



# **Sheffield City Council**

## **Annual Report of Complaints Received About Adult Social Care Services**

1 April 2022 – 31 March 2023

## **1. INTRODUCTION**

- 1.1. This report provides information on the complaints received about Adult Social Care services between 1 April 2022 and 31 March 2023.
- 1.2. The provision of an annual Adult Health and Social Care complaints report is a requirement of the complaints procedures established through the NHS and Local Authority Social Services Complaints (England) Regulations 2009.
- 1.3. The report has been written by the Council's Complaints Manager (in the role of Complaints Manager as defined in the Regulations) on behalf of the Director of Direct Services and the Director of Adult Health and Social Care. The Strategic Director of Adult Care and Wellbeing has an accountability to provide a local offer in relation to provision of complaints.
- 1.4. Adult Care and Wellbeing services are Directorate within Sheffield City Council. Services are delivered to people in need of social care under the Fair Access to Care Services criteria. Services are delivered to people with a learning disability, physical disability and/or sensory impairment, and to older people. Mental health services are provided by the Sheffield Health and Social Care Trust; complaints and feedback about mental health services are reported separately by the Trust. It should be noted that a decision was made by the Co-Operative Executive on 16<sup>th</sup> March 2022 to return the social workers back to Sheffield City Council with 2022 to 2023 being a transitional year to plan for their return by 1<sup>st</sup> April 2023.

## **2. WHAT IS A COMPLAINT?**

- 2.1. Sheffield City Council defines a complaint as "any expression of dissatisfaction whether justified or not."
- 2.2. The aim of the Council is to resolve complaints to the satisfaction of the customers who have made them.

## **3. WHO CAN MAKE A COMPLAINT?**

- 3.1. Anyone who uses Sheffield City Council services can make a complaint.
- 3.2. The Council's corporate complaints procedure provides a process for all customers to use.
- 3.3. If a complaint is about Adult Social Care, the statutory complaints process, as defined by the NHS and Local Authority Social Services Complaints (England) Regulations 2009, is used.

## **4. THE ADULT SOCIAL CARE STATUTORY COMPLAINTS PROCEDURE**

- 4.1. The statutory complaints procedure is a single stage process designed to resolve matters at the earliest opportunity. However, Sheffield City Council has introduced an optional 'review stage,' through which a customer who remains dissatisfied may request that a review of the investigation is carried out by a more senior officer. Where a complaint cannot be resolved, and the customer remains dissatisfied, they are informed of their right to raise this with the Local Government & Social Care Ombudsman.
- 4.2. A key characteristic of the statutory complaints process is the involvement of the customer in how their complaint will be resolved and how long this will take to investigate.
- 4.3. On receipt, the complaint is assessed against a set of criteria that determines the way it will be investigated. The majority of complaints are investigated and resolved by the service, but complaints can be investigated by independent investigators where this is judged appropriate. Independent investigators make recommendations to the Council's senior managers.

- 4.4. Complaints that are about both health services and social care services are investigated jointly with relevant NHS organisation/s. A single, coordinated response is made.
- 4.5. All complaint responses are approved and signed by the relevant Head of Service or, where appropriate, the Strategic Director of Adult Care and Wellbeing Services.

## **5. ANALYSIS OF COMPLAINTS AND FEEDBACK**

### **Complaints Received**

- 5.1. A total of 229 complaints were received into Adult Health and Social Care between 1<sup>st</sup> April 2022 and 31<sup>st</sup> March 2023, of these, 113 Statutory complaints were received and considered under the Adult Social Care Act Statutory Complaints Procedure, this is an increase of 35% on the number received the previous year (73).

(Table 1 below shows a breakdown of the numbers of complaints by service/team over the past 3 years)

Complaints received during 2020-2022 were lower in numbers across all services which is potentially due to the Covid-19 Pandemic. In line with government guidelines during this period all non-critical services paused and staff within local government focused on the delivery of essential services and support required to the citizens of Sheffield.

In addition to the above, in November 2021 Sheffield City Council introduced a new complaints case recording system and took this opportunity to give emphasis and importance to ensuring all customer dissatisfaction and complaints were captured which included local resolution.

The focus on capturing information and greater emphasis on ownership and accountability of complaint management delivered a shift in culture and behaviour towards complaints leading the journey of transforming our council to a more listening and caring organisation that listens to our customers and wants to learn from what people tell us.

- 5.2 The cause of complaint is categorised from the customer's perception upon receipt. A single complaint can be recorded against more than one category, and so the total will usually exceed the number of complaints received.

Table 2 shows that from the customer's perspective, the highest overall category of complaint during 2022/23 was in relation to quality (32%). The highest detailed category of complaint was poor customer care (27%).

The Adults' Social Care service works hard to resolve complaints at the local resolution stage of the procedure and service managers will often, with the agreement of customers, become personally involved and meet customers to address and resolve any outstanding/continued dissatisfaction without the need for formal investigation.

**Table 1: Complaints received by service area.**

**\*There was a change to structure of the Adult Services in 2022/23 so some areas were amalgamated into different teams which is reflected below:**

<b>Breakdown of New Complaints Received</b>	<b>Totals 2020/21</b>	<b>Totals 2021/22</b>	<b>Totals 2022/23</b>
	<b>Statutory</b>	<b>Statutory</b>	<b>Statutory</b>
Commissioning - (Contracts)	28	13	14
Commissioning - (Strategic)			3
Commissioning - Mental Health			2
Commissioning (Strategic)			1
Equipment and Adaptations Service	2	2	6
City Wide Care Alarms	2	0	3
First Contact Team	5	10	14
Hospital Out of Hours	7	4	8
Locality 1, 3 and 5	20	37	14
Locality 2 and 4			17
Locality 6 and 7			9
Social Care Accounts Service (SCAS)	6	3	18
STIT / Care4you	5	10	1
Safeguarding	2	0	0
Disabled Facilities Grant			1
Future Options	2	1	1
Withdrawn			1
<b>Total</b>	<b>71</b>	<b>73</b>	<b>113</b>

## What the complaints were about

5.2. An analysis is made of each complaint on receipt. Therefore, the categorisation in the table below is based on the customer's perception on making the complaint and does not take into account the findings and conclusions following investigation.

5.3. It should be noted that complaints are categorised against multiple categories to capture all areas of dissatisfaction. Therefore, the totals in the table are greater than the total for the number of complaints received.

**Table 2: Complaints by cause/problem category**

Problem	Details	Number 2021/22	Totals 2021/22	Number 2022/23	Totals 2022/23
Access	Other access to service or information problem	0	0	0	0
Delay	Delay in providing information	2	30	2	11
	Delay in delivering a service	10		8	
	Delay in taking action	15		0	
	Delay in returning phone calls	3		1	
Failure or Refusal	Failure or refusal to deliver a service	18	34	13	17
	Failure or refusal to give advice/provide information	3		1	
	Failure or refusal to respond to letters/emails/phone calls or meet	2		2	
	Failure or refusal to take action/make a decision	11		1	
Quality	Inadequate or incorrect advice/information given	1	49	2	25
	Inappropriate or incorrect action taken	27		20	
	Incorrect/unreasonable decision	7		2	
	Poor communication/unclear or misleading information given	6		0	
	Service provided but then changed or withdrawn	5		1	
	Breach of Confidentiality	1		0	
	Loss or damage to property	2		0	
Staff Conduct	Discriminatory behaviour	1	38	0	24
	Poor customer care	30		21	
	Lack of knowledge/training	4		1	
	Unhelpful attitude	2		1	
	Rude or aggressive behaviour	0		0	
	Other	1		1	
Policy	Council Policy	1	1	1	1
<b>TOTAL</b>			<b>152</b>		<b>78</b>

## Responding to complaints

- 5.4. During 2022/23, a total of 104 complaint responses were issued through the Adult Social Care services statutory complaints process.
- 5.5. The Department of Health has recognised the complexities of Adult Social Care complaints, and the difficulties in ensuring a quality response in a set timescale, and so took this into account when drafting the complaint Regulations.
- 5.6. The Regulations require that a timescale is agreed with the customer for each individual complaint, as opposed to their being a set response timescale. However, the Regulations expect all complaints to be resolved within six months.
- 5.7. Sheffield City Council has a corporate target for responding to complaints of 28 days but in line with the regulations expects the timescale for all statutory complaints to be agreed with the customer in each individual case.
- 5.8. The average response timescale for responding to complaints under the Statutory Complaints Procedure during 2022/23 was 87 working days. This is an increase of 3 days on the previous year 2021/22.

## Complaint escalation

- 5.9. During the reporting year 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023, 7% of complaints considered under the Statutory Procedure about Adult Social Care Services were escalated for review by a more senior manager.
- 5.10. There was a total of 10 Adult Health and Social Care related complaints escalated to the ombudsman during 2022/23.  
Of the 10 complaints, one was classed as a premature referral, seven complaints were considered without formal enquiries and there were 2 formal enquiries made. (In the previous reporting year 2021-22, there was a total of 7 formal enquiries made, so there has been a significant decrease in this area which does indicate earlier intervention and effective resolution).

## Outcomes

- 5.11. When a complaint is responded to, we record the complaint outcome. In 2022/23, we recorded the following complaint outcomes:
  - Service failures identified – 18%
  - Misunderstanding clarified – 10%
  - No action necessary – 10%
  - Complaints withdrawn by customer – 15%
  - Complaints resolved via local resolution (Problem solved) – 48%

Due to the introduction of a new complaint case management recording system a number of outcomes have not been captured as we would expected. There has been an update / change made to the system to help improve this part of recording (insertion of mandatory requirement to capture this information) and also further communication and training has been provided to highlight the importance of this information being recorded.

- 5.12. The Council is committed to working together with customers to agree resolution. These figures demonstrate that in most cases the Council was able to agree suitable resolution.

## **6. QUALITY ASSURANCE**

- 6.1 The Complaints Team completes quality assurance checks throughout the year on a sample of complaint responses. A total of 30 responses were sampled during the year 2022/23, and Adult Social Care services scored an overall quality score rating of 86% against a target of 85%.

Four complaint responses scored less than 80%. These were between the 1<sup>st</sup> April 2022 and the 30<sup>th</sup> June 2022. Feedback is given directly to the Service Manager for that area for development with the Investigating Manager who delivered the response. The Council's Effective Complaints Handling Course which focuses on quality of responses to complaints is offered to all employees and delivered each quarter, it is recommended that any person responding to complaints in writing attend this learning and development course.

Following the half year results, all responses reviewed in the second half of the reporting period 1<sup>st</sup> July 2022 to 31<sup>st</sup> March 2023 scored above 80%.

## **7. MULTI-AGENCY COMPLAINT HANDLING**

- 7.1. The Adult Social Care Service has signed an inter-agency protocol with the local NHS organisations and aim to work together with local NHS organisations to provide single complaint responses to customer problems. This ensures the joint consideration of issues to assist in the improvement of services across health and social care boundaries.

- 7.2. Those NHS organisations that Adult Social Care services work with most frequently are:

- Sheffield Health and Social Care Trust (usually around health and social care joint services to learning disability and mental health service clients)
- Sheffield Teaching Hospitals NHS Foundation Trust (usually around discharge from hospital and health and social care services in the community)
- Integrated Care Board (Previously known as the Clinical Commissioning Group).

- 7.3. During 2022/23 12 new complaints were received with the response for and the subject of a joint investigation with health partners). This is a decrease of 9 vs the previous reporting year 2021/22. One complaint was rejected following review as this sat wholly with Sheffield Teaching Hospitals Trust for full review and response.

- 7.4 Of these complaints;

- 4 complaints were investigated jointly with the Sheffield Teaching Hospitals Trust.
- 3 with the Integrated Care Board (ICB) (previously known as the Clinical Commissioning Group);
- 3 with the Sheffield Health and Social Care Trust and
- 1 complaint was investigated with Chesterfield Hospital.

- 7.5 The services involved, and volumes are shown in table 3:

**Table 3: Joint Complaints by Service Area:**

TEAM	VOLUME
LOCALITIES SERVICE	1
SHORT TERM INTERVENTION & HOSPITAL OUT OF HOURS TEAM	1
HOSPITAL & OUT OF HOURS	3
FIRST CONTACT TEAM	1
CONTRACTS	2
CHILDREN WITH DISABILITIES	1
SOCIAL CARE ACCOUNTS TEAM	1
COMMISSIONING MENTAL HEALTH	1

7.6 The Council led the investigation and response in respect of 5 complaints.

7.7 During 2022/23 we sent 6 joint complaint investigation responses.

## 8. REMEDIES AND SERVICE IMPROVEMENTS

8.1. A total of 8 remedies and/or service improvements (including financial remedies) were captured in respect of 15 individual adult social care related complaints that were responded to in 2022/23, this equates to 53%.

8.2. The remedies captured during 2022/23 is a significant reduction in remedies captured in previous years. This is due to a new complaints case recording system being introduced in November 2021 and a change to the accountability of capturing this information. Actions are being taken to improve this during the 2023/24 reporting year through systems training being delivered to investigating managers and a cultural / behavioural shift to develop investigating managers to have accountability for recording this information and using this to identify learning opportunities for the organisation.

**Table 4: Adult Social Care remedies and service improvements**

	2020/21	2021/22	2022/23
Financial Remedy	11	7	4
Apology	33	35	1
Change, review or provide a service	5	11	0
Improve customer care	2	1	0
Provide or review employee training or guidance	6	1	0
Provide additional information or explanation	0	1	3
Review or change customer literature	0	0	0
Review or change policy or procedure	2	3	0
Take action or enforce a decision	14	11	0
Take action against contractor/partner	0	3	0
Change Carer	0	0	0
Change service criteria	0	0	0
<b>Total</b>	<b>73</b>	<b>73</b>	<b>8</b>



- 8.3. Although not reflected in remedies, several complaints resulted in learning and improvements from an individual practice point of view, in particular around ownership, accountability and communication.

Examples of areas of wider key learning and improvements for the Adult Social Care Service during 2022/23 are outlined below:

- The Adult Health and Social Care Service developed a new strategy launched in March 2022 to set out their vision for 2022-2030, called 'Living the life you want to live' and sets out how we work together to help people of Sheffield live long, healthy and fulfilled lives.
- The strategy was developed from discussion with a wide range of people and groups between 2020-2022 and was formally agreed at our cooperative committee meeting in March 2022.
- A link to the Strategy: [Living the life you want to live Sheffield's adult social care vision 2021 to 2030](#)
- This new adult social care strategy builds on citywide commitments in the Joint Health & Wellbeing Strategy 2019-2024 and Shaping Sheffield 2019-2024. Shaping Sheffield 2019-2024 sets out four clear priorities which align with the adult social care strategy: Promoting Prevention, Ageing Well, All Age Mental Health, Thriving Communities.
- A set of values of how we work sets out clearly what people can expect. They reflect what people have told us what is important about how we should work and are 'Person-centred and Strengths based, collaborative & empowering showing compliance and best value' with full transparency.
- To support the strategy, the Adult Wellbeing and Care Directorate streamlined and renamed the service areas making it clearer for colleagues, citizens and service users to identify the relevant required service needed for support.
- A range of improvements was made to services for young people transitioning to adulthood including increased investment and reshaping of services which will enable the preparation for adulthood team to focus on pro-actively working with young people aged 14-18 years to promote autonomy and independence; and the introduction of a new tool called 247 enable families.  
Young people, professionals (across both Children and Adult Directorates) and non-social care professionals such as teachers, have a shared approach to understanding and tracking goals and aspirations.
- To focus on continuous complaints performance and improvement, each service area has a monthly complaints clinic with the Complaints Manager for the Council and relevant Assistant Director of Service to review open complaints to monitor and track progress of cases, identify and removing barriers to focus on solutions and effective resolution whilst sharing knowledge, experience and best practice and identifying any learnings from the complaints.
- Effectiveness of the above is seen through the reduction in referral of complaints to the LGSCO which demonstrates the work input into listening to what complainants are saying and being effective in explaining and clearly communicating the position of resolution and outcomes.

## 9. COMPLAINTS TO THE LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN

- 9.1. Complaints about Adult Social Care services received by the Ombudsman may become the subject of informal enquiry or formal investigation, or the Ombudsman may issue a decision without making any enquiries of the Council.
- 9.2. Occasionally, the Ombudsman will receive complaints that have not been considered by the Council, and in those cases may choose to refer the complaint to the Council to deal with first. These are known as 'premature.'
- 9.3. In 2022/23 the Ombudsman received 17 complaints about Sheffield City Council's Adult Social Care Services (A reduction of 3 from the previous reporting year of 2021/22 of 20). Only 2 of the complaints received resulted in a formal enquiry / investigation (A reduction of 12 from the previous reporting year 2021/22).
- 9.4. From an outcome perspective the Ombudsman closed both Adult Social Care complaints in 2022/23. Both of these complaints were upheld, and fault found.  
  
A summary of the 2 complaints upheld by the Ombudsman is provided at Appendix A.
- 9.5. Financial remedies totalling £900.00 across the 2 upheld complaints based on Ombudsman recommendations.

## **10. IMPROVEMENTS IN 2022/23 AND ONGOING/FUTURE DEVELOPMENTS FOR 2023/24**

- 10.1 The following provides an update on actions and areas identified for improvement in 2022/23 and ongoing/future developments for 2023/24
  - The Complaints Manager/Assistant Complaints Manager attends monthly service meetings to discuss and review status of open complaints to support effective resolution.
  - Appointment of a dedicated Practice Development Officer (Complaints) to cascade and drive learning from complaints and compliments throughout adult health and social care has been secured and is now in place.
  - A new Complaints Recording system was introduced in November 2021. The aim of the new system is to provide one platform of complaint recording consistently across the organisation, provide accountability and ownership of complaints recording management and analysis of data.
  - It aims to improve the customer journey as well as our internal case management processes. The new Customer Relationship Management (CRM) system to improve recording and reporting of complaints, compliments and suggestions this went live in November 2021, learning development and improvement is on-going to ensure full information is captured to support learning and drive improvement in service offer and proposition.
  - As part of the ongoing project all employees will be provided with the support and training needed to professionally manage complaints, by taking ownership and accountability from the day the complaint is received.
  - GoLearn the Council's central learning and development platform offers both online and remote classroom-based training for Effective Complaint Handling and system training which has been refreshed in 2022 following the relaunch of the new

complaint recording system, designed to promote the complaint policy and procedure and deliver clear guidelines to all staff of expectations and behaviour.

- Reporting of complaints performance is to be produced timelier to inform of volumes, trends, learnings.
- A Council Wide Learnings Dashboard is to be in place by the end of April 2024 (An organisational view). This will be published internally and externally and will demonstrate to citizens how learning has been implemented (You said, We did).
- An Adult Care and Wellbeing Complaints learning analysis set against CQC Quality Statements will be undertaken and used to inform further improvements and action which can inform our response to delivery of adult social care. the outcome and resultant action plan will be reported to Adult Health and Care Policy Committee in January 2024 as part of the DASS (Director of Adult Social Services) update and Cycle of Assurance.
- A review of capacity required in social care accounts service and commissioning to respond to and learn from complaints will be undertaken as part of Adult Care and Wellbeing Target Operating Model implementation with view of implementation by April 2024.
- The Council will develop and implement the new 'Statutory Joint Ombudsman Handling Code' from the 1<sup>st</sup> April 2024 and update the Council's Complaint Policy and Procedures to adhere to this.

## Contact Us

If you would like to make a complaint, suggestion, or compliment, you can do this by completing an on-line form on Sheffield City Council's website:

<https://www.sheffield.gov.uk/home/your-city-council/complaints>

You can also telephone us on 0114 273 4567, or write to:

Customer Services  
Sheffield City Council  
Town Hall  
Pinstone Street  
Sheffield  
S1 2HH

If you would like to comment on this report, or have any questions about Sheffield City Council's complaints procedure, please contact the Complaints Team at:

Email: [complaintsmanagers@sheffield.gov.uk](mailto:complaintsmanagers@sheffield.gov.uk)

Telephone 0114 273 4567 or write to the above address.

**Appendix A – Breakdown of 6 Adult Social Care complaints - Upheld by Local Government and Social Care Ombudsman 2022/23**

Complaint	Ombudsman Finding/Investigation Outcome	Agreed Remedy/Service Improvements	Remedy implementation detail and learning outcomes
<p>Ms B complained about the Council’s decision to charge her for her package of care without completing a full financial assessment. She says she did not know the Council would charge her for the care. She says the Council made mistakes in its calculation of her contribution and the invoices and disclosed confidential information about her.</p>	<p>The LGSCO found there was fault in the initial calculation of the contribution and in some of the invoices the Council sent. There was further fault as the Council disclosed information about Ms B which it should not have done. The LGSCO did not find fault in the Council’s help in finding residential accommodation for Ms B for a short period of time and Ms B’s stay at that accommodation.</p>	<p>In addition to the action already taken to correct the error in the contribution and invoices and backdate any changes, the Council has agreed (within 1 month) to apologise to Ms B in writing and pay Ms B £500 for distress caused.</p>	<p>30/09/2022 - Apology issued and £500 payment raised - evidence sent to LGSCO.</p>
<p>Mrs X complained about errors in how the Council managed her mother’s (Mrs Y) and father’s (Mr Y) care home fees and of poor communication.</p>	<p>The LGSCO found no fault in how it managed Mrs Y’s care fees but did find fault in how it managed Mr Y’s fees (delay and error in the financial assessment). It agreed to pay for Mr Y’s care and backdate payments to September 2021 but did not start doing so for three months. The errors caused Mrs X uncertainty, distress and financial loss.</p>	<p>The Council agreed (within 1 month) to pay Mrs X £400 as acknowledgement of the frustration and distress caused by the delay completing Mr Y’s financial assessment, the poor communication and further delay in starting to pay for Mr Y’s care between April and July 2022. The Council further agreed to confirm with the care home how much it needs to refund Mrs X for fees paid on Mr Y’s behalf since 27 September 2021 and support Mrs X as needed until Mrs X confirms the care home has refunded her all the fees she is owed.</p>	<p>08/12/2022 - Service confirmed with Mrs X that care home had now refunded all fees she was owed. 12/12/2022 - Update to LGSCO confirming £400 payment raised.</p>