



Adult Social Care Annual Complaints and Representations

Performance Report 2022/2023

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1. Summary Headlines

Complaints in 2022/2023

In 2022/2023 a total of 484 cases were considered through the Adult Statutory Complaints process compared to 465 for 2021/2022. In 2022/2023 a total of 487 cases were resolved, compared to 458 in 2021/2022, with the following outcomes:

- 156 Upheld
 - 48 Assessments, 39 Quality of Care, 13 Staff Conduct, 4 Safeguarding, 52 Finance
- 241 Not Upheld
- 45 Partially Upheld
 - 13 Quality of Care, 5 Staff Conduct, 20 Assessments, 7 Finance
- 10 Withdrawn
- 28 Not Relevant or for ECC

Summary of complaint outcomes for 2022/2023 showing comparisons for 2021/2022:

Case Outcome	Total 22/23	% of Total 22/23	Total 21/22	% of Total 21/22
Not relevant / Not ECC	28	6%	18	4%
Not Upheld	241	50%	262	57%
Partially upheld	45	9%	35	8%
Upheld	163	33%	137	30%
Withdrawn	10	2%	2	1%
Grand Total	487	100%	464	100%

The recorded outcomes of 'not relevant' and 'not ECC' refers to those cases where it has not been possible to consider under the complaints process for the following reasons:

- Active court proceedings
- No informed consent
- Outside of Essex County Council remit

Summary of a selection of Adult Statutory Complaint Upheld Cases 2022/2023:

Team:	Issue:	Outcome Decision:
Mid Quadrant	Customer states that they have been chasing an assessment for their partner with no update for over 4 months.	An apology was issued to the customer for the delays in service. A direct payment was set up to cover retrospective costs, and support further costs. Feedback has been raised within the team to highlight the issue and to support learning from this mistake.
North Quadrant	Customer states there are a number of inaccuracies in the invoicing for their mother's care and continuously being miscommunicated to by both finance and adult social care, this situation is having a detrimental effect on customers health.	It was recognised the invoicing was incorrect, and this was rectified as a result. An apology was issued for the distress this caused.
West Quadrant	Customer states there had been a failure to provide a needs assessment for their mother.	Customer advised the team are aware of the care act assessment request and have liaised with the family on several occasions, apologies given as there are unprecedented demands on the team meaning the team is unfortunately unable to provide information specifically on timescales when the service user will be allocated a worker to complete a Care Act assessment.
North Quadrant	Customer states that the care provider created random bills which were invoiced sporadically and after numerous requests and complaints to the care provider questions remain unanswered. In addition, the customer states that there is a complete lack of care and incompetence by the care provider	Customer advised it was evidenced that though the social worker at the time did try to address the issues relating to the quality of care / missed calls, no safeguarding alert was raised - which should have happened. In addition, the customer was advised that the invoice they received from ECC was due to a late bill sent from care provider and that as it was evidenced that there were a number of missed visits and issues around the time relating to the quality of care, this bill was written off.
South Quadrant	Complaint disputing care home charges for mother due to stating no contract been signed, no physiotherapy treatment and concerns over quality of care at care home.	ASC advised the non-chargeable period ended but the placement for the mother was temporarily extended. The ASC team confirmed this extension was required because the Occupational Therapist (OT) assessment was needed before the

Team:	Issue:	Outcome Decision:
		mother could return home. The OT visited but the assessment was not completed as concerns were raised that the mother could not return home on safety grounds. As OT assessment took longer than expected charges were waived.

What we did well:

- Actively listen to customers when things go wrong
- Fully consider issues raised and seek suitable remedies
- Positively work with service to resolve issues when first raised
- Identifying individual needs and treating everyone respectfully.
- Continuously review processes to ensure these are consistent and current
- Manage complaints in line with policy and legislation

What do we need to improve?

- Introduce regular retrospective sessions with the service to consider what could have been done better and highlight areas of good practice
- Pay closer attention to what outcome the complainant is seeking at first point of contact
- Compliance and Complaints to follow up on any agreed actions/outcomes to ensure these are completed in a timely manner
- Implement more consistent planning and monitoring to complex complaints

Purpose of the Report:

The purpose of the Annual Report is to review the operation of the complaints process over a twelve-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. It offers an analysis of what the information obtained from the operation of the complaints process means for the council.

This report has been produced by Essex County Council's (ECC) Compliance and Complaints Team in order to meet this statutory requirement, to be published on the Council's website alongside ECC's policy and procedural guidance referring to complaints, representation, compliments and comments for Adult Social Care:

<https://www.essex.gov.uk/customer-services/Pages/Complaints,-compliments-and-comments.aspx>

Period covered and data:

This report focuses on Adult Social Care complaints, compliments, enquiries, and comments received for the period 1 April 2022 to the 31 March 2023. The report makes extensive use throughout of data available from the Case and Complaint Management System which is used by the Customer Service Compliance and Complaints Team to record and manage all statutory social care complaints and feedback received by the Team, as well as insight and learning from operational services. The statistical information presented within this report can be verified by reference to this database and is based on the date received. All percentages and costs are rounded to the nearest whole number.

Terms:

The term 'representations' is applied to:

Comments: neutral observations and suggestions.

Compliments: positive comments, praise, and thanks; and

Complaints: expressions of dissatisfaction, seeking a remedy.

Complaint's process:

ECC Adult Social Care is subject to two representations procedures.

1. ECC Corporate Complaints

This is the voluntary ECC complaints procedure, which is referred to as the ECC corporate procedure. The whole directorate, and indeed the whole authority, is subject to this procedure, which provides for any customer or service user making a representation about any aspect of the operation of the directorate.

2. Statutory Social Care Complaints

Adult Social Care also operates a statutory procedure that relates to a specific range of its activity related to Social Care services and this Statutory process is set by Central Government. This procedure provides for representations made by or on behalf of any adult who may be entitled to receive a service and by any other person who is deemed to have sufficient interest in the welfare of the adult to warrant inclusion in this procedure.

The Care Act 2014 ('the Act'), supporting regulations and the Care and Support Statutory Guidance ('the statutory guidance') were introduced in April 2015. This is the law on which adult social care in England is based and local authorities must adhere to it.

The health and social care complaints systems are based on the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 ('the complaints regulations'), made under powers in sections 113 to 115 of the Health and Social Care (Community Health and Standards) Act 2003.

Complaints and Representations procedures are provided in several formats aimed to facilitate easy access to the complaints process.

Complaints and Representations may also be raised by contacting a County Councilor or a Member of Parliament; these enquiries are managed through the Member Enquiries service.

(Full details of the complaints process can be found in Appendix1)

2. Introduction

This report provides information on complaints for Adult Social Care Services for the period 1 April 2022 to 31 March 2023, dealt with through either the statutory social care complaints procedure or the corporate complaints process. The complaints process provides us with the opportunity to monitor performance, improve service quality and learn from complaints made by our service users. We achieve this by capturing a range of complaint information including, the nature of the complaint, the action we took, the outcome of the complaint and whether we responded to the complaint on time. By publishing an annual complaint report, we hope to demonstrate our commitment to transparency and a positive approach to dealing with and learning from complaints.

Background:

Under statutory regulations, we are required to prepare an annual report about the previous year that examines how well we dealt with Adult Social Care complaints, including the numbers received and how many were upheld. Our Adult Social Care service is required to operate a statutory complaints procedure in accordance with the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 and the Local Authority Social Services Complaints (Amendment) Regulations 2009. Any complaint, which does not fall under these provisions, we will consider under our corporate complaint's procedure.

3. Executive summary

This report focuses on Adult Social Care complaints and compliments received for the period 1 April 2022 to the 31 March 2023. The report makes extensive use throughout of data, feedback received, as well as insight and learning from operational services.

During the period 1 April 2022 to 31 March 2023 484 Adult Social Care complaints were received and considered under the statutory complaints process, which is slightly higher than 464 for previous period 2021/2022.

There are no statutory timeframes for Adult Statutory Complaints with realistic and achievable response times negotiated with operational services and the complainant updated accordingly. However, we actively work towards responding within 20 working days and only in exceptional circumstances should complaints take longer than 6 months to resolve. During this period 151 cases (31%) were concluded within 20 working days, 165 (34%) within 40 working days and due to the complexity and/or multi-agency involvement 171 cases (35%) were resolved in excess of 40 working days. The longest cases (65+ days) to resolve fell into the following categories:

- Safeguarding 1 case
- Quality of Care 27 cases
- Staff Conduct 10 cases
- Assessments 25 cases
- Finance 29 cases

Working days to resolve	22-23	%		22-21	%
0-20	151	31%		134	29%
21-30	106	22%		106	23%
31-40	59	12%		55	12%
41-50	39	8%		40	9%
51-65	36	7%		34	7%
65+	96	20%		89	19%
Total	487	100%		458	100%

During 2022/2023 a total of 172 compliments were received by the Compliance and Complaints team in relation to Adult Social Care which is an 18% increase to previous year. Additional compliments may have been received direct to individual workers and work continues in this area to ensure all positive feedback received is captured and recorded centrally.

4. Analysis of contacts received

During the period 1 April 2022 to 31 March 2023 484 complaints were received and considered under the Adult Statutory complaints process, which is slightly higher than 464 for previous period 2022/2023 giving a 4% increase.

The following is a breakdown of complaint type received during 2022/2023:

Complaints by theme	Number	Percentage
Assessments	163	34%
Finance	113	23%
Quality of Care	131	27%
Safeguarding	30	6%
Staff conduct	47	10%
Total	484	100%

Method of contact:

The following methods of contact were used during this period:

Complaints by contact method	This Period	Last Period	Variance
Email	226	230	-2%
Letter	36	47	-31%
Website/Online Form	193	155	20%
Telephone	28	33	-18%
Face to Face	1	0	100%
Totals	484	465	4%

The preferred method of contact continues to be via email with an increase in contact via the online form. Contact by postal letter format is usually relatively low

and the decrease this period may be due to resolution of a small number of complaints where the individuals would regularly contact by post.

Complaints by location:

Adult Social Care services are configured into four quadrants providing local service delivery as follows:

North Quadrant – Colchester and Tendring

Mid Quadrant – Chelmsford, Braintree, Maldon

South Quadrant – Brentwood, Basildon, Castle Point, Rochford

West Quadrant – Uttlesford, Harlow, Epping Forest

Countywide team will assess all initial Adult Social Care referrals across all districts, offers an out of hours emergency service and focuses on safeguarding vulnerable individuals.

The above four quadrants and countywide services provide support to those in need, such as individuals with mental health problems, learning or physical disabilities, as well as vulnerable adults. Adult Social Care offers a broad range of services providing a safety net to those most at risk within the community by providing information and advice, assessing care needs, arranging short-term support or reablement, safeguarding vulnerable individuals and commissioning a large range of care services.

The volume of complaints recorded across all quadrants is fairly consistent to those for the period prior to the pandemic. Countywide teams experienced an increase due to contact regarding centralised finance teams.

Period	2019/20	2020/20	2021/2022	2022/2023
North	126	83	126	107
Mid	121	105	95	110
South	132	116	144	108
West	74	55	72	86
Countywide	14	18	27	68
Total:	467	377	464	484

For analysis purposes once received the complaints are categorised. The categories and number of complaints received against each are as follows:

Themes by Quadrant:

North

	2019/20	2020/21	2021/22	2022/23
Specialism	Total	Total	Total	Total
Assessments	45	32	44	44
Safeguarding	5	0	3	3
Finance	30	28	38	17
Quality of Care	24	13	36	32
Staff Conduct	22	10	5	11
Total:	126	83	126	107

Mid

	2019/20	2020/21	2021/22	2022/23
Specialism	Total	Total	Total	Total
Assessments	31	22	29	33
Quality of Care	26	27	31	35
Finance	45	35	19	22
Staff Conduct	17	14	9	11
Safeguarding	2	7	7	9
Total:	121	105	95	110

South

	2019/20	2020/21	2021/22	2022/23
Specialism	Total	Total	Total	Total
Assessments	33	40	30	41
Quality of Care	22	23	54	31
Finance	38	33	30	20
Staff Conduct	23	12	13	8
Safeguarding	9	6	7	8
Total:	132	116	144	108

West

	2019/20	2020/21	2021/22	2022/23
Specialism	Total	Total	Total	Total
Assessments	27	15	24	28
Quality of Care	13	20	24	20
Staff Conduct	12	7	7	6
Finance	27	11	15	24
Safeguarding	2	2	2	8
Total:	74	55	72	86

Countywide

	2019/20	2020/21	2021/22	2022/23
Specialism	Total	Total	Total	Total
Staff Conduct	2	3	0	10
Safeguarding	0	3	1	3
Quality of Care	8	5	6	10
Assessments	2	5	13	15
Finance	2	2	7	30
Total:	14	18	27	68

Of the 484 received cases during 2021/2022 a total of 418 were recorded as a service failure as perceived by the complainant and/or dissatisfaction with the service provided by the authority.

The following are typical themes of issues raised:

- Care charge disputes
- Lack of communication from social worker
- Delays in carrying out assessments
- Failings of care provider
- Financial assessment delays
- Dispute over care charges when believed to have been Reablement
- Dissatisfaction with domiciliary care provider
- Disputes over what should be considered as a Disability Related Expense
- Disputes over care home costs
- Insufficient care package
- Issues regarding Direct Payments

The social worker and care provider are likely to have the most contact with service users and their families and therefore, it is not surprising that a high percentage of issues raised are in respect of such matters. However, it is also not uncommon to establish upon review that the concerns raised are the perception of family members and not necessarily that of the service user.

Demographics:

Demographics are defined as statistical data about the characteristics of a population, such as the age, gender, and ethnicity of the people within the population.

The choice to provide demographic information resides with the customer as the capture of this data is not a mandatory requirement to anyone wishing to make a complaint. Whilst demographic data is requested there appears to be a general reluctance to provide such details with many complainants stating that they do not feel this has any relevance to their complaint. In fact, some people have expressed concern/anxiety that they may be discriminated against due to their age, ethnic origin, religion, or sexual orientation when submitting a complaint.

The Compliance and Complaints Team recognises the importance of collecting this data and continues to make every effort to capture this information for the purpose of analysis and service improvement.

The majority of contact received is from relatives on behalf of the service user.

Contact by district (relates to where contact/representation is from and not necessarily where the service is being provided from):

District	Percentage 1920/21	Percentage 2021/22	Percentage 2022/23	Variance
Basildon	15%	15%	12%	-3%
Braintree	8%	6%	7%	+1%
Brentwood	5%	3%	5%	+2%
Castle Point	5%	6%	5%	-1%
Chelmsford	18%	10%	13%	+3%
Colchester	10%	17%	13%	-4%
Epping Forest	5%	6%	6%	-
Harlow	6%	3%	7%	+4%
Maldon	2%	5%	5%	-
Rochford	4%	8%	5%	-3%
Tendring	11%	11%	4%	-7%
Uttlesford	8%	6%	10%	+4%
Not Applicable/Countywide	3%	3%	6%	+3%

Corporate Complaints:

Non statutory complaints relating to Adult Social Care managed through the corporate complaint's procedure. Issues raised that do not meet the criteria to be considered under the Adult Statutory complaints process are handled through the Corporate Complaints process for the following reasons:

- No consent to share
- Social Services not provided by Council
- Complaints of a general nature i.e., not case/service user specific
- Anonymous complaints
- Issues raised form part of active Court Proceedings

During the period 2022/2023 a total of 77 cases were considered through this procedure which is an increase of 50% to those considered through this process in 2021/2022. The outcomes from 2022/2023 are as follows:

- Not Upheld: 38
- Partially Upheld: 6
- Upheld: 20

The upheld cases related to the following issues:

- Customer disputing invoices addressed to her mother.
- Service user made the council aware that other family members were wrongly included in a letter sent to her.
- Service user found it difficult to make contact with his occupational therapist.
- Customer had received a letter addressed to his late mother, who passed away a number of years ago.

Member Enquiries:

Adult Social Care complaints/enquiries which are sent direct to a County Councillor, MP or the Authority's CEO are handled under the Member Enquiries Process.

Upon receipt of such enquiries the Member Enquiries team liaise with Compliance and Complaints to determine whether the issues raised meet the criteria to be considered under the Adult Statutory Complaints process. In such circumstances,

whilst the complainant has written to and is expecting a response from the CEO/Councillor/MP it is important that they are made aware of and given the opportunity for their concerns to be considered through the Statutory process.

During the period 2022/2023 a total of 269 cases were received and recorded as a Member Enquiry compared to 330 cases in 2021/2022. The following is a breakdown of the types of enquiries received and responded to as a Member Enquiry during 2022/2023 with a comparison for previous periods:

Member Enquiries	2019/2020	2020/2021	2021/2022	2022/2023
Assessments	196	107	102	94
Finance	108	89	94	76
Quality of Care	73	90	80	59
Safeguarding	27	35	53	39
Staff Conduct	33	4	1	0
Grand Total	437	325	330	268

Local Government and Social Care Ombudsman Investigations:

During 2022/2023 we received 22 informal enquiries from the Local Government and Social Care Ombudsman in relation to Adult Social Care with a total of 9 escalating to formal investigation.

A summary of outcomes received with comparisons for previous periods are as follows:

LGO Investigation Outcome	2019/20	2020/21	2021/22	2022/23
Not Upheld - No Maladministration or Injustice	8	1	6	11
Upheld, where either maladministration and/or injustice was found	7	3	14	8

We are currently awaiting a decision on 3 cases received in 2022/23

Essex County Council continues to work closely with the Ombudsman's office, learning from any failings, appropriately challenging decisions, offering viable

solutions that the Ombudsman would consider to be suitable remedies to discontinue investigations and being compliant with deadlines set by the Ombudsman.

(A summary of the Ombudsman Decisions received during 2022/2023 detailed in Appendix 2)

5. Compliments Analysis

During 2022/2023 a total of 172 compliments/positive comments were recorded by the Complaints team in relation to Adult Social Care. Typical themes from compliments received:

- Driven
- Professional
- Thoughtful
- Goes above and beyond
- Supportive
- Caring
- Understanding
- Sympathetic
- Compassionate

Recording compliments received highlights the good work being carried out across all teams within Adult Social Care and gives the service the opportunity to see what good looks like.

Compliments received highlight the hard work being undertaken and show staff that they are valued and appreciated by those people they are supporting.

A summary of some of the positive feedback received from service users and their families expressing their thanks and appreciation to members of staff within Adult Social Care is set out below:

“She was at the end of the phone, I was very upset and she absolutely took the time to listen and support me. But she handed me over to another fantastic colleague who eventually placed mum.”

I have never had to deal with something as emotive and stressful as this, and I cannot thank you enough for dedication and commitment. I think if practical she would have stayed and seen it all through.”

“Thank you so much for the care and compassion you have shown to X. Both you and Y have been absolutely fabulous.”

“Thank you for the attached Review of the Care and Support Plan that we carried out with X. I have looked through the attached plan, I can confirm that this is a very accurate account of everything that we looked at and discussed.

“May I take this opportunity in saying it has been a great pleasure in working with you, and how you accurately record things is truly refreshing. I would also like to thank you in the way that you have always involved me and kept me in the loop with everything, to enable me to obtain X’s wishes, opinions and choices to the full.”

“I am writing to you as me and my wife were so happy with the service we received from X.”

“He was not only fair, but compassionate and understanding. Our family member was in a desperate situation and X and the hospital psychiatrist seemed to be the only ones who could really see what was going on and we will be eternally grateful for what they did for Y.”

“t was so nice to finally see some compassion and understanding from someone as it had been lacking until X appeared.”

6. Next Steps

The Compliance and Complaints team aims to work in collaboration with operational services to deliver a seamless experience for those customers that need us.

Listening and acting on what they tell us and use learning to help improve and evolve service delivery. Our objective is to recognize where we have failed, seek suitable resolutions within agreed timescales and ensure our obligations are fully met in line with the formal complaints process and Local Government and Social Care Ombudsman expectations.

Complaints received should always be viewed as an opportunity to learn from any failings and make necessary improvements and should never be considered a nuisance or an interruption to the delivery of services. We embrace complaints as a way to improve services and respond openly and honestly.

Complaints do not only highlight failings as upon review these also show examples of good practice and therefore, we should also not lose sight of what we do well.

The following points highlight areas for improvement going forward:

- Repetitive trends to be monitored and regularly shared with Adult Social Care to prevent recurrence
- Continue to be responsive, listen to concerns and act on any failings
- Avoid any lack of communication complaints by continuing to engage with the service user/representative throughout any process
- Compliance and Complaints to continue to work in collaboration with Adult Social Care identifying any working practice improvements benefitting both service areas
- Compliance and Complaints to continue to develop the performance reporting for complaint handling
- Further complaint training opportunities made available to all staff within Adult Social Care to ensure thorough and transparent complaint investigations are carried out.
- Continue to make best use of resources to deliver on our statutory obligations whilst continuing to embed the vital learning culture to manage demands, improve services and ensure better outcomes for all our customers and service users.
- Continue to work closely with the Local Government and Social Care Ombudsman, ensuring any Ombudsman enquiries are responded to within the timescale given, all recommendations are actioned promptly and any learning from the Ombudsman complaints are disseminated across the service area.

Appendix

Appendix 1 Complaints Procedure

The way we deal with representations and complaints relating to Adults Social Care is set down by Central Government. As a result, the process and timescales for dealing with them may vary dependent upon the type of complaint or representation being made.

Who can use this process?

- a person who receives or has received services from Essex County Council; or
- a person who is affected by, or likely to be affected by, the action, omission, or decision of Essex County Council.
- by a person acting on behalf of a person mentioned above who:
 - has died
 - is a child
 - is unable to make the complaint themselves because of physical incapacity or lack of capacity within the meaning of the Mental Capacity Act 2005

If the complainant has a private arrangement with a social care organisation or provider, they will need to raise their complaint with them.

Our complaints policy cannot change decisions made by a court of law. We may not be able to help if the event you are complaining about occurred longer than 12 months ago.

Step 1 – Local resolution

Most problems are resolved by speaking to the person you are dealing with or their manager. If you are not able to resolve it this way, please tell us the details of your complaint. We will investigate the complaint quickly and thoroughly and give you a detailed response, this will:

- summarise the nature and substance of the complaint
- describe our investigation process and summarise its conclusions and findings; and,
- include any apology, remedy, outcome or explanation or planned action

If the complaint is about both health and social care, we will work with our health colleagues and the complainant to try to reach a resolution. To do this we will need the complainant's permission to share the details of their complaint.

Everyone who funds their own care, including those using a direct payment, have the right to refer any complaint to the Local Government and Social Care Ombudsman, once the residential home or domiciliary care agency has had an opportunity to investigate and resolve the complaint. Although any complaint can be referred to the Ombudsman at any time for their consideration

Local Government and Social Care Ombudsman

If the complainant is dissatisfied with the outcome of the recommendations of the Council's complaints process, it remains open to them to make a formal written complaint to the Ombudsman: <http://www.lgo.org.uk/>

The Local Government and Social Care Ombudsman (LGO) is independent, impartial and gives a service which is confidential and free of charge. The Ombudsman has the same powers as the High Court to require people to provide information or produce documents for investigation.

Any member of the public can complain to the Ombudsman if they feel there has been maladministration or injustice. However, the Ombudsman usually suggests that the complainant should first exhaust the local complaints procedure, as detailed above.

Remedies

In most cases if a complaint is upheld or partially upheld, an apology will be offered and information will be given to the complainant as to what action the service will take to ensure the same situation does not arise again, for the complainant or future service users.

The apology should be given by the manager on behalf of the service complained about, although this can also be sent from a senior officer within the Compliance and Complaints Team

If a case has been poorly handled causing an injustice to the individual, consideration will be given as to whether a financial remedy would be appropriate.

Appendix 2 – Local Government and Social Care Ombudsman case summary of decisions received during 2022/2023:

Upheld - Charging 19-Apr-2022

Summary: Mr X complained the Council failed to clearly communicate or respond properly to his queries about the payment arrangements for his late mother, Mrs Y's care. The Council was at fault. There were errors in communication around Mrs Y's finances, delays in responding to his complaint, and it failed to keep Mr X updated about Mrs Y's care. The Council has agreed to apologise and pay Mr X £200 to acknowledge the uncertainty and frustration this caused. It has agreed to review its procedures to prevent a recurrence of the faults.

Upheld - Assessment and care plan 19-May-2022

Summary: Mrs B complained about the action the Council when her mother Mrs C was discharged from hospital and needed care. We found the Council at fault for failing to communicate with the family when Mrs C went into hospital, for failing to give clear and complete information about who would pay for the care and for delaying in carrying out a reassessment. But we consider the Council's actions in apologising and commissioning the care for 33 weeks is a reasonable way of putting matters right.

Upheld – Charging 26-May-2022

Summary: Mrs M complained to us about the way in which the Council has calculated the contribution her daughter has to make towards the cost of her care, and the way in which it has communicated about this. We found fault with regards to the actions of the Council, which the Council has agreed to remedy.

Not upheld - Assessment and care plan 26-Jun-2022

Summary: The Council has provided evidence that Mrs X signed on behalf of her son Mr X to agree he would pay for the services he received.

Closed after initial enquiries – Charging 17-Jul-2022

Summary: We will not investigate this complaint about the Council's failure to complete a financial assessment and for delays in its complaint handling. This is because further investigation will not lead to a different outcome.

Not upheld - Residential care 17-Jul-2022

Summary: Mrs B and Mrs C complained about the way the Trust cared for their late father, Mr D, when he was in hospital in December 2021 and contracted COVID-19. They also complained about the way the Council and Trust dealt with Mr D's discharge to a care home, and about Mr D's care at the Home. We found fault in the way the Trust communicated with the Home and Mr D's family. This caused Mrs B and Mrs C unnecessary distress. We have not found fault in the other issues complained about. The Trust has agreed to explain what actions it has taken to learn from these events.

Not upheld – Charging 26-Sep-2022

Summary: There is no evidence of fault in the way the Council assessed Mrs X's contribution towards her residential care fees or notified her family of the charges.

Upheld - Assessment and care plan 09-Oct-2022

Summary: Mr L complained about the way the Council supported his son, Mr X's care needs. Mr L said the Council failed to meet Mr X's care needs and failed to meet his, and his wife's needs as carers. The Council delayed in assessing the care and support needs and failed to provide supported living when Mr and Mrs L said they could no longer care for Mr X. The Council agreed to arrange appropriate alternative accommodation for Mr X. It agreed to pay Mr X £500, and Mr and Mrs L £3,000 to recognise the distress and additional strain caused to them over a prolonged period as a result of the faults.

Upheld – Charging 21-Dec-2022

Summary: We will not investigate this complaint about deprivation of assets to avoid care charges. That is because we are satisfied with the action the Council has agreed to take.

Upheld - Covid-19 22-Dec-2022

Summary: Ms Y complained on behalf of Mr and Mrs X that the Council stopped face-to-face contact with their son, Mr Z, failed to keep that decision under review and did not provide Mr and Mrs X with accurate updates as agreed. The Council was not at fault for stopping face-to-face contact at the start of the pandemic. However, it was at fault from June 2020 when it failed either to restart contact or apply to the Court of Protection for a variation to the contact

arrangements. This also meant it failed to have due regard for Mr and Mrs X's human rights. This caused Mr and Mrs X distress and frustration. The Council has agreed to pay them X £300 to remedy this injustice. There was no fault in the updates Mr and Mrs X received.

Upheld – Safeguarding 05-Jan-2023

Summary: Ms X complained on behalf of her father, Mr Y, about the Council-commissioned home care provided to him at weekends. Ms X says the care provided at weekends was rushed and caused harm to Mr Y. We found fault by the Council and the Council has agreed to apologise to Mr Y and review the charges made by the care provider.

Upheld - Assessment and care plan 10-Jan-2023

Summary: We have found fault by the Council in the process of transferring Mr Y's direct payment which caused his mother Ms X avoidable distress and time and trouble complaining. We have not found fault in the process of assessing Mr Y's charge. The Council will apologise and pay Ms X £150 to reflect the injustice.

Not upheld – Charging 31-Jan-2023

Summary: There is no worthwhile outcome achievable from investigating this complaint and so the investigation is discontinued. The Council has remedied the financial injustice and the Ombudsman cannot tell it to remove a non-disclosure agreement which Mr X wants.

Closed after initial enquiries – Safeguarding 01-Mar-2023

Summary: We will not investigate this complaint about adult safeguarding because we could not add to the Council's investigation, and it is unlikely we would reach a different outcome.

Upheld - Residential care 14-Mar-2023

Summary: The late Mrs M's family complained to us about her care by Mid and South Essex NHS Foundation Trust and Godden Lodge Care Home. We have upheld parts of the complaint relating to record keeping, admission to the Home, nutrition, risk management and communication. We have not upheld other parts

of the complaint. The Council, Home and Trust have accepted our recommendations, so we have completed our investigation.

Upheld - Residential care 16-Mar-2023

Summary: We have not investigated most of Mrs X's complaints about her relative Mrs Y's care because there is not enough evidence of fault or they are late. We have upheld one complaint about Mrs Y's footcare because the Care Home did not take adequate steps to liaise with the family to ensure Mrs Y had enough money to pay for the chiropodist. This meant she missed out on treatment for her toenails. The Council will apologise and take action described in this statement.

Closed after initial enquiries - Domiciliary care 20-Mar-2023

Summary: We will not investigate this complaint about adult social care because changes to care call times, and different care workers, did not cause a significant injustice. We cannot investigate most of the complaint, which is about a registered social housing provider, so we cannot achieve the outcomes Ms B wants.

Upheld Domiciliary care 21-Mar-2023

Summary: Mr X complains about the care provided to his brother at home by Prompt Healthcare, along with damage to his property caused by the carers. We find fault with Prompt and have made recommendations to the Council for the injustice caused to Mr X.

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