



Adults' Social Care Annual Report: Compliments and Complaints 2019



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Executive Summary

This is the 2019 annual report for Adults' Social Care compliments and complaints. The report covers the period 1st January 2019 to 31st December 2019.

Local authorities are legally required to establish complaints procedures to deal with complaints about their social care functions. The need for a complaints procedure for Adults' Social Care is laid down in statute. The Regulations can be found in the *Local Authority Social Services and National Health Service Complaints (England) Regulations 2009*. These Regulations cover both local government and the NHS and came into force in February 2009. These regulations are referred to as the Adults' Social Care *statutory* procedures, both in practice and as a reference throughout this report.

This year, the County Council has produced a dedicated complaints report for both Children's Social Care *and* Adults' Social Care. Historically, the County Council has reported on Adults' Social Care complaints as part of a broader whole Council annual report. The decision to produce separate reports for Children's and Adults' Social Care was made to enable the County Council to produce a more focussed review of complaints received in respect of our service delivery to our most vulnerable customers.

The purpose of this report is to review the operation of the complaints process over a 12 month period, including statistical data, and to provide the local authority with the means by which it keeps itself informed about complaint themes and how effective its current arrangements are for handling customer complaints.

This report also provides information for decisions issued by the Local Government and Social Care Ombudsman (LGSCO) in 2019, as well as compliments recorded by the Council.

The Council's definition of a complaint is:

"A complaint is an expression of dissatisfaction, however made, about the standards of service, actions or lack of action by the County Council or its staff, affecting an individual customer or group of customers"

The Council does have two procedures available to it for dealing with complaints about Adults' Social Care, the Adults' Social Care statutory procedure and the Corporate Complaints procedure; the vast majority of Adults' Social Care complaints are managed through the statutory procedure. Full details of the procedures can be found on the Council's website, but put simply; the Council's aim is to resolve complaints for our customers as quickly and simply as possible. For this reason the initial stage is dealt with by the Manager responsible for the service, with an emphasis on trying to reach a resolution. If that resolution is not reached, the customer has the right to escalate matters to the next stage, where the complaint is reviewed by someone who has not been directly involved previously.

The Customer Relations Team, which is part of the Customer Experience Service, is the central team supporting customers and staff to ensure that making a complaint is as easy as possible for all concerned. The team consists of:

David Tominey, Complaints Manager, and four Customer Relations Officers.

The team can be contacted by emailing feedback@westsussex.gov.uk or by calling 033 022 28222

1 The overall picture

Complaints recorded against Adults' Social Care from 1st January 2019 to 31st December 2019.

The table below shows the reasons recorded for complaints during 2019 in comparison with 2018 and 2017.

Complaint Nature	2017	2018	2019
Charging/Financial Assessment	48	49	66
Charging/Financial Assessment	48	49	66
Conduct of Staff	10	14	19
Behaviour	7	9	13
Competence	3	5	5
Failure Demand	0	0	1
Damage/nuisance/loss	0	0	3
Damage/nuisance/loss	0	0	3
Data Protection/FoI	3	1	0
Breach of Confidentiality	3	1	0
Operational processes	12	10	57
Assessment	9	7	22
Consultation Process	0	0	3
Eligibility	0	0	6
Safeguarding investigation	1	0	5
Service Request Refused	0	0	2
Standard of report	0	0	1
Other	2	3	18
Quality of Service	98	90	45
Communication with service - Failure demand	13	5	6
Communication with service - Other	3	0	17
Delays	13	8	15
Delivery	69	75	0
Discrimination	0	1	1
External service Quality Alert	0	1	6
Grand Total	171	164	190

Explanatory notes:

1. *Figures in bold are the headline figures for a complaint category. Where a breakdown is available, the figures are shown immediately below.*
2. *The categories of 'avoidable contact' and 'failure demand' taken together describe complaints arising from situations which were avoidable if the*

Council was easier to contact, or where contact had been promised but was that promise was not kept. These two categories have now been combined to avoid confusion.

The table below summarises the complaints and compliments recorded by all directorates or service units in 2019, highlighting how Adults' Social Care compares against annual statistics for the rest of the Council. The numbers for the LGSCO reflect the number of *decisions received* in the reporting period.

Complaints by Directorate 2019	Stage One	Stage One Upheld	% Upheld	Stage One % within 10 days or notified extension	Stage Two	LGSCO decisions received	Compliments
Adults and Health							
Adult Services	190	44	23%	82%	34	35	244
Social Care Joint Commissioning	3	1	33%	67%	0	0	2
Children Young People and Learning							
Education and Skills	48	7	15%	83%	8	6	114
Children Services	249	59	24%	74%	44	16	45
Place Services							
Communities	19	11	58%	84%	1	2	4744
Environment and Public Protection	107	26	24%	64%	4	2	195
Highways, Transport and Planning	201	33	16%	85%	23	20	127
Resource Services							
Law and Assurance	5	3	60%	80%	1	2	1
Property and Assets	2	0	0%	100%	1	0	0
Finance, Procurement and Business Support	22	5	23%	86%	4	1	23
Fire Service							
Fire Service	4	2	50%	75%	0	0	28
Chief Exec's Office							
Chief Exec's Office	1	0	0%	100%	0	0	2
HR and Organisational Change							
HR and Organisational Change	3	0	0%	100%	0	2	1
Grand Total Complaints	854	191	22%	78%	120	86	5526

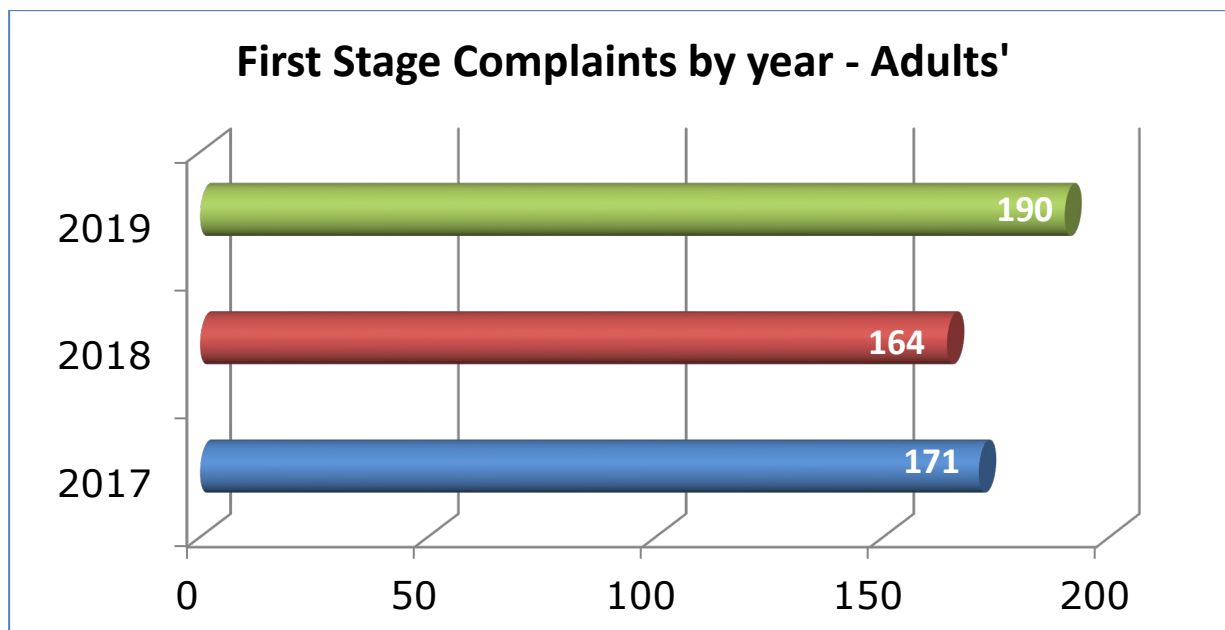
2 Analysis of overall figures

2.1 Stage One Complaints

In 2019 it was decided that Lifelong Services would be moved from the Adults' Social Care directorate to Children's Social Care. For reporting purposes, all complaints against Lifelong Services are no longer categorised as Adults' Social Care complaints.

The *published* number of Adults' Social Care complaints in 2018 was in fact 193. For reporting purposes, and to ensure meaningful year on year comparisons are possible, the 2018 figures have been restated to exclude complaints about Lifelong Services. The restated figure for 2018 is 164.

The number of complaints recorded at the first stage increased from 164 in 2018 to 190 in 2019. This represents an increase of 16% in formal complaints received compared to the restated figure recorded in 2018.



It is difficult to say with any degree of certainty what the reasons are for the volume of complaints traffic, but it is possible to comment on potential contributing factors.

The Council advertises the complaints process clearly and the Customer Experience Service has been instrumental in assessing the accessibility of the complaints service to all of our customers in 2019. The improved accessibility for our customers is intended to provide our customers with a platform from which to voice their dissatisfaction with services provided.

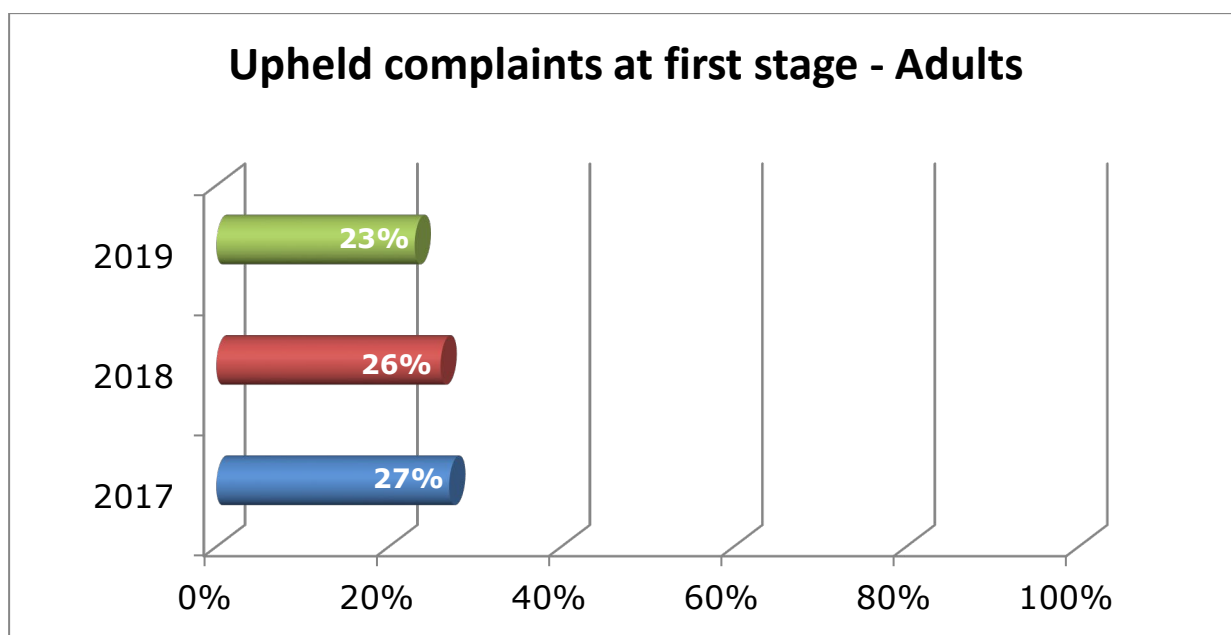
The number of formal complaints received by the Council is a fraction of one percent in proportion to the total transactions with service users and the public. If taken as a percentage of calls to the Customer Service Centre it would be 0.2%, however there are many more customer contacts through other channels.

This comment in no way infers that the Council simply accepts the level of complaints we have received. We want to avoid any customer needing to complain, but also regard every complaint as an opportunity to learn and to implement changes that will avoid future complaints being made, improving our customers' experience and in turn our customers' satisfaction levels with the Council.

There was an increase in complaints received by Adults' Social Care in 2019 but the number of complaints upheld at the first stage decreased from 26% in 2018 to 23% in 2019. This includes complaints that were 'partially upheld'.

The percentage of upheld complaints has decreased for the third year in a row; the percentage of upheld complaints recorded in 2018 was 26%; in 2017 upheld complaints made up 27% of the total recorded.

The percentage of complaints upheld in Adults' Social Care (23%) is slightly higher than the whole Council average of 22%.



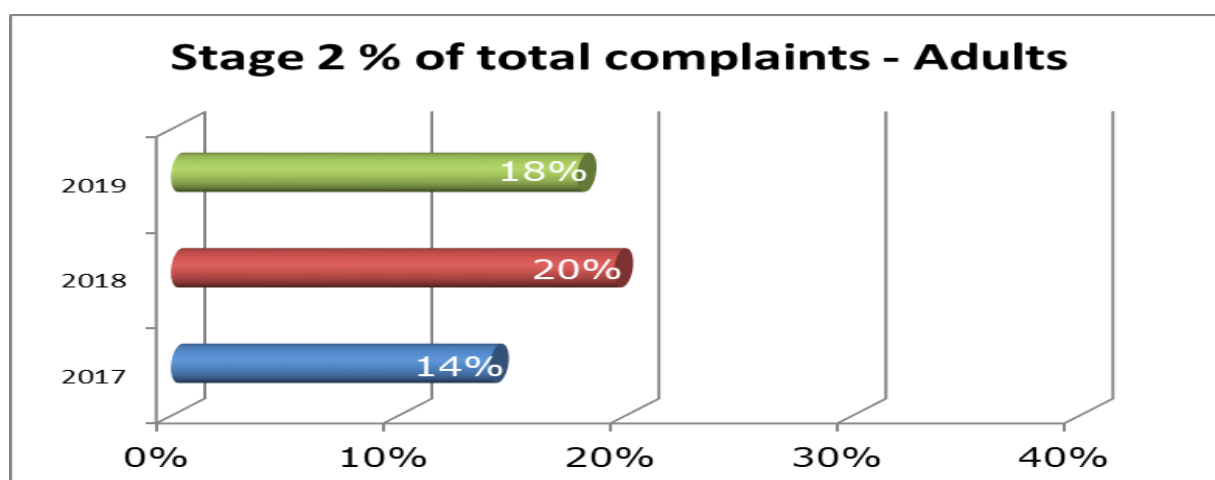
2.2 Stage Two Complaints

If a complainant is not satisfied with the response at the initial stage, they have the right to escalate their complaint for consideration at a more senior level.

The Council's interpretation of the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 means that there is scope for complainants to escalate complaints should they remain dissatisfied with the Council's initial investigation. For the purpose of this report, escalated complaints are referred to as 'stage two complaints'.

The number of Adults' Social Care complaints considered at stage two of the Council's complaints procedure rose from 19 in 2018 to 34 in 2019; a 79% increase.

The number of complaints considered at stage two represents 18% of the total number of complaints received in Adults' Social Care at stage one in 2019, compared with 20% of the total in 2018.



The Customer Relations Team has continued to ensure that responding managers are using templates which explicitly advise complainants of their right to escalate.

It is important that complainants are provided with clear instructions on how to pursue their complaints through the appropriate channels. This transparent approach is applied across the whole Council and is indicative of the integrity employed when managing the complaints process.

It is likely that including escalation advice with every stage one response contributes to the number of complaints that are escalated, but the Council is committed to ensuring that the complaints process is transparent and that customers are empowered to seek review of stage one decisions in line with their statutory rights.

The Customer Relations Team reviewed the quality of responses at the early stages of the complaints procedures and a decision was made during 2019 that all responses to stage one complaints would be subject to quality assurance by the Customer Relations Team prior to the response being issued.

Of the 34 stage two complaints investigated, 5 (14.7%) have been found to be upheld in full or in part. Details of the operational learning and insight gained from those complaints investigations are listed below. Note that only five cases are referenced below; the sixth case is subject to ongoing review and it is not felt appropriate to refer to that in this report.

Complaint 1 – Upheld

A complaint was made to the Council about poor communication with a family, and a delay in assessing the complainants' parents when the Council was aware of the seriousness of the situation. The complainant also questioned the content and robustness of the care needs assessments when they were completed.

A full review was undertaken and the complaint was upheld. An apology was issued along with proposed ways in which the Council could better serve the specific needs of each parent. New assessments were undertaken and a named point of contact agreed to ensure any miscommunication could be eradicated.

Complaint 2 – Resolution Agreed

A complaint was considered directly at the final stage of the Adults' statutory complaints process in relation to disputed fees (unpaid) to the complainant's mother's nursing home. An interim financial arrangement was put in place pending progress of a deferred payment agreement and the outcome of the mother's assessed client contribution.

Complaint 3 - Part Upheld

A complaint disputing what the complainant's mother's direct payments could be used for was reviewed at the final stage.

The use of direct payments and the Council's was not upheld; the Council provided evidence that this position was in line with Care Act instructions.

An element of the complaint related to delays in the Council providing an updated support plan. This was upheld, and as a result the broad complaint was categorised as part upheld. An apology was issued for the delay in providing an updated support plan. The broader issue around use of direct payments was not upheld and the Council provided relevant extracts from the Care Act to support this position.

Complaint 4 – Part Upheld

A complaint was made disputing the content of a support plan and that a financial assessment was not fit for purpose, requiring a reassessment.

This complaint was considered through the corporate complaints process in agreement with the complainant, following a file review by the Customer Relations Team.

The element relating to the financial assessment was not upheld.

It was agreed that complaints relating to omissions in the support plan required review from operational staff and for that reason, the complaint was part upheld.

Complaint 5 – Part Upheld

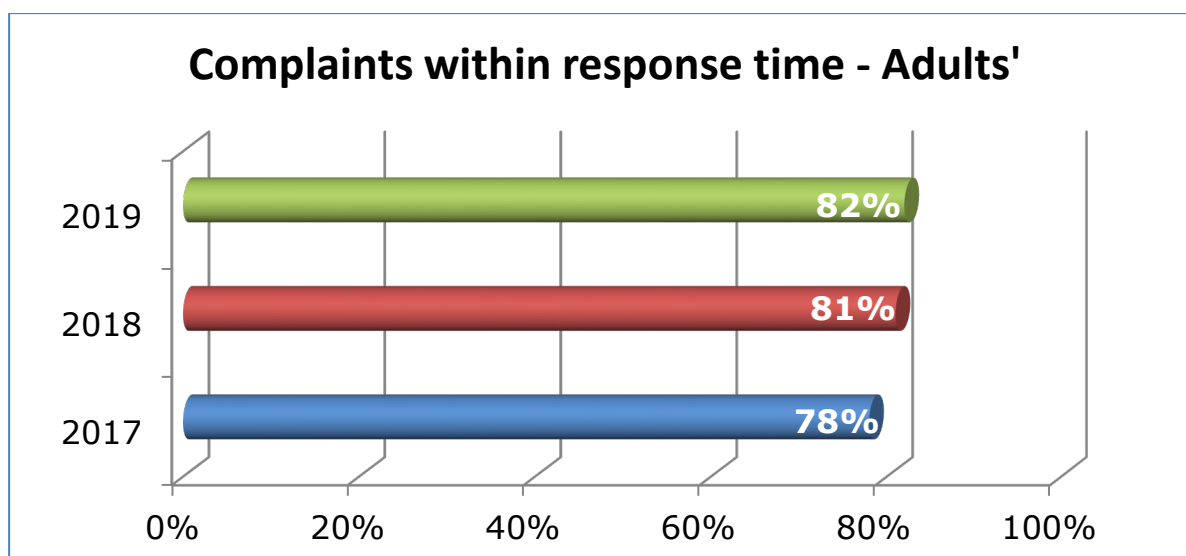
A complaint was made following an administrative error caused a delayed payment to a care home. An apology was made and arrangements put in place to make payment and to explain the error to the home.

2.3 Performance

The Council's guidance on managing Adults' Social Care complaints makes clear the expectation of staff responding to a formal complaint at stage one of the complaints procedures:

West Sussex County Council has set a target of responding to all complaints about Adults' Services within 20 working days (one calendar month).

Individual Complaints Action Plans should only give a timescale of over 20 days in extremely unusual circumstances – and provide an explanation of why this is necessary in the Plan itself.



In 2019, 82% of stage one complaint responses were issued within timescales or within an extended timescale. This figure is slightly higher than that recorded in 2018 (81%) and is representative of continuing improvement year on year.

The timeliness of complaint responses is of huge importance across all Council services and is an element of complaints management the Customer Relations Team is constantly reviewing.

The Complaints Manager sought to address the timeliness of complaints responses, introducing a reporting tool with a RAG (red, amber, green) warning system for managing open complaints. This is cascaded to all senior managers within Adults' Social Care on a weekly basis.

Senior managers are provided with a quarterly snapshot report of complaints, MP enquiries, compliments and Freedom of Information Act request to provide a headline view of performance across all of the casework facilitated by the Customer Relations Team.

The Customer Relations Team introduced a new complaints system (Infreemation) on 1st November 2019 to facilitate all complaints received within the Council. Infreemation provides responding managers with daily as well as weekly reports reminding staff of outstanding casework and impending deadlines. The RAG reports remain in place and are sent automatically to senior managers via Infreemation.

Responding to complaints within the specified timescale is a *statutory* obligation and continued improvement on the performance reported in 2019 is an absolute priority.

A further priority is to ensure that the *quality* of stage one complaint responses are of a standard that drives down avoidable escalation. It is accepted that complainants have a statutory right to escalate complaints if they disagree with the outcome of the stage one investigation, and that the Council can have little control over this. However, by ensuring that all elements of complaints are considered fairly and thoroughly, the Council can work towards reducing unnecessary

escalation. Robust quality assurance of stage one responses is now one of the core responsibilities of the Customer Relations Officers to ensure that all responses are of the expected standard and are fair and accurate in their findings.

2.4 Financial remedies

The complaints process is not designed to facilitate compensation payments. The Council will sometimes offer goodwill gestures, or ex-gratia payments in recognition of identified fault, but this is in itself quite rare. The local Government and Social Care Ombudsman (LGSCO) has published guidance on remedies for complaints scenarios, and this guidance is used when payments are considered as a result of a complaint being upheld.

Financial remedy payments are not 'compensation' but they are a method recommended by the LGSCO for resolving complaints where the Council has been found to be at fault and is unable to resolve the situation in another way. The volume of complaints considered by the Council covers a range of issues raised by customers, which means that it will always be hard to predict what overall levels of financial remedy are likely to be offered by the Council.

The amount recorded as paid to complainants as a financial remedy increased from £2,743.34 paid in 2018 to £7,283.49 in 2019.

The £7,283.49 resulted from a number of complaints.

An award of £1,650 was recommended following a LGSCO investigation. The LGSCO instructed the Council to pay £1,000 to a customer (the subject of the complaint) in recognition of shortcomings in daily care provided and the Council's delay in providing regular support from a support worker. A further £650 was awarded directly to the complainant for the impact and stress these shortcomings had on them.

A financial remedy of £1,500 was paid in relation to an LGSCO investigation that concluded in 2016. Following protracted work with a customer who had since left West Sussex, the Council made the recommended payment in recognition of the failure to assess the complainant's care needs properly.

It should be noted that this payment does not relate to a LGSCO decision reached in 2019, rather it was made on the date the recommended independent reassessment concluded.

£2,283.49 was paid to a customer as a result of a complaint about assessed contribution to care was found to be upheld by the Council.

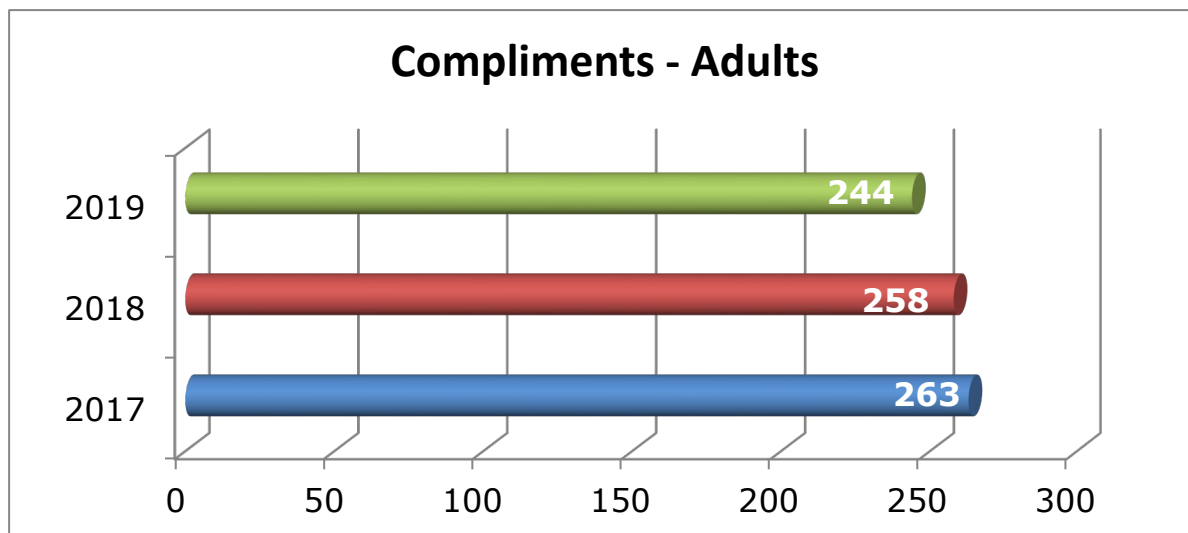
A payment of £1000 was made to a customer in recognition of the way the Council handled a Safeguarding Adult Review.

A further £850 was awarded as financial remedy following LGSCO investigations. The detail of those awards is set out in section 5 of this report.

2.5 Compliments

When a customer is so satisfied with the service they have received that they make a special mention of it, the Council records this as a compliment.

The number of formal compliments received in Adults' Social Care remains very high when compared with other directorates; it is a slight concern that the number of compliments recorded has decreased again, from 263 in 2017; 258 in 2018; to 244 in 2019.



Although this decrease is minimal, the Customer Relations Team has been proactive in reminding senior managers on the Quality Assurance Board of the requirement and importance of ensuring all formal compliments are presented for formal recording. It is hoped that the levels of recorded compliments increases in 2020 but it is encouraging to see the consistent number of customers expressing their satisfaction by services provided by Adults' Social Care.

Compliments are important when helping our organisation understand what 'good' looks like and to celebrate our successes, supporting the staff recognition platform and helping our organisation live and breathe our customer centre value.

Some examples of the compliments received by Adults' Social Care staff in 2019 are listed below:

Chichester Community Team

"Please can I start by saying a huge thank you for all the help and time you have put in over the past few weeks? It has been so much appreciated. I think it hasn't been easy for you but you have been patient and kind. I really appreciate the work you have done on our behalf."

Stanhope Lodge

The Learning Disabilities Mortality Review (LeDeR) is a national programme aimed at making improvements to the lives of people with learning disabilities whilst also looking into premature deaths of people with a learning disability.

A review was done in relation to a customer who had lived in Stanhope for some time in a single person service and it included the following:

"Staff at Stanhope Lodge were excellent advocates for [the customer] when he was in hospital. He was supported at all times by someone he knew despite this being more than his package of care."

Western Area Hospitals Team

"I just wanted to drop you a line to say thank you so much for all you have done for [the customer]. He's so very happy now and I have my brother back."

You have done so much for my family and I shall be eternally grateful to you.

I hope all is well you and I think we are all so very lucky to have met such a lovely caring person as you.

He talks about you often and has asked me for your number to just say hello and thank you personally."

St Richards Hospital Social Work Team

"I can't thank you enough for your tenacity and diligence. Mum has had an amazing week. She didn't realise how much her caring role has taken away from her."

You're another angel on our ever growing list."

3 Complaints delivering insight to action

Within the Customer Experience space we have a number of corporate measures which will help us focus on improving the service we provide our customers:

- *Level of Satisfaction with the services received by our residents*
- *Residents finding it easy to access information service and support they need*
- *Freedom of information requests responded to within time*
- *The County Council response to recommendations from customer complaints.*

Insight from complaints plays a key role in how we deliver the right outcome to our customers and in continually improving our service delivery. To achieve this there has been much activity within the way we collate and learn from our customer complaints. The Customer Experience team improved the way we report to senior managers with the continued development of the Compliments and Complaints Dashboard which informed improved reporting and learning from complaints, locally and across the Council.

2019 marked a departure from the previously established Working Together Focus Group, which was established in the summer of 2017 to consider operational learning and service improvement identified in the analysis of complaints received across the Council.

The effectiveness of these quarterly whole Council meetings was reviewed in 2019 and a decision was made to present updates on complaints and organisational learning to already established focus groups. The Customer Relations Team now attends focussed senior leadership team meetings as well as the Quality Assurance Board to discuss specific issues relating directly to the senior managers in attendance.

The focus remains on ensuring that our customers benefit from the recommendations made as a result of a complaints investigation, but also that operational managers are empowered to make organisational improvements as a direct result of those recommendations. While systemic improvement is not always a by-product of an upheld complaint, the Customer Relations Team is committed to ensuring that remedies and learning are recorded, reported and monitored to completion.

Insight from complaints plays a key role in how we deliver the right outcome to our customers and assists the Council to continually improve our service delivery. To further empower managers to keep up to date with service performance, the Customer Relations Team have taken steps to improve the availability of performance statistics through formal reporting, and by continually developing and updating 'real time' management tools.

The Customer Relations Team and the Customer Experience Analyst maintained a Compliments and Complaints Dashboard in 2019, which allows the user to examine performance, in terms of numbers, timescales and outcomes, from Council-wide down to individual teams and from a number of years down to individual months. Although of particular interest to managers, this is open to all staff.

Work is also underway to benchmark our performance with statistical neighbours to ensure we are in a place where we know what 'good' looks like and to be able to measure our performance against other authorities.

All of this insight will feed into the Customer Relations Team's presentations to the Performance Board and the Senior Leadership Team meeting, helping to paint a full picture of why our customers complain and to have a framework in place that will help us continuously improve where we can avoid a complaint being made.

A programme of complaints training for Team Managers was rolled out in 2018 and is due to be repeated in 2020. The Complaints Manager and the Customer Relations Manager have revised and improved guidance for responding managers; this guidance is provided by the Customer Relations Team to all responding managers when complaints are allocated for response.

3.1 Learning from complaints

All complaints that are upheld partly or in full are examined for learning at individual, team, and service level. Learning specifically from stage 2 complaints investigations is addressed in the section of the report relating to those investigations.

Most upheld complaints are found to arise from individual errors, where policies, procedures or good practice have not been followed. In these cases the usual process is for the individual to be appropriately advised by their manager about

their mistake, and if necessary to undertake appropriate retraining. On very rare occasions the team level analysis finds that whole teams are acting in a way which is not in accordance with the latest guidance, and this will then be raised at team meetings.

Occasionally the service level analysis indicates that changes can be made which will benefit all customers. Examples of such changes in 2019 were:

A complaint about delays highlighted that there was too much work for the number of people in the team, and two more people were recruited to enable the team to meet demand;

A complaint that equipment was not installed in a timely way led to a change in the way installation timings were allocated so that the most distant addresses were not allocated slots at the end of the day;

A complaint about the advice being given to customers in connection with charging and full cost invoicing led to changes in public information booklets to help customers better understand the position. The same complaint led to changes in the relevant policy and guidance;

A complaint about the way a Blue Badge appeal was dealt with led to a review of the process and the introduction of a management check to ensure appeals are kept on track.

In addition, some complaints which indicated individual learning were considered of such importance that all staff were reminded of good practice, such as making full notes in a timely way and recording on the file exactly what information had been handed to customers.

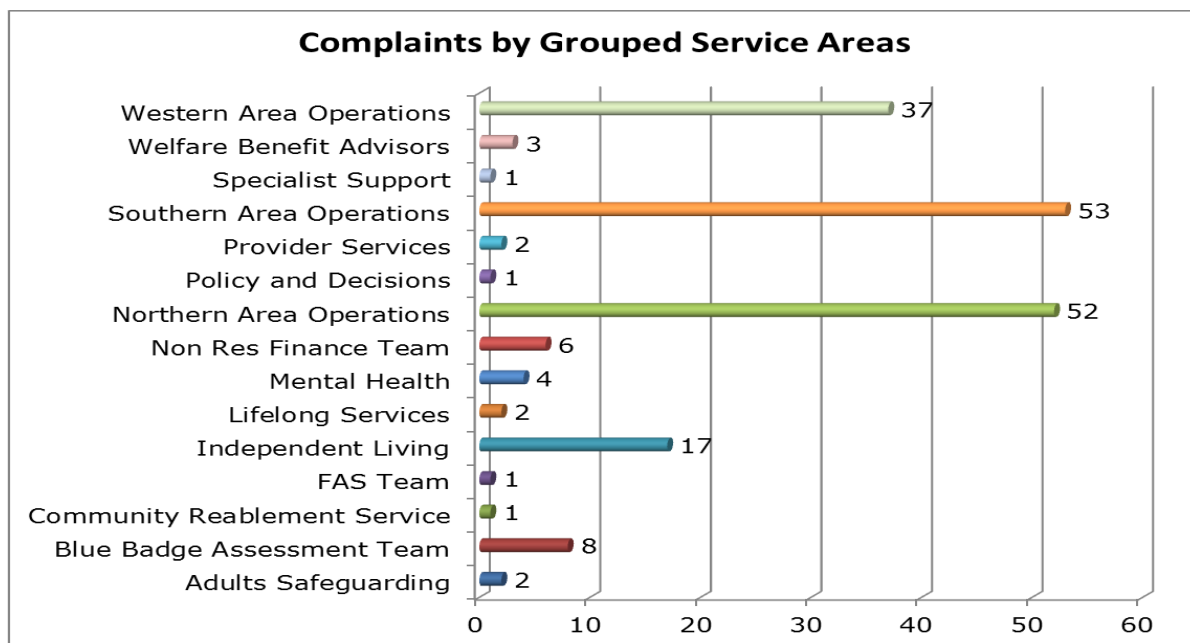
4 Service Commentary

Adults' Services	Stage One	Stage One Upheld	% upheld	Stage One % within 10 days or notified extension	Stage Two	LGSCO	Compliments
2019	190	44	23%	82%	34	35	244
2018	166	43	26%	81%	14	21	258

Adults' Social Care is, historically, one of the three main service delivery groups that report the highest number of complaints.

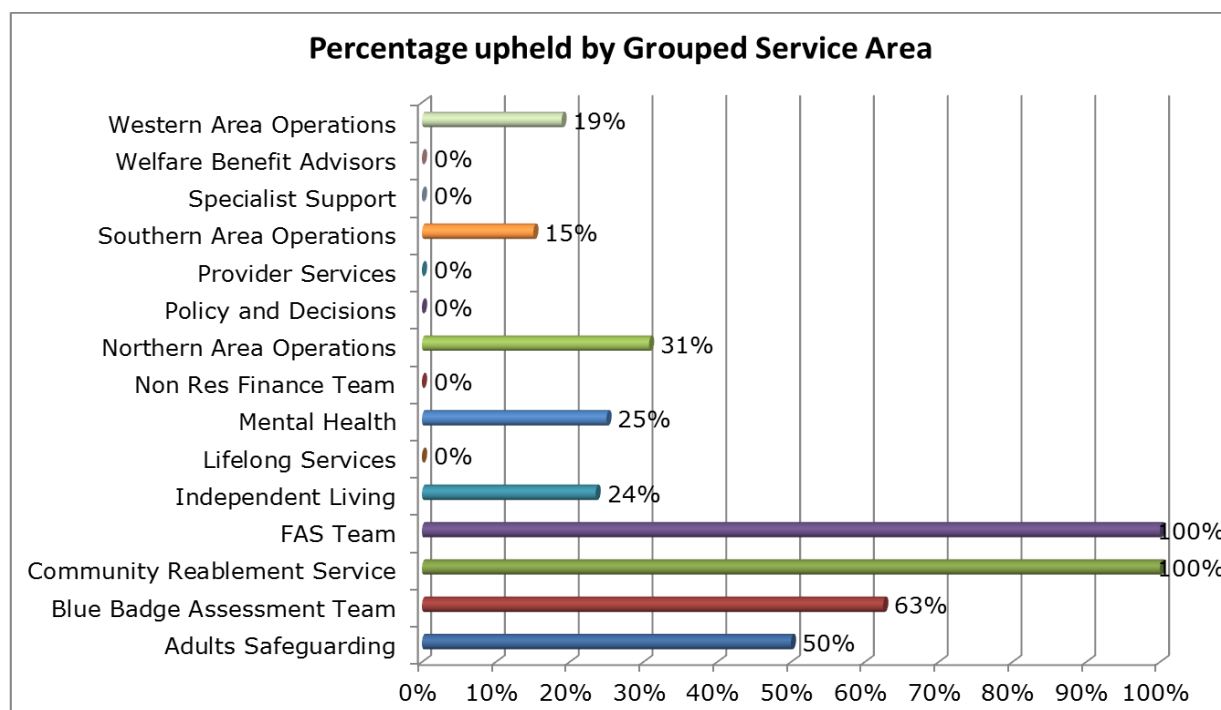
To understand the headline figure of 190 complaints recorded against Adults' Social Care, it is necessary to drill down into the data, to add appropriate context.

The table below shows a breakdown of complaints by grouped service areas for 2019. The table is useful to provide an overview of the complaints received across the service areas; inevitably the numbers are dominated by the geographical operational areas.

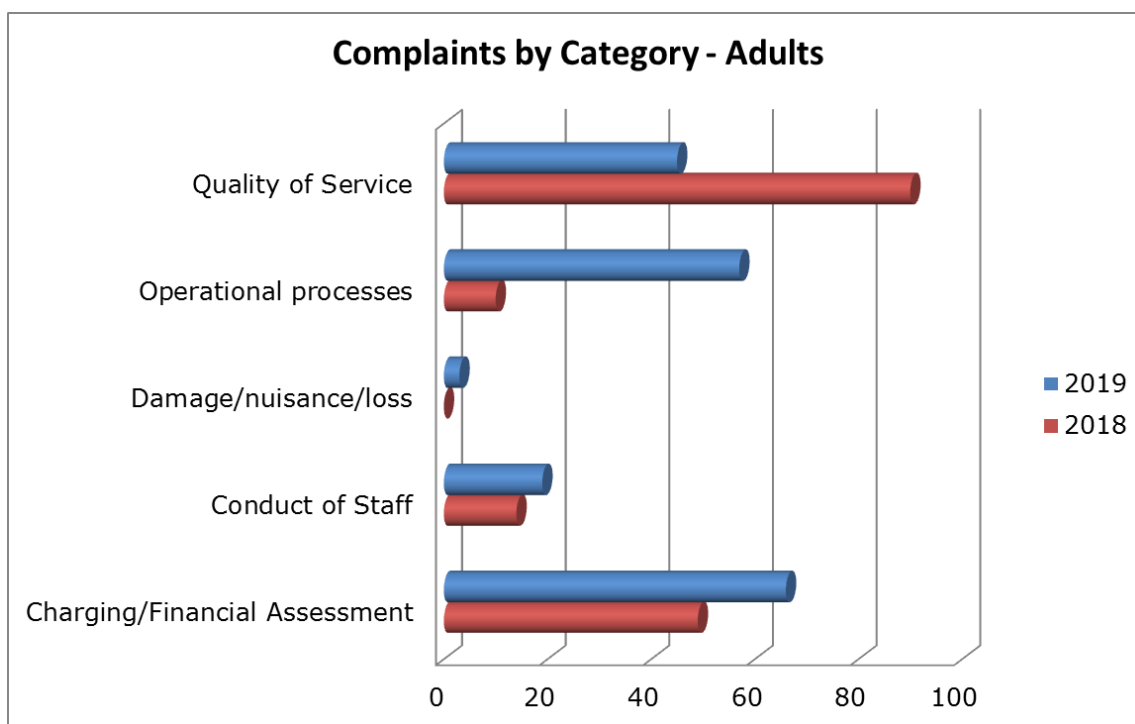


It has already been reported that the percentage of upheld complaints in Adults' Social Care (23%) is slightly higher than the whole Council average of 22.2%. The graph below shows the upheld rates across the grouped service areas in 2019.

The extremely small data sets for the FAS Team; the Community Reablement Service; and Adults' Safeguarding create unusually high upheld rates. With the exception of the Blue Badge Assessment Team and the Northern Operations Area, the percentage of upheld complaints by grouped area do not deviate far from the overall Adults' Social Care upheld rate, or that of the whole Council. For further context, the Blue Badge Assessment Team received 16,883 applications for a badge in 2019 resulting in 8 formal complaints being considered.



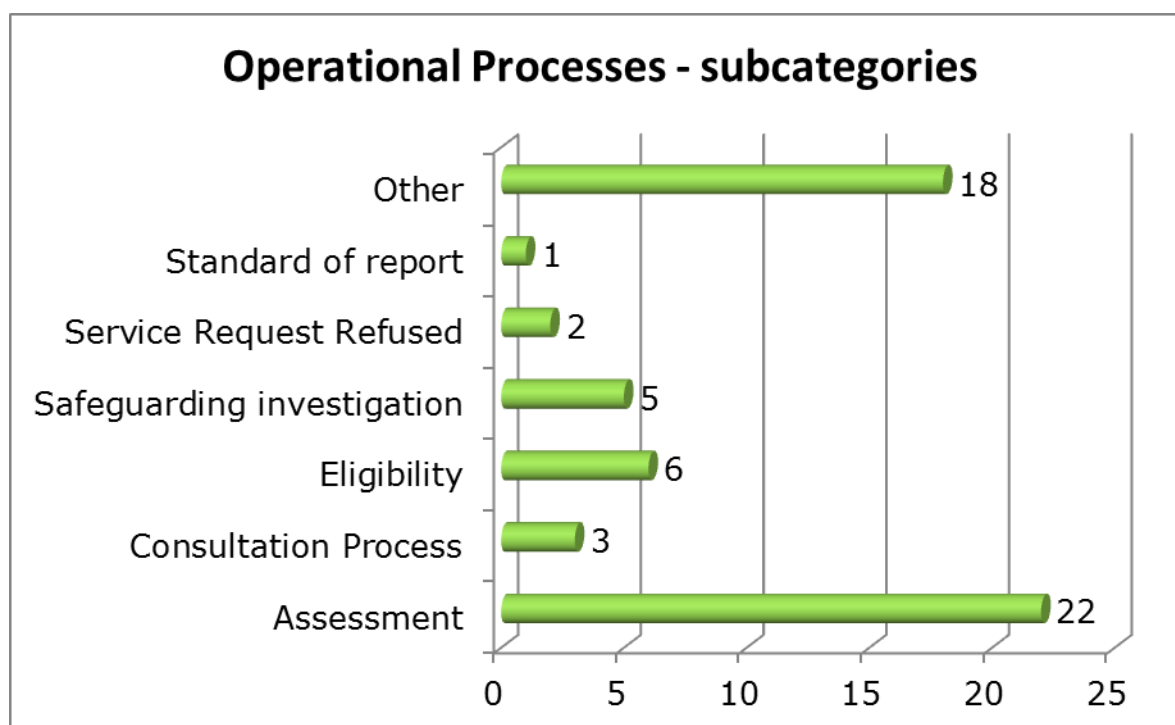
The graph below shows the category of complaints received about Adults' Social Care. Complaints about social care provision are often complex and can include dissatisfaction about many elements of the service provided. For reporting purposes, the assigned category is a reflection of the salient or substantive issue complained about.



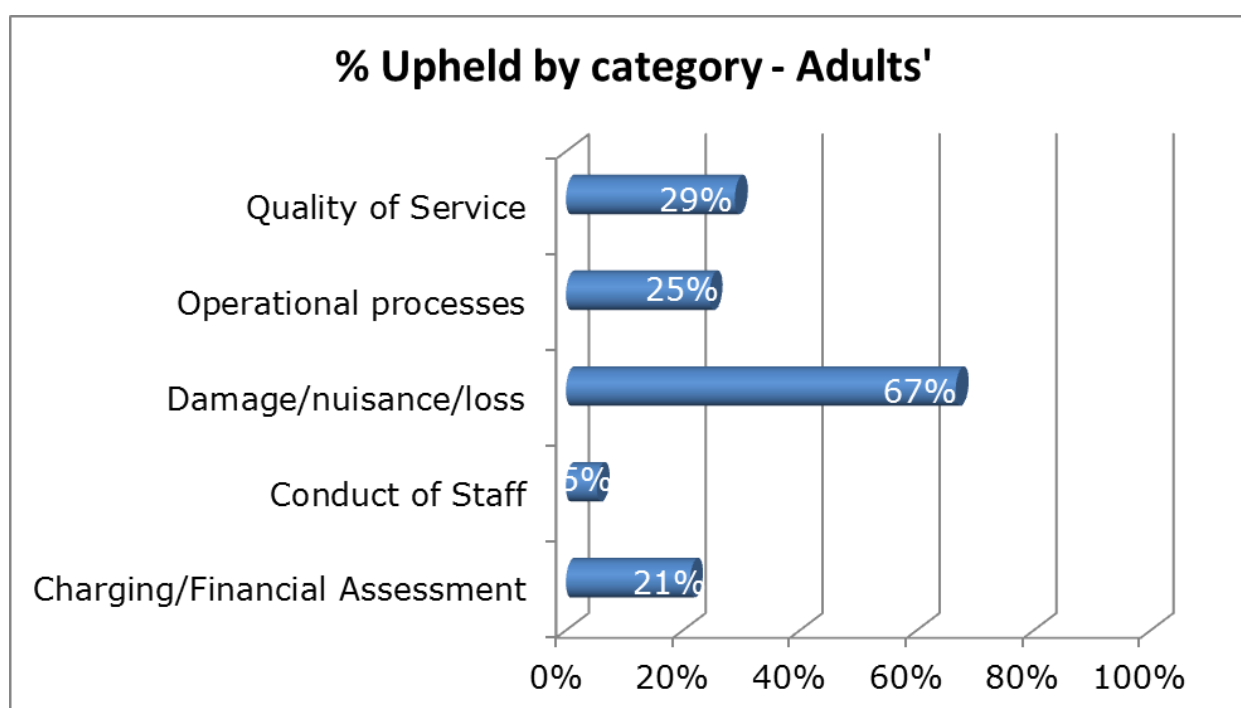
The category 'operational process' was broadened in 2019 to include sub-categories to enable management to better understand what areas of operational processes were the subject of complaints; the sub-categories are detailed in the graph below.

The complex nature of social care means that it is not always possible to categorise a complaint about operational processes within the established reporting categories. In these cases, the complaints are recorded under 'other operational process'.

The Complaints Manager continues to monitor and add to the recording categories in an effort to further understand the specific detail of trends in complaints relating to dissatisfaction with operational process.



The graph below shows the percentage of complaints upheld in each category.



5 Local Government and Social Care Ombudsman

Once a customer has exhausted the Council's complaints procedures, they have the option to ask the Local Government and Social Care Ombudsman (LGSCO) to consider their complaint. This report focusses on the number of LGSCO decisions reached in the reporting period, as it is from these decisions that meaningful data and learning can be analysed.

The number of *decisions reached* by the LGSCO increased from 21 decisions recorded in 2018 to 35 decisions recorded in 2019.

The LGSCO has three different upheld categories:

- Upheld: Maladministration and injustice;
- Upheld: Maladministration, no injustice;
- Upheld: No further action

In 2019, the LGSCO returned an upheld decision on 15 of the 35 complaints considered; this represents a 43% upheld rate, which represents a marked increase in the percentage of upheld complaints recorded in 2018 (32%).

It is not possible to predict accurately how many complaints will be escalated to the LGSCO, as all complainants have the right to request their complaint is reviewed by the LGSCO.

Local resolution is key to improving the customer experience, and escalations to LGSCO will remain a focus for continual monitoring and review, as we try to resolve complaints for customers as quickly and simply as possible.

Details of these upheld complaints and associated learning are outlined below.

Lifelong Services Northern Area

Mr and Mrs C complained the Council delayed in completing a reassessment of their daughter's care needs and failed to assess properly her needs which resulted in a reduction in her care package.

The Ombudsman has found fault by the Council in delays in support planning, delay in a subsequent review and record keeping failings.

Learning Completed

At the time of making the decision, the Ombudsman was satisfied that the Council had already apologised, reviewed arrangements for car, and agreed to complete a review on how well the new arrangements were meeting assessed needs.

The LGSCO recorded the remedies as '*remedy complete and satisfied*'.

Worthing Community Team

Ms C complained about the care support her brother received after their mother had a stroke and was no longer able to support him.

The Council was found to be at fault and accepted there was a delay in providing a six hour increase in Mr B's support, and some shortcomings with regards to his homecare.

Learning Completed

The LGSCO instructed the Council to pay a financial remedy and to apologise for the elements of the complaint that were upheld. The Council also ensured that the findings from this investigation were shared and discussed at senior management level to ensure learning was captured at that level.

The LGSCO recorded the remedies as '*remedy complete and satisfied*'.

Adults' Safeguarding

Mr B complained about the way the Council handled a Safeguarding Adult Review (SAR), following a serious injury sustained by his brother, Mr C, whilst in residential care.

The LGSCO found fault in the way the SAR report was publicised and the way in which it involved Mr B in the process.

Learning Completed

The LGSCO instructed the Council to formally apologise; to Mr B and Mr C and to pay a financial remedy. The LGSCO also instructed the Council to evidence how it had improved its role in safeguarding processes as a result of this complaint. A payment of £1000 was awarded to Mr C.

The LGSCO recorded the remedies as '*remedy complete late*'.

Horsham Community Team

Ms C complained about the care her mother received at her care home, during the last few weeks of her life.

The LGSCO found that there was fault in the actions of care home staff when caring for Ms C's mother and found that the Council ought to apologise for this.

Learning Completed

The Council complied with the LGSCO instruction to ask the care home to share lessons learned with staff and provided an apology to Ms C.

The LGSCO recorded the remedies as '*remedy complete and satisfied*'.

Adur Community Team

Mrs C complained that the Council treated a gift from her mother, Mrs B, as a deliberate deprivation of assets. She said the Council rejected evidence her intent was not to avoid care fees.

The LGSCO found fault in how the Council had considered the issue of deprivation of assets and instructed the Council to undertake a further review, and to allow Ms C to respond to queries previously made by the Council.

Learning Completed

The Council agreed to carry out the reassessment.

The LGSCO recorded the remedies as '*remedy complete and satisfied*'.

Mental Health Services

Mrs X complained on behalf of her mother, Mrs Y. Mrs X complained the Council failed to safeguard Mrs Y, after it left her alone at home for a period of time after it made the decision to admit her to hospital under the Mental Health Act.

The LGSCO found the Council to be at fault as it had failed to complete a risk assessment or to document the decision to leave Mrs Y alone.

Learning Completed

The Council agreed to review its policy and procedures to ensure all Approved Mental Health Professionals are aware of the importance of risk assessments and documenting decisions.

A payment of £150 was awarded to Mrs X

Crawley Community Team

Mrs D complained that the Council should not recover direct payments which she says she used to pay for her mother's care.

The LGSCO found fault with the Council as it had failed to clearly explain the reasons for pursued debt.

Learning Completed

The Council was instructed to review statements and inform Mrs D of the outcome.

A payment of £200 was also made to Mrs D for the time and trouble spent pursuing the complaint.

The LGSCO recorded the remedies as '*remedy complete and satisfied*'.

Crawley Mid-Sussex AOT

Mr X complained that the Council had delayed completing a carer's assessment in 2018.

The LGSCO found fault in the Council for delaying the assessment for over three months.

Learning Completed

The Council apologised to Mr X and made a payment of £300 in recognition of the injustice suffered.

The LGSCO recorded the remedies as '*remedy complete late*'.

Worthing Community Team

Ms D complains about the way in which the Council reassessed Mrs M's needs and determined her personal budget for homecare support.

The LGSCO found fault with the Council's assessment process and the way this was recorded. The LGSCO also found fault with the Council's delay in carrying out a care review.

Learning Completed

The Council backdated the personal budget and also shared the faults and lessons learned with all social care staff, reminding them of the importance to explain to clients how and why they have reached a decision.

A payment of £200 was awarded to Ms D.

The LGSCO recorded the remedies as '*remedy complete and satisfied*'.

Worthing Community Team

Miss X complained about the Council's decision to refuse a discretionary property disregard for her mother.

The LGSCO found fault in the Council's delay when informing Miss X of the decision, but found no fault in the decision making process.

Learning Completed

The Council reviewed the process to check decision letters have been sent on time and took steps to ensure staff kept a record of the date decisions were issued.

The LGSCO recorded the remedies as '*remedy complete and satisfied*'.

Western Hospital Social Work Team

Mr and Mrs C complaint the Council failed to tell them there would be a charge for the homecare Mrs C's mother, Mrs M would receive.

The LGSCO found that, while there was some fault in the actions of the Council, it did tell Mr C there would be a charge. The Council had already taken appropriate action to address any faults and remedy any injustice.

Upheld: Maladministration, no injustice

Worthing Community Team

Mrs C complained the Council did not give proper support to her mother-in-law and family over the financial aspects of her mother-in-law going into residential care.

The LGSCO found fault in the Council's explanation to Mrs C in regards to the reasons a new financial assessment was required. The Council was also found to be at fault for delays in completing the reassessment.

The fault was not considered to cause injustice to the family.

No remedies were set as a result of this investigation.

Chichester Community Rehabilitation Team

Mr and Mrs X complained that the carer's payment the Council offered them was not enough to allow them to take the overnight breaks they need.

The LGSCO found that the Council was not at fault in the way it considered the question of respite. There was some fault in the way the Council dealt with the request for a higher carer's payment, but this did not affect the decision made.

The fault was not considered to cause injustice to the family.

No remedies were set as a result of this investigation.

Other LGSCO Outcome

Upheld: not investigated; injustice remedied during complaints process

Littlehampton Community Team

Mr A complained to the Council about the way it had communicated with him regarding his parents care needs assessments and decisions it made about his parents.

The LGSCO decided not to investigate the complaint because the Council had agreed to remedy any injustice caused by fault (in this case communication and distressed caused by it) by allocating a new social worker and to progress direct payments as well as undertaking an assessment.

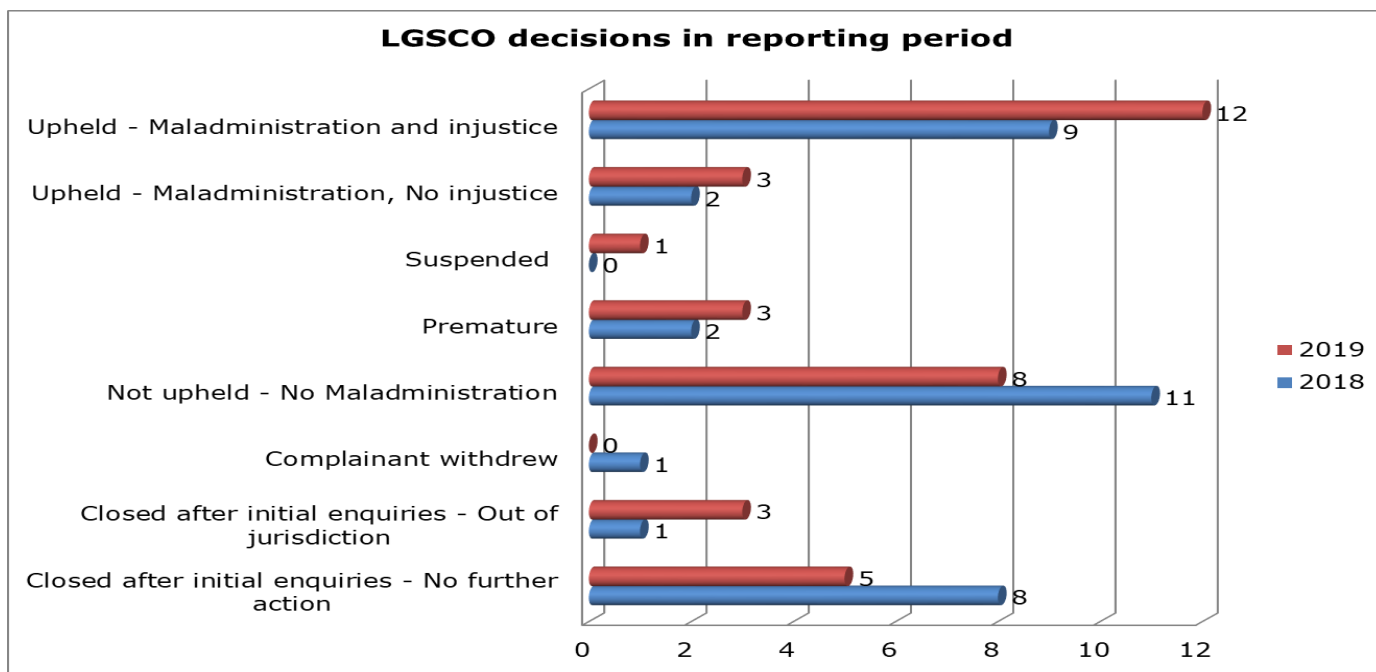
The LGSCO made a finding of 'Upheld: not investigated; injustice remedied during complaints process'.

Upheld: Maladministration and Injustice - NFA

Lifelong Services Coastal Team

Mr X complained the Council has failed to provide him and his daughter with the support they need. Although the Council failed to arrange additional support after Mr X turned it down in March 2018, this did not cause injustice which warrants a remedy

The LGO did not make a finding that resulted in a remedy.



An anonymised list of cases considered by the LGSCO is available from the Complaints Manager David.Tominey@westsussex.gov.uk; all anonymised decision reports are held on file and accessible on request.

6 Equalities Monitoring

The process for monitoring complaints by age, sex, race, disability, religion or belief, and gender reassignment has historically produced insufficient data to form any realistic judgement as to the effectiveness of the procedure for individual groups.

Ethnicity was recorded for 72 complainants, with the following outcome:

