

## Appendix 1 Statutory Adult Complaints 2015-16

### Details of complaints formally investigated

A complaint in relation to the care provided to a relative in a care establishment. The themes of complaint also included areas of social work intervention and practice, poor communication and a slow response to a request for action.

**Outcome** – Upheld x 1; Partly Upheld x 1; Not Upheld x 13; No Finding x 6

A complaint in relation to the care provided to a relative whilst in residential care commissioned by the council. The complainant also felt that her relative should not have to pay a contribution towards her care.

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

A complaint about the way in which a safeguarding concern had been handled and an overall poor level of communication.

**Outcome** – Upheld x 1; Partly Upheld x 2; Not Upheld x 4

A complaint about a lack of consultation and that the council had not been proactive in seeking to take reasonable steps to identify the complainant as next of kin.

**Outcome** – Not Upheld x 3; Unsubstantiated x 2

A complaint from carers that the council was not providing them with the correct level of support in respect of Direct Payments. They also complained about delay and that the issues had not been dealt with in a timely manner.

**Outcome** – Upheld x 1; Partly Upheld x 3; Not Upheld x 1

## **Appendix 2 – SUNDERLAND CARE AND SUPPORT**

### **Introduction**

Sunderland Care and Support is a Local Authority Trading Company, formed in December 2013, wholly owned by Sunderland City Council. The company has a board of directors appointed by the Council (as the shareholder of the holding company).

This report covers the period April 2015 – March 2016.

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 for people with a Learning disability, Mental Health need, Autism or challenging behaviour.
- 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 aim is:

**'To be a trusted provider of outstanding social and health care services which help to transform people's lives'**

This vision is reflected in the organisations values as follows:-

### **Primary Value**

'The needs of the customer come first'

## Aims and Objectives

- **Respect-** We will respect equality, diversity, and the beliefs and dignity of everyone in our diverse community, including our customers, their families and colleagues
- **Compassion-** We will provide the best care, treating customers and family members with sensitivity and empathy.
- **Service and Integrity-** We will adhere to the highest standards of professionalism and personal responsibility, worthy of the trust our customers place in us.
- **Safe, Caring and Personal-** We will provide high quality services that support, protect, care and enable all our customers and treat them as individuals, respecting their physical, emotional and spiritual needs.
- **Teamwork-** We will deliver the best outcomes and highest quality service through the dedicated effort of every team member. Valuing the contributions of all, blending the skills of individual employees in partnership and collaboration.
- **Enjoyable and Rewarding** - We will create a skilled and passionate workforce and place an emphasis on employee satisfaction by developing a culture which offers opportunity for personal and professional growth.

## Statutory Complaints

Sunderland Care and Support received a total of **25** statutory complaints for the period April 2015 to March 2016.

### 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.

24% of complaints as instantly resolved.

64% of all complaints received were responded to within 15 working days.

### Formal Investigations

There was **one** formal investigation undertaken in the period April 2015 to March 2016.

## **Corporate Complaints**

### **Stage One**

During the period April 2015 – March 2016 there were 5817 new stage one complaints.

These complaints were, in the main, 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 2015 – March 2016 there were 21 complaints which were escalated to the review stage.

## **Compliments**

30 compliments were made about Sunderland Care and Support during the period April 2015 - March 2016. We have included a small selection of the good things people have said about the service below:

*Thank you for all the help and support in reaching my goals - I have now secured employment*

### **Outreach Team**

*Thank you to the lady who helped out along with the paramedics in respect of my father's care - your help was invaluable*

### **Telecare**

*The lady who attended from Care and Support went above and beyond my expectations in showing support and dignity to the customer*

### **Care and Support**

## **Compensation Payments made during the period 2015-16**

No compensation payments were made during the period April 2015 – March 2016.

## STATISTICAL INFORMATION – Sunderland Care and Support

Distribution of Statutory Complaints by Service Area		
Reablement Service	2	8%
Day Centres	1	4%
CES	1	4%
Residential Establishments	6	24%
Farmborough Court	6	24%
Home Improvement Agency	1	4%
Telecare	8	32%
Shared Lived	-	-
<b>Total</b>	<b>25</b>	<b>100%</b>

Nature of Statutory Complaints		
Actions of other resident	3	12%
Actions/Attitude of staff	11	44%
Care Practice Issues	1	4%
Delay	4	16%
Finance	-	-
Not kept informed/Communication Issues	-	-
Quality Issues	6	24%
<b>Total</b>	<b>25</b>	<b>100%</b>

Number of complaints responded to within 15 working days [target 80%]	2015-16	2014-15	2013-14
	65%	70%	92%

Outcome of complaints		
Upheld	4	16%
Partially Upheld	11	44%
Not Upheld	2	8%
Other	1	4%
Unsubstantiated	-	-
Withdrawn	-	-
On-going	7	28%
	<b>25</b>	<b>100</b>

## Appendix 3 Children's Services Statutory Complaints 2015-16

### Stage 2 Complaints and Outcomes of Elements

1	Actions of workers when a child became looked after, inappropriate information and issues around contact arrangements. Outcome: 2 x Partly upheld; 1 x Not upheld
2	Inadequate support during the time their grandson was placed with them. Issues of bias and a lack of contact/information following their grandson moving to live with another relative. Outcome: 4 x Partly upheld; 3 x Not upheld
3	Failure of staff to adhere to procedures/process; issues of bias; poor quality of reports; not kept informed; lack of management oversight Outcome – 2 x Upheld; 2 Partly upheld
4	An incorrect category of abuse had been used when a young person was made subject to a Child Protection Plan. A failure to provide additional support services. There had also been a failure to share information with complainant and appropriate agencies were not invited to the case conference to share information. Outcome: 2 x Upheld ; 2 x Not upheld
5	Not keeping a complainant who had parental responsibility informed about his children. A request for a different worker to be allocated did not happen; and there was some fault in the process of the complaint investigation. Outcome: 4 x Upheld
6	Failed to provide/delayed in completing a core assessment; Delayed in assessing for a new wheelchair one; Failed to support young person's transition into adulthood; Failure to change to the new ECHP or provide a personal budget; Failed to provide a carer's assessment as requested. Outcome – withdrawn
7	That reports submitted to the Foster Placement Panel were inappropriate as the author had been the subject of a previous complaint which had been upheld; Issue in respect of hoe Family Placement Panel came to its decision; Lack of appropriate support; Access to independent supporting agencies had been denied; That staff had conspired to remove you as foster carers. Outcome: 1 x Upheld; 1 x Partly upheld; 3 x Not upheld
8	Lack of information about their children in a foster placement; Issues in respect of contact with the children; Actions and attitude of worker Outcome: withdrawn
9	Lack of action taken by Children's Services; concerns about the quality of the core assessment document; lack of contact from the worker completing the core assessment; the attitude of workers towards him in a meeting where he felt they were dismissive of his views. Outcome: 3 x Upheld; 1 x Partly upheld
10	Attitude of worker which they felt lacked sensitivity and professionalism; Request for clarity as to whether HCPC had been contacted regarding concerns with the workers practice; Issues in respect of data protection. Outcome: 1 x Upheld; 1 x No finding; 1 x Outside of scope
11	Failure to reimburse expenses associated with the rehabilitation process; Not kept informed of planning intentions; Failure to ensure that statutory policy and procedures were implemented; Not listening to concerns regarding the rehabilitation plan; The worker's attitude. Outcome: 3 x Upheld; 1 x Partly upheld
12	Policies and procedures were not followed; Failure to investigate; Lack of effective communication and information sharing; Lack of timely response to correspondence; Actions and attitude of workers; Breach of confidentiality. Outcome: 3 x Partly upheld; 3 x Not upheld

13	The involvement of Children's Services led to contact ceasing; Complainant felt he had been portrayed in negative way; Failure to consider documentation and issues of bias. Outcome: 2 x Partly upheld; 2 x Not upheld
14	The failure of staff to adhere to the Procedures and Processes; Failure to complete a robust parenting/risk assessment in respect; Not keeping the family fully informed of the progress; Lack of management oversight. Outcome: 3 x Upheld; 1 x Partly upheld
15	The actions and attitude of the worker; Support services were not offered; Conflicting information and inaccuracies in reports; Appointments cancelled with no explanation or that worker's did not turn up when planned Outcome: 3 x Upheld; 1 x Partly upheld; 1 x Not upheld; 1 x Not substantiated
16	Issues in respect of contact; Breach of confidentiality; Lack of support; Withholding information; Failure to provide a response to an enquiry made by an MP Outcome: investigation on-going
17	Lack of financial support in the care of grandson, with a Residence Order Allowance; Children's Services have made repeated errors with the calculation and payment of your Residence Order Allowance. Outcome: 2 x Not upheld
18	Failure to respond in a timely manner to safeguarding concerns; Lack of effective communication; Delay in making passport applications for the children; Delay in undertaking an assessment; Failure to provide reports in a timely manner to the Looked After Child Review Outcome: 1 x Upheld; 6 x Partly upheld; 2 x Not upheld
19	Failure to follow procedures appropriately or involve complainant in decision-making and assessment processes; Delays in undertaking the Core Assessment; Contact should not have been terminated; counselling support had been delayed. Outcome: investigation on-going
20	Repeated changes in worker; Failure to meet agreed timescales in respect of assessments; Reports contain inaccuracies and bias and have used historical information without consent; Attitude of workers. Outcome: 2 x Upheld; 2 x Not upheld
21	Lack of explanation in respect of risks posed; Actions of the worker; Lack of assessment; Non return of telephone calls; Failure to offer both on-going support and advice; A copy of the CIN plan has not been provided; Personal circumstances have not been taken into consideration. Outcome – withdrawn
22	The actions and attitude of the worker Outcome – withdrawn
23	That staff have not acted in an impartial and biased manner; that workers have failed to understand the risks to the child; that workers have not followed policy and procedures; not being included in the planning process; not kept informed; attitude of workers. Outcome: 2 x Partly upheld; 2 x Not upheld

### Stage 3's (Review Panel Hearings) 2015-16

1	<b><i>Inaccuracies in reports that did not reflect events; a lack of explanation as to specific risks; Delays in assessment work.</i></b> Outcome: 2 x Upheld; 1 x Not upheld
2	<b><i>Actions, Attitude and conduct of workers involved with the family; Delays, lack of support and issues about the accuracy of documentation.</i></b> Outcome: 3 x Upheld; 5 x Partly upheld; 1 x Not upheld; 2 x Unsubstantiated
3	<b><i>Failure to include absent parent. Failure to signpost relevant services or provide advice on parental alienation</i></b> Outcome: 4 x Upheld; 1 x Not upheld
4	<b><i>Delay in acting on a referral/Assessment; Inaccurate information in reports; processes not explained; inappropriate sharing of information</i></b> Outcome: 1 x Upheld; 1 x Partly upheld; 3 x Not upheld; 4 x Unsubstantiated
5	<b><i>The social worker's attitude and actions; not kept informed; non return of contact; issues of delay and lack of action</i></b> Outcome: 2 x Upheld; 4 x Partly upheld; 1 x Not upheld; 1 x Unsubstantiated; 2 x Could not be investigated
6	<b><i>Failure of staff to adhere to procedures/process; issues of bias; poor quality of reports; not kept informed; lack of management oversight</i></b> Outcome: 4 x Upheld
7	<b><i>Actions taken by workers with regards to contact; use of inaccurate information; failure to undertake a parenting/ risk assessment.</i></b> Outcome: 1 x Partly upheld; 1 x Not upheld
8	<b><i>Lack of support from officers. Attitude and behaviour of workers. False allegations made against the family</i></b> Outcome: 1 x upheld; 1 x Not upheld
9	<b><i>Incorrect information was used to deny access to grandchild; failure to act appropriately or undertake a timely risk assessment</i></b> Outcome: 1 x Upheld; 2 x Not upheld
10	<b><i>Issues in respect of a Foster Placement Panel's decision; Lack of appropriate support from the council or supporting agencies</i></b> Outcome: 1 x Upheld; 1 x Partly upheld; 2 x Not upheld
11	<b><i>Failure to complete a robust assessments; Not keeping the family fully informed of progress; Lack of management oversight</i></b> Outcome: 4 x Upheld
12	<b><i>Inadequate support. Issues of bias and a lack of contact/information following their grandson moving to live with another relative</i></b> Outcome: 3 x Partly upheld; 1 x Not upheld

## Appendix 4

### Completed Ombudsman complaints 2015-2016

	Details of complaint	Decision
1	<b>Council Tax</b> A refund of Council Tax was paid into the complainants former partner's sole bank account and not into their joint account where the Council Tax direct debits were taken from. The complaint was upheld as the credit belonged to both parties.	Upheld
2	<b>Leisure</b> The complainant held a corporate membership for the Wellness Centres for a number of years and was unhappy that the council failed to notify her of a special offer which would reduce her monthly payment. The findings revealed that the council were under no obligation to advise members of special offers however did recognise that the customer service received fell short of the centre's usual standards.	Upheld
3	<b>Grant Work</b> The complainant is a tenant of a social landlord and was unhappy that the council failed to seek permission to access her garden or give prior notification that builders needed access when carrying out adaptations. Investigations revealed that the issues were not for the council to address but more appropriately by Sunderland Care and Support.	Not upheld
4	<b>Council Tax</b> The complainant was aggrieved that the council would not agree for her to pay Council Tax by a preferred method used previously -which had subsequently been withdrawn. Whilst it was recognised, that an admin error had occurred following the deletion of certain payment arrangements; no fault could be found in the council's decision to withdraw certain payment methods as alternative payment arrangements had been offered.	Partially upheld
5	<b>Environmental Health</b> The complainant felt that the council did not investigate or take appropriate action when reporting issues relating to a restaurant near his home. The complainant subsequently rang the complaints team to withdraw his complaint.	Withdrawn
6	<b>Planning</b> The complainant alleged the council had not taken action about a property which he stated was operating as a hostel and outside of its planning consent. The complainant was also unhappy that the council had not taken any action regarding a report of ASB.	Not upheld
7	<b>Planning</b> The council did not follow correct procedures in respect of amendments made to a planning application. The findings revealed that the procedure followed was legitimate and lawful, and both the complainant and others had the chance to make representations.	Not upheld
8	<b>Planning</b> The complaint concerned about how a planning application was assessed, the actions of the case officer and the content of the committee report. The complaint was investigated by an External Investigator who found no maladministration or fault with either the conduct of the case officer or the processes and procedures which the officers used to assess this proposal.	Not upheld
9	<b>Parking Services</b> A blue badge which was issued incorrectly in that the badge indicated the wrong gender. The complainant alleged they were challenged by a Civil Enforcement Officer [CEO] who followed her into a shop and questioned the validity of the badge. The findings revealed the council had made an error when issuing the blue badge, however with regard to the CEO allegedly entering a premises this could not be proven as there was no camera footage/evidence to prove this.	Partially upheld

<b>10</b>	<b>Network Management</b> The complainant stated the council did not properly consider all the relevant information when changing a nearby road junction by installing traffic lights. The complaint was not upheld as it was found that the council had considered all the relevant information when adding a condition to planning permission relating to traffic light installation.	Not upheld
<b>11</b>	<b>Bereavement Services</b> That a disclosure about the complainant had been made by the Bereavement Service to the Coroner regarding inaccurate financial information - which the complainant was not liable for as the debt related to a limited company using the complainant's name in their business title. The complaint was not upheld as findings revealed that council were aware that the complainant did not personally owe money and no financial information had been disclosed.	Not upheld
<b>12</b>	<b>Council Tax</b> A final notice for Council Tax relating to a landlord's rental property was sent to the landlord's home address - this was for an account which was closed dating back to over 15 months. However the Council Tax Bills, in the first instance, were not sent to his home address thus giving no opportunity for him to query them and no prior warning that there was an outstanding amount due on the account. The council accepted that an error was made in sending a final notice, however an apology was given and steps were immediately taken to rectify the error.	Upheld
<b>13</b>	<b>Leisure Services</b> The complaint concerned the terms and conditions relating to the leisure centres. The complainant was unhappy that non-members are disadvantaged in relation to advance bookings.	Not upheld
<b>14</b>	<b>Parking Services</b> The complainant received a PCN for his van which was illegally parked, but was unhappy with the Civil Enforcement Officer's actions. The complaint was upheld as the CEO admitted fault in her actions and an apology was given to the complainant.	Upheld
<b>15</b>	<b>Council Tax</b> The complainant was unhappy about recovery charges for non-payment of Council Tax. A number of issues raised were over 12 months old and the complainant had the opportunity to raise the matters in court at the time.	Not upheld
<b>16</b>	<b>Council Tax</b> The complainant felt that she had been bullied and harassed by the council when trying to pursue Council Tax recovery. The complaint was not upheld as the council was merely following the recovery process as set out in the legislation.	Not upheld
<b>17</b>	<b>Highways</b> This concerned a footpath outside of the complainant's property which he felt was not in a safe and serviceable condition. Whilst it was accepted that the footpath did not look particularly pleasant, following inspection it was considered to be safe and serviceable and the issues reported did not meet intervention levels.	Not upheld
<b>18</b>	<b>Planning</b> The council gave incorrect pre-application to the complainants regarding the acceptability of a wraparound extension they were planning to build. A subsequent guidance document issued by the Government showed that the council's interpretation was flawed in respect of what was/was not permitted development.	Upheld
<b>19</b>	<b>Responsive Local Services</b> This concerned a local park which the complainant felt was neglected by the council and the council were refusing to spend any money on the park. One element of the complaint was upheld. However the general upkeep of the park was found to be adequate considering the fall of public spending and parks nationally have faced large cuts in funding and staffing over the last few years.	Partially upheld

<b>20</b>	<b>Council Tax</b> The complainant was dissatisfied with a letter received from Council Tax regarding his single person's discount (SPD) in particular the tone of the letter and he felt that he has not been dealt with correctly by officers when he queried this. The findings revealed the wording of the SDP letter needed to be reviewed; however it was found that there was no fault in the way that officers had handled the complaint.	Partially upheld
<b>21</b>	<b>Procurement</b> The complainant stated that the council had a vendetta against him, causing his business to suffer, because of allegations he raised in previous complaints against the council. The complaint was not upheld as his previous complaints had been fully, considered and investigated and were now closed.	Not upheld