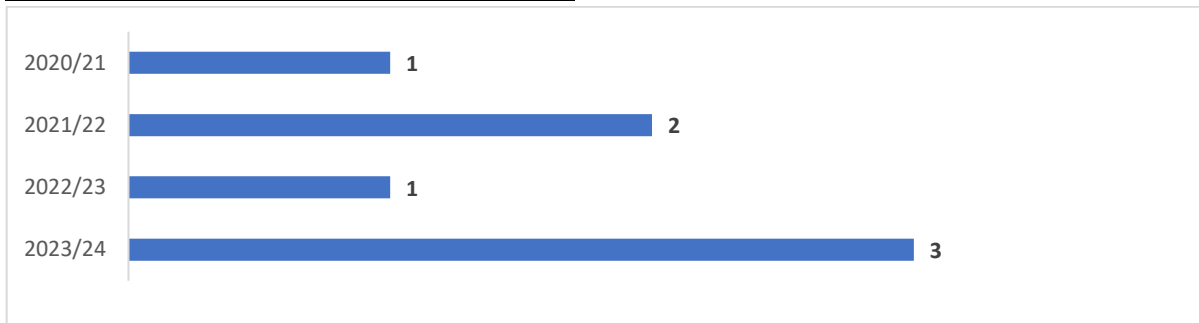
The CE Team consistently aims to investigate and resolve complaints as quickly as possible. However, some delays are unavoidable and the reasons for this are listed below. When it has not been possible to meet the 10-working day timescale, the complainant is kept updated with the progress of the investigation and advised of revised timescales.

- Complexity of the case.
- Co-managed cases, such as those with Health partners or commissioned providers.
- Provision of a supplementary or additional response.
- Availability of key staff to participate in the investigation.

Local Government and Social Care Ombudsman (LGSCO) activity

Three LGSCO investigations were completed this year. Please see volumes for previous years below.

Figure 4 – LGSCO activity in the last 4 years



Of the 3 investigations completed this year, two were upheld and related to occupational therapy services and a joint complaint with housing. The one that was not upheld related to assessing care needs.

As shown in Figure 4, the number of cases investigated by the LGSCO has slightly increased on the previous year, but it should be noted that investigations are still low in relation to the volume of complaints (132) received. This reflects the department’s proactive approach for local resolution of complaints. All complainants are informed of their right to escalate their complaint if they remain dissatisfied.

Member enquiries

Member enquiries are defined as enquiries received from Elected Members of the Council or Members of Parliament acting on behalf of their constituents. The CE Team facilitated 128 Member Enquiries in 2023/24 and of those, 96 (75%) enquiries made on behalf of constituents and in relation to either a request for care and support or about existing arrangements within Adult Social Care and Mental Health Teams. Of the 128 enquiries, 28 (22%) were received from Members of Parliament.

Of the Member Enquiries received, 80% were responded to within the agreed Council-wide five working day timescale. This is an improvement compared to last year (76%). In some cases, where the issue being raised is complex, requires consent or involves input from a different Council department, the response may take longer to complete. When this happens, Members are advised of the delay and an expected date for response. The teams are committed to working together to provide one cohesive response for the resident and to share updates where possible.

Compliments

Customers and their representatives are encouraged to tell the Council if they are happy with their care or to highlight a good service. They can complete a feedback form as well as contact the relevant social care team to express this.

There were 29 compliments recorded this year, up from 16 last year. 19 were related to “Care and Assessment”, 7 were related to “Commissioned Provider Services”, and 3 were related to “Community Independence Service.”

Below are a few examples of what our service users and/or their relatives have shared with us in terms of their positive experience about the service they receive.

From a service user who received a service from one of our social care teams; 'I appreciate the social worker's help with my mother's care during my father's hospital stay. Her valuable role on your team deserves recognition'.

From a service user's mother about the Learning Disability Service; 'Thank you for assigning such a wonderful social worker to my daughter. Her commitment and excellent work in resolving all issues left a deep impression. I'm grateful for your support'.

From the wife of a service user about their carer; 'I am so impressed with the carers' punctuality, thoroughness, politeness, and compassion. The carers are like family and greatly appreciated.

From a service user about the Community Independence Service; 'Thanks for your outstanding care and commitment to my mom from the Westminster team. Your professionalism and empathy are truly remarkable for the seniors in the borough!'.

Learning for continuous service improvement

Learning from complaints provides valuable opportunities to adapt services based on customers' experiences. Staff and managers who respond to complaints are required to identify lessons learned that can lead to service improvement, and Learning Outcome Action plans are completed for the more complex complaints received.

The lessons learned, actions taken and key themes drawn from complaints are triangulated with the learning from case file audits and safeguarding enquiries. Regular discussion and challenge at meetings between Heads of Service and operational teams facilitates improvements to the quality of social care practice. The broader learning themes from complaints linked to improving best practice were:

- the quality of communication, ensuring information is clear and provided in a timely way at the earliest opportunity so individuals can make informed decisions
- ensuring record keeping is accurate and up to date
- improving care delivery
- ensuring staff adhere to policies and guidance

Examples of service improvement resulting from complaints learning were:

- All referrals to the Complex Occupational Therapy (OT) provider are now screened to ensure they are addressed in a prompt and timely manner.
- Response times from referral to OT assessment are monitored weekly. There is clinical oversight for reviewing and managing caseloads and monitoring equipment orders.

- Where handling client affairs under Appointeeship, a review of the communication process between different services has been undertaken to ensure all relevant information is shared as early as possible with the service user.
- Learning actions implemented from complaints for commissioned care providers included providing further staff training and supervision to carers, conducting unannounced visits, manager meetings with care co-ordinators to remind them of timeliness of care visits, time spent on calls and record keeping. This learning is further monitored as part of the Quality Assurance contract monitoring process.
- The duty system was reviewed to ensure it is robust in picking up cases when social workers are away.

Case examples of what we put right and improved as a result of complaints are detailed below.

You said: that the finances of a relative who is a service user were being not being managed well in relation to his benefits and housing costs.

We: upheld the complaint and found that the service user should not have been paying the rent from his own account and this was immediately ceased. We apologised and assisted the service user to reinstate his housing benefit and reimburse him. A meeting was held between the relevant services to examine what happened in detail regarding the service user's benefits and reviewed the communication process to ensure the situation does not arise in future for any residents under Appointeeship.

You said: that the level of support for the care user and relative who was the primary carer was insufficient to meet her needs after hospitalisation. Following hospital discharge, the care package was reduced, and the respite provision was removed. This significantly impacted the care and support, as well as the physical and mental wellbeing of the carer who urgently needed respite care support to be reinstated.

We: upheld the complaint and the investigation identified several missed opportunities to respond to the requests for more support. As a result of the complaint, the increase in care support was put in place for both the care user and carer. A reminder was provided to the Multi-Disciplinary Team and Social Work team to ensure there is a clear understanding of roles and responsibilities, the need for planning safe discharges and clear and regular communication with families. A review of the duty system was also undertaken for when social workers are away.

You said: that the care and support needs of a service user who was refusing support were not being met adequately, in respect of finances, food and cleaning.

We: upheld the complaint and allocated a social worker to arrange a home visit for a care assessment to be completed. Support provision was then put in place to meet the service user's needs.

You said: there were concerns regarding the quality of service when transferring a resident from a care home to a new care home, without notice being given to the family and not having a translator present during the move, leaving the care resident confused, angry and scared.

We: investigated this and upheld the complaint. The social worker conducted a visit to the care resident to fully understand the concerns and impact. The preferred care home was agreed as a suitable placement, with support provided during the transfer and to ensure it was conducted smoothly to support the resident.

You said: there were ongoing issues with the care agency not providing three double-handed calls daily, in line with the care and support plan and the second carer not arriving on time or missing call visits. You also raised safety concerns due to lack of experience by a trainee carer.

We: upheld the complaint and took action to ensure care visits were provided in line with the care and support plan. The agency completed a quality check and replaced the trainee carer with the family's preferred carer. The agency continued to provide bi-weekly quality checks until the family felt fully assured with the quality of care.

Our priorities for 2024/25

In 2024/25, in addition to providing ongoing support to service teams and partner providers in managing an effective and robust complaints and feedback service, the CE Team will focus on:

- Creatively engaging, sharing and promoting adult social care customer feedback with service users and families to ensure a collaborative approach to learning from the experience of the service user.
- Working closely with the Quality Assurance Team, Principal Social Worker and Senior Managers in the design of an open, learning and responsive culture. A newly created Learning Pathway process will support best practice and service improvement through robust monitoring and reporting, disseminated widely, for example, via learning forums and drop-in sessions.

- Ensuring actions taken to improve services are monitored and communicated in response to complaints and have a clear evaluation timeframe.
- Work with the Principal Social Worker, Principal Occupational Therapist and Learning and Development Team to develop and provide effective training on complaints resolution and for managing difficult situations.

The Customer Engagement Team

The CE Team can be contacted using the details below if there are any questions or suggestions about this report.

E-mail: ASCCustomerengagement@westminster.gov.uk

Phone: 0800 587 0072