

**Complaints Handling and Performance**  
**Annual Report 2023-24**  
**Adults Social Care**

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## 1. INTRODUCTION

Bradford Council is required under the statutory Local Authority Social Services and National Health Service Complaints Regulations (2009) to annually report on complaints relating to Adults Social Care.

This report provides information covering the period 1st April 2023 to 31st March 2024 in relation to the department of Adult Social Care.

The purpose of the Annual Report is to review the performance of the complaints process over a 12-month period. This includes statistical data and information about complaint themes and offers an analysis of what the information obtained from the operation of the complaints process means for the Council.









The Council recognises that customer feedback, along with information relating to the performance of complaint handling, provides a good indication of the overall performance of individual services and departments as well as the whole organisation.









To ensure a balanced approach, the report also provides information on compliments and comments received by the Council.

## 2. ACTIVITY SUMMARY

Table 1 below gives details of complaints handling activity for 2023-24 and shows a comparison against the two previous years, 2021-22 and 2022-23.

**Table 1 complaint performance summary**

	2021/22	2022-23	2023-24
<b>Total number of complaints received.</b>	160	123 	184 
<b>No of formal complaints closed in year</b>	137	151 	182 
<b>% of formal complaints about:-</b>			
• Service provision	47%	49% 	30% 
• Staff	19%	11% 	11% 
<b>% Responded to in *agreed timescale (*statutory or policy)</b>			

• Formal complaint (*statutory)	55%	54% 	68% 
<b>% Complaints uphold rate</b> (* includes partially upheld)	58%	33% 	45% 
<b>Complaints received by the LGCSO in year</b>	20	14 	20 
<b>LGCSO investigation uphold rate</b>	40%	14% 	35% 

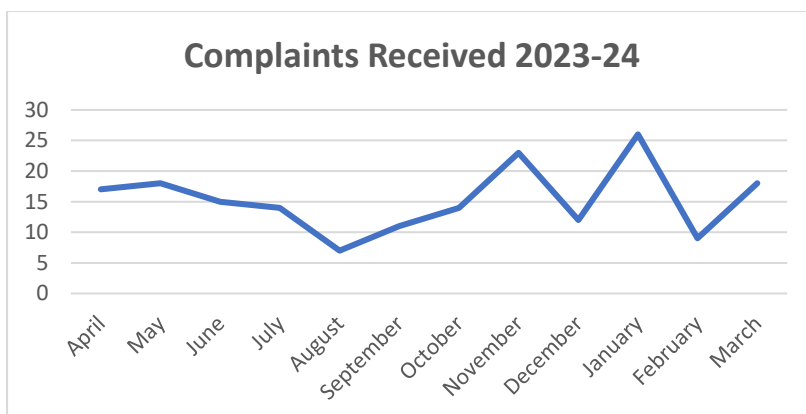
### 3. COMPLAINTS

#### 3.1 Complaints Received

There was a rise in complaints received in comparison to the previous year, with 184 received in 2023-24 against 123 in 2022-23. This was in part due to a change in commissioned care provider contracts which resulted in service users expressing dissatisfaction that they were no longer able to continue to use their previous home care provider, despite the service mitigating in preparation for this change by providing a dedicated helpline and publishing frequently asked questions information. 21 complaints were received as a direct result of the change in provider contracts.

The graph below shows the number of complaints received on a monthly basis throughout the financial year. The higher turnout in November and January is reflective of the complaints received as a result of the changes in care provider contracts and commissioned services.

**Graph 1 – Monthly complaints totals**



Of the 184 complaints received, 95% were acknowledged within three working days, demonstrating the Council’s compliance for acknowledging complaints against the 90% performance target.

In 2023-24, 9,730 people received care and support services from Adult Social Care to meet their needs in provisions such as Home Care, Residential Care or Reablement. The number of complaints received this year indicates that less than 1% of service users, or someone acting on their behalf, raised a formal complaint about a service that they received.

### 3.2 Complaints closed

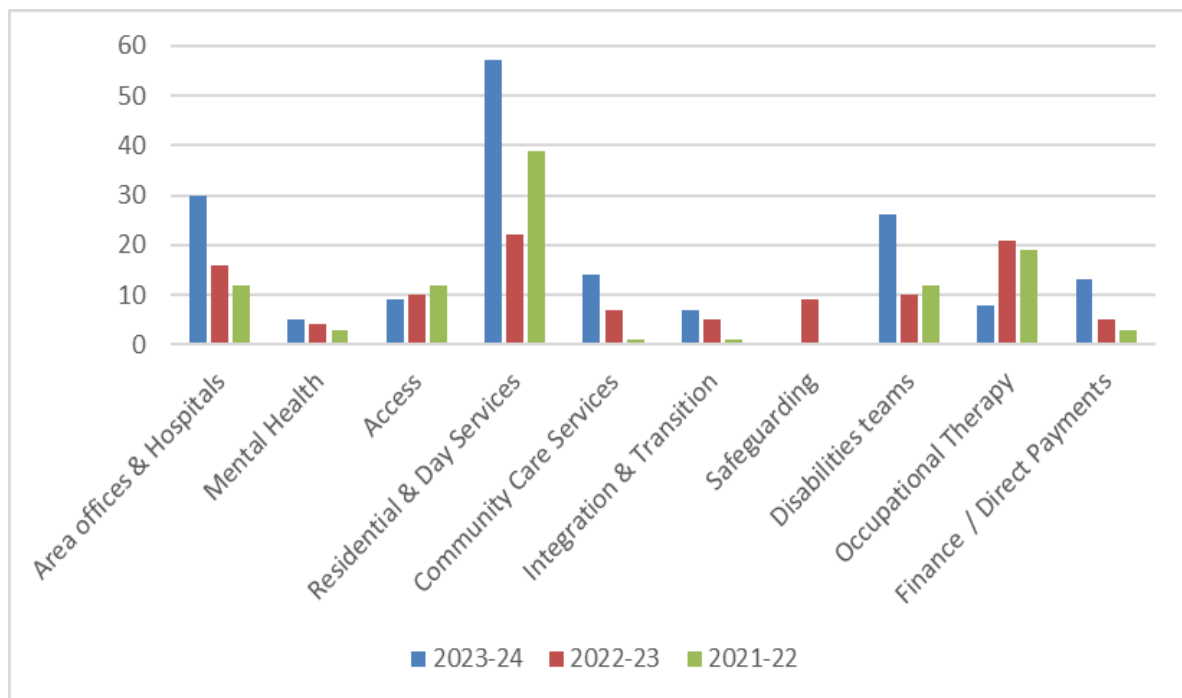
Whilst the number of complaints received has increased, it is pleasing to report that the number of complaints that have been addressed and closed has also increased and remains proportionate to the number of complaints received.

## 4. COMPLAINT THEMES

Complaints can be broken down into both service area and common themes. This provides valuable information when planning service improvement.

### 4.1 Teams and service areas

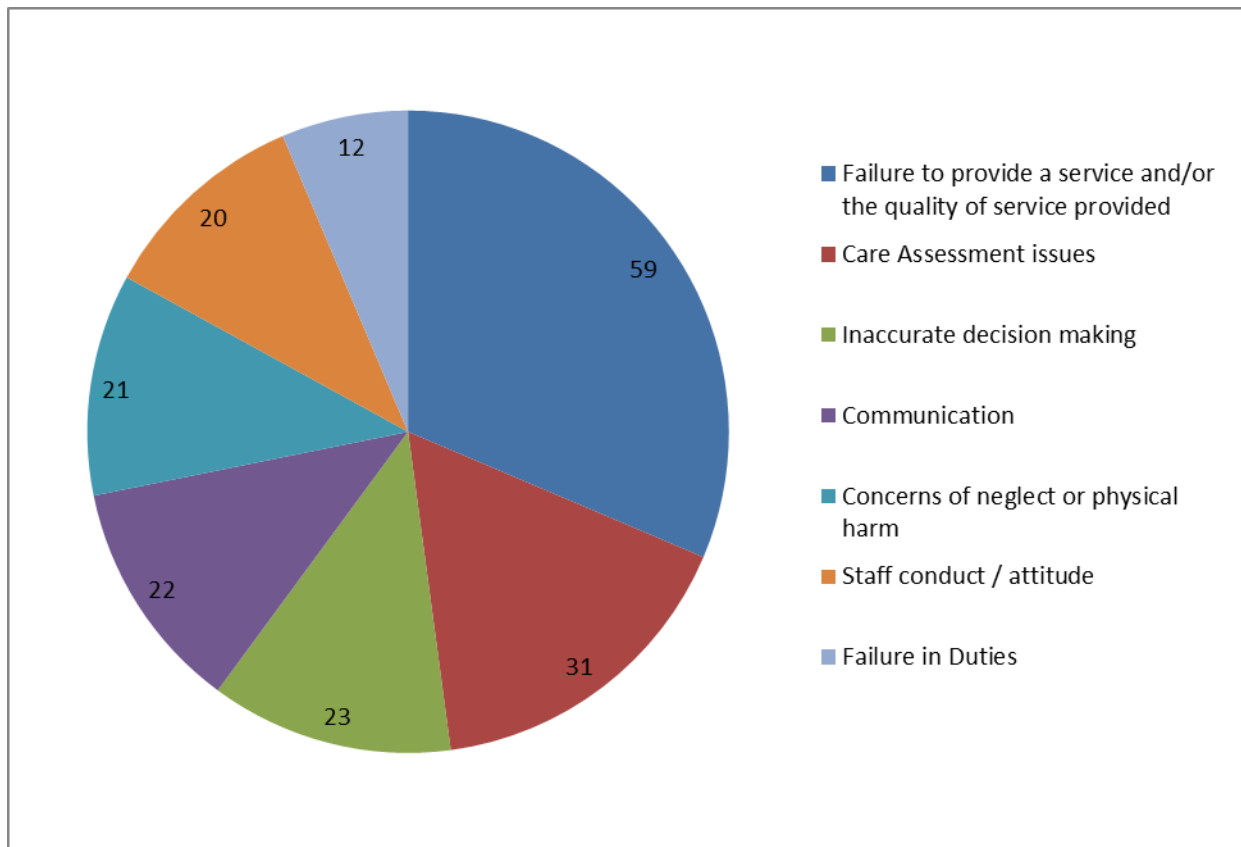
**Graph 2** below shows the breakdown of complaints received by service area or team with a comparison to the last 2 years.



## 4.2 Issues raised within formal complaints

The **Chart (1)** below shows issues raised by type and the common themes that form part of individual complaints that have been received.

**Chart 1 Breakdown of common issues**



*\*\*NB: A single complaint can include multiple issues*

The highest number of complaints received involved service users dissatisfied with the provision of service they were receiving. This is a wide range topic which can include any type of dissatisfaction including delays to deliver the service in addition to the quality of the service received. Service users may also challenge the procedures and processes involved. Service provision complaints also include commissioned services where complaints have been investigated which are made against care providers contracted to provide a service on behalf of Bradford Council. Relatives of service users invariably have a high expectation of the care they expect which can differ to the provision of service provided under legislative constraints. This is reflected by the high number of complaints received within this category.

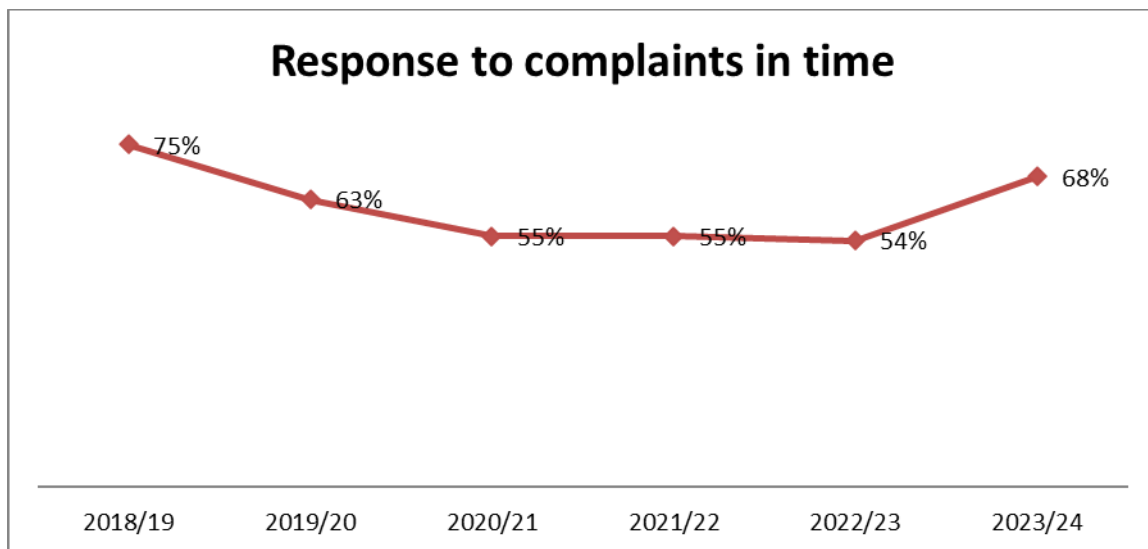
The assessment teams received 31 complaints in 2023-24, where service users were unhappy with the decision applied to their entitlement of either care provided or occupational therapy equipment. This can fall below the service users' expectations or desired outcome. Complaints pertaining to assessment entitlement or decisions

cannot overturn the decision of what a service user has been awarded but instead the complaints process will assess if the correct procedures and working practices have been applied. The complaint outcome will be considered using any evidence of fault or maladministration occurring.

## 5. PERFORMANCE

Performance in responding to complaints within the statutory timescale of 20 days has increased from 54% in 2022-23 to 68% in 2023-24. It is noted that this remains significantly below the high standard set within the Council whereby 90% is the performance target. However, the improvement from 2022-23 reflects the acknowledgement made from the service that this needs to improve. Work is continuing in both the Corporate Complaints Team (CCT) and Adult Social Care services to build a culture of responding to complaints within the statutory timescales wherever possible.

**Graph 3** below demonstrates the percentage of formal complaints currently responded to within 20 working days since 2018-19 onwards.



## 6. COMPLAINT OUTCOMES

The outcomes of complaints are classed as upheld, partially upheld, not upheld, withdrawn or inconclusive (when there is no evidence to conclude one way or another).

Whilst reporting on the number of complaints received is useful, it is important to assess this against the number of complaints which have been upheld and thus where fault has been found. This gives a clearer indication of where issues lie within the service and contributes to actions and service improvement plans.

The table below demonstrates the percentage of complaint outcomes for the last two

financial years.

Where complaints have multiple issues, each issue is given a separate outcome.

**Table 3 – Upheld rates**

Stage 1 Upheld rates %	2022-23	2023-24
Fully Upheld	13%	26%
Partially Upheld	33%	20%
Not Upheld	40%	40%
Withdrawn / resolved	14%	9%
Inconclusive	3%	6%

The Council's RAG rating for **upheld rates only** is;

	21 to 100%
	11-20%
	0-10%

Whilst the percentage of not upheld complaints remains the same, more complaints have been upheld than partially upheld in 2023-24. The Local Government and Social Care Ombudsman (LGSCO) has provided new guidance when applying outcomes and believes that partially upheld can be indicative of organisations not fully taking responsibility for where fault is found. This complaint handling guidance has been applied to complaints in 2023-24 resulting in investigating officers considering that where there is evidence of any fault at all, the Council will accept responsibility and provide an outcome of upheld rather than partially upheld and include actions to put things right and make amends.

Of the complaints upheld, the two most common themes were;

- (i) the quality of service provided was not as expected
- (ii) there was a failure to provide a service to the service user

## 7. TRAINING

Complaint handling training has been provided by the Corporate Complaints team to officers within Adults Services who have responsibility of investigating and responding to complaints. This includes managers from Independence Advice Hub, Residential and Day services and Hospital teams. The training provided guidance on writing stage one responses, information relating to investigation techniques, the importance of adhering to timescales, writing effective apologies and the Ombudsman complaint process. Training continues to be available and rolled out to managers and responding officers across the department to improve awareness and raise the standard of complaint handling.

## 8. LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN

The Council is legally required to inform people of their right to complain to the Ombudsman if for whatever reason they are unhappy with the way the Council has dealt with their complaint or if they disagree with the outcome. All statutory stage one responses provide complainants with the details of how to contact the Ombudsman.

If a complainant approaches the Ombudsman, without initially raising their concern with the Council, the Ombudsman will invariably advise that the complaint is “premature” and will refer the complaint back to the Council for investigation. This provides the Council an opportunity to offer a response and if fault is found, to put corrective measures in place.

### 8.1 LGSCO Adults Social Care Annual Report

The Ombudsman publishes an annual report to review the Council’s performance and provides information on the complaints they have investigated on behalf of service users within the Bradford district.

The latest Ombudsman annual review of Adult Social Services was published in September 2023 and provides information in relation to 2022-23. The report highlighted a complaint received by the Ombudsman where they found the Council took too long to assess the needs of an autistic man and then failed to provide the support he needed for a further 16 months. Due to his Social Worker’s lack of understanding of autism, the complainant received an ineffective assessment, which meant the services provided were not sufficient. Following recommendations from the Ombudsman, autism training was put in place for all staff across Adult Social Care and the Corporate Complaints team to improve awareness and ensure assessments are now undertaken with a greater understanding enabling the correct support to be put in place without delay.

The tables below show further statistical information on themes and outcomes from the Ombudsman’s September 2023 report pertaining to complaints they investigated and provides a comparison with the five West Yorkshire local authorities.

**Table 4 – Ombudsman Complaints received by themes 2022-23 providing a comparison across the West Yorkshire Councils**

Authority name	Assessments and care planning	Charging	Safeguarding	Direct payments	Disabled facilities grants	Residential care	Home care	Supported living	Other	Total
Calderdale Metropolitan Borough Council	2	0	0	1	0	2	0	0	3	8
City Of Bradford Metropolitan District Council	2	1	3	0	7	0	4	1	6	25
Kirklees Metropolitan Borough Council	4	2	4	0	0	2	0	0	2	16
Leeds City Council	5	1	3	0	0	4	3	0	8	24
Wakefield City Council	3	0	1	0	1	0	1	0	4	10
<b>Totals</b>	<b>16</b>	<b>4</b>	<b>11</b>	<b>1</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>1</b>	<b>23</b>	<b>83</b>



**Table 5 – Ombudsman Complaints and enquiries decided by outcome 2022-23**

Authority name	Referred back for local resolution	Closed after initial enquiries	Full Investigation Not upheld	Ful investigation Upheld	Total	Uphold rate (%)
Calderdale Metropolitan Borough Council	1	4	1	3	9	75%
City Of Bradford Metropolitan District Council	4	6	4	5	22	56%
Kirklees Metropolitan Borough Council	3	5	3	5	20	63%
Leeds City Council	3	15	1	11	30	92%
Wakefield City Council	1	4	0	2	11	100%
<b>Totals</b>	<b>12</b>	<b>34</b>	<b>9</b>	<b>26</b>	<b>92</b>	<b>77%</b>

The Ombudsman was satisfied that Bradford Council was 100% compliant in implementing the Ombudsman’s recommendations to remedy the upheld complaints.

Compensation awards for 2022-23 where maladministration and injustice was found were made in two cases and totalled £4,371.10.

Council data shows that in 2023-24, four complaints were awarded a financial remedy by the Ombudsman. The total cost of which was £2,600, a decrease from the previous year.

## **8.2 LGSCO identified learning for Adult Social Care complaints.**

Below provides a summary of the LGSCO cases where financial remedy was awarded in 2023-24.

### Case One

The Ombudsman upheld all parts of the complaint because the care provider did not deliver care in line with Mrs Z’s assessed needs and care plan. Staff sometimes falsified records about the duration of visits to Mrs Z’s house. The care provider also failed at times to adhere to Mrs Z’s care plan which sometimes had an impact on her mealtimes and medication. The Council agreed to pay £300 for the distress caused and reimburse 50% of the financial contributions paid by Mrs Z during the period complained. The Council have overarching responsibility for contracted care providers to ensure that they provide the correct care to the service user.

### Case Two

Mr D complained on behalf of his disabled son about the Council’s decision to refuse to fund previously agreed home adaptations. There was fault by the Council which raised Mr D’s expectations and cost him time and trouble. The Council agreed to pay him £500 to remedy that injustice and also agreed to reconsider Mr D’s application for a discretionary disabled facilities grant.

### Case Three

Mrs X complained the Council's care provider had failed to meet her son's needs and despite the Council upholding many of her complaints about this, her son continued to lack support, leaving him at risk of harm. The Ombudsman acknowledged that the Council had already taken action to ensure the care provider improved its working practices and provided Mr Y with the support he had been assessed as needing. However, the Ombudsman also recommended that the Council made a symbolic payment of £300 to Mr Y to reflect the lack of support he previously experienced and the risk of harm he was subject to. The Council also provided an effective apology to Mrs X.

### Case Four

The Ombudsman upheld complaints made by Mrs D concerning the Council's assessment of her mother's care needs and that it did not fully refund money spent on her care as a result. Also, that it was at fault for how it assessed her late father's care needs in June and August of the same year. These faults caused a loss of service along with distress. The Council accepted these findings and agreed to make a symbolic payment of £750 and refund care costs previously charged. It also agreed to make service improvements designed to help prevent a repeat of the fault identified in this case.

## **9. LEARNING FROM COMPLAINTS**

It is recognised that complaints provide a tool for service improvement and lessons learned. This can be in the form of general reminders for staff, specific learning points resulting in changes to processes and the sharing of good practice. CCT monitors services and teams to ensure any agreed outcomes and actions from complaints are implemented within a timely manner.

**9.1** Learning points that have been highlighted to Adults Social Care from 2023-24 complaints include;

- (i) Clear communication and collaborative working needs to happen between the different teams within the department.
- (ii) Mental capacity and gathering information from others is crucial to make informed assessment decisions.

**9.2** Service improvement actions taken specifically from complaints lessons learned include;

- (i) Contributions Team, following feedback from a complaint, will consider and offer to send breakdown statements in writing to help service users with their understanding of the complex invoicing system.

(ii) Contracted care providers are to be monitored and issues raised with them which are then followed through by business relationship officers.

(ii) Contracted care providers have been advised to maintain full records as these will be requested when investigating complaints.

## 10. COMPLIMENTS

Whilst complaints provide an indication of where performance is lacking and can contribute to identifying where service improvements are needed, compliments help to recognise good practice and acknowledge where staff have made great efforts to support people accessing Council services.

Between 1<sup>st</sup> April 2023 and 31<sup>st</sup> March 2024, 72 compliments were received, comparable to the data collected by CCT for 2022-23 when 76 compliments were received. However, it is acknowledged that there will be additional compliments received within the department during “business as usual” which are not forwarded to CCT to log. Regardless of where compliments are received, it is important that they are noted by Managers to reflect where services are delivered to a good standard and that where staff are personally complimented, they are given the recognition they deserve.

The table below provides a breakdown of compliments received for individual teams.

**Table 6 – Breakdown of compliments received by team.**

Social work teams (Keighley, Shipley, South, East and West)	16
Residential - Norman Lodge	3
Residential - Thompson Court	22
Hospital teams	5
BEST	2
Occupational Therapy	1
Safe and Sound	7
BACES	1
Community Care Admin	3
CTLD	2
Sensory Needs	3
Community reviewing teams	2
Access	2
Immigration & Asylum	1
Airedale/ Wharfedale CMHT	2
<b>Total</b>	<b>72</b>

Compliments can be received from both service users and other professionals. A selection of the compliments received is shown in **Appendix A**

## **APPENDIX A**

### **Examples of compliments received**

#### **(i) CTLD – professional compliment received**

I just wanted to say a big thank you for the training you delivered on Thursday last week. You were one of the best trainers I've listened to, you explained things clearly and made it all easy to understand (no mean feat!). The training was very worthwhile and I came away with my confidence boosted to carry out MCA's.

You created a relaxed atmosphere where people felt able to ask questions and to raise the concerns they had around completing MCA'S. Your knowledge was impressive and you inspired me.

#### **(ii) South Team Social Worker – professional compliment received**

A social worker successfully worked with an older couple to prevent lengthy court proceedings and back home from a care home, while the ICB in Leeds were trying to separate them and vilify the man's wife, even having her arrested at one point. The judge praised the social worker and the combined efforts of BMDC.

#### **(iii) Shipley Social Work team – service user compliment re care provider**

Can we take this opportunity to say a big thank you to you for all your help in dealing with Premier Care and in supporting us through the Continuing Care process. We are so grateful for all the things that are now in place for mum and to help us as a family moving forward. You have achieved so much for us in a relatively short space of time and we are very much appreciative of the work that you do.

#### **(iv) Sensory Needs – service user compliment**

I cannot express my thanks for all your help, assistance and care for Y over the last few years. The time following X's passing was always going to be difficult for Y and the family, but we always have felt so well supported that, longer term, everything would work out. The recent events with Y have shown that life can be a rocky road at times, but thanks to your efforts we appear to have turned the corner and can look forward to many years of excellent care for Y at RAC.

#### **(v) Community Care – service user compliment**

The social worker came out straight away and had a general interest in why he was there. He spoke to my Mum in her own language which she fully understood. He was

very caring and genuinely tried to help. We really appreciate his assistance and it showed it wasn't just a job to him he really enjoyed and wanted to do his job well.

**(vi) Thompson Court – service user compliment for staff**

Thank you for your kindness, care and thoughtfulness.

**(vii) Airedale Hospital team - service user compliment for staff**

Thank you for your efforts in finding a suitable placement for my dementia inflicted wife. You have been thoughtful and caring. You went above and beyond your duty and both me and my son have a very high opinion of you.

**(viii) Safe and Sound – service user compliment**

Response attended approximately 2 weeks ago, her daughter wanted to pass on her thanks for an amazing service and care extended to her mum when she fell out of bed.

She said the service was exemplary.

**(iv) CMHT – service user compliment**

It's been exactly two weeks since Y was transferred from Lynfield Mount DAU to the Residential Care Home where they are continuing the care that you commenced. I wanted to report back to you because his recovery has been quite remarkable starting at Lynfield under Dr X but particularly these last two weeks. He is now able to hold a normal conversation and very rarely has any confusion. He knows the code to the lift and can find his room. Anxiety also seems to be under control. We are simply amazed and thankful that he ended up at Lynfield under your Mental Health Team after a previous troubling deteriorating few months. On behalf of the family we want to thank you all for your care, attentiveness and professionalism in taking Y along the path to his recovery.