

## Appendix 1 Statutory Adult Complaints 2014-15

### Details of complaints formally investigated

A complaint regarding social work intervention and practice in connection. The themes of complaint were in the areas of social work intervention and practice, oppressive practice, inappropriate comments, poor communication and actions of social care staff.

**Outcome** - Not Upheld x 4; Partly Upheld x 1; Unsubstantiated x 1

A complaint about the manner in which a Continuing Health Care [CHC] checklist assessment in respect of a relative had been undertaken.

**Outcome** – Upheld x 2; Unsubstantiated x 1

Dissatisfaction about why the support plan had been stopped, together with dissatisfaction of the outcome of the re-assessment in respect of the Direct Payment [DP]. Also that there had been a lack of information from the worker.

**Outcome** – Upheld x 11; Not Upheld x 5; Partly Upheld x 1; Unsubstantiated x 2

A complaint about the conduct of the Safeguarding Manager, and way the Safeguarding process itself was organised and undertaken.

**Outcome** – Upheld x5; Not Upheld x 3; Partly Upheld x 3; Unsubstantiated x 5

A complaint in respect of an assessment disagreement following the decision to reduce the service provided to the complainant.

**Outcome** – Upheld x 2; Not Upheld x 1; Unsubstantiated x 1

A complaint in relation to the care provided to a relative from the home support service commissioned by the council.

**Outcome** – Partly Upheld x 4; Not Upheld x 1

A complaint in respect of an assessment disagreement following the decision to reduce the amount of care provision/Direct Payments.

**Outcome** – Upheld x 1; Not Upheld x 2; Partly Upheld x 1; Unsubstantiated x 2

A complaint around the way transition from children services to an adult placement had been handled. Issues in respect of financial support and the proposed changes to the Shared Lives scheme and the impact this had on the family.

**Outcome** – Upheld x 2; Not Upheld x 5; Partly Upheld x 4; Unsubstantiated x 1; No Finding x 3

## Appendix 2 – SUNDERLAND CARE AND SUPPORT

### Introduction

Sunderland Care and Support is a local authority trading company, wholly owned by Sunderland City Council. The company has a board of directors appointed by the Council (as the shareholder of the holding company).

Sunderland Care and Support was formed on 1 December 2013 and this report covers the period April 2014 – March 2015. Sunderland Care and Support offers care and support 24/7 to more than 6,000 vulnerable customers across a wide range of services including:-

- Supported Living schemes.
- Day Services and short break care services.
- Intermediate Care and Reablement services.
- Sunderland Telecare.
- Community Equipment service and Home Improvement Agency.

Sunderland Care and Support's aims and objectives are:

- **A Customer focused and driven culture-** we will listen to our customers and offer genuine choice tailored to their individual needs. Our customers are at the heart of everything we do, we will put people first.
- **Quality Services-** to provide high quality innovative services that improve the lives of people we serve.
- **Respect -** We respect equality, diversity, and the beliefs and dignity of all of our customers and staff.
- **Transparency and Integrity-** we will inspire confidence and trust by operating an open, accountable and transparent culture across all levels of the company.
- **Create a skilled and passionate workforce-** we will recruit, develop, motivate and communicate with our staff and support them with the appropriate training and competencies to do the right thing, every time.
- **Continuous Development-** built on trust and empowerment with greater transparency to help the organisation learn and improve. Everyone will know what we want to achieve and how they contribute to the things that really matter.
- **Enjoyable and Rewarding-** we place emphasis on staff satisfaction and will create an environment which offers opportunity for personal and professional growth.

## **Statutory Complaints**

Sunderland Care and Support received a total of 37 statutory complaints for the period April 2014 to March 2015.

### **Timescales/Performance Measures**

The regulations do not have prescriptive timescales; however, we have set our own internal performance measures for adult statutory complaints. We aim to resolve complaints quickly and as close to the source of the complaint as possible. This is supported by regulations which highlight that complaints can be considered to be immediately resolved if they are done so within two working days.

35% of complaints as instantly resolved.

70% of all complaints received were responded to within 15 working days.

### **Formal Investigations**

There were four formal investigations undertaken in the period April 2014 to March 2015.

## **Corporate Complaints**

### **Stage One**

During the period April 2014 – March 2015 there were 123 new stage one complaints.

These complaints were made in respect of the Community Equipment Service (CES). The issues were considered sufficiently straightforward enough for resolution to be attempted without a formal investigation being required. The complaints included issues to do with the collection and delivery of equipment.

### **Stage Two - Review**

During the period April 2014 – March 2015 there were **no** complaints escalated to the review stage.

## **Compliments**

37 compliments were made about Sunderland Care and Support during the period April 2014 - March 2015. We have included a small selection of the good things people have said about the service below:

*very happy and grateful for the service I have had. If it was not for the ladies help I would not be so well today. I thank them all for the caring they have shown*

### **Reablement at Home**

*A thank you to your staff for the care, dedication and support provided to me and my family during my illness. I want to compliment your staff on their hard work, dedication and professionalism at all times. They were always willing to go the extra mile.*

### **Fulwell Community Resource**

*I cannot speak highly enough of all the staff for support while getting well, from the meals to the comfortable sitting room and support to get my fingers and legs moving again*

### **Farmborough Court**

## **Compensation Payments made during the period 2014/15**

No compensation payments were made during the period April 2014 – March 2015.

## STATISTICAL INFORMATION – Sunderland Care and Support

Distribution of Statutory Complaints by Service Area		
Reablement Service	1	3%
Day Centres	3	8%
Residential Establishments	9	24%
Farmborough Court	6	16%
Home Improvement Agency	1	3%
Telecare	16	43%
Shared Lived	1	3%
<b>Total</b>	<b>37</b>	<b>100%</b>

Nature of Statutory Complaints		
Actions of other resident	1	3%
Actions/Attitude of staff	20	54%
Assessment Issues	1	3%
Delay	4	10%
Finance	1	3%
Not kept informed/Communication Issues	2	6%
Quality Issues	8	21%
<b>Total</b>	<b>37</b>	<b>100%</b>

Outcome of complaints		
Upheld	13	34%
Partially Upheld	11	30%
Not Upheld	11	30%
Other	1	3%
Unsubstantiated	-	-
Withdrawn	1	3%
	<b>37</b>	<b>100%</b>

How we received complaints		
Email	<b>3</b>	<b>8%</b>
Face to Face	<b>7</b>	<b>19%</b>
Letter / Complaints Form	<b>4</b>	<b>11%</b>
Telephone	<b>18</b>	<b>48%</b>
Customer Service Network	<b>5</b>	<b>14%</b>
	<b>37</b>	<b>100%</b>

Timescales and Performance Measures					
	Target		No of complaints	Actual % for 2013-14	
Immediately Resolved	<b>35%</b>	<b>80%</b>	<b>13</b>	35%	<b>70%</b>
< 15 days	<b>45%</b>		<b>13</b>	35%	
< 30 days	<b>15%</b>		<b>6</b>	16%	
< 90 days	<b>5%</b>		<b>14</b>	5%	
Outside of timescale	<b>0%</b>		<b>-</b>	-	

## Appendix 3 Children's Services Statutory Complaints 2014-15

### Stage 2 Complaints Investigated 2014-15 and Outcomes of Elements

<b>1. Inadequate post adoption support and issues with content of Section 7 Report</b>
Outcome 1 X No Finding, 1 X Out of Scope
<b>2. Issues with assessments, inappropriate information and contact when children became Looked After</b>
Outcome 6 X Not Upheld, 1 X Upheld, 1 X Partially Upheld
<b>3. Failure to assess, inform or involve in the care planning process</b>
Outcome 2 X Partially Upheld, 4 X Upheld
<b>4. Failures within the care planning process</b>
Outcome 3 X Upheld
<b>5. Issues surrounding a child protection investigation including delays and lack of information</b>
Outcome 19 X Not Upheld, 3 X Upheld, 7 X Partially Upheld, 3 X Unsubstantiated, 2 X Out of Scope, 1 X Not Investigated
<b>6. Failure to carry out an assessment of risk within timescale</b>
Outcome 1 X Upheld
<b>7. Social Workers actions and bias towards family, lack of guidance, oversight or action by the council</b>
Outcome 8 X Not Upheld, 10 X Upheld, 16 X Partially Upheld, 10 X Unsubstantiated
<b>8. Actions/decisions of Social Worker and failure to consult appropriately</b>
Outcome 3 X Partially Upheld, 1 Upheld, 1 Unsubstantiated.
<b>9. Information previously supplied could not be located, no assessment available</b>
Outcome 4 X Upheld

<b>10. Issues of child protection</b>
Outcome Withdrawn
<b>11. Failure to effectively manage the case and progress assessments. Inconsistent approach</b>
Outcome Withdrawn
<b>12. Delays, lack of information and refusal to provide adaptations</b>
Outcome 5 X Upheld
<b>13. Delays, inaccuracies and bias by Children's Services</b>
Outcome 2 X Partially Upheld, 7 X Not Upheld, 2 X Upheld
<b>14. Reliance on incorrect information and delays in risk assessments</b>
Outcome 2 X Not upheld, 1 X Upheld
<b>15. Delays, lack of information and inappropriate contact arrangements</b>
Outcome 6 X Partially Upheld, 2 X Not Upheld, 4 X Upheld, 1 X Not Investigated, 1 X Not Substantiated
<b>16. Failure to complete assessment of risk, inadequate communications and inaccurate information</b>
2 X Partially Upheld, 3 X Upheld
<b>17. Failure to follow guidance or take account of inconsistencies. Failure to carry out risk assessment</b>
2 X Not Upheld, 2 X Upheld
<b>18. Failure to follow guidance or take account of inconsistencies. Failure to carry out risk assessment</b>
4 X Upheld
<b>19. Issues with Social Worker's information and actions. Difficulties surrounding contact</b>



2 X Partially Upheld, 1 X Not Upheld
<b>20. Lack of support, false allegations and criticism</b>
1 X Partially Upheld, 1 X Not Upheld, 2 X Upheld
<b>21. Lack of support, information and delays</b>
1 X Partially Upheld, 4 X Not Upheld, 2 X Upheld
<b>22. Incorrect and incomplete assessments. Lack of information</b>
1 X Partially Upheld, 3 X Upheld
<b>23. Lack of support and contact</b>
2 X Not Upheld, 2 X Upheld, 1 X Partial

### Stage 3's (Review Panel Hearings) 2014-15

Details	Outcome
Failure to investigate complainants concerns refusal to consider evidence presented by complainant; attitude and actions of Social Workers; need for supervised contact and arrangements; alleged breach of confidentiality.	<p>Stage 2 findings - 15 separate elements of complaint – 5 x upheld, 2 x partially upheld, 4 x not upheld and 4 x not substantiated.</p> <p>The complainant subsequently requested a meeting with the Head of Safeguarding – as a result of this meeting outcomes were changed to 7 x upheld, 5 x partially upheld and 3 x not substantiated. Whilst the Review Panel Hearing accepted the changes made it was critical of the process that had been followed. Panel felt that challenges to the outcomes was something that should have been either referred back to the investigating officer at Stage 2 for consideration within their report or progressed to the Stage Three for consideration by the Review Panel. A recommendation was made by the Review Panel in respect of this as it was felt in this instance that the process had not been followed correctly and this had led to unnecessary complications.</p>

## Appendix 4

### Completed Ombudsman complaints 2014-2015

	Details of complaint	Ombudsman Decision
1.	<b>Elections</b> The complainant was unhappy that he had been excluded from the council's register of electors; however he had not completed the required annual canvas form provided by the council. The Ombudsman decided not to investigate as there was insufficient evidence of any fault by the council.	Not investigated
2.	<b>Parking Services</b> This concerned signs relating to a controlled parking zone where the complainant was issued with a PCN. The Ombudsman decided not to investigate as the complainant had a separate right of appeal and the controlled parking zone signs had not caused any injustice.	Closed after initial enquiries - Out of Jurisdiction
3.	<b>Housing Benefit</b> The council recovered a Housing Benefit overpayment which the complainant was unhappy about stating that he advised the council of changes of circumstances. The Ombudsman would not investigate as the complainant has a separate right of appeal.	Closed after initial enquiries - Out of Jurisdiction
4.	<b>Governance</b> The complainant complained that the council's Standards Committee failed to investigate his complaint about the conduct of a local councillor properly. The Ombudsman did not investigate as the complainant withdrew his complaint which was passed to the council for further consideration.	Closed after initial enquiries – no further action
5.	<b>Planning</b> The council gave incorrect pre-application advice to the complainants regarding the acceptability of a development they were planning to build. However the complainants did not build exactly what was proposed, nonetheless a subsequent guidance document issued by the Government showed that the council's interpretation of what was permitted development and what was not was flawed. The complainant agreed to close the complaint as the council were still considering a settlement.	Closed after initial enquiries – no further action
6.	<b>Planning</b> The council granted planning permission for a neighbour's extension which was then built higher than what was approved. The Ombudsman would not investigate this complaint because there was no evidence of maladministration by the council.	Closed after initial enquiries – no further action
7	<b>Anti-Social Behaviour</b> The complainant was unhappy about the actions of the council who, following a report that an alarm from her property was causing a nuisance, referred the matter to the police. The Ombudsman felt that there was no significant injustice caused to the complainant and decided not to investigate the complaint.	Closed after initial enquiries – no further action

8.	<b>Multi Area</b> The complainant stated that the council treated him unfairly and did not follow procedures by taking action over an issue concerning his business. The Ombudsman investigation revealed that the council did not act with fault in taking action and there was no evidence that the council had deliberately damaged his standing or business.	Not upheld – no maladministration
9.	<b>Council Tax</b> This complaint concerned bankruptcy proceedings taken by the council against the complainant some years previously. The Ombudsman did not investigate as this is outside the jurisdiction and the complainant could have challenged the bankruptcy order at the time.	Closed after initial enquiries – no further action
10.	<b>Highways</b> The complainant said the council charged too much for a footway crossing and stated builders would carry out the work for a lower price. The Ombudsman did not investigate as she thought it unlikely that she would find any evidence of fault.	Closed after initial enquiries – no further action
11.	<b>Information</b> This concerned the council's alleged failure to respond to a Freedom of Information request. The Ombudsman did not investigate as the complainant can refer the concerns to the Information Commissioner's Office.	Closed after initial enquiries – Out of Jurisdiction
12.	<b>Business Rates</b> The council allegedly misinformed the complainant about liability for business rates on an empty business property which she leased, and as a result received a summons for unpaid business rates. The Ombudsman did not investigate as this was subject to court proceedings.	Closed after initial enquiries – no further action
13.	<b>Safeguarding</b> The complainant was unhappy that their parent had fallen at the care home where they reside and the incident had not been properly investigated by the council. The Ombudsman did not investigate as the complainant did not have consent from the parent to make the complaint.	Closed after initial enquiries – no further action
14.	<b>Housing Benefit</b> This concerned the council recovering an overpayment of housing benefit from the complainant. The Ombudsman did not investigate as the complainant had appealed to a tribunal about the matter.	Closed after initial enquiries – no further action
15.	<b>Personalisation</b> The council suspended direct payment received for the complainant's parent's care incorrectly, then failed to reinstate the payments or make alternative arrangements to meet care needs after that. The Ombudsman found fault with the council's actions which caused the complainant and their parent injustice and recommended a remedy comprising a number of elements however despite efforts it has not been possible to implement these and the matter is now before the Court.	Upheld – maladministration and injustice
16.	<b>Planning</b> The council approved a planning application to increase the height of roofs of three properties near the complainant's home; however the complainant believed regard had not been had to policy and the development would likely cause loss of light from the increased roof height. The Ombudsman did not investigate as there was insufficient evidence of fault by the council.	Closed after initial enquiries – no further action
17.	<b>Planning</b>	Closed after initial enquiries –

	The council approved a planning application to increase the height of roofs of three properties near the complainant's home, which may affect the view from the complainant's sitting room window. The Ombudsman did not investigate as there was insufficient evidence of fault by the council.	no further action
<b>18.</b>	<b>Procurement</b> The complainant states that he lost business because of comments made by a council officer to the company he had tendered to do work for. The Ombudsman did not investigate as it could not be confirmed that the council's fault caused the complainant's claimed injustice.	Closed after initial enquiries – no further action
<b>19.</b>	<b>Highways</b> The complainants have requested the council replace the grass verge outside of their property with concrete, as cars park on the verge causing bare patches and rutting. The council declined because the work was not deemed necessary or a priority. The Ombudsman did not investigate as there was no evidence of fault in the way the council considered this.	Closed after initial enquiries – no further action
<b>20.</b>	<b>Leisure</b> The council failed to notify the complainant about her eligibility to a concessionary fee for a sports club membership and paid full rate for two years when she was entitled to a concessionary rate. The Ombudsman found evidence of fault, but was satisfied with the council's goodwill gesture to offer to refund the difference between the rate paid and the concessionary rate.	Not upheld – no maladministration
<b>21.</b>	<b>Older Persons</b> The council wanted to remove a lock the complainant placed on a bedroom in their parent's property where they store possessions. The Ombudsman did not uphold the complaint as the council was not at fault by requesting the removal of the lock.	Not upheld – no maladministration
<b>22.</b>	<b>Safeguarding</b> This concerned the process and outcome of a safeguarding investigation by the council relating to the care received for the complainant's late parent. The Ombudsman did not uphold the complaint as it considered the council acknowledged there were failings in the safeguarding process and were satisfied with their proposed actions.	Not upheld – no maladministration
<b>23.</b>	<b>Planning</b> The council took too long to take enforcement action against the complainant's neighbour who had installed decking in their garden without planning permission. The complainant stated that the council was biased in its treatment. It was recognised that there were delays in the council investigating and in starting formal action against the neighbour. The Ombudsman recommended the council pay £200.	Upheld – maladministration and injustice
<b>24.</b>	<b>Housing Benefit</b> Complainant was unhappy that the council refused his housing benefit claim because of lack of information provided. The Ombudsman did not investigate as the council has advised the complainant what he needs to do to make a claim.	Closed after initial enquiries – no further action