



Annual Report 2023/24 Adult Social Care (ASC)
Complaints and Commendations

For consideration by:
Adult Social Care Scrutiny Commission

Date: 13th March 2025

Lead director: Kate Galoppi

Useful information

- Ward(s) affected: All
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1. Purpose of report

- 1.1 The purpose of this report is to provide the Executive Lead for Adult Social Care and senior officers with a copy of the Annual Report 2023/24 produced in relation to Adult Social Care's (ASC) statutory, corporate, Local Government & Social Care Ombudsman complaints and commendations. Information within this report provides a fuller picture of the complaints and commendations received across the Department and accompanying analysis.

2. Report Summary

- 2.1 Where possible, services in Adult Social Care proactively address and resolve the many and varied informal contacts they receive promptly and directly, outside of the statutory complaint process. Work is continuing within the department to ensure that any themes and trends arising from these broad contacts are usefully captured, to contribute to the department's understanding about the relevance and quality of the services it is providing to the individuals that draw on social care support and their carers.
- 2.3 Aside from the specific complaint information noted in this report, the Adult Social Care complaint team directly received 200 other contacts in 2023/24 which could be addressed with brief involvement: 80% of these contacts went on to be directed to a specific team in ASC for further action, 15% required a redirection to Leicestershire County Council and the remaining 5% were forwarded to another City Council service.
- 2.4 The details in the annual report are specifically in relation to the enquiries, statutory, corporate, Local Government & Social Care Ombudsman complaints considered, as well as commendations received by Adult Social Care during the last year. This information is provided with some further analysis of the types of complaints received, by division and across service areas.
- 2.5 The full version of the annual report is attached for information at Appendix 1.

3. Recommendations

3.1 The Adult Social Care Scrutiny Commission are recommended to note the contents of this report and provide any comments as needed.

4. Supporting information

For the purposes of this meeting and of note from 2023/24:

- 2.1 The number of formal statutory complaints concluded during the year was 57.
- 2.2 Nineteen complaints were upheld (33% of total) and 7 (12%) were partially upheld. One of the complaints was found in relation to a care provider's actions directly.
- 2.3 The top reasons for complaints received in 2023/24 were in relation to lack of communication / consultation / information (and equally) challenging practice decision, followed by a delay in receiving a service.
- 2.4 Most complaints received were in relation to aspects of a person's care and support (including financial matters), care assessment, OT involvement and safeguarding matters.
- 2.5 Most complaints upheld or partially upheld related to a lack of communication / consultation / information (and equally) challenging practice decision, followed by a delay in receiving a service.
- 2.6 Six formal contacts proceeded to be concluded by the Local Government & Social Care Ombudsman during 2023/24: two enquiries were upheld regarding the department's actions.
- 2.7 Some of the key complaint themes noted in the Local Government & Social Care Ombudsman's Annual Review of Adult Social Care Complaints 2023-24 were in relation to: assessment and care planning, charging issues, residential care and safeguarding.
- 2.8 According to the Ombudsman's Review, 80% of all ASC complaint investigations undertaken across England in 2023/24 were upheld. The City's upheld rate for ASC complaints was 67%.
- 2.9 Positively, the Department received a higher number of commendations for members of staff compared to last year, reflecting on the good service provided: 244 commendations were received. These commendations have been acknowledged further within the Department and with the members of staff concerned.
- 2.10 A key part of managing complaints involves identifying learning and taking suitable actions to avoid similar issues arising again. Follow-up actions may be implemented on a departmental basis or can just be service-specific. Some of the department's learning and associated actions in response to the

complaints considered in 2023/24 is set out at section 7 of the main report and included such actions as:

- Matters highlighted for awareness at staff forums (service specific action).
- Staff reminders issued in relation to best practice (service and department-wide action)
- Change to practice and related workshop (service specific action).
- Training and procedural guidance issued on specific theme (service specific action).
- Random sample audits conducted to follow-up on practice (service specific action).
- Review of cross-departmental working arrangements (service specific action)
- Changes made to recording processes (service specific action).
- Making documents shared with individuals clearer and information more transparent (service specific action).

2.11 As noted at paragraph 2.2, further work is continuing to make sure that the Department considers all sources of feedback that it receives holistically (including complaint and commendation information), in conjunction with the work of ASC's Practice Oversight Board. This Board focuses on the links between feedback, learning and making practice improvements.

2.12 Thirty-nine contacts initially forwarded to the ASC Complaint Team were reviewed and proceeded to be actively addressed by services within the department, further to receipt, rather than being dealt with as formal complaints directly (noted as initial enquiries). The issues noted as initial enquiries varied and covered a wide range of topics such as: contact/access issues; waiting times; issues around support and care providers; change in support arrangements; charges/funding; potential safeguarding action and contesting other family members' involvements.

2.13 The ASC Complaints Team continues to work with managers to ensure that efficient, robust, and thorough investigations are undertaken for all incoming complaints. Without compromising the independence of the complaint process, the Complaints Team provides support that helps to avoid additional costs that could be incurred through the engagement of external complaint investigators. The team works to ensure that quality, open and transparent responses are provided to individuals in receipt of support from ASC: making sure that any corrective actions or remedies are identified and addressed as appropriate, with lessons for wider service learning also being taken forwards.

5. Supporting Documents

The full version of the Annual Report 2023/24 Adult Social Care Complaints and Commendations is attached as Appendix 1.

The Adult Social Care complaint process adheres to the Local Authority Social Services and National Health Services Complaints (England) Regulations 2009.

The Regulations' publishing requirements for Local Authorities and complaints highlight that the following details should be made available annually:

- The number of complaints received within a period 1st April – 31st March.
- The number of complaints determined as well-founded.
- The number of complaints referred to the Local Government Ombudsman.
- A summary of the subject matter of complaints received.
- A summary of any matters of general importance arising out of the complaints or the way in which they were handled.
- Any matter where action has been taken or is to be taken to improve services as a consequence of those complaints.
- Ensure that the annual report is available to any person on request.

6. Financial, Legal, and other implications

Financial implications

There are no direct financial implications arising from this report.

Signed: Rohit Rughani

Dated: 14 November 2024

Legal implications

I confirm that there are no specific legal imps on this annual report.

Signed: Susan Holmes

Dated: 29th November 2024

Climate Change Emergency implications

There are no significant climate emergency implications directly associated with this report.

Signed: Aidan Davis, Sustainability Officer, Ext 37 2284

Dated: 14 November 2024

Equalities implications

The Annual Report 2023/24 details information about statutory, corporate, Local Government & Social Care Ombudsman complaints, as well as commendations that have been received by Adult Social Care during the last year. Complaints are a valuable source of information which can help to identify recurring or underlying problems and potential improvements. Having an accessible robust complaints procedure in place ensures fair redress to dissatisfaction experienced and reported by users of services and carers on their behalf.

This process is in keeping with one of the council's equality and diversity strategy priorities areas, to design, commission and deliver services that are, inclusive and responsive to the needs of people and communities in Leicester. Analysis has been undertaken in terms of complainants' profiles, as recorded in the report, to ensure that

the complaint procedure remains accessible and equitable to all. The report provides evidence to inform progress against this outcome. In addition, recording and analysis of complaints received as set out in the report enables the council to consider whether it is meeting the general Public Sector Equality Duty aims of eliminating discrimination and promoting equality of opportunity in its service provision.

Signed: Equalities Officer, Surinder Singh

Dated: 14 November 2024



**ANNUAL REPORT 2023/24
ADULT SOCIAL CARE (ASC) COMPLAINTS AND
COMMENDATIONS**

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2024/25 action plan

1. Executive summary

Early resolution actions

- I. Where possible, services in Adult Social Care (ASC) will be proactive and take early resolution actions to quickly address and resolve the many and varied informal contacts they receive directly, outside of the statutory complaint process. Work is continuing within the department to ensure that any themes and trends arising from such contacts are usefully captured, to help contribute to the department's understanding of the suitability and quality of the services provided to people who draw on support and their carers.
- II. The Adult Social Care complaint team directly received 200 other contacts in 2023/24 that were addressed with brief involvement (such contacts for example included more general requests for response, like a change in care call times, or a request for money from a person drawing on support – ultimately requiring redirection for action by a specific team or worker). Eighty percent of these contacts went on to be directed to a specific team in ASC for further action, 15% required a redirection to Leicestershire County Council and the remaining 5% were forwarded to another City Council service.

More formal contacts recorded

- III. In 2023/24, 39 specific contacts were noted by the ASC complaint team as 'initial enquiries' (pre-complaint matters). These contacts covered a wide range of topics such as: contact/access issues; waiting times; issues around support and care providers; change in support arrangements; charges/funding; potential safeguarding action and contesting other family members' involvements. The complaints team had more in-depth involvement with these contacts and addressed some related matters directly. However, the majority still proceeded to be addressed by the responsible team, without the need for further consideration as a formal complaint.

Complaint contacts

- IV. Complaints, as well as commendations, provide valuable feedback about the services provided by a Council. They provide an indication of the areas that are performing well and highlight where further attention should be focused to improve service delivery and practice.
- V. For those matters that are addressed formally as a complaint, it is a statutory requirement to produce an annual report under the Local Authority Social Services and National Health Services Complaints (England) Regulations 2009.
- VI. The number of formal statutory complaints concluded in 2023/24 was 57: 9 complaints more than the previous year. All 57 complaints progressed to a conclusion under the complaint process, with 19 of these being upheld against the Council (1 against a care provider specifically) and 7 being partially upheld.
- VII. For all contacts that proceed to be formally reviewed under the statutory ASC complaint procedure, investigations at the first stage of the process are based on an allocated response timescale that may be up to 10 working days ('green' complaints), up to 20 working days ('amber' complaints), or up to 65 working days

('red' complaints). Complaints that progress to the second and final stage of the statutory process are considered by the Local Government & Social Care Ombudsman (LGSCO).

- VIII. In 2023/24 one complaint was responded to in conjunction with Health partners, with whom Adult Social Care shares the same complaint procedure. A joint contribution was required for this complaint that related to support at home, post-hospital discharge.
- IX. The highest number of complaints received were in relation to care and support (including financial matters), care assessment, OT involvement and safeguarding matters.
- X. The top three reasons for upholding complaints either partially or fully in 2023/24 were: lack of communication / consultation / information (and equally) challenging practice decision, followed by a delay in receiving a service.
- XI. The average response time for complaints to be addressed during 2023/24 was 23 working days.
- XII. During 2023/24, ASC noted the conclusion of six Local Government & Social Care Ombudsman (LGSCO) enquiries in relation to its services. Two enquiries were upheld regarding the department's actions. No public interest reports were published.
- XIII. Some complaints fall outside the remit of the statutory complaint procedure and are addressed under the Council's corporate procedure: two such complaints were recorded in 2023/24. One was from a member of the public and the other was from a care provider.
- XIV. A breakdown of the complaints received across Adult Social Care by division and service areas is included with Appendix 1 of this report.

Commendations

- XV. There was an increase in the number of commendations received in 2023/24 with 244 recorded, compared to 199 in 2022/23: a positive reflection of the Department's work. The most common message received with commendations is a 'thank you', followed by praise for a worker's/team's involvement.

"we work in partnership with others to make sure that all our services work seamlessly together from the perspective of the person accessing services"



making it real
how to do personalised care and support

2. Accessibility of the complaint procedure

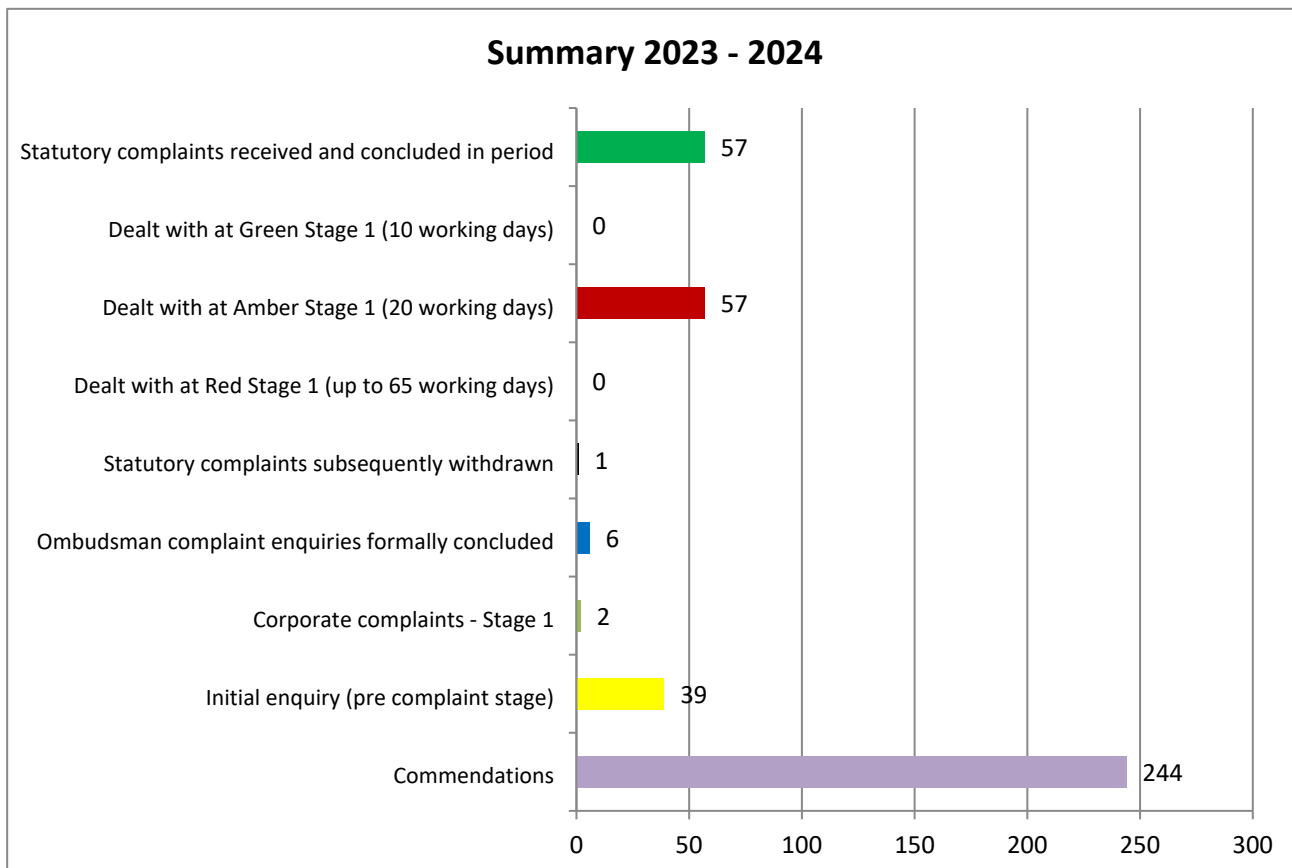
- 2.1 Details relating to the Adult Social Care complaint procedure and how to make a complaint are available on www.leicester.gov.uk (which also incorporates easy read advice and direct access to an online complaint form). Individuals that are new to the service are also advised of the
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complaint procedure by care management staff as part of initial discussions, with the assessment process.

- 2.2 Adult Social Care can also take on-board oversight for some matters, where it has been involved with the support arrangements for an individual's care (i.e., for complaints in relation to residential or home care provision).
- 2.3 The majority of complaint contact arises from the Council's website link to making a complaint and also through direct emails to the ASC Complaints Team.
- 2.4 Complaint information signposts individuals to advocacy organisations for support but in practice most individuals, their relatives or carers, make an approach directly. The main sources for complaint contacts in 2023/24 were:
 - relatives - 51%
 - direct contact from individual in receipt of support - 40%
 - advocacy/formal representative – 5%
 - friend/next of kin – 4%
- 2.5 Adult Social Care encourages an open and accessible approach to complaints, which is reflected in the numbers of complaints considered by the Council each year (although the overall number of complaints received Vs those in receipt of service provision remains small in comparison). With each formal complaint that is addressed, the person is advised of their right to go to the Local Government & Social Care Ombudsman and the Department may receive Local Government & Social Care Ombudsman enquiries further to this.
- 2.6 Complaints received concerning ASC services and other partner agencies, such as the NHS, University Hospitals Leicester, Leicestershire Partnership Trust, and Leicestershire County Council are also responded to under the same statutory complaint regulations. A locally agreed process is in place to help the experience run more efficiently and effectively for the person. One complaint was managed under these arrangements during 2023/24. This complaint concerned a relative's discharge from hospital and arrangements for support at home.

3. 2023/24 complaint contacts

- 3.1 All contacts recorded in relation to complaints and commendations received during 2023/24 are highlighted in the following chart:
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To explain further:

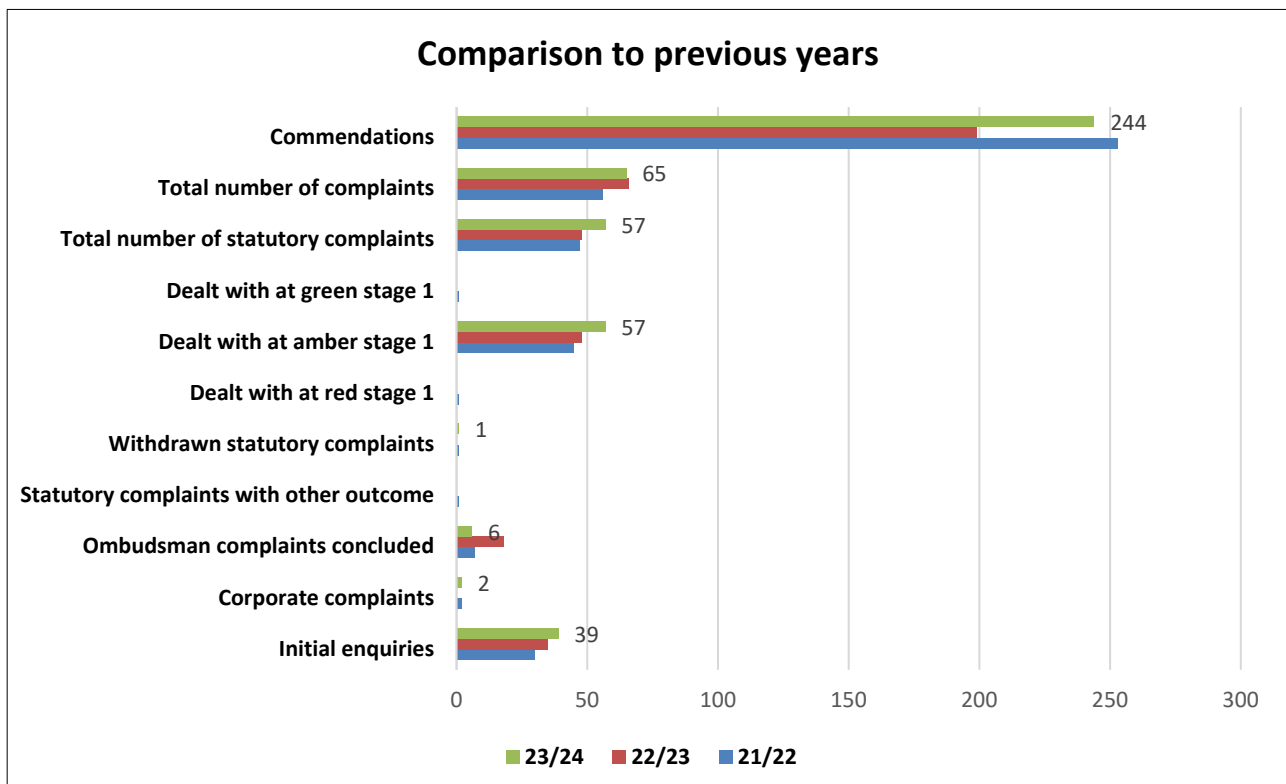
- 3.2 All contacts here were formally recorded during the reporting period, either as an initial enquiryⁱ (39) or as a complaint. Fifty-seven statutory complaints were concluded during 2023/24 and all were allocated up to a 20-working day response timescale (there are other locally agreed timescales applied for complaints that concern other organisations, such as health).
- 3.3 Of the 57 statutory stage 1 complaints that progressed to a formal conclusion, 19 complaints were upheld (33.3% of total) and 7 (12.3%) were partially upheld. One of the upheld complaints was in relation to a care provider's actions, specifically.
- 3.4 Two complaints were logged under the corporate complaint procedure in 2023/24.
- 3.5 During 2023/24, ASC recorded six formal enquiries concluded by the Local Government & Social Care Ombudsman (LGSCO) in relation to services. (Further details about the LGSCO complaints received for ASC are provided at section 9).
- 3.6 Regular contact is maintained with people who raise a complaint and a flexible approach is employed to address the issues being raised. On occasion, open communication between the person raising concerns and the Council encourages resolution earlier on in the complaint process (one contact was withdrawn in 2023/34).

ⁱ An initial enquiry is a contact that falls outside the definition of a statutory complaint as it has been resolved within one working day. Additionally, a concern may be classed as an initial enquiry when clarification is pending as to whether the complaint procedure is the appropriate route for addressing the matter further.

- 3.7 An increase on the previous year, a substantial number of commendations were received in 2023/24, with 244 received compared to 199. Commendations are always welcomed by staff and the importance of sharing positive feedback has continued to be encouraged throughout the year.
- 3.8 Commendations received are highlighted in the Social Care & Education newsletter and any significant feedback is acknowledged further with the member of staff concerned, by the Director. The Complaints Team also flags up the positive feedback received for a service with the respective Heads of Service, for their further attention. (See Section 10 for some examples of the positive comments received).

4. Comparison to previous years

- 4.1 To provide some more general information about the nature of contacts received over the past 3 years by the City Council's Adult Social Care Department, a snapshot of the type of contacts recorded by the Complaints Team are as follows:ⁱ



5. Information in relation to people and complaints in 2023/24

- 5.1 Each complaint received by Adult Social Care is considered on an individual basis and in relation to the specific concerns raised. Any resolution actions for individual complaints are usually addressed at the point of providing a written response to the person.

ⁱ Presently, there is no statutory requirement for local authorities to publish complaint information, and the data that is available from other local authorities does not always offer like for like information for benchmarking purposes. The issues/nature of services that local authorities may include under their statutory complaint process can vary.

5.2 All complaints are subsequently analysed further, to identify any wider lessons, themes or common issues arising. Although the overall number of complaints received represents a small percentage of the people drawing on support from ASC, further analysis has been undertaken in terms of who the complaint is in relation to, as recorded below, to ensure that the complaint procedure remains accessible and equitable to all.

5.3 A total of 1739 individuals were deemed eligible to receive support from ASC following a completed assessment in 2023/24. From available data, 5079 people were noted to be in receipt of long-term support from ASC on 31st March 2024.

Complaints in relation to ethnicity

5.4 A detailed breakdown of the ethnicity of those individuals at the heart of complaints received in 2022/23 and 2023/24 is as follows:

Ethnicity of individual in receipt of support	2022/23 Number / percentage of people raising a complaint	2023/24 Number / percentage of people raising a complaint	Overall Number/ percentage of ASC individuals in long term support as of 31 st March 2024
Asian or Asian British – Indian	17 (35.4%)	12 (21%)	1519 (29.9%)
Asian or Asian British – Pakistani	-	-	93 (1.8%)
Asian/Asian British – Bangladeshi	1 (2%)	-	18 (0.4%)
Asian/Asian British – Other	1 (2%)	2 (3.5%)	166 (3.3%)
Chinese	-	-	10 (0.2%)
Arab/Arab British	-	-	4 (0.1%)
Black or Black British – Caribbean	2 (4.1%)	4 (7%)	155 (3.1%)
Black or Black British - African	1 (2%)	2 (3.5%)	143 (2.8%)
Black or Black British – Other	1 (2%)	1 (1.8%)	36 (0.7%)
Dual Heritage	3 (6.2%)	1 (1.8%)	92 (1.8%)
White – British	16 (33.3%)	26 (45.6%)	2476 (48.7%)
White - Irish	2 (4.1%)	1 (1.8%)	53 (1.0%)
White – European	-	-	-
White – Other	-	1 (1.8%)	147 (2.9%)
Other	1 (2%)	-	40 (0.8%)
Not known	3 (6.2%)	7 (12.3%)	127 (2.5%)

5.5 In 2023/24: 49.2% of people raising a complaint identified as White; 24.5% identified as Asian, 12.3% as Black and 1.8% identified as individuals of dual heritage (ethnicity for 12.3% was unknown). The sample size of people making a complaint is relatively small to draw any significant conclusions from, but based on ethnicity, people complaining in 2023/24 are generally reflective (when compared proportionately) of the breakdown by ethnicity for those individuals in receipt of long-term support from Adult Social Care.^[1]

5.6 The following complaint outcomes were noted as follows:

Outcome	Black, Asian, other minority ethnic	White	Dual Heritage / Not known / Other	Totals (for complaints concluded)
Not Upheld	15	13	3	31
Partially Upheld	2	4	1	7
Upheld	4	11	3	18
Upheld – Not related to Council Actions	0	0	1	1
Total	21	28	8	57

5.7 The top complaint reason for either partially upheld or upheld complaints from individuals that identified as Black, Asian or Minority Ethnic was split between challenging practice decision and lack of communication/information/consultation.

5.8 The top complaint reason identified for partially upheld/upheld complaints from White individuals was shared between lack of communication/information/consultation and challenging practice decision.

5.9 The top primary service reason for individuals from Black, Asian and Minority Ethnic groups was equally split between mental illness and physical disability, whereas for White groups it was physically frail/temporary ill.

^[1]The breakdown of ethnicity across the City as per the March 2021 census for those aged 18+ was: 43.6% - White; Asian – 43.1%; Black – 7.2%; Mixed/multiple ethnic – 2.4%; Other ethnic – 3.7% (data source - www.ukcensusdata.com)

5.10 Given the small number of complaints received, the information under consideration here is not statistically significant, which makes it difficult to draw any firm conclusions in relation to information concerning ethnicity, complaints and any potential impacts arising from this. The ASC complaint process operates to robust standards which are designed to be person-focused, open, fair, and accountable for all individuals that access it: continuous learning from complaints, whether at an individual, themed or departmental level also remains an active part of the process.

Profile information according to age

5.11 The highest number of statutory complaints received against a specific age group was for the 75-84 years age range (14 complaints were received).ⁱ The top primary service reason recorded for this age group was physically frail/temporary ill.

5.12 For those people making a complaint in the age range of 51-64, the prevailing primary service reason was learning disability.

5.13 The complaint outcomes determined by age groups for 2023/24 were as follows:

Outcome	18-24	25-50	51-64	65-74	75-84	85-94
Not Upheld	3	7	9	4	6	2
Partially Upheld	0	1	0	1	4	1
Upheld	0	1	4	1	4	7
Upheld – Not related to Council Actions	0	1	0	0	0	0
Total & %*	3 (5.5%)	10 (17.8%)	13 (23.2%)	6 (10.7%)	14 (25%)	10 (17.8%)

*56 complaints were recorded with the person's age

According to gender

5.14 In 2023/24 29 statutory complaints (51%) were made in relation to females, and 28 (49%) in relation to males.ⁱⁱ

ⁱ March 2021 Census data for Leicester City - the average age of Leicester's population in 2021 was 33 years.

ⁱⁱ March 2021 Census data for Leicester City - 50.6% females, 49.4% males

5.15 The leading primary service type relating to females who raised a complaint was equally split between physically frail/temporary illness and learning disability/learning disability autistic spectrum disorder. For males it was physically frail/temporary illness (where details are recorded).

Repeat complaints

5.16 The complaint process remains open to individuals wishing to raise concerns and there may be some occasions when individuals find it necessary to raise more than one complaint during the year, as interactions between individuals and ASC progress. However, some individuals do opt to revisit the complaint process on a more routine basis, turning to this as the first port of call for a concern. On occasion, and as appropriate on receipt of such contact, the Complaints Team will attempt to redirect concerns to the relevant service to be followed up and addressed outside of the complaint process.

5.17 According to the merits of the situation, the Department sometimes considers the resources being called upon to keep addressing an individual's contact. There are times when the Department feels that it is necessary to consider special measures for addressing complaints that have been ongoing, or if it appears that contacts have become inappropriately persistent or vexatious in nature: this may also include occasions when officers have been presented with abusive or threatening behaviour. The Department's response to such situations addresses the circumstances at hand but may include a review of the individual's contact with the Department for a specific period or advising that the Department will not keep responding to the same issues it considers have been reasonably addressed already.

6. Complaint reasons

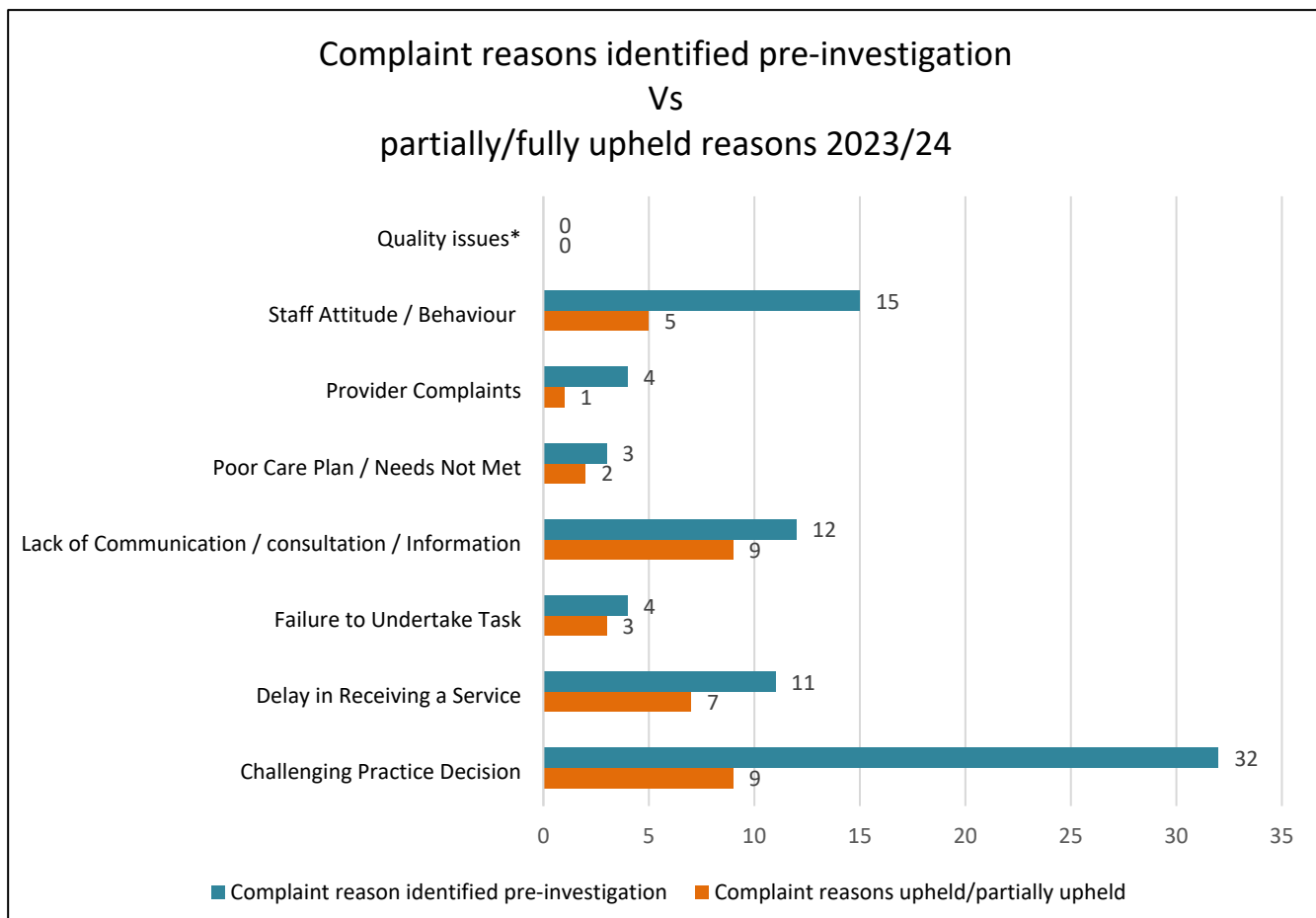
6.1 Some of the more common themes for making a complaint concerned the following in 2023/24:

- Waiting times (particularly in relation to OT/care assessments)
- OT adaptation fulfilment – waiting times
- Telephone waiting times
- Quality of communication (particularly during waiting periods)
- Delay in worker being allocated
- Delay in concerns being addressed (for instance – response to a contact, an assessment or allocation)
- Carer's assessment not conducted in a timely way
- Disagreement with proposed adaptations
- Specific interaction with worker that did not go well
- ASC not providing support the person considers they need
- The management and safeguarding of a person's financial arrangements.
- Disagreement with assessment outcome
- Financial assessment related e.g. disagreement with contribution

6.2 Adult Social Care's statutory complaint database currently notes 8 specific reasons for raising a complaint: more than one reason per complaint may be identified. The principle reasons behind any complaint are recorded at the point of receipt by the Complaints Team and full consideration is given to all points raised, whether a major or more incidental part of the

complaint.ⁱ The complaint points noted at the start of the process are then reconsidered on completion of the investigation to establish whether the initial reasons for complaint were upheld or not.

6.3 The following chart shows a more detailed breakdown of the complaint reasons identified on receipt (i.e., pre-investigation) during the last year, together with a picture of those complaint reasons that then went on to be partially or fully upheld after investigation.



**Quality issues include those complaints that highlight matters such as issues with timeliness, poor recording.*

6.4 As a further fail-safe, where particularly high numbers of the same complaint reason arise, action is taken to explore why such concerns may be arising and to see if there are any underlying issues to address as part of a trend or theme. During the latter part of the year, the Complaints Team reviewed those complaints that noted a higher number of similar concerns being raised, to try and get a better understanding of the trigger for such complaints and to see if there were any common issues at the root of these matters.

6.5 Some of the highlighted reasons noted – for instance ‘challenging practice decision’, (i.e., disagreement with an action or a decision), or ‘failure to undertake task’ have a clearer rationale for being raised, as well as the reasons why they then proceed to be upheld or not. The reasons noted under this category cover a wide range of actions and decisions made by different services.

6.6 Several complaints were noted with issues in relation to communication, consultation and information sharing. Some of these complaints highlighted the importance of:

ⁱ Adopting an approach to encompass all reasons can drive-up the numbers recorded against a specific complaint at the start of the process.

- Providing relevant and timely information to people to ensure that they remain actively involved, know what to expect and when, and are able to make informed decisions, with a full and clear understanding of a situation – particularly at times of crisis, change or when waiting for further actions.
 - Making sure that essential information is recorded.
- 6.7 Complaints that fall under the umbrella of ‘staff attitude/behaviour’ often cover a broad range of issues and this year included matters such as; the supported person not feeling listened to/communicated with well by the worker, a member of staff perceived as rude in conversation or during a specific interaction and specific points relating to individual worker’s practice.
- 6.8 Complaints arising from specific exchanges in communication can be much more difficult to investigate in retrospect, compared to those more self-evident issues, like a delay or a failure in service of some sort. However, with any complaint concerning a specific member of staff’s actions, the issues raised are always explored further and considered directly between the member of staff involved and a manager.

7. Learning and actions identified from complaints received in 2023/24

- 7.1 At the point that a complaint is addressed, immediate actions are taken to remedy any issues that may have arisen through fault. Such actions usually include an apology, together with a more detailed explanation of events that arose. Other common actions include a further assessment or review being undertaken, or a change in allocated worker.
- 7.2 Most complaints upheld in 2023/24 had actions that included an apology and an explanation of the circumstances, in response. Some other, specific actions, also involved a financial assessment being carried out in retrospect and a revision to the start date when care costs were applied.
- 7.3 The following are further examples of specific actions taken to help implement the learning identified from complaints received and upheld during 2023/24 (presented to Adult Social Care’s Leadership Management Team and Lead Member during the year) and some broader themes that are currently being considered further in the context of ‘8’ below.
- I. Concerns discussed with staff member as a learning point/reflected on in supervision (individual action).
 - II. Matters highlighted for awareness at staff forums (service specific action).
 - III. Staff reminders issued in relation to best practice (service and department-wide action)
 - IV. Change to practice and related workshop (service specific action).
 - V. Training and procedural guidance issued on specific theme (service specific action).
 - VI. Random sample audits conducted to follow-up on practice (service specific action).
 - VII. Review of cross-departmental working arrangements (service specific action)
 - VIII. Adjustment made to care package in place (individual action).
 - IX. Repayment plan/instalment plan agreed to help the person pay for their recent stay in residential home (individual action).
 - X. Changes made to recording processes (service specific action).
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XI. Making documents shared with individuals clearer and information more transparent (service specific action).

XII. Outcome of safeguarding investigation provided (individual action).

7.4 Further work continues to make sure that the Department considers all sources of feedback received holistically (including complaint and commendation information), in conjunction with the work of ASC's Practice Oversight Board. This Board focuses on the links between the many sources of feedback that are received, learning and making practice improvements. A specific feedback and engagement working group has also recently been set up to consider how best all feedback received across the department can be drawn together and managed better.

Repeat complaint themes identified between 2022/23 & 2023/24

7.5 In relation to the overall number of people that draw on Adult Social Care's support, the number of complaints received in 2023/24 remains relatively low. Whilst there is limited information to draw common themes from, any complaint issues that have arisen on a more regular basis have been considered.

7.6 Aspects of communication continues to remain one of the key reasons for complaining. Other, repeated, reasons include:

- I. Timeliness of actions
- II. Waiting times (adaptations)
- III. Delays in receiving a service/support
- IV. Support in place not being sufficient/suitable
- V. Carers assessment not being offered/completed
- VI. Assessment not accounting for needs fully

The details above are reported within the department, as described in more detail at section 8.

8. Putting learning from complaints into further action

8.1 As noted, it is expected that appropriate actions are undertaken 'locally', at the point where a matter first arises in a timely way, to remedy individual concerns as part of the complaint process. Generally, the investigating Head of Service is responsible for identifying and overseeing such action.

8.2 Further to a complaint investigation that highlights specific findings of failure or error, the Head of Service is also asked to consider and provide an update on the actions that may have been taken within their service area or more widely across the Department; demonstrating how any changes have been implemented following complaint feedback. This information is then also discussed with Heads of Service, with further reporting on any actions to ASC's Leadership Team and Lead Member.

8.3 All complaints received are also reviewed by the Complaints Team, to establish whether there are any common trends or issues emerging across the Department and to see if any previously identified themes continue to be repeated (see 7 above). This wholesale review of complaints is intended to provide the Department with a broader awareness of the issues that arise

concerning its services and to further identify the impact that our actions have on individuals, to help identify any wider improvements that may need to be taken.

8.4 Wider changes for the department, relating to learning activity identified from complaints, may be in relation to the following (not an exhaustive list):

- new policy introduced or change made to existing policy
- new practice introduced or change made to existing practice
- creation of new staff guidance or revision to existing staff guidance
- staff briefing/information on specific matter shared
- review/revision of publicly available information (website pages etc)
- targeted learning event/workshop
- staff training

8.5 In practice, most learning points from complaints received in 2023/24 resulted in discussions with a staff member as part of reflective practice or supervision or further staff/team training and staff reminders being issued.

8.6 The correlation between learning and any follow-up actions, as well as the impact of such actions, are explored further in conjunction with the work of the Practice Oversight Board with the aim of establishing how, as a department, we are clearly demonstrating the way in which key feedback is translating into practical and tangible service improvements or actions. This is an area that remains under development currently. (See 7.4 above)

8.7 Key feedback identified from complaints, as well as commendations, is also considered alongside other sources of departmental feedback, to establish any other evident shared themes. Progression of these issues are managed through other departmental improvement mechanisms such as the Practice Oversight Board, Operational Leads meetings or the First Line Supervisor's Forum. The Complaints Team also provides feedback to the wider department managers and staff, as part of ongoing activity in relation to complaints.

9. Contact with the Local Government & Social Care Ombudsman (LGSCO)

9.1 The LGSCO receives contacts in relation to all Council services and although reported with their own statistics, not all contacts are directed to the Local Authority for further attention. Consequently, there is usually a slight difference in the data sets published by the LGSCO and the City Council for that year.

9.2 Adult Social Care made up approximately 11% of the total number of Ombudsman complaints decided in relation to the **entire** City Councilⁱ in 2023/24. The City Council had an upheld rate of 86%: for ASC complaints specifically, the upheld rate was 67%. (The upheld rate for ASC complaints across England was 80%.)

9.3 From ASC's records, **six** complaints were formally determined against the Department by the LGSCO during 2023/24.

The enquiries in relation to ASC's actions in 2023/24 were concluded with the following outcomes:

ⁱ Source - Local Government & Social Care Ombudsman's website www.lgo.org.uk – figures here exclude LGSCO enquiries that were classed as incomplete, where advice was given or those matters that were referred to the authority to investigate in the first instance.

Upheld; fault and injustice	2
Not upheld, no fault	1
Closed after initial enquiries; no further action	2
Closed after initial enquiries; outside of jurisdiction	1

9.4 The two complaints upheld against ASC required formal recommendations to be agreed and met, with associated actions confirmed to the Ombudsman's office on completion. A summary of these individual complaints and the recommendations - since met - are as follows:

i. Complaint ref: 23 001 484 (Adult Social Care and Housing)

Outcome - Upheld: fault and injustice

A complaint was raised in relation to a step lift installed at the property and ongoing issues caused in relation to its functionality, breakdowns and repairs – the person living in the property could not be fully independent as they continued to require support getting in and out of the house.

The Council was asked to apologise to the person and to pay £3,750 in recognition of the distress and the difficulties experienced due to the failings in the Council's service.

The Council was also asked to apologise to the family member raising the complaint and to pay £500 for distress and experience and the unnecessary time and trouble they had been put to as a result of the Council's failings.

ii. Complaint Ref: 23 007 177

Outcome - Upheld: fault and injustice

A complaint was raised in relation to the delay in allocation to a new social worker - the person considered this unnecessarily delayed their review. The person complained about poor/lack of communication and response to their telephone calls & emails when following this up.

A payment of £150 was made for the distress and frustration caused by the delays identified, and a reminder to staff was made, to adhere to the Care and Support Statutory Guidance, specifically regarding the undertaking of care and support plan reviews at least every 12 months.

9.5 Some of the Ombudsman's most common areas of complaint upheld against ASC services in England in 2023/24 related to assessment and care planning, charging issues, residential care and safeguarding. Leicester City's ASC complaint themes in 2023/24 were particularly around care and support (including financial matters), care assessment, OT involvement and safeguarding matters.

9.6 The Ombudsman's office publishes most decision statements recorded in an anonymised format on their website. These can be searched for by local authority, subject matter or reference number. They also provide a regular public summary bulletin that notes all decisions found, by authority.

9.7 The ASC Complaints Team has continued to take on a proactive role with the preparation of responses to all LGSCO enquiries. It is considered that this action has been of benefit to the Department, providing additional support to service areas that would otherwise be involved in addressing time-consuming enquiries. This action also allows for a further 'independent'

overview of complaint issues to take place, prior to any response being returned to the LGSCO, as well as supporting timely responses.

10. The good things people drawing on our support tell us

- 10.1 Another side to the Complaints Team's work involves capturing the positive feedback and commendations that come in across the Department, for further acknowledgment and for sharing. In those situations where staff have clearly gone above and beyond their duty, the individual's good work is shared and acknowledged further in writing by the Director.
- 10.2 Details of those individuals that have received commendations acknowledging the value of their work on behalf of the Department have been reported in the Department's newsletter. Heads of Service are provided with the positive reports received for their respective areas, to help determine how to share good news stories more widely within their own service.
- 10.3 Many more comments, often personal to the individual or the family's experience, have been received within the Department - confirming the importance and the value of ASC's work within the City. Commendations normally reflect the good people skills demonstrated by staff, notably:
- good and clear communication
 - empathetic and caring nature
 - humility
 - the ability to reassure or put the person at ease
 - politeness
- They also reflect those instances that have resulted in a positive difference to an individual's life and the receipt of useful equipment or guidance, is often mentioned.
- 10.4 Positive feedback is recorded and analysed further and reported via the Practice Oversight Board. Regular reports in relation to commendations (as well as complaints) help to add a further perspective for all the comments that the department receives and considers about its staff and services.
- 10.5 Positive comments received in 2023/24 have also been considered in relation to I Statements noted as part of the work of Think Local, Act Personal and the ethos of 'making it real' - a key driver behind Adult Social Care's approach to working and supporting people as well as possible, in partnership. I statements reflect what people drawing on the support of social care wish to see happen in relation to their life and support¹: I statements set the bar in terms of the best outcome that personalised care can achieve.

¹Individual I statements are set out under six main themes [Six themes of Making it Real - About - Making it Real - Think Local Act Personal](#)

Most commendations received during the year can be aligned to the following theme:

Workforce – The people who support me

The statement most identified with, within this theme was:

- I have considerate support delivered by competent people
- Followed by:
- I am supported by people who see me as a unique person with strengths, abilities and aspirations.

10.6 Some of the positive experiences that we have been told about and that link to some of the I statements and themes noted as part of Think Local, Act Personal are specifically:

When things need to change

Staying in control

- **I am supported to plan ahead for important changes in life that I can anticipate.**

“Your communication with myself personally has made it very reassuring that the best interests have been taken for my mum in this stage of her life. This can not only be daunting for her, but for us as a family too, and having someone like yourself helping and guiding us along is priceless.

From our initial meeting to our telephone conversations, we have had your kindness and your professionalism has been great!

Mum is now moving on to what we hope and believe is the right place for her, and for us as a family too.”

Workforce

The people who support me

- **I have considerate support delivered by competent people.**

“She has been an invaluable source of support for both of us, and has been diligent, organised and exhibited so much care & compassion for myself and my father. It has given me extra help and respite to care and a slice of life for my father.”

Flexible and Integrated Care and Support

My support, my own way

- **I have care and support that enables me to live as I want to, seeing me as a unique person with skills, strengths and personal goals.**

"Thank you ever so much for all your help through all of this it has been very much appreciated & I don't know what we would have done or how we would have managed to cope .. without your support.

X is most definitely in the right place to suit his needs borne out by the improvement in his general health & obvious weight gain. Despite his Alzheimer's he is more engaging than he was at home & he has more involvement with family, we're also able to take him out for weekly visits into the local town..."

Workforce

The people who support me

- **I am supported by people who see me as a unique person with strengths, abilities and aspirations.**

"...I was at an all-time low I felt like I had no purpose and I was really struggling ... however since (Worker) has been working with me she helped me overcome that and so many other things and see things in a completely different light before she started working with me I hadn't left the house for years not even to go to the shop but she helped me get a bus pass and I now am so more independent and have been on many many buses since!

... She made such a huge positive impact to my life and honestly changed my life so so much and I wish I could explain my gratitude and how much she helped me but the truth is there is no words to explain how much she truly helped me deep down."

11. Report contacts

For more information relating to this report please contact:

Joanne Tansey, Customer Feedback & Complaints Manager

or

Kane Dickinson, Complaints Officer (ASC)

Social Care & Education

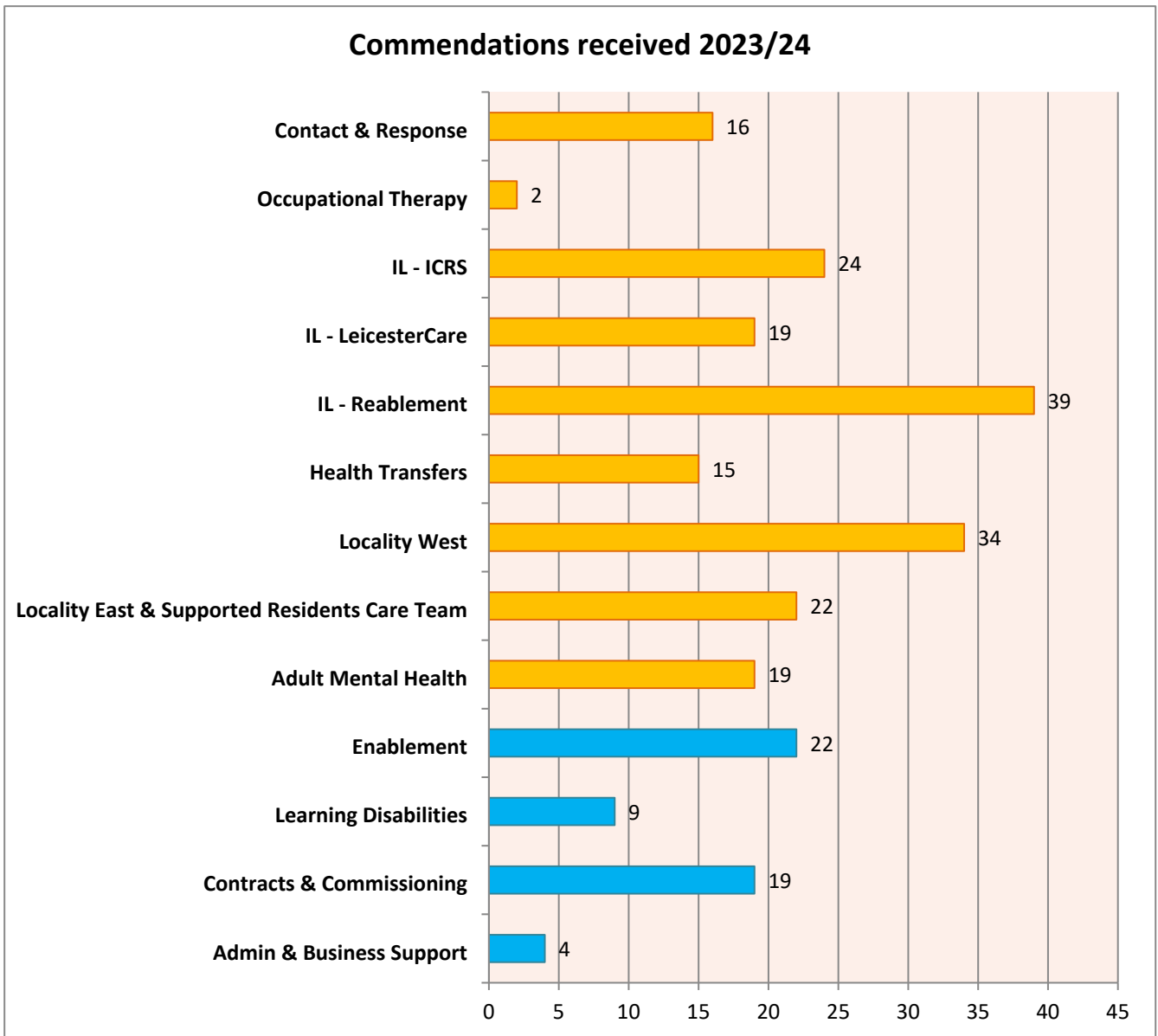
Email: Adultsocialcare-complaints@leicester.gov.uk

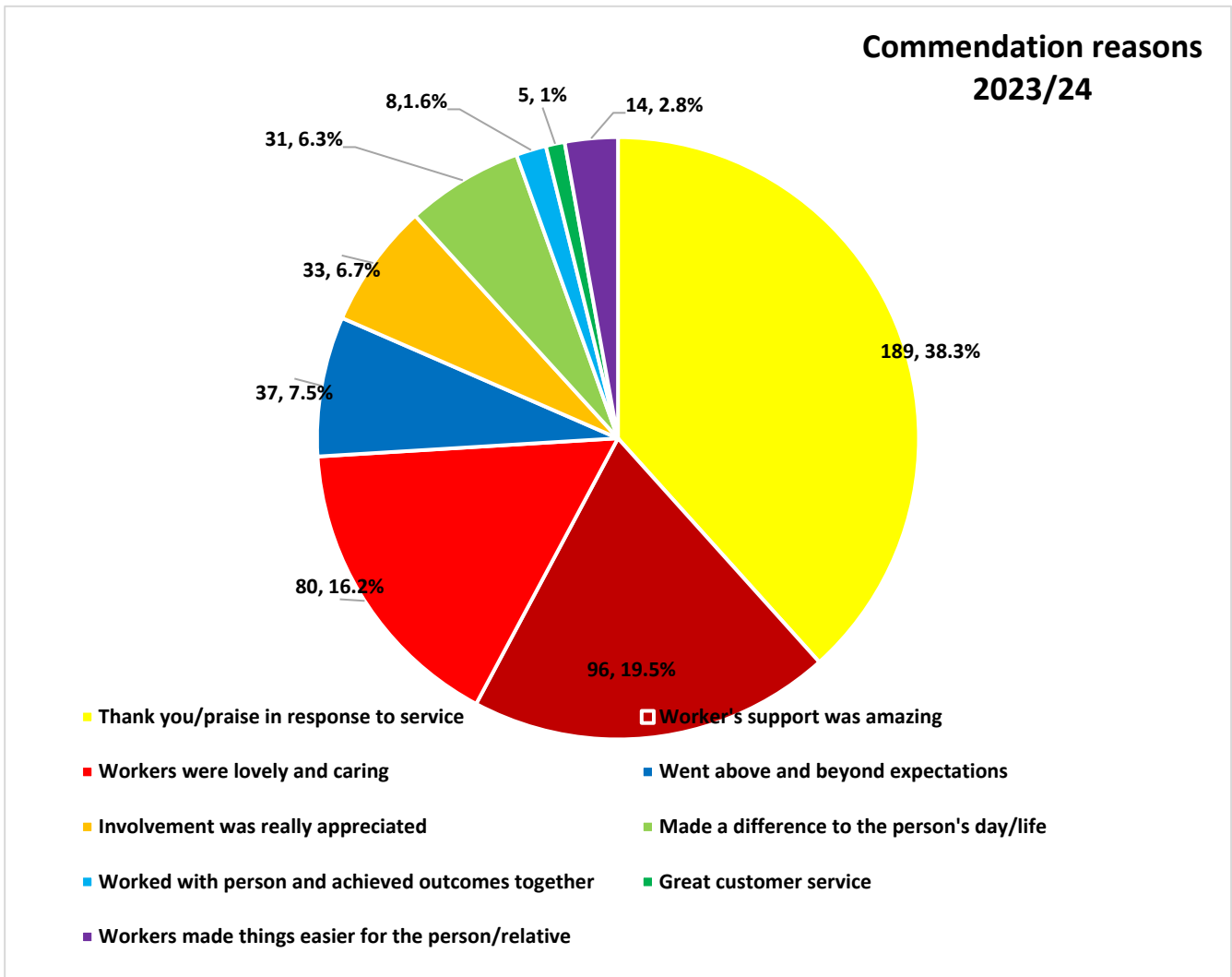
Tel: 0116 454 2470

APPENDICES

APPENDIX 1

1. Commendations by service area

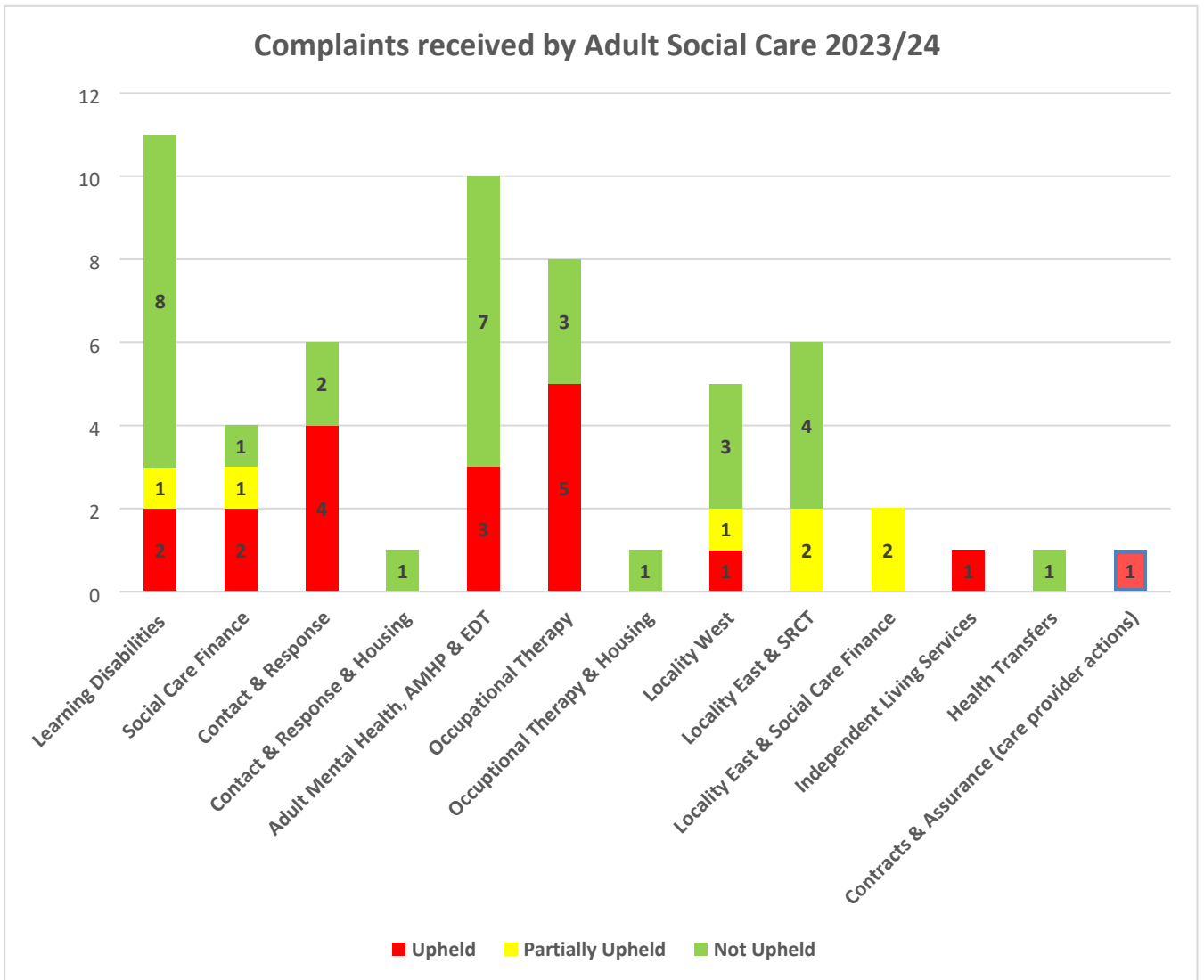




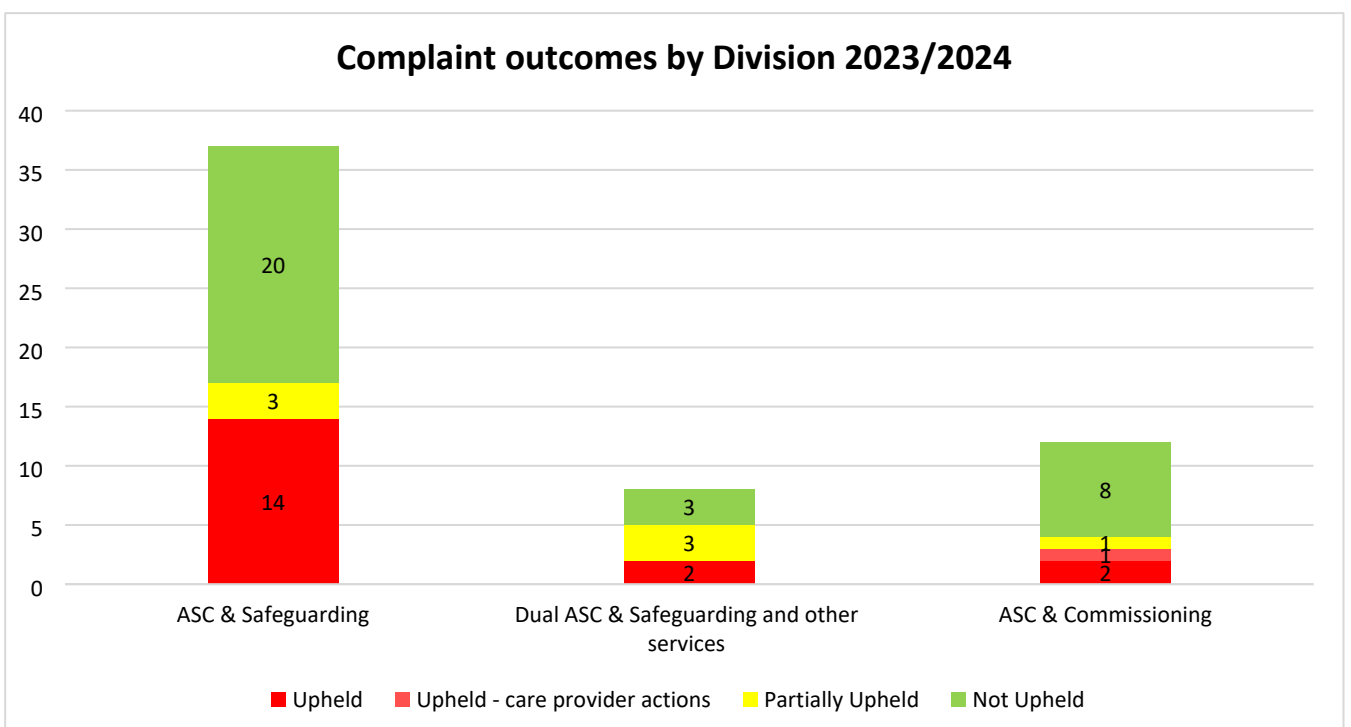
Commendations may include more than one message.

2. Breakdown of complaint information received across the Department

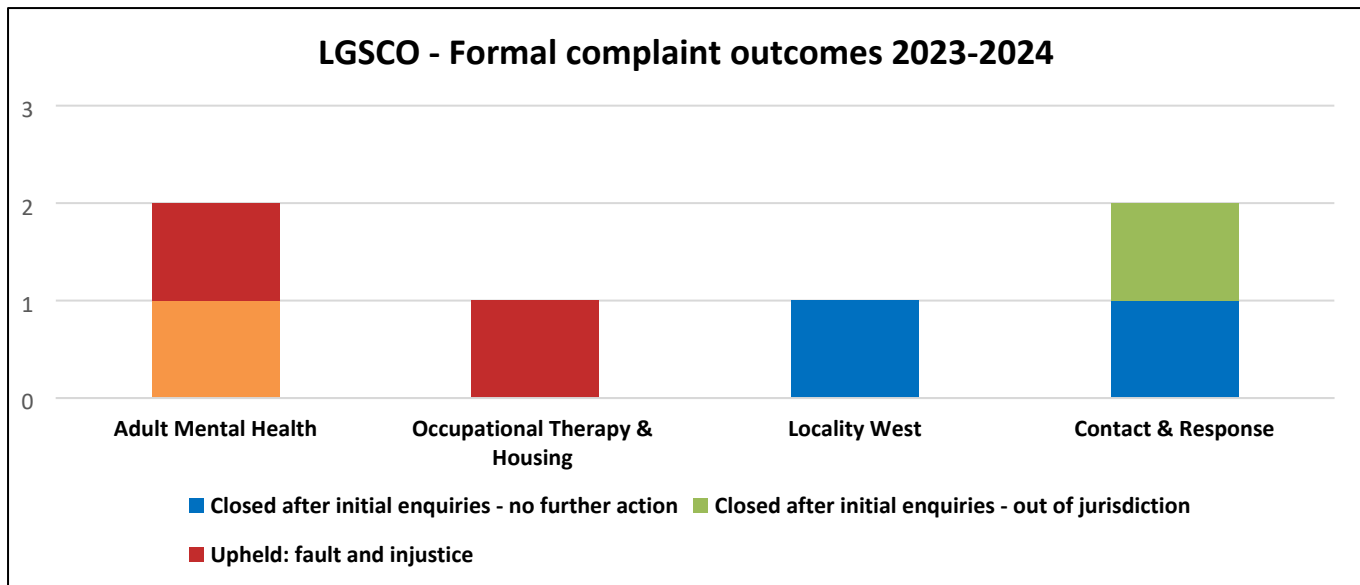
- 2.1 It is perhaps worth noting that teams receiving a higher number of complaints are not necessarily ones providing a poorer service than others. Higher numbers of complaints may indicate that staff are aware of their responsibilities in terms of recording and formally reporting matters, helping to ensure that the complaint procedure remains open and accessible to all. A clearer picture of the Department's 'health' rests with issues that go on to be upheld and where common patterns of concern arise.
- 2.2 The ratio of complaints received to individuals in receipt of ASC services remains relatively small.
- 2.3 The distribution of Stage 1 complaints received in 2023/24 across ASC was as follows:



2.4 Complaint outcomes determined by division are as follows:



3. LGSCO complaints received by serviceⁱ



3.1 Comparison information in relation to some of Leicester City Council's statistically nearest neighbours – LGSCO outcomes for ASC in 2023/24:

Authority	Total complaint enquiries decided ⁱⁱ	Initial investigation – Closed after initial enquiries	Initial investigation – Not upheld	Initial Investigation – Upheld	Upheld rate ⁱⁱⁱ
Leicester City Council	9	3	1	2	67%
Coventry City Council	9	3	0	2	100%
Derby City Council	15	3	2	3	60%
Nottingham City Council	8	2	0	1	100%
Sandwell Metropolitan Borough Council	21	5	1	8	89%
Kingston Upon Hull City Council	10	3	1	2	67%
Rochdale Metropolitan Borough Council	7	0	0	3	100%

ⁱ Details of the individual complaints upheld are noted at section 9 of the main report.

ⁱⁱ Information published by the LGSCO – 2023/24. Not all complaints reach the initial investigation stage and are often subject to other outcomes, for example 'Advice given' or 'incomplete'. The number here reflects those enquiries that were subject to formal decisions.

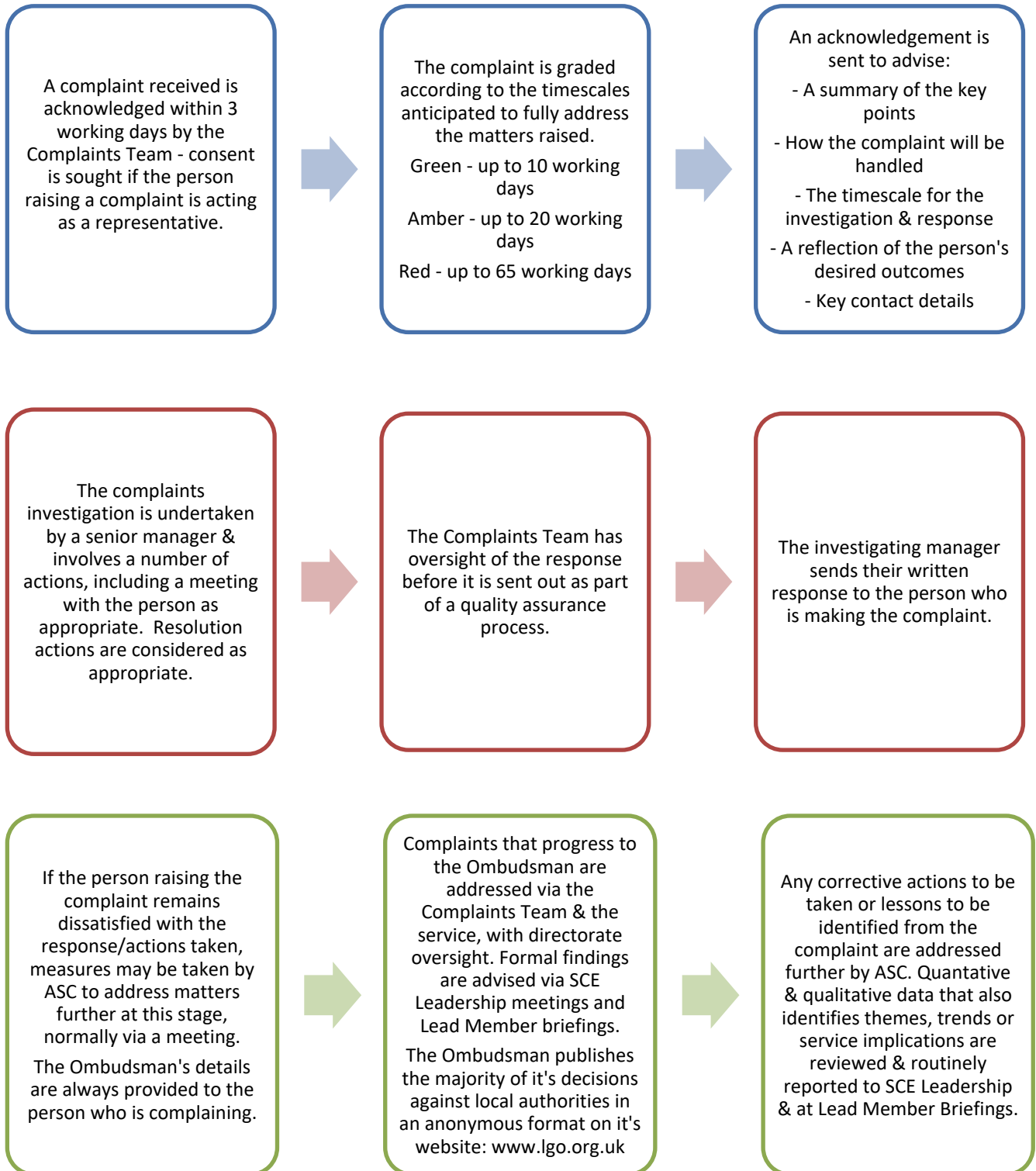
ⁱⁱⁱ Upheld rate = this is based on the % of upheld complaints from the sum of 'not upheld + upheld' (does not take into account other complaint findings)

- 3.2 Given the small number of complaints under consideration against each local authority, minor changes in numbers significantly impact the upheld rate. (Last year’s upheld rate for ASC was 79% when 11 complaints were upheld and 3 were not upheld).
- 3.3 Some of the key complaint themes noted in the Local Government & Social Care Ombudsman’s Annual Review of Adult Social Care Complaints 2023 - 24 were in relation to:
- Assessment and care planning (80% upheld rate)
 - Charging (82% upheld rate)
 - Safeguarding (63% upheld rate)
 - Residential care (86% upheld rate)
 - Home care (89% upheld rate)
- 3.4 According to the Ombudsman’s Annual Review, it upheld 80% of all ASC complaint investigations undertaken across England in 2023/24. The city’s upheld rate for ASC complaints considered in 2023/24 was 67%.
- 3.5 Some of the Ombudsman’s most common areas for upheld complaints against ASC services in England are noted at 5.3 above. Leicester City’s ASC complaints also reflect these same themes, but in 2023/24 these particularly concerned the provision of care support, assessments (including financial matters), OT involvement and safeguarding.
- 3.6 From ASC’s records, **six** complaints were formally determined against the Department by the LGSCO during 2023/24. The enquiries in relation to ASC’s actions in 2023/24 were concluded with the following outcomes:
- | | |
|---|---|
| Upheld; fault and injustice | 2 |
| Closed after initial enquiries; no further action | 2 |
| Closed after initial enquiries; outside of jurisdiction | 1 |
| Not upheld, no fault | 1 |

APPENDIX 2

Adult Social Care (ASC) complaint process in brief (chart)

Verbal complaints that are resolved to the person's satisfaction within one working day fall outside the complaint procedure.



APPENDIX 3

Performance indicators relating to the management of statutory complaints

INDICATOR	2022/23	2023/24	Target for 2024/25
% Acknowledge Stage 1 complaints (combined) within 3 working days	93%	98% ⁱ	100%
Green % Completion of Stage 1 complaints within 10 working days	N/A	N/A	100%
Amber % Stage 1 complaints completed within initial timescale of 20 working days ⁱⁱ	64%	65%	75%
% Stage 1 complaints completed between 21-25 working days ⁱⁱⁱ	20%	10%	-
% Stage 1 complaints completed between 26-30 working days	7%	5%	-
% Stage 1 complaints completed at 30+ working days or over	9%	20%	-
Average complaint response time	19.5 working days	23 working days	N/A

ⁱ A delay in acknowledgement arose when further clarification was sought about progression.

ⁱⁱ Excludes complaints that were responded to jointly with other organisations as different timescales apply.

ⁱⁱⁱ Complaint responses that exceed the initial timescale advised are usually acknowledged with the person raising the concerns.

APPENDIX 4 Outcomes for 2023/24 action plan

Action identified	Outcome
<p>Ensure business continuity and performance in meeting core tasks and targets. Focus on complaint response times.</p>	<p>Performance continued to be measured throughout the year with reports to the Practice Oversight Board and quarterly reports for Social Care & Education’s Leadership Team. Meeting target response times remains a competing priority.</p>
<p>Encouraging better communication with people raising a complaint.</p>	<p>With each complaint allocated for investigation the responding manager was encouraged to ensure that they made initial contact with people making a complaint and maintained communication throughout the complaint process.</p>
<p>To encourage direct resolution actions.</p>	<p>Each complaint was considered on its merits and at the point of concluding an investigation, responding managers were asked to consider any potential actions for resolution – outside of a written response – to address those situations where a difference of view was still held, to try and bring about an agreeable resolution if possible.</p>
<p>Build on current report produced for Practice Oversight Board concerning feedback received across the department and messages highlighted when this information is brought together.</p>	<p>Several activities continue to take place that continue how best to include the learning from complaints.</p> <p>Complaints received are reviewed on a quarterly basis and discussions take place with Operational Leads to consider whether any further, service wide actions are required (for example, a policy change, revision to practices, issuing of guidance/briefing for staff).</p> <p>As part of the ongoing relationship with the Practice Oversight Board, details relating to complaint and commendation feedback are presented on a regular basis and aligned with other sources of feedback and improvement activities that are being undertaken across the department. This is an area under active development. A feedback and engagement working group has been established to review aspects of managing feedback further to help find a more systematic way of recording and utilising information, for departmental improvement.</p> <p>Repeated complaint themes are reviewed year on year.</p>

APPENDIX 5 2024/25 Action Plan

Action identified	Action required	Anticipated outcome	Timescale
<p>Ensure business continuity and performance in meeting core tasks and targets. Focus on complaint response times.</p>	<p>Continuous performance monitoring against timescales to take place: proactive approach employed to ensure responding managers are aware of requirements and timescales and prompted to meet these.</p>	<p>Measurable actions are addressed within specified timescales.</p>	<p>Specific detail of the targets worked to is outlined in the table at Appendix 3.</p>
<p>Encouraging better communication with people raising a complaint.</p>	<p>Heads of Service to ensure contact with individuals at the start of the investigation process to discuss concerns being raised directly and to ensure open communication is maintained throughout the process.</p>	<p>That further direct engagement with the person making a complaint encourages a more satisfactory resolution and better outcome for all parties.</p>	<p>Required on a continuous basis – but to be considered further with each quarterly review of complaints.</p>
<p>To encourage direct resolution actions.</p>	<p>When it is apparent that matters remain unresolved/disputed for people who are making a complaint, Heads of Service to be reminded of options open to attempt further resolution.</p>	<p>Alternate dispute resolution actions can influence a more positive outcome for complaints and prevent further escalation.</p>	<p>Alternate dispute resolution actions to be considered with each complaint.</p>

<p>Participate and contribute to the work of the newly created Feedback and Engagement Working Group that is introducing a departmental system for collating and managing feedback well.</p>	<p>To continue developing a system for all feedback that is gathered so that it can be drawn together in a helpful way and allow for further analysis that will inform the department's actions/activities.</p>	<p>Provides a further perspective on what people think about the support they receive and how well this is working for them (or not). Link this feedback to direct services/practice to inform any further actions.</p>	<p>A project schedule is in place for this work.</p>
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