

## NORTH LANARKSHIRE COUNCIL

## REPORT

TO: Social Work Committee	Subject:  <b>COMPLAINTS STATUS REPORT</b>  <b>PERIOD 1 APRIL 98 - 31 MARCH 99</b>
FROM: Jim Dickie Director of Social Work	
DATE OF COMMITTEE: 5 October 1999	
REPORT AUTHOR: Dennis O'Donnell	
REF: DOD/LK	

**1 PURPOSE OF REPORT**

- 1.1 This report sets out to inform Committee regarding the Department's performance in receiving, investigating and addressing formal complaints received about the Social Work Department's services for the year ending March 1999.
- 1.2 Further, the report seeks to outline areas where improvement and developments have been achieved in arrangements for monitoring and analysing complaints-handling and for ensuring that, where appropriate, findings from complaints inform Departmental practice, policy and procedures.

**2 SERVICE CONTEXT**

- 2.1 The Social Work Department provides a wide range of statutory and non statutory services to the population of North Lanarkshire. In the year 1998/99 nearly 20,000 referrals for service were received by the Social Work Department, 25,000 people received services, 20,000 of whom were from community care groups, and 4,000 were from services for children or other families. The level of service provided by Social Work is growing year on year.
- 2.2 142 formal complaints were received in the course of the year. 95 concerned assessment and care management or services provided directly by the Social Work Department; the remaining 47 were complaints about nursing homes or independent sector residential care homes.
- 2.3 Complaints received in the year constitutes less than 0.6% of the numbers of people receiving a social work service.

### **3 BACKGROUND**

- 3.1 The Social Work Department operates its Complaints Procedures in line with the requirements of Scottish Office Circular SWSG 5/96.
- 3.2 Following a comprehensive review of complaints handling during 1998 a number of important changes were implemented to improve the scope of the Complaints Procedures.
- 3.3 In March 1999 Committee approved an amended Complaints Procedure which took into account learning from a comprehensive review of the inherited procedure and operational experience over the past two years. The amended procedure included additional measures to allow complaints to be examined closer to source and better ensured that lessons from complaints informed operational practice.

### **4 MAIN CHANGES IN THE HANDLING OF COMPLAINTS ABOUT SOCIAL WORK SERVICES FROM 1 APRIL 1999**

- 4.1 Area Service Managers were delegated overall responsibility for complaints within each Team's geographical area. Exceptions to that arrangement are made in the areas of hospital and offender services, where complaints are dealt with by the relevant Principal Officers.
- 4.2 Training programmes have been implemented for all officers likely to be involved in the investigation of complaints. Training is being scheduled for other staff in the implementation of procedures.
- 4.3 It is intended, as from 1 October 1999 that Action Plans outlining any local or service-wide implications arising from complaints must be submitted to the Principal Officer (Registration and Inspection) at the point a complaint is concluded, in order to identify and act upon any local or service-wide implications arising at an early stage.
- 4.4 A system of informal complaints logging has been implemented from all service points to ensure that where dissatisfactions are expressed that these recorded and used to inform operational practice.
- 4.5 Submission of quarterly complaints returns are now required from all third parties providing residential or nursing services on behalf of the Department, this to allow closer monitoring of practice within these services.
- 4.6 Systems have been put in place at Headquarters to routinely monitor staffs' practice service-wide in handling complaints.

## **5 HANDLING OF COMPLAINTS REGARDING SERVICES PROVIDED ON BEHALF OF THE DEPARTMENT**

- 5.1 For the purpose of the Complaints Procedure, services provided by third parties on behalf of the local authority remain the responsibility of the local authority.
- 5.2 Currently complaints regarding nursing care establishments are passed to Lanarkshire Health Board, as the registering authority, for investigation. Arising from concerns about the reporting of the Board's findings, a working group comprising senior managers from both agencies is currently seeking to agree protocols for the handling of such complaints.
- 5.3 Complaints regarding registered residential or day services brought to the Department's attention are investigated by Officers from the Registration and Inspection Unit and dealt with under registration procedures.

## **6 TIMESCALES FOR DEALING WITH COMPLAINTS**

- 6.1 The Scottish Office sets out time-scales for dealing with complaints as follows:
- a. formal complaints should be acknowledged within 5 days;
  - b. a response in writing to complaints should be issued to the complainer within 28 days after receipt of the complaint; and
  - c. if within 28 days of receiving a response in writing the complainer informs the local authority that they remain dissatisfied, the complaint will be referred to a Complaints Review Committee (CRC).

## **7 COMPLAINTS FINDINGS**

- 7.1 In the past year additional local measures have been taken to ensure that all complainers are made aware of their rights to take complaints to the CRC, or prior to doing so to request that the Director of Social Work reviews investigation findings.
- 7.2 In the year 98/99 a total of 95 formal complaints were received, a similar level to the number received the preceding year.
- 7.3 In the year 98/99 only one complaint has been passed for the consideration of the CRC. This complaint was not upheld by the CRC.
- Appendix 1**
- 7.4 The tables attached as Appendix 1 relate to the Department's performance in addressing complaints. These quantify the number, location and nature of complaints, whether these were upheld or not, or were addressed within prescribed time-scales.

- 7.5 **Figure 1** sets out the number of complaints received about Area Team, Hospital or Criminal Justice services. This illustrates the spread of complaints received across all Area teams being more even in their spread than had previously been found. The past trend of higher complaint levels in Cumbernauld continues, but is less marked than previously noted.
- 7.6 **Figures 2 and 3** sets out the main areas of service where complaints were raised. Primarily by far the majority of complaints, (43.2%) of the total, were about services provided by social workers in Area Teams; residential services attracted (17.9%) of the total.
- 7.7 Three services attracted the majority of complaints: children and families (31.6%); services for older people (26.3%) and services for people with physical disability (14.7%).
- 7.8 **Figure 4** illustrates the primary reasons for complaints made. The majority of complaints received fell into four main categories: staff attitude (25.3%), bad practice (21.1%), resource inadequate (14.7%), and insufficient information (12.6%). The perception held by 46.4% of complainers was one of dissatisfaction with either staffs' attitude or practice.
- 7.9 **Figure 5** illustrates the proportion of complaints made which were either partially or wholly upheld. This illustrates that 52.6% (50 from 95) of the total complaints made were found to have some legitimate basis. The most commonly upheld complaints related to staff attitude (20%) and bad practice (26%).
- 7.10 **Figure 6** illustrates complaints outcomes on a Team and service basis.
- 7.11 **Figures 7 and 8** illustrate the Department's performance in responding to the timescales, set out in Section 5 (above) for complaints to be acknowledged within 5 days, and where possible concluded within 28 days.

### Appendix Two

- 7.12 Appendix 2 sets out complaints received regarding independent sector residential establishments registered by the Department, and nursing homes registered by Lanarkshire Health Board. Complaints received constitute 3% of the total 1436 people funded by the Department in nursing and residential care homes.
- 7.13 The number of complaints received represents a 50% rise in the number of complaints investigated about residential services, from 7 to 14, of which 8 were partially or fully upheld. Nursing Home complaints increased by one-third in the past year. This latter increase was attributable to several complaints about a single establishment. Information provided by Lanarkshire Health Board indicate that a significant proportion of nursing home complaints were not upheld after investigation.

## 8 CONCLUSIONS

- 8.1 The context within which social work operates, particularly in areas where the Department has statutory responsibilities, means that from time to time service users often feel a sense of dissatisfaction or unfairness which links strongly to the personal and emotional nature of social work contact. It is perhaps unsurprising that the two areas where complaints are most prominent relate to children and older people.
- 8.2 Importantly, the 95 formal complaints received in the year 98/99 should be considered against a context of some 20,000 referrals made to the Social Work Department in the past year. The total number of complaints has remained static over the past year.
- 8.3 Several improvements in arrangements for receiving and addressing complaints have been introduced to ensure that complaints, particularly where these are upheld, inform operational practice. Staff training, amendments to procedures, the introduction of an informal complaints system and provision of action plans by managers on conclusion of complaints, are new or proposed initiatives which will help ensure that practice in this area continues to develop in the coming year.
- 8.4 The Department's continuing commitment to raising standards through improving services and performance should, over a longer term, achieve a reduction in the level of complaints and the proportion of those upheld. It is envisaged that new measures introduced will assist in better identification of service changes and improvements initiated as a result of complaints being raised.

## 9 RECOMMENDATIONS

Committee is asked to note the contents of the report

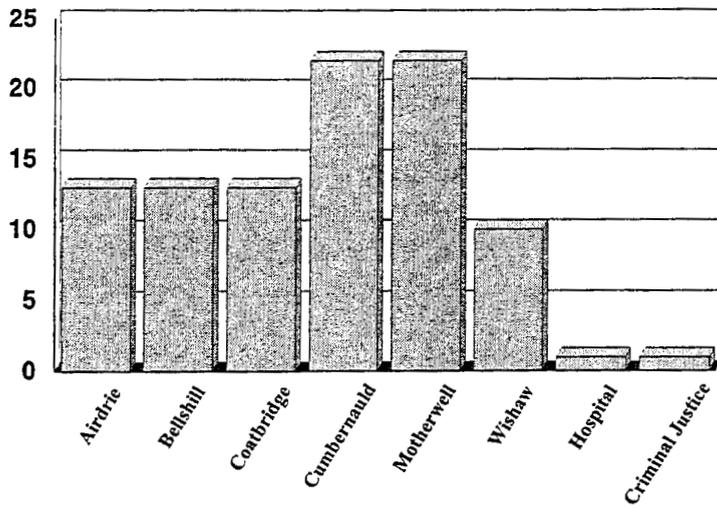


**Jim Dickie**  
**Director of Social Work**

**September 1999**

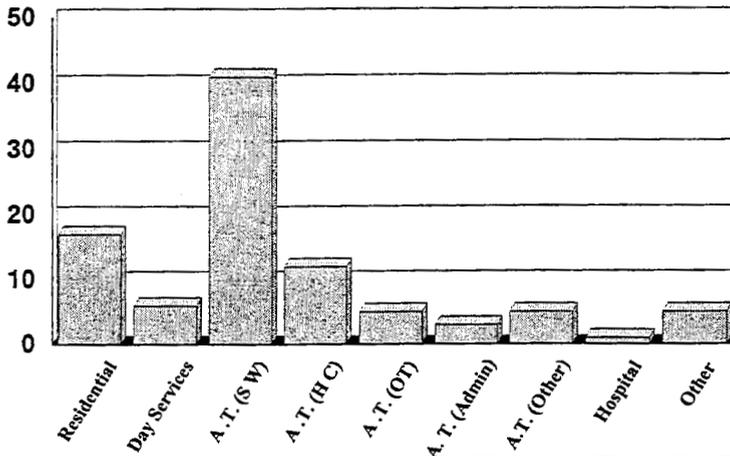
For further information on this report please contact Dennis O'Donnell, Principal Officer (Registration/Inspection)  
(TEL: 01698 332058)

Fig. 1: Number of Complaints in 1998/99 by Area Team/Service



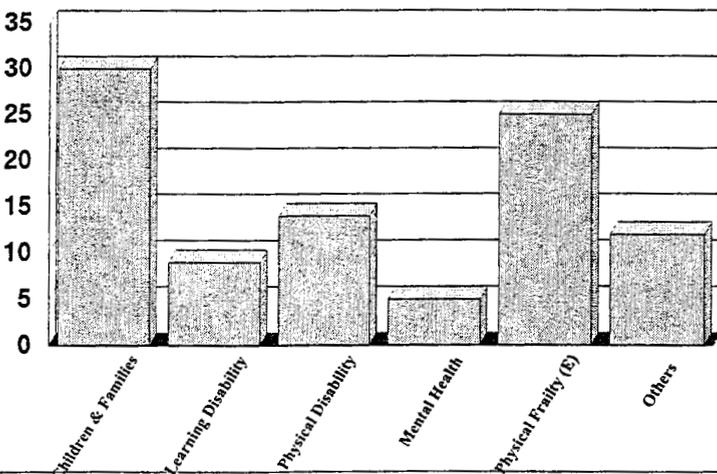
TEAM	COMPLAINTS
Airdrie	13
Bellshill	13
Coatbridge	13
Cumbernauld	22
Motherwell	22
Wishaw	10
Hospital	1
Criminal Justice	1
Total	95

Fig. 2: Number of Complaints in 1998/99 By Location



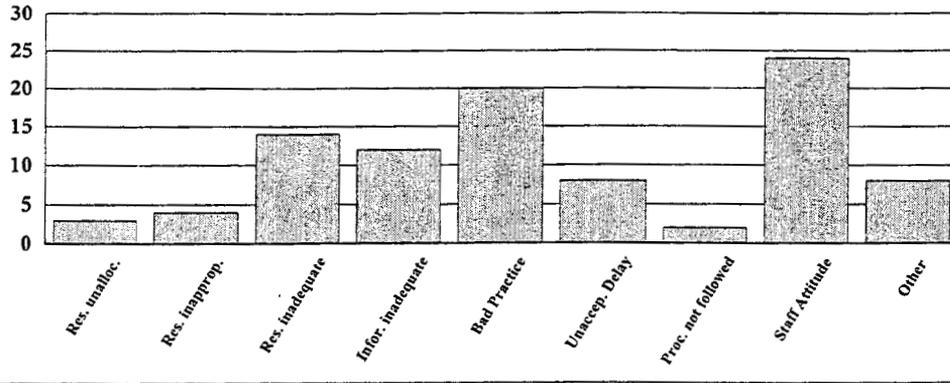
LOCATION	COMPLAINTS
Residential	17
Day Services	6
Area Team (Social Work)	41
Area Team (Home Care)	12
Area Team (O.T.)	5
Area Team (Admin)	3
Area Team (Other)	5
Hospital	1
Other	5

Fig. 3: Number of Complaints in 1998/99 by Client Group



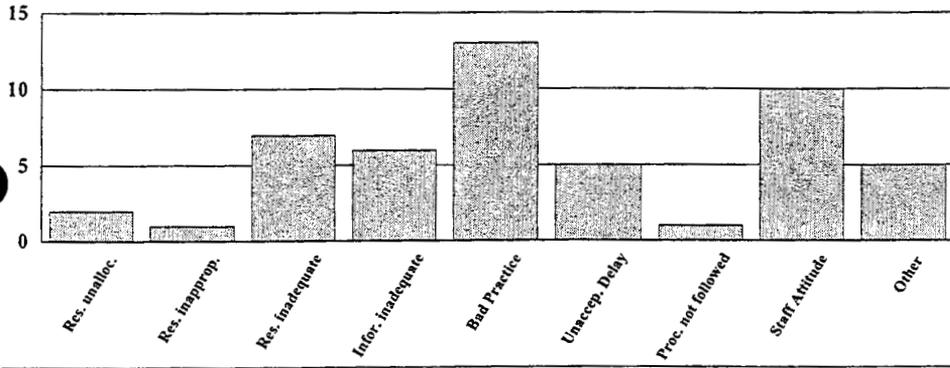
CLIENT GROUP	COMPLAINTS
Children & Families	30
Learning Disability	9
Physical Disability	14
Mental Health	5
Physical Frailty (Elderly)	25
Others	12

Fig. 4: Number of Complaints in 1998/99 by Primary Reason



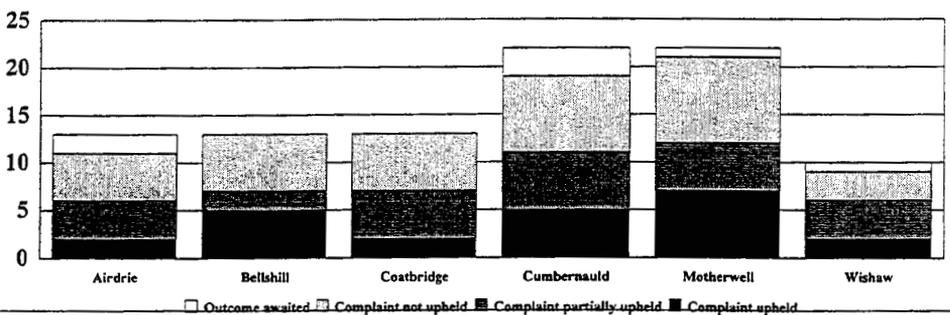
REASON	COMPLAINTS
Resource unallocated	3
Resource inappropriate	4
Resource inadequate	14
Information inadequate	12
Bad Practice	20
Unacceptable Delay	8
Procedures not followed	2
Staff Attitude	24
Other	8

Fig. 5: Primary Reason for Complaint (Upheld and Partially Upheld Complaints)



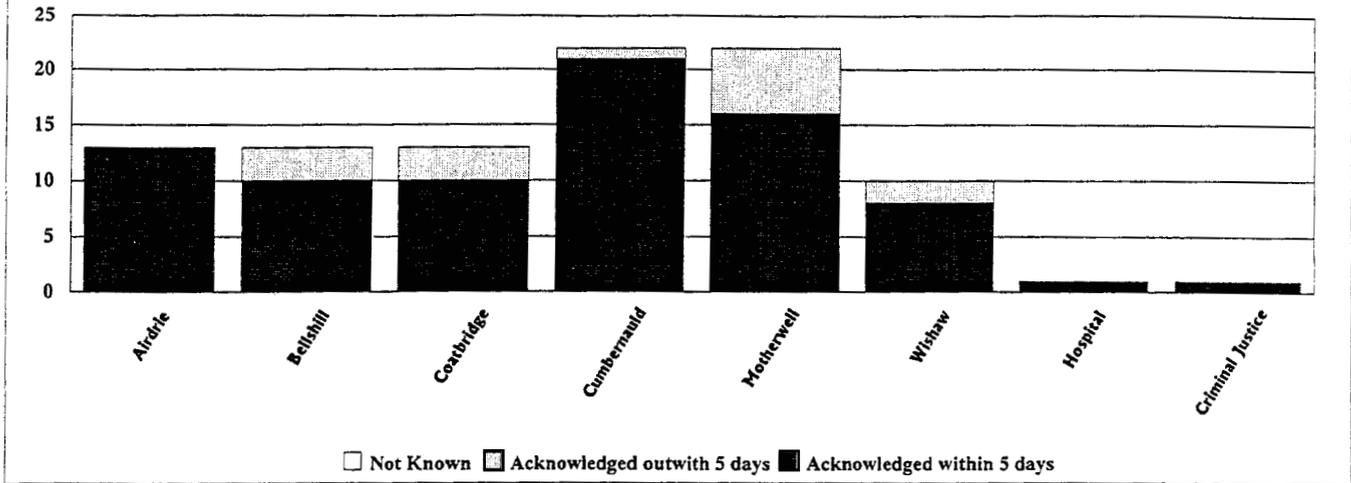
REASON	UPHELD/PARTIALLY
Resource unallocated	2
Resource inappropriate	1
Resource inadequate	7
Information inadequate	6
Bad Practice	13
Unacceptable Delay	5
Procedures not followed	1
Staff Attitude	10
Other	5

Fig. 6: Outcome of Complaints in 1998/99 by Area Team/Service



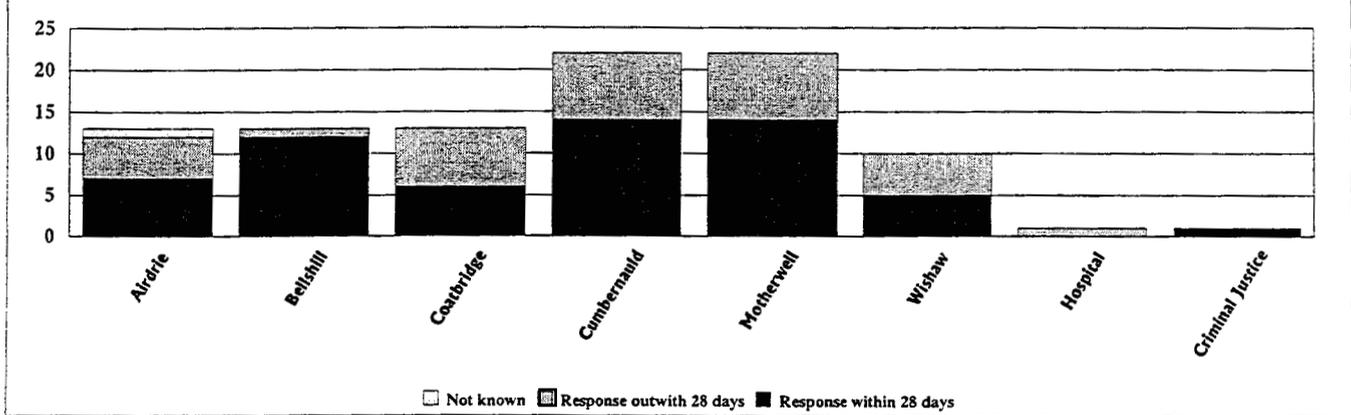
	Airdrie	Bellshill	Coatbridge	Cumbernauld	Motherwell	Wishaw
Complaint upheld	2	5	2	5	7	2
Complaint partially upheld	4	2	5	6	5	4
Complaint not upheld	5	6	6	8	9	3
Outcome Awaited	2	0	0	3	1	1

**Fig. 7: Number of Complaints in 1998/99 by Area Team and Acknowledgement Timescale**



	Airdrie	Bellshill	Coatbridge	Cumbernauld	Motherwell	Wishaw	Hospital	Criminal Justice	Total
Acknowledged within 5 days	13	10	10	21	16	8	1	1	80
Acknowledged outwith 5 days	0	3	3	1	6	2	0	0	15
Not Known	0	0	0	0	0	0	0	0	0

**Fig. 8: Number of Complaints in 1998/99 by Interim or Final Response Timescale**



	Airdrie	Bellshill	Coatbridge	Cumbernauld	Motherwell	Wishaw	Hospital	Criminal Justice	Total
Response within 28 days	7	12	6	14	14	5	0	1	59
Response outwith 28 days	5	1	7	8	8	5	1	0	35
Not known	1	0	0	0	0	0	0	0	1
<b>Total</b>	<b>13</b>	<b>13</b>	<b>13</b>	<b>22</b>	<b>22</b>	<b>10</b>	<b>1</b>	<b>1</b>	<b>95</b>

## INDEPENDENT SECTOR

### Independent Sector Complaints

	1998/99		1997/98	
	Number	Percentage	Number	Percentage
<b>Residential</b>	14	29.8%	7	24.1
<b>Nursing Home</b>	33	70.2	22	75.9
<b>TOTAL</b>	47	100	29	100

Service level context:

Across North Lanarkshire there are 1026 nursing home places and 410 residential places provided by the Independent Sector.