

Corporate Services Overview & Scrutiny Committee

04 September 2014

Social Care Complaints Handling: Improvement Plan

Recommendations

1. Consider the improvement actions taken over the last financial year
2. Approve plans underway to improve performance this financial year

1.0 Key Issues

- 1.1 This report has been drafted in response to concerns raised by Members at Cabinet about why it appears that plans to improve the Council's timeliness of response to complaints from customers of social care services are not achieving the expected results. These concerns were discussed at Corporate Board 23 July 2014 as part of consideration of the Progress Report on Handling Customer Feedback.
- 1.2 Corporate Board recommended that a briefing should be provided to Corporate Overview & Scrutiny Committee focused on the issue of timeliness of complaints handling in social care services.

2.0 Context

2.1 The measurement of timeliness

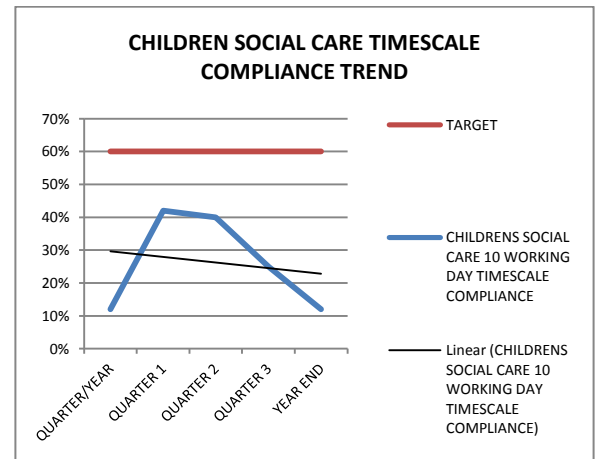
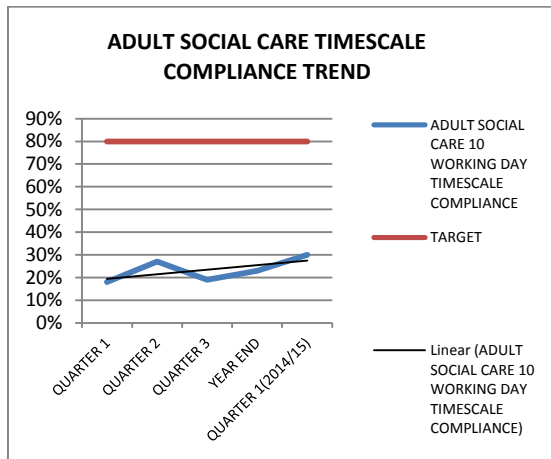
- 2.1.1 In children's social care, the 10 working days measure at Stage 1 has been in place since 2006. Regulation 14(1) of the Children Act 1991 Representations Procedure (England) Regulations 2006 places a 10 working day time limit for this part of the process. Most Stage 1 complaints should ideally be concluded within this time limit. Where the local authority cannot provide a complete response it can implement a further 10 days' extension (regulation 14(5)). This statutory duty is further confirmed in the statutory guidance 'Getting the Best from Complaints 2006'. In adult social care, 10 working days is the measurement of performance which was agreed in 2009, when there was a statutory change in the adult social care complaints procedures, moving it from a 3 stage to a single stage process. As this measurement point is locally agreed, benchmarking against other Authorities can be more difficult as they may have chosen different measures of timeliness.

2.1.2 Whilst it is anticipated that there may be government changes proposed to both the adult social care and children’s social care complaints handling procedures in the next 18 months, it is not currently clear what these might be likely to include.

2.2 Performance

Social care services have not achieved the target for timeliness set in 2013/14, and performance against this target remained red for Quarter 1 2014/15:

QUARTER/YEAR	ADULT SOCIAL CARE 10 WORKING DAY TIMESCALE COMPLIANCE	TARGET	CHILDRENS SOCIAL CARE 10 WORKING DAY TIMESCALE COMPLIANCE	TARGET
QUARTER 1	4 of 22 closed	18%	2 of 15 closed	13%
QUARTER 2	6 of 20 closed	27%	8 of 19 closed	42%
QUARTER 3	6 of 28 closed	19%	2 of 6 closed	40%
YEAR END	31 of 135 closed	23%	23 of 89 closed	25%
QUARTER 1(2014/15)	9 of 30 closed	30%	2 of 15 closed	11%



2.3 Benchmarking comparator information

2.3.1 For adults and children’s social care, we have collated benchmarking data from our closest Statistical Neighbours for 2012/13, and 2013/14 if it is available.

CHILDRENS SOCIAL CARE TIMESCALE COMPLIANCE		
Local Authority	2012/13	2013/14
Warwickshire CC	54%	25%
Worcestershire CC	53%	Unavailable
Leicestershire CC	55%	63%
Staffordshire CC	41%	Unavailable
Northamptonshire CC	Requested	Requested
Essex CC	65.6%	Unavailable
Kent CC	59%	79%

2.3.2 A number of these authorities reported on both the 10 working days and 20 working days target, and one Authority only reported on the 20 working day target. None of these authorities have high compliance rates with respect to the statutory targets.

ADULT SOCIAL CARE TIMESCALE COMPLIANCE		
Local Authority	2012/13	2013/14
Warwickshire CC	33% within 10 working days	18%
Worcestershire CC	87% within 25 working days	66% within 25 working days
Leicestershire CC	67% within 10 working days	69%
Staffordshire CC	41% within 20 working days	Unavailable
Northamptonshire CC	Requested	Requested
Essex CC	73% within the timescales agreed with the customer	Unavailable
Kent CC	70% within the timescales agreed with the customer	Unavailable

2.3.3 For adult social care it is more difficult to compare information because local authorities have used different time points. It is possible to conclude that overall there is better timescale compliance for adult social care within the comparator group than for children's social care. Some authorities have significantly higher timescale compliance than Warwickshire.

2.4 Research outcomes

2.4.1 Analysis of issues causing delays in adult social care

The review of adult social care external provider interaction with the contract monitoring team by the Service Manager, Market Management & Quality identified 3 main issues which were causing delays in complaint closures:

- As providers sometimes experience difficulties with their insurance cover if they admit liability, there can be some delay;
- some providers experience problems with counter grievances and accusations from employees, and struggle to be able to take timely action when they discover poor quality standards;
- some problems seem to arise because of a disjunct between customers' expectations and what providers can reasonably provide.

2.4.2 Analysis of feedback from customers about the issue of timeliness

An independent phone survey of our complainants for their views took place in March 2014. The piloting of a phone survey to get a sample of qualitative feedback from users of customer feedback processes has been successful. Whilst this was a small sample size, it provides valuable insight into the

customer experience of how we handle complaints. The results are based on 30 telephone surveys split as follows: Adult Social Care 19, Children's Services 8 and Corporate Services 3 completed surveys. The key areas identified were:

- Inefficient / slow process
- Staff not being attentive / no personal service / lack of contact.

There is a consistent message, whether or not the complaint has been upheld, what customers most value is:

- a timely and clear response,
- being kept in the picture, and
- being helped to understand clearly what is happening.

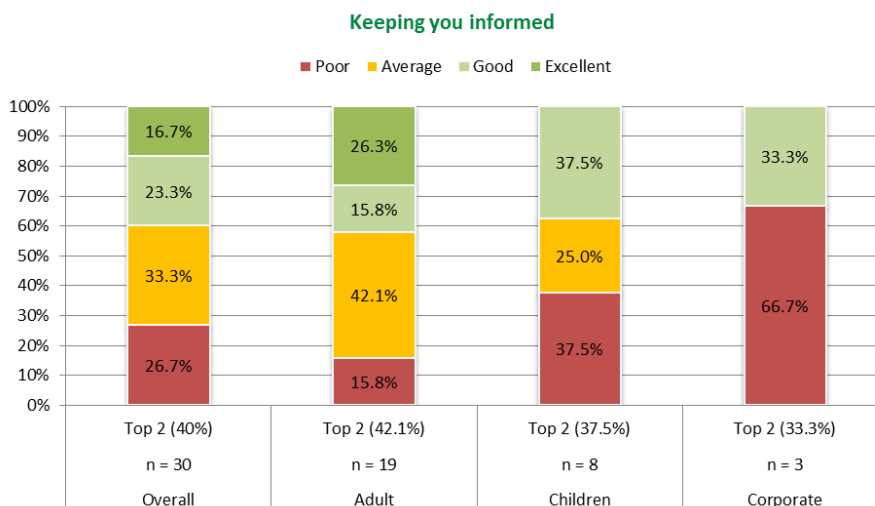
Conversely, what customers dislike the most is:

- not being kept informed,
- not knowing when they are going to get an answer,
- not having a clear understandable answer, and
- it taking too long to get an answer.

The questions in the survey most relevant to this briefing were:

- How well were you kept informed?

40% of respondents rated the way they were kept informed as excellent or good, with 16.7% saying it was excellent. Adult Social Care scored 42.1% excellent and good, with 26.3% saying it was excellent. 37.5% of Children's Services were rated as good. 33.3% of Corporate Services were rated as good.

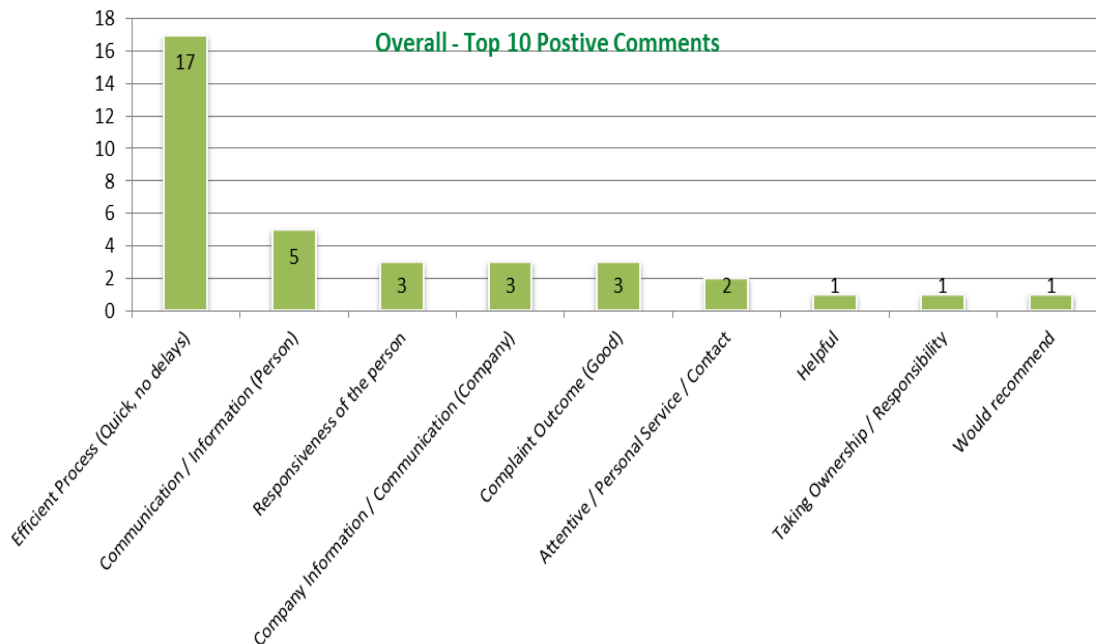
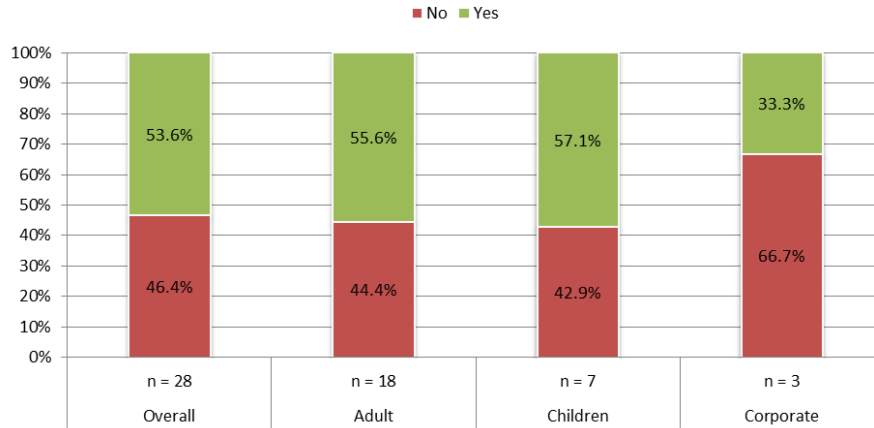


- Do you think the time taken to respond to the issues you raised was reasonable in the circumstances?

53.6% of respondents said yes, they thought the time taken to respond was reasonable with 46.4% saying no, it was not reasonable. 57.1% of

Children's Services complainants said yes the time taken was reasonable followed by Adult Social Care with 55.6%.

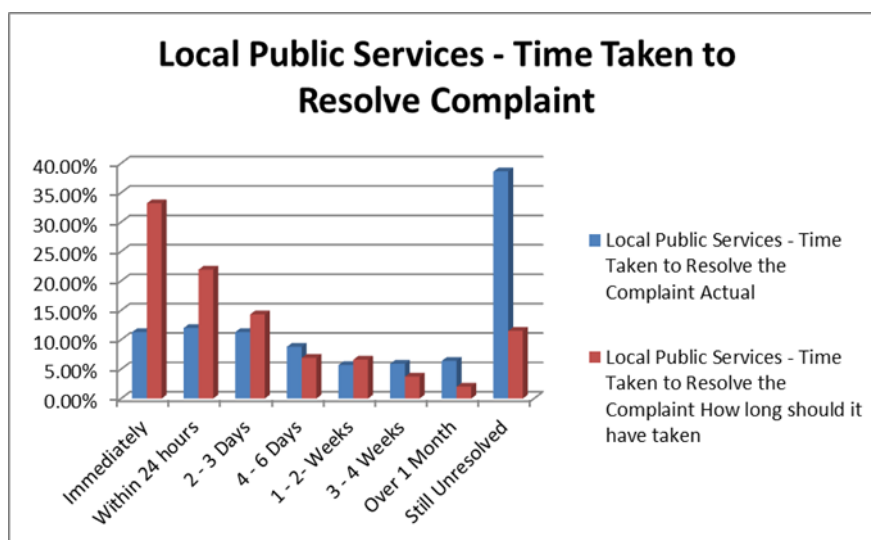
Do you think the time taken to respond to the issues you raised was reasonable in the circumstances?



Analysis of the benchmarking data from the UK Institute of Customer Service:-

This was included as an appendix to the 2013/14 Adult and Children's Social Care Compliments and Complaints Annual Reports. This research is produced yearly as the UK Customer Satisfaction Index (UKCSI).

Complainants are asked about the length of time it took to resolve their complaint.



The key messages from reviewing their data is that timeliness of response is a critical factor in determining customer satisfaction, and the longer the delay, and worse the process for keeping people informed, the less likely that problems would be resolved, and the more dissatisfied the customer will be.

3 Action taken in 2013/14 to improve timescale compliance

3.1 The 2012/13 Annual Reports for Adult and Children's Social Care Complaints Handling identified the need to address issues regarding timeliness as part of their 2013/14 Joint Action Plan. The actions taken included:

- A rigorous monthly and quarterly performance reporting programme by the Customer Relations Service, reporting directly to senior officers and Heads of Service, and systematically reporting into People Group Leadership Team.
- A critical additional measure to that of timescale compliance on closed cases was added: the monitoring of open cases, and how long they have been open for. This is because when they are eventually closed this will impact negatively on the future timescale compliance figures we report to Members. Consequently, a monthly reporting programme on open cases to senior officers and Heads of Service was put in place. Senior officers then raised open cases which were over timescale with their managers as part of supervision, and asked for updates and progress reports.
- The Customer Relations Service commissioned a phone survey of people who had used the complaints process in adult and children's social care, to explore how customers viewed the timeliness of the service they had received. (See section 2.4.2 of this report)

- The Customer Relations Service undertook some national benchmarking research to find out more about the factors customers felt were important to their satisfaction when they had a complaint about a service. (See section 2.4.3 of this report)

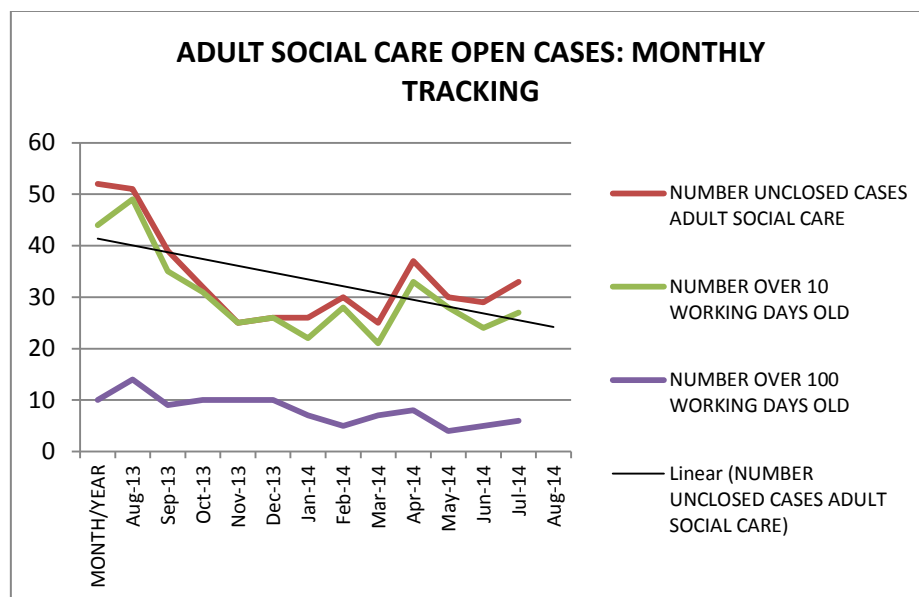
4 Successes

4.1 Joint

4.1.1 The more rigorous reporting programme helped to highlight continuing problems with timescale compliance and ensured this remained high on the agenda of senior officers. The additional focus on delay in closing open cases highlighted consequences of these cases on future timescale compliance.

4.2 Adult Social Care

4.2.1 In adult social care, there was a very robust scrutiny of open cases from August 2013, which has ensured that this legacy situation is now under control. This closure programme will have impacted on the timescale compliance of closed cases results for the past 12 months, but should not distort their future performance.



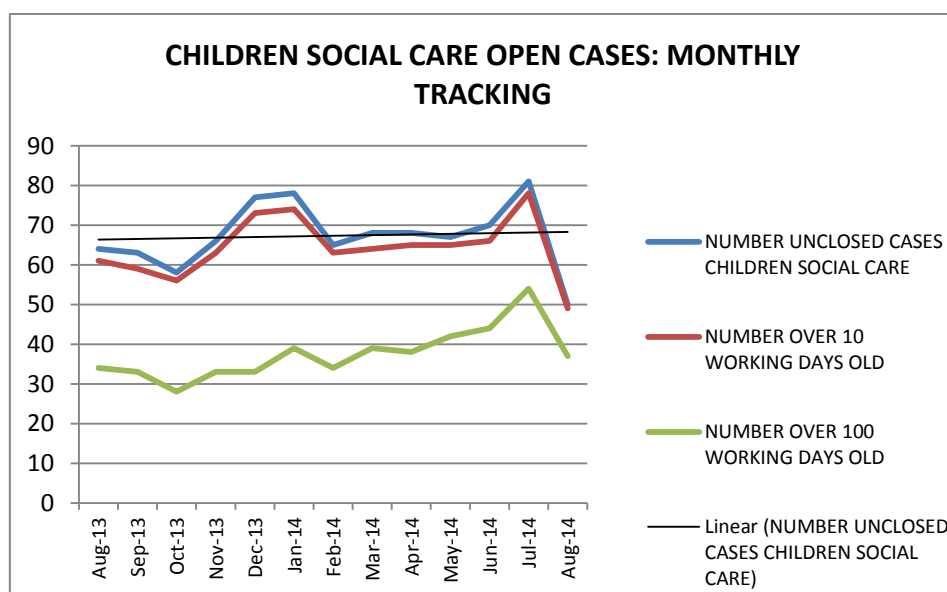
MONTH/YEAR	NUMBER UNCLOSED CASES ADULT SOCIAL CARE	NUMBER OVER 10 WORKING DAYS OLD	NUMBER OVER 100 WORKING DAYS OLD
Aug-13	52	44	10
Sep-13	51	49	14
Oct-13	39	35	9
Nov-13	32	31	10
Dec-13	25	25	10
Jan-14	26	26	10
Feb-14	26	22	7
Mar-14	30	28	5
Apr-14	25	21	7
May-14	37	33	8
Jun-14	30	28	4
Jul-14	29	24	5
Aug-14	33	27	6

5 Challenges

5.1 Children's Social Care

5.1.1 The audit commissioned in August 2013 in children's social care to establish where the issues might be with closedown processes was delayed because of capacity issues. This audit report was completed at the start of August 2014. This is only now able to inform action planning for this service, but the information it has provided is now being analysed and acted on.

5.1.2 The tracking of open cases in children's social care shows that there are a large number of open cases which are already over timescale, and this trend continues upwards to July this year. It also shows that a significant proportion of these cases are over 100 working days old. However, a major focus on open cases in August was undertaken, which is now making inroads into dealing with this backlog.



MONTH/YEAR	NUMBER UNCLOSED CASES CHILDREN SOCIAL CARE	NUMBER OVER 10 WORKING DAYS OLD	NUMBER OVER 100 WORKING DAYS OLD
Aug-13	64	61	34
Sep-13	63	59	33
Oct-13	58	56	28
Nov-13	66	63	33
Dec-13	77	73	33
Jan-14	78	74	39
Feb-14	65	63	34
Mar-14	68	64	39
Apr-14	68	65	38
May-14	67	65	42
Jun-14	70	66	44
Jul-14	81	78	54
Aug-14	50	49	37

5.1.3 Some complaints have been de-escalated as part of the normal working practice within teams, and the de-escalation resolves the issue, but the complaint has not been properly closed. Some complaints investigations have been concluded operationally but have not been notified as closed on the monitoring system. This means that the data does not reflect the actual level of active complaint handling. Urgent action is now being taken to improve close down processes.

5.1.4 A number of important factors have impacted on children's social care service's ability to tackle the timescale issues:

- The complex nature and recurrence of issues raised by some complainants made it difficult to establish the basis of the complaint and whether the complaints process was the appropriate avenue for issue resolution. For example in some case the matter was for the court to determine as part of private law proceedings relating to children. (It should be noted that Legal Aid is no longer available to individuals wishing to dispute recommendations in Family Courts, and this means some may be using our complaints process as the only way open to them for disputing decisions)
- There have been increased workload pressures during the last financial year within the Safeguarding Business Unit evidenced by increases in referral rates and the rise in the amount of statutory workload.
- The service has been required to quicken processes in line the Public Law Outline since July 2013. This has had considerable impact on capacity within the service.

5.1.5 It is important to remember that the environment in which children's social care operates is significantly different to many other service areas in the Council. Particularly in relation to the child protection remit, children's social care are engaged in providing services that are often unsought and unwanted by the families they need to engage with, and require the development of working relationships to enable negotiation and dialogue about options and alternatives that people may be unhappy with. It is harder in this context to identify when a customer's unhappiness with something, moves into becoming a formal complaint, and conversely, when things move on for a customer and what may have been a complaint, is no longer a concern to them, or has been replaced with a different issue. The objective of the service is always to maintain dialogue and resolve problems as and where they occur.

5.2 Adult Social Care

5.2.1 In adult social care the plans of the Head of Social Care and Support to review the impact of current complaints handling processes when complaints are about external providers has been delayed due to competing work priorities. The importance of this piece of work is confirmed, and will be prioritised in 2014/15.

6 Improvement Plan 2014/15

6.1 Joint

6.1.1 Timescale compliance has been made a key action point in the Customer Feedback Action Plan 2014/15, and progress on this plan will be regularly reported on at People Group GLT.

6.1.2 Problems with timescale performance in social care services has been formally raised and discussed at Corporate Board, and Corporate Board has determined it will ask for updates on progress as the year progresses.

6.1.3 A further customer satisfaction survey will be undertaken later in the year. The pilot phone survey has been successful in providing valuable insight into customer views. It is important to embed this now as an ongoing source of customer insight.

6.1.4 The Council proposes to bring all customer feedback recording into the newly commissioned corporate CRM. The Customer Relations Service is engaging with the CRM replacement programme to achieve improvements in the customer feedback journey, identifying opportunities for streamlining and realignment of processes, system generated escalations and improved data collection analysis and reporting.

6.1.5 The Customer Relations Service will be working with the council's Dashboard Project to develop improved reporting metrics and statistics that would relate

to customer feedback and satisfaction, and be accessible to all business areas and have the ability to drill down to deliver localised analysis.

- 6.1.6 It is expected that the Department of Health and Department for Education will undertake a full scale review of the current separate statutory children's and adults social care complaints procedures within the next 12 months. The Customer Relations Service will assess these changes and work with the relevant business areas to ensure the existing Warwickshire County Council processes and procedures are fit for purpose.
- 6.1.7 The implementation of the Care Act and the Children and Families Act are likely to have significant implications for the operation of services affected. The Customer Relations Service will assess how this will impact on customer feedback, and provide advice and guidance on its management, and how current systems and processes for handling customer feedback might need to be reviewed.
- 6.1.8 The impact of One Organisational Plan and the current economic climate continues to pose many challenges for dealing with positive and negative customer satisfaction. We will need to reflect on the impact of things like; further service re-configurations; shrinkage of in-house provision, further externalisation of services; and further joint working approaches between organisations on a local and regional level.

6.2 Children's Social Care

- 6.2.1 The findings from the children's social care audit will be explored and a more detailed action programme will be developed focusing on:
- a programme to close down the backlog of open and ongoing cases (100+ working days)
 - to develop a more robust governance framework for complaints within children's social care for future. This will need to take into account a reporting arrangement for complaints which are outside of the timescale and a mechanism for monitoring ongoing complaints at team and service level.
 - guidance to be developed for managing complaints regarding closing cases.
- 6.2.2 Senior officers in children's social care will change their "sign off" processes on complaints, and ensure that they see closedown letters before considering complaints to be closed.
- 6.2.3 The monthly open complaints reports will be circulated to those staff who are responding to complaints locally, as well as senior officers, to make sure there are no problems in information getting to all relevant parts of the operational service to enable prompt checking and action on open cases.
- 6.2.4 The further reductions in operational managers mean there is a capacity problem in having enough trained people available to handle complaints.

Capacity to respond to complaints is increased through extending this role to Practice Leaders, subject to discussions with Human Resources and training. A programme of skilling-up team leaders to take on this responsibility will be put in place.

- 6.2.5 Clarification is being provided to staff on when a complaint is a complaint, and procedurally how to record on the system the reasons why complaint investigations are not progressing or are withdrawn. Briefing notes will be developed to help staff to unpick whether or not issues should be within the complaints procedures, and what to do if the complainant stops engaging and complaints need to be closed down - when to deem a complaint withdrawn and what to do about it.

6.3 Adult Social Care

- 6.3.1 A significant gap to date has been the lack of a robust quality monitoring database for monitoring the performance of external social care providers which was fit for purpose. Whilst a longer term ICT solution is being sought, an interim system is under development at the moment, which will have a risk matrix and include monitoring of customer feedback in respect of external providers. It is anticipated that the Self - Assessment and Customer Satisfaction modules will enable much more timely identification of issues relating to complaints handling, and difficulties operational managers might have in extracting responses from providers. It is anticipated that this be available from December 2014.
- 6.3.2 The development of the Warwickshire Directory as a key on-line resource for customers of adult social care services, will enable customers to provide quick customer satisfaction ratings, akin to the Trip Advisor model. Whilst the system certainly has the capacity to enable this, it has not yet been developed to a sufficient level where providers are proactively engaging with putting their information on the Directory. Further action is now underway to encourage more robust engagement from providers, and to publicise this to staff and customers alike.
- 6.3.3 A key service development within the next 12 months in adult social care will be a brockage service, based in Market Management and Quality, which will take over from the operational teams the sourcing and setting up of care packages with external providers. There are 2 aspects to this new service which are likely to help with timescale compliance issues - more streamlined and efficient placements should improve customer satisfaction with how quickly packages are in place, and the improved communication between the provider and customer as part of the roll out of the Independent Service Fund (Personalisation Agenda) will enable constructive dialogue about how packages can be adapted and re-worked within parameters to better meet the changing requirements of customers.
- 6.3.4 The Head of Social Care and Support will prioritise her planned review of the impact of current complaints handling processes when complaints are about external providers. The importance of this piece of work is confirmed, and will

be prioritised in 2014/15. The analysis of the key findings from the review undertaken by the Service Manager, Market Management & Quality will be incorporated in this.

7 Risk Factors

- 7.1 Reductions in managerial capacity and other competing workload priorities on occasions can make it difficult for managers to give consistent high priority to this task.
- 7.2 The extent to which increased work pressures in children's social care from July 2013 will continue as a result of the new court system and the Public Law Outline which will not only provide more potential ground for complaints, but will eat into the priorities of managers to be able to respond to complaints about these issues in a timely way.
- 7.3 The impact of the new Care Act is still being worked through in adult social care, but there is no doubt it is going to have a very significant impact.

8 Timescales associated with the decision and next steps

- 8.1 This Plan will be reviewed quarterly at People Group GLT, and Corporate Board will look at progress in January 2015.

9 Background papers

- 1. Progress Report: Handling Customer Feedback, Corporate Board 23/07/14
- 2. Adult Social Care Compliments & Complaints Annual Report 2013/14
- 3. Childrens Social Care Compliments and Complaints Annual Report 2013/14

	Name	Contact Information
Report Author	Karen Smith	karensmith@warwickshire.gov.uk 01926 414102
Head of Service	Jenny Wood	jennywood@warwickshire.gov.uk 01926 742962
	Sue Ross	sueross@warwickshire.gov.uk 01926 742577
	Marie Seaton	marieseaton@warwickshire.gov.uk 01926 742123
	Kushal Birla	kushalbirla@warwickshire.gov.uk 01926 412013
Strategic Director	Wendy Fabbro	wendyfabbro@warwickshire.gov.uk 01926 412665

	David Carter	davidcarter@warwickshire.gov.uk 01926412564
Portfolio Holder	Cllr Jose Compton Cllr Bob Stevens Cllr Kam Kaur Cllr Alan Cockburn	cllrcompton@warwickshire.gov.uk 01926 402936 cllrstevens@warwickshire.gov.uk 01926 814031 cllrkaur@warwickshire.gov.uk 01926 632679 cllrcockburn@warwickshire.gov.uk 01926 485120