

# Adult Social Care Complaints and Compliments Annual Report (2021-2022)



**SURREY**  
COUNTY COUNCIL

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## Introduction

This is the Adult Social Care Customer Relations' report for the business year 1 April 2021 to 31 March 2022. It covers activity in Adult Social Care relating to complaints made to the Directorate, complaints raised with the Local Government Ombudsman (regarding Adult Social Care) as well as compliments.

With regard to complaints, all Councils in England that deliver Adult Social Care have a statutory duty to investigate complaints about care under the Local Authority Social Services and National Health Service Complaints (England) Regulations, 2009. In Surrey County Council, such complaints are overseen by the Adult Social Care Customer Relations Team.

When someone makes a complaint, we aim to:

1. Act quickly to resolve the issues where possible.
2. Acknowledge their complaint within three working days.
3. Propose a plan for how we will respond to their complaint.
4. Invite their confirmation of what the complaints are and what outcome they are seeking.
5. Inform the complainant when they can expect to receive the substantive response.
6. Maintain contact with the complainant during the investigation as appropriate.
7. Respond in full within twenty working days or extend our response time if needed.

## Executive summary

- 288 complaints were received in the period 1 April 2021 to 31 March 2022. This represents an increase of 32.1%, compared to 218 complaints received in the previous year.
- The Local Government and Social Care Ombudsman (LGSCO) issued 14 final decisions on complaints about the Council's Adult Social Care services. The number of financial settlements the Ombudsman recommended decreased substantially to £14,085.
- Nine (64.3%) of the 14 final LGSCO decisions were upheld and four (28.6%) were not upheld. The remaining one was closed after initial enquiries (7.1%).
- The most common causes for complaint relate to staff (20.9%), communication (17.9%), assessment process (14.8%) and financial / funding (13.8%).
- 193 (95%) of the 203 complaints that received a response were responded to within the agreed time frame. On average, the Directorate sent responses within 24 working days, an average increase of two days compared to the previous reporting year.
- A total of 120 (59.1%) complaints responded had an outcome of either upheld or partially upheld, while 83 (40.9%) had an outcome of not upheld.
- Compliments recorded as received declined slightly by 0.9% (to 451) when compared to the previous year, 2020/2021 (455).

## Section A: Complaints and Compliments Activity

Table 1 provides the key activity data for compliments and complaints activity for the reporting years 2017/18 to 2021/22.

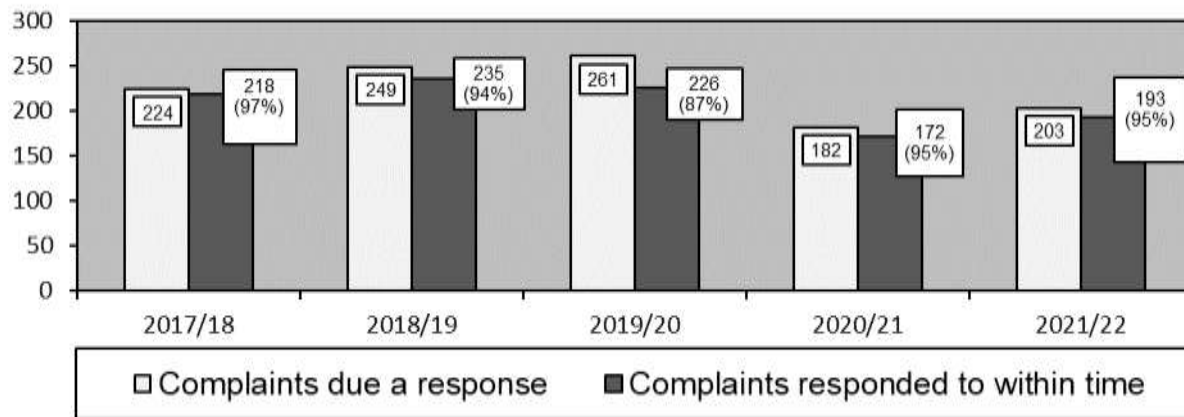
Table 1:

Complaints and Compliments	2017/18	2018/19	2019/20	2020/21	2021/22
<b>Complaints Received</b>	<b>221</b>	<b>251</b>	<b>255</b>	<b>218</b>	<b>288</b>
Individuals making a complaint	200	233	237	204	254
<b>Complaints Responded</b>	<b>224</b>	<b>249</b>	<b>261</b>	<b>182</b>	<b>203</b>
Target for responses to complaints by agreed date (%)	90%	90%	90%	90%	90%
Number of complaints responded to within agreed timescales (%)	218 (97%)	235 (94%)	226 (87%)	172 (95%)	193 (95%)
Average response times (days)	22 days	25 days	24 days	22 days	24 days
Best practice response times	20 days	20 days	20 days	20 days	20 days
Compliments Received	847	526	480	455	451

## Section B: Performance

Chart 1 details the yearly trend for number of complaints that received a response within the reporting period, alongside the number of complaints that received a response within the agreed timeframe, over the period 2017/18 to 2021/22. Whilst the Council has adopted a timescale of 20 working days as an initial response timeframe, this can be extended depending on the circumstances of the issues being investigated, which can often be complex and/or involve partners. Adult Social Care has a performance target of 90% for responding to complaints on time.

Chart 1:



### Time taken to respond to complaints in 2021/22

Table 2 shows how many working days were taken to respond to all complaints, providing both the number and overall percentage of the complaints responded within the reporting year.

Table 2:

Days	Number of Complaints	%
1 – 9	17	8.37%
10 – 19	94	46.31%
20 – 29	48	23.65%
30 – 59	38	18.72%
60 – 89	4	1.97%
90+	2	0.99%
<b>Total</b>	<b>203</b>	<b>100.00%</b>

### Responses to complaints

Adult Social Care operates under a single stage complaints response process and in line with its own timescales typically aims to respond to complaints within twenty working days. This timescale is flexible and can be varied by notifying the complainant in writing.

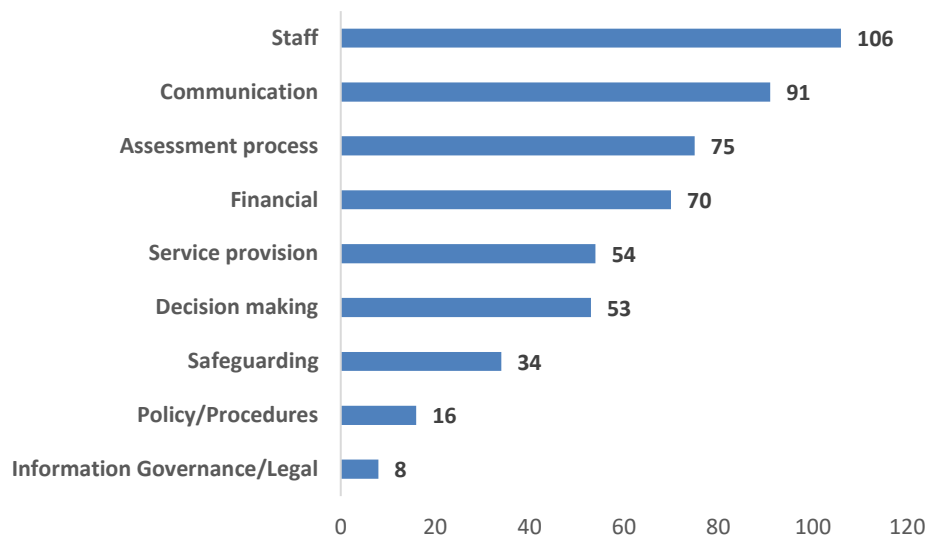
A key performance measure is whether the response to the complaint is sent within the specified target response date. In 2021/22, Adult Social Care responded on time to 95% of complaints (193 out of 203 completed responses). This is equal to the previous year and is above the 90% target that the Adult Leadership Team set for the Directorate.

In addition, 111 complaints (54.68%) received a response in under 20 working days. A further 48 complaints, (23.65%) received a response in less than 30 days. This means that the majority of complainants, 159, (78.33%) received a response within 30 working days or less.

A smaller number of complaints, 4 (1.97%) were completed within 60 and 89 days, and only 1, (0.99%) took longer than 90 days. The average time to respond to a complaint in 2021/22 was 24 working days, reversing the trend from the preceding year, where it was 22 working days.

Nature of complaint 2021/22

Typically, complainants will raise more than one issue in their complaint, hence for the purposes of reporting, the nature of complaints will not match the number of complaints received. This graph details the different categories of complaint issues and the quantity of complaints received for each category.



### Key activity headlines (2021/22)

- The largest number of complaints received related to staff (20.9%), communication (17.9%), assessment process (14.8%), financial (13.8%) and service provision (10.7%).
- Compensation awards, resulting from investigations by the Ombudsman remain high at £14,085 but is half that of the previous year which was in excess of £28,000 and an historical high in 2020/21. The highest award of compensation for this reporting year was for £5,400 which was awarded to compensate for the loss of support services and the impact this had upon the client.

## Section C: Outcome and resolution of complaints

Table 3 shows the trend by year, for the complaint outcome, by number and the overall percentage of complaints received, over the past five reporting years. Complaints resolved outside the process were not included in previous years reports.

Table 3:

Outcome of Complaints Received	2017/18	2018/19	2019/20	2020/21	2021/22
Complaints upheld in full	32 (14%)	47 (19%)	60 (23%)	36 (16%)	52 (18%)
Complaints upheld in part	84 (38%)	81 (32%)	84 (33%)	67 (31%)	81 (28%)
Complaints not upheld	90 (41%)	109 (43%)	101 (40%)	72 (33%)	80 (28%)
Complaints withdrawn	15 (7%)	14 (6%)	10 (4%)	10 (5%)	15 (5%)
In Progress / paused				-	-
Complaints ROTP*				33 (15%)	60 (21%)
<b>Total</b>	<b>221</b>	<b>251</b>	<b>255</b>	<b>218</b>	<b>288</b>

\*ROTP = (Resolved outside the process)

### Outcome headlines

- A pattern is emerging to reflect the work being done within the service to resolve complaints to the satisfaction of the complainant outside of the complaints process.
- The overall percentage share of complaints upheld in full or in part remains broadly consistent at (46%).
- The pattern of few complaints being recorded as 'not upheld' continues to decrease.

The Council has changed how we report on the resolution of Adult Social Care complaints to reflect the fact there are often multiple resolutions. In 2021/22, there were 266 actions resulting from the 203 complaints responded.

Table 4:

Resolution of Complaints	2021/22
Advice/Information Given	98 (36.8%)
Apology	83 (31.2%)
Staff training	30 (11.3%)
Service provided	15 (5.6%)
Service provided	15 (5.6%)
Financial redress	4 (1.5%)
Review communications	4 (1.5%)
Service improved	4 (1.5%)
Support plan reviewed	4 (1.5%)
Process/policy review	3 (1.1%)
Agreement with person using service or carer	2 (0.8%)
Communication improved internally	2 (0.8%)
Process/policy change	2 (0.8%)

## Section D: Local Government and Social Care Ombudsman Activity

Table 5 shows how many complaints were escalated to the Ombudsman each year in the period 2017/18 to 2021/22 and the total sum of the Ombudsman's financial remedies in each year. (Can you check this table as our Q4 report says 11 commenced (not 12), 14 completed and 9 upheld.

Table 5:

Local Government and Social Care Ombudsman Activity	2017/18	2018/19	2019/20	2020/21	2021/22
Investigations initiated by LGSCO	27	23	30	26	12
Investigations Upheld by the LGSCO	9	10	14	12	9
Financial remedies recommended for upheld complaints by the LGSCO*	£7,775**	£1,200	£6,695***	£28,069****	£14,085

\*These figures include remedies for reimbursement of care charges by the provider

\*\* £2,475.00 was a direct payments refund

\*\*\*£3,769.72 of this figure was a refund of incorrect charges for residential care and paid directly by the provider

\*\*\*\*This includes reimbursing £11,000 that had been paid to a care provider as an unofficial third-party top up and a backdated Direct Payment of £9,603 for a separate complaint.

## Section E: Learning from complaints

Learning from complaints is an important source of information for implementing service improvement. The focus on identifying learning and putting things right and making a difference to service delivery is a key requirement across all services and monitored closely by the Customer Relations Team.

Examples of learning from complaints for this reporting year are detailed below:

- Communication with families – clear, verifying that everyone understood the content and context of the conversations and decisions made.
- Review/improve external communications – verify that families are aware of charges in advance and ensure funding is in place at the appropriate time.
- Quality of care - checking with agencies and homes to ensure that a standard of good practice is provided to our clients.
- Review/improve internal staff practice - ensure social workers have capacity in their workload and supervision and support is given.
- Timeliness – ensure assessments are completed in line with the councils' policies



## LGSCO complaints and learning

The Ombudsman wrote: "I am pleased to note your Council's positive liaison with my office during the year. It is to the Council's credit that it has been proactive in providing us with timely, comprehensive and well organised responses to our enquiries. I welcome this approach to complaints and hope to see more examples of this good practice in the year ahead."

Of the 288 complaints received, 203 were investigated and responded to under the Adult Social Care complaints procedure. When a complainant remains unhappy with the outcome, they can refer their complaint to the Local Government & Social Care Ombudsman (LGSCO). The Ombudsman received and made decisions on 34 complaints that were escalated to them over the year, of which 12 were investigated and nine were upheld during 2021/22. Overall, the Ombudsman is finding fault more often and has upheld more complaints nationally during 2021/22, than the previous year. The issues that were identified and completed as learning from the nine upheld complaints are summarised below.

- Review the system through which it monitors and supervises the progress of cases and through which it (subsequently) escalates cases when needed.
- Share the lessons learned about complaints handling with the officer / team who handled the complaint.
- The Care Provider agreed to review its pressure sore management protocols and procedures to ensure these reflect relevant national guidance. This should include specific guidance on the correct use of equipment in pressure sore management.
- The Care Provider should also consider what action it needs to take to ensure staff are familiar with the revised protocols, and appropriately trained to implement them.
- Arrange a training session for staff involved in this case about the Council's obligations under the Human Rights Act 1998.

The Ombudsman will recommend a remedy where there has been fault resulting in an injustice to the service user. A financial remedy is recommended only when the complaint has resulted in a quantifiable financial loss as a reimbursement and/or to acknowledge identified distress, time and trouble.

## Comparative data for Adult Social Care Complaints 2021/22

Customer Relations has gathered comparator data from other local authorities of similar size and nature. Table 6 shows that Surrey is towards the bottom of the ranking for the number of complaints received in 2021/22. Surrey is in middle of the ranking for complaints upheld - Surrey upheld 59% of complaints, whilst at the top Cambridgeshire upheld 67% and at the bottom West Sussex upheld 29%. It is important to understand that local authorities may have different ways of managing and recording complaints, so this comparator data is indicative only.

**Table 6:**

County Council	Complaints received	Complaints Upheld	Complaints Partially Upheld	Complaints Not Upheld	Total upheld, not upheld or partially upheld	Average working days to respond																																																																		
Kent	739	167	202	206	575	19																																																																		
		29%	35%	36%			West Sussex	404	119	0	285	404		29%	0%	71%	North Yorkshire	372	78	77	181	336		23%	23%	54%	East Sussex	342	149	0	193	342	37	44%	0%	56%	Hertfordshire	310	73	54	96	223		33%	24%	43%	Surrey	288	42	78	83	203	24	21%	38%	41%	Cambridgeshire	226	27	73	49	149	25	18%	49%	33%	Warwickshire	189	21	32	34	87
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		24%	37%	39%																																																																				

## Section F: Compliments

Table 7 shows the total number of compliments that have been received by service areas in Adult Social Care Services in the period 2017/18 to 2021/22.

Table 7:

Team	2017/18	2018/19	2019/20	2020/21	2021/22
East	141	91	98	48	62
Guildford and Waverley	61	156	79	34	42
Mid	118	91	156	96	41
North West & Surrey Heath	123	175	116	86	77
Countywide	18	13	31	3	8
PLD, Autism & Transition				27	29
<b>Operations Total</b>	<b>461</b>	<b>266</b>	<b>480</b>	<b>294</b>	<b>259</b>
Service Delivery	379	259	180	129	165
Mental Health Service	7	1	0	32	27
<b>Total</b>	<b>847</b>	<b>526</b>	<b>480</b>	<b>455</b>	<b>451</b>

## Section G: Summary of achievements

- a) The Adults Customer Relations Team have continued to support the teams in complaints handling and providing robust responses to complainants and Ombudsman investigations.
- b) The Team regularly reviews provider complaints with the Commissioning and Quality Assurance Teams, to ensure effective monitoring of complaint issues and learning.
- c) The Team has delivered training for Adult Social Care Managers and practitioners handling complaints and responding effectively. The training is provided throughout the year.
- d) The Team has delivered learning sessions on a case study of a complex complaint and themes including communication and delays.
- e) The Team continues to lead on most joint complaints with the NHS and has strong partnership working with our health partners to address and resolve complaints.
- f) The Team supported staff to manage complex and difficult complaints effectively.

If you have any comments concerning the content of this report, please contact the Adult Social Care Customer Relations Team:

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