
**ADULT SOCIAL CARE COMPLAINTS, COMPLIMENTS
AND COMMENTS PROCEDURE**

**Responsible Cabinet Member - Councillor Andy Scott,
Communities and Engagement Portfolio
Councillor Veronica Copeland, Adult Services Portfolio**

**Responsible Director - Paul Wildsmith, Director of Corporate Services
Cliff Brown, Director of Community Services**

SUMMARY REPORT

Purpose of the Report

1. This report is to seek approval for the Adult Social Care Complaints, Compliments and Comments Procedure (**attached in Appendix 1**).

Summary

2. The Adult Social Complaints, Compliments and Comments Procedure has been revised in line with the Local Authority Social Services and National Health Service Complaints (England) Regulations which came into effect in April 2009.
3. These new regulations set out a single joint complaints process for both Social Care and health services in response to the consultation 'Making Experiences Count' by the Department of Health.
4. The Adult Social Care Complaints, Compliments and Comments Procedure provides officers, Members and the public with a clear definition of what constitutes a complaint and clearly sets out how Darlington Borough Council will deal with complaints about Adult Social Care services. It also sets out how Darlington Borough Council will record compliments and comments.
5. In addition to the procedure a practice guidance document has been produced to ensure officers adhere to best practice in complaints handling.

Recommendation

6. It is recommended that :-
 - (a) That Members consider the attached procedure.
 - (b) That Members approve the attached procedure.

Reasons

7. The recommendations are supported by the following reasons :-

- (a) to ensure the Council handles complaints in line with the provisions of the Local Authority Social Services and National Health Service Complaints (England) Regulations which came into effect in April 2009;
- (b) to promote an organisational culture in which complaints are accepted, owned and resolved as efficiently as possible;
- (c) to resolve individual issues when they arise to reduce the number of complaints referred to the Ombudsman;
- (d) to enable the Council to identify trends and topics in relation to complaints and improve services as result;
- (e) to ensure high levels of customer satisfaction with complaints handling; and
- (f) enable the Council to demonstrate what it has learned from the complaints it has received.

Paul Wildsmith
Director of Corporate Services

Cliff Brown
Director of Community Services

Background Papers

No background papers were used in the preparation of this report.

S17 Crime and Disorder	There is no specific impact on Crime and Disorder.
Health and Well Being	This procedure aims to ensure complaints about Adult Social Care Services are handled effectively and service improvements are implemented as a result of learning from complaints.
Sustainability	There is no specific impact on sustainability.
Diversity	The procedure makes specific provisions to ensure the diverse needs of the people of Darlington are addressed. An EIA and a DEIA have been carried out.
Wards Affected	All wards will be affected equally.
Groups Affected	People in receipt of Adult Social Care services and their carers.
Budget and Policy Framework	This report does not recommend a change to the Council's budget or policy framework.
Key Decision	This is not classed as a key decision and has not been included in the forward plan.
Urgent Decision	This does not represent an urgent matter.
One Darlington: Perfectly Placed	The new Adult Social Care Complaints Procedure will contribute towards achieving the goals of the Healthy Darlington Priority.
Efficiency	There will be a reduction in officer time spent investigating complaints. Future efficiencies as a result of learning from complaints.

MAIN REPORT

Information and Analysis

8. The Corporate Complaints Manager has developed the Adult Social Care Complaints, Compliments and Comments Procedure in line with the requirements of the Local Authority Social Services and National Health Service Complaints (England) Regulations which came into effect in April 2009.
9. The Corporate Complaints Manager has also produced a detailed practice guidance document for all employees and Members to ensure the new procedure is delivered effectively and that complaints are handled in line with current best practice.
10. The new procedure removes the old three stage process and replaces it with a single stage process allowing the Council one opportunity to resolve a complaint before the complainant has the right to escalate the matter to the Local Government Ombudsman or the (or Health Services Ombudsman for some joint complaints).
11. Whilst this approach provides the Council with the opportunity to make efficiency savings in terms of officer time spent investigating complaints and in real monetary terms, as there is no longer a requirement to hold stage 3 review panels, it does present a challenge to the Council in ensuring staff are equipped to handle complaints effectively and resolve complaints at the earliest possible stage.
12. To mitigate the risk of an increase in the number of complaints being escalated to the Ombudsman following the introduction of the new procedure the Complaints Manager will deliver a comprehensive training programme on both the procedure and good investigative practice.

Outcome of Consultation

13. All members of the Adult Social Care Management Team have had the opportunity to comment on the draft procedure. The Adult Social Care Management Team approved the new procedure subject to some minor amendments and overall it was well received.
14. A Disability Equalities Impact Assessment has been carried out. A meeting is planned with the Disability Impact Assessment Steering Group to discuss the procedure further and how complaints will act as a trigger for Disability Equalities Impact Assessments.