

Health and Adult Social Care Scrutiny Panel

DATE	1 st October 2025
REPORT OF	Katie Brown - Director of Adult Social Care
SUBJECT	Adult Social Care Complaints
STATUS	Open

CONTRIBUTION TO OUR AIMS

The Complaints process contributes to the aim that all adults in North- East Lincolnshire will have healthy and independent lives with easy access to joined up advice and support, helping them to help themselves.

EXECUTIVE SUMMARY

As part of assurance and good governance the Adult Social Care service adhere to 'The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.' Under these regulations, complainants can raise a complaint or concern to either the provider or the commissioner of the service.

Through the delegations as part of a Section 75 agreement, the ICB Experience Team provide a concerns and complaints management function for adult social work services on behalf of North- East Lincolnshire Council.

The Adults Social Care Statutory Complaints and Compliments Annual Report provides an overview of the activity and analysis of complaints and compliments for the period 1st April 2024 to 31st March 2025.

MATTERS FOR CONSIDERATION

The panel is asked to consider and review the Adults Social Care Statutory Complaints and Compliments Annual Report.

1. BACKGROUND AND ISSUES

1.1 The ICB Experience team received 26 complaints about adult social care last year.

1.2 17 of the complaints fully or partially concerned Focus Independent Adult Social Work:

- 1.2.1 3 (18%) of these concerned charging
- 1.2.2 1 (6%) of these concerned direct payments
- 1.2.3 9 (52%) of these concerned related to assessment and care planning
- 1.2.4 3 (18%) of these concerned staff behaviour
- 1.2.5 1 (6%) of these concerned communication

1.3 Of the remaining 9 complaints:

- 1.3.1 3 were multi agency complaints
- 1.3.2 4 concerned home care
- 1.3.3 2 concerned residential care
- 1.4 There were 18 enquiries and 21 new concerns raised
 - 1.4.1 28 concerned Focus – 16 related to Community Care Finance, 5 related to Assessment and Care Planning, 4 related to Communication and 3 related to Direct Payments.
 - 1.4.2 5 concerned care agencies
 - 1.4.3 5 concerned care homes
 - 1.4.4 1 was multiagency
- 1.5 The Experience Team were contacted by the Local Government and Social Care ombudsman about 6 cases.
- 1.6 Of these cases 3 were upheld; 2 were closed after initial enquiries and 1 is ongoing
- 1.7 There were 6 compliments logged by the Experience Team about adult social care and 283 logged by Focus Adult Social Work.

2. RISKS AND OPPORTUNITIES

The configuration of the delivery of adult social care in North- East Lincolnshire is unique within England and therefore we need to ensure that we are consistent in the delivery of Adult Social Care across the Health and Care Partnership. Although Focus Independent Adult Social Work CIC provide the adult social work service for the council, reputational risks sit with the council.

3. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

- 3.1 If the Local Government and Social Care Ombudsman (LGSCO) make a finding of fault against us, then we are obliged to make public the findings. All complaints investigated by the LGSCO are available on their website at www.lgo.org.uk
- 3.2 The Experience Team received communication from the LGSCO in relation to 6 cases. Of these cases 3 were upheld; 2 were closed after initial enquiries and 1 is ongoing

4. FINANCIAL CONSIDERATIONS

Limited impact and when in rare circumstances a financial remedy is deemed to be appropriate then these are applied on an individual basis.

5. CHILDREN AND YOUNG PEOPLE IMPLICATIONS

The arrangements entered into under Section 75 agreement with the ICB, does not include responding to complaints about under 18 year olds.

6. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

The report will not have any impact on climate change or environmental implications.

7. FINANCIAL IMPLICATIONS

The report is providing information on complaints, concerns and compliments received. As such there are no direct additional financial implications arising. On occasion we may be directed to ensure a financial remedy is made to a complainant and in such cases, these remedies are met within current budgets.

8. LEGAL IMPLICATIONS

All commissioners and providers of NHS and Adult Social Care services adhere to 'The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.' Under these regulations, complainants can raise a complaint or concern to either the provider or the commissioner of the service. Within North East Lincolnshire specifically and, through the delegations as part of the Section 75 agreement, the ICB Experience Team provide a concerns and complaints management function for adult social work services on behalf of the Local Authority.

9. HUMAN RESOURCES IMPLICATIONS

Any Human Resources implications would be assumed by Focus Independent Adult Social Work service who are commissioned to provide the adult social work service by North East Lincolnshire Council.

10. WARD IMPLICATIONS

People who might make use of the complaints process may live in any ward of the Borough.

11. BACKGROUND PAPERS

Complaints and Ombudsman Annual Report, Adult Social Services 2024/2025

12. CONTACT OFFICER(S)

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Katie Brown
Director of Adult Social Care



North East Lincolnshire

Adult Social Care

Statutory Complaints Report

1st April 2024 – 31st March 2025

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1. Context

All commissioners and providers of NHS and Adult Social Care services adhere to 'The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.' Under these regulations, complainants can raise a complaint to either the provider or the commissioner of the service. Within North East Lincolnshire specifically and, through the delegations as part of the Section 75 agreement, the ICB Experience Team provide a concerns and complaints management function for adult social work and adult social care services on behalf of the Local Authority.

This report therefore specifically relates to contact received and managed by the ICB team in relation to adult social care and adult social work services, for the period 1st April 2025 – 31st March 2025.

What is a Complaint?

A complaint can be generally defined as an expression of dissatisfaction or disquiet from a person who is affected, or likely to be affected, by the action, omission or decision of the responsible body which is the subject of the complaint.

The regulation and supporting organisational policy aims to ensure that service users, patients, their families, carers or representatives can have their concerns investigated, receive a response and are treated with respect and courtesy throughout the process.

Who can make a Complaint?

Section 5 of The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 require the responsible body to consider representations including complaints made to it by:

- a person who receives or has received services from a responsible body; or
- a person who is affected, or likely to be affected, by the action, omission or decision of the responsible body which is the subject of the complaint.
- A complaint may be made by a person (in the regulation referred to as a representative) acting on behalf of a person mentioned in paragraph who
 - (a) has died;
 - (b) is a child;
 - (c) is unable to make the complaint themselves because of—
 - (i) physical incapacity; or
 - (ii) lack of capacity within the meaning of the Mental Capacity Act 2005(1); or
 - (d) has requested the representative to act on their behalf.



2. The Statutory Complaints Process

The Statutory Complaints Process has two stages; Local Resolution with the service provider or commissioner and, escalation to The Local Government and Social Care Ombudsman.

However, it is widely recognised that everyday conversations with our users is hugely important. Staff speak to people who use our service and the services we commission every day. This can often raise issues that our staff can help with immediately. We encourage people to discuss any issues they have with staff, as they may be able to sort the issue out to their satisfaction quickly and without the need for them to make a complaint.

Although not part of the regulation or the statutory process, individuals also have the opportunity to raise a concern, make an enquiry or ask for advice through the ICB Experience Team. When an individual contacts us with an issue which can quickly be resolved prior to going through the statutory complaint's process, these are logged as a concern and where possible responded to within 5 working days.

Informal Stage: Concerns/ Enquiries

The HNYICB Team welcomes all types of feedback in addition to formal complaints, i.e. concerns, comments and compliments. Its approach to handling this feedback is outcome focused and seeks to answer concerns and resolve problems as early and quickly as possible.

These contacts are defined as expressions of dissatisfaction without the need for formal investigation or formal correspondence/ response.

Local Resolution: Formal Complaints

This stage of the process is referred to as local resolution where arrangements are in place for dealing with complaints to ensure that they:

- are dealt with efficiently,
- are properly investigated,
- are treated with respect and courtesy,
- are provided with assistance to understand the process including advice on advocacy services
- receive a timely and appropriate response
- are told the outcome of the investigation and any associated actions

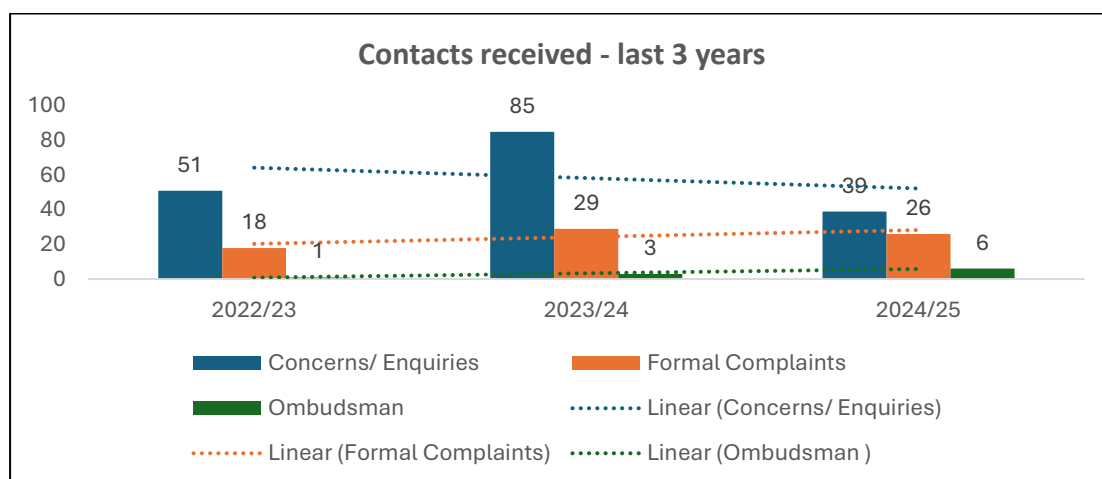
Local Government and Social Care Ombudsman

Complaints will be re-opened at Local resolution stage should there be evidence that questions have not been fully answered or, if further questions and queries are raised relating to the information provided.

However, if an individual is unhappy with the outcome of the investigation at local resolution, they reserve the right to take their complaint to the Local Government and Social Care Ombudsman.

In the written response to each complaint, it will clearly provide information to inform the individual that if they are not happy with the outcome of the investigation, they can take their complaint to the Ombudsman.

3. Findings 2024/25



Informal Contacts – Concerns and Enquiries

Year	Enquiry	Concern
2022/23	NA	51
2023/24	NA	85
2024/25	18	21

Enquiries and concerns have started to be logged separately to help differentiate between the two types of contacts and the level of concern raised. Although this makes it difficult to compare numbers in a like for like way, there has been a 52% decrease in the combined informal contacts received.

One likely contributing factor is the change in how financial appeals are logged. Individuals who are unhappy about the level of charge they have received for care, can



dispute their invoice through the Financial Appeals Panel. Previously, these have been recorded by the team on the same system. From this year, a new log has been created to track these with a total of 42 appeals being processed by the Panel.

Where appropriate, the team have also signposted individuals to the provider of the service delivered. This includes Focus, for example, where a conversation with the social worker has been sufficient to resolve an issue or concern. 13 contacts have been signposted.

Table for Organisation

Organisation	Enquiry	Concern
Focus	14	14
HICA	1	2
Kensington Care Home	1	
Angelic Care	1	
Multi-agency	1	
Ashgrove Care Home		1
Cranwell Court		2
Fairways		1
Hales		1
TOTAL	18	21

Of the total enquiries and concerns received, 28 related to Focus Adult Social Work. This is a 52% decrease from the previous year. Of the 28 contacts, 16 related to Community Care Finance, 5 related to Assessment and Care Planning, 4 related to Communication and 3 related to Direct Payments.

The numbers of concerns for other providers are low, with no more than 3 in total for any one organisation.

Of the 4 enquiries, 3 related to quality of care and 1 related to charging and care hours received from an agency.

Of the 7 concerns, 5 related to quality of care; 1 to staff behaviour and 1 to communication.

Formal Complaints

Year	Formal Complains
2022/23	18
2023/24	29
2024/25	26



Organisation	Formal Complaint
Focus	17
Angelic	1
Ashlea Court	1
HICA	3
Multi-agency	3
Yarborough House	1
TOTAL	26

17 (65%) of the formal complaints received were related to services provided by Focus. Of the 17:

- **3 (18%)** related to charging
- **1 (6%)** related to direct payments
- **9 (52%)** related to assessment and care planning
- **3 (18%)** related to staff behaviour
- **1 (6%)** related to communication

The **9** further complaints related to different services with no outliers in terms of individual organisations. Of those 9 complaints, all related to quality of care concerns. These varied from timeliness of calls, quality of the care provided and clinical quality concerns.

18 formal complaints were closed between 1st April 2024 and 31st March 2025. Details of those closed are as follows:

	2023/24	2024/25
Withdrawn	3	4
Closed in timescale	8 (47%)	6 (34%)
Closed out of timescale	9 (53%)	12 (66%)
Outcome: Upheld	2 (12%)	1 (6%)
Outcome: Partially Upheld	6 (35%)	11 (61%)
Outcome: Not Upheld	9 (53%)	6 (33%)

Although the numbers have not changed significantly, the performance in relation to the percentage of complaints responded to in time has decreased from the previous year.

The adult social care complaints dealt with are often complex in nature and involve multiple organisations which does impact and, often hinders, timescales. Other elements of the process such as the review of information, drafting of responses and final sign off do also impact on the timescales. Timescales will remain a priority of focus over the next year and a deep dive piece of work will take place to identify and confirm



where the delays in the process most commonly occur. Actions to address these will then follow.

There has been little shift in relation to the number of complaints fully upheld. The increase in complaints partially upheld and the decrease in complaints not upheld does however suggest an overall increase in elements of the complaints made being substantiated in relation to care received.

Local Government and Social Care Ombudsman

The LGSCO investigate complaints made to them and decide whether the actions taken have caused an injustice to the person affected and, if the complaints process has taken any steps to remedy the injustice, if well founded.

Between the 1st April 2024 and the 31st March 2025, 6 complaints were received by the LGSCO. This compares to 3 complaints in the previous year.

Case	Organisation	Outcome
Case 1	Focus and ICB	Upheld
Case 2	Focus	Closed after enquiries
Case 3	Care Plus Group	Upheld
Case 4	Creative Support Solutions	Upheld
Case 5	Care Plus Group	Ongoing
Case 6	Focus	Closed after enquiries

3 of the cases investigated had elements of the complaint upheld with the following recommendations completed:

- Apology letters for distress caused
- Financial redress
- Process review

Lessons learned and Improvements

All feedback provides organisations with valuable insight into the user experience and also an opportunity to learn and improve their services. Focus Independent Social Work provide the majority of Care Act duties in North East Lincolnshire. They have a complaints procedure that sits alongside the ICB process so that the two processes work in partnership. The Focus policy also sits within their organisational Quality Assurance Framework. Learning from complaints is collated internally with common themes and trends identified. These are then shared with the Focus Quality Assurance Panel. General learning from complaint themes are also shared by Focus, Navigo and Care Plus Group at the new System Social Work Assurance Board Chaired by the Assistant Director for Adult Social Socials and the Principal Social Worker.



Below are some examples of actions taken re learning from complaints this year:

- Formal supervision has taken place with a staff member to remind them of the importance of communication and calling individuals when they have been advised this will happen.
- Process review undertaken to account for occasions where there is disparity of agreement between a service user and their family.
- Discussion in team meetings with the outcome that social work managers to identify if cases have been taken back to panel before key workers end their involvement
- Workplace post to remind all practice staff of the importance of timely responses and the financial impact on service users and focus
- Team meeting discussion about the importance of timely communication
- 1:1 discussion held with staff member as a learning point in relation to how information has been communicated with one individual service user.
- Care Agency has reminded all staff of the importance of syncing their electronic rota every shift to ensure calls are actioned appropriately.
- Staff advised that their devices require a clean sync at least once a week to ensure the data is up to date.
- Care Agency completed a reflective practice session with staff member as a result of a medication error.
- Implementation of a joint logbook, which is reviewed when the service agent visits and will address any outstanding items. These logs are also emailed to the respective group, who, as part of the lessons learnt from the complaint, now provide an update/response time for the works/repairs.
- Community colleagues reminded about infection prevention and control in relation to donning and doffing
- Communication to all staff regarding 'key safe' protocols
- Reminder sent to staff to ensure they consider offering an advocate where appropriate and that this is recorded



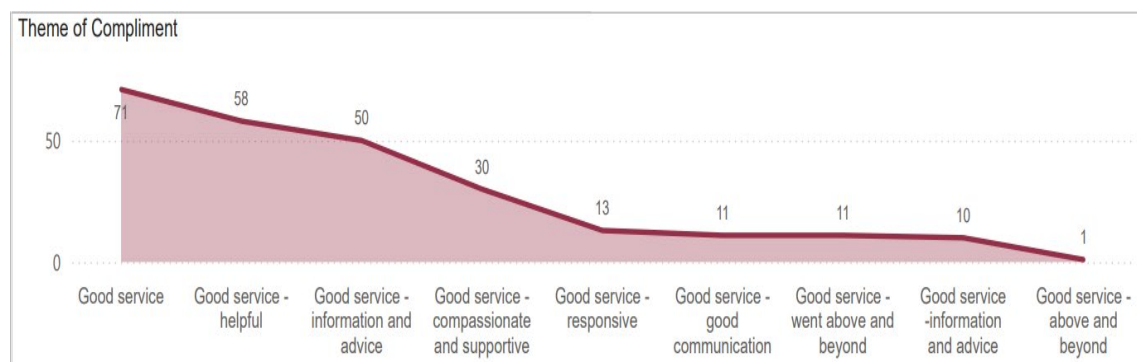
- Reminder to social workers of the importance of considering formally recorded capacity assessments when making judgements about capacity and decision making

Compliments

6 compliments have been received about commissioned adult social care services, as below. In line with the regulations, an individual can log their compliment directly with the service provider which is common practice and would explain the lower numbers held as commissioner:

- 2 x Templecroft
- 2 x Angelic Care
- 1 x Hales Group
- 1 x Bradley House.

In addition, Focus Adult Social Work have logged 283 compliments for their services, with the Single Point of Access receiving 190 of those. The main theme of the compliments was in relation to 'good service' with this further split as below:



Looking forward to 2025/26

Ahead of the year, ambitions were set for the 2024/25 period and included further developing relationships between the HNYICB team, Focus and Local Authority colleagues. To strengthen this further, changes were made to the HNYICB team and a dedicated Experience Officer is now aligned specifically to North East Lincolnshire and Adult Social Care/ Work complaints. The individual Experience Officer has met with staff in Focus to discuss and raise awareness of processes. A bespoke session was also held with the practitioners who investigate complaints to develop their understanding and skills. Multi-agency working has also taken positive steps in response to investigations led by the LGSCO, with the default now being to bring colleagues together across organisations to agree actions and next steps.



An action plan process is now in place and has been embedded over the last 12 months. This has brought to fruition a number of learning points as described in the respective previous section.

There has been limited impact on timeliness of responses over the last year. For 2025/26, it will remain a priority of the team to firstly understand any reasons for the delays to responses and any barriers within the process that may impact. Secondly, the team will work to understand if the barriers and challenges are within their influence to change and take appropriate actions to support improvement.

Conclusions

There has been overall declining trend in the informal contacts received over the last three annual reporting periods. Some of the mitigation for this is in relation to how contacts are recorded, noting the specific change in relation to how financial appeals are processed and recorded.

The formal complaints received has been comparable over the last two years, with the most complaints received for Focus at 65%. This is again comparable to the previous year where they received 62% of the formal complaints.

Notably, there has been an increase in the complaints escalated and considered by the Local Government and Social Care Ombudsman. From the network meetings attended by the team, this is a shared finding across other local authorities and health providers and commissioners across the country but will continue to be monitored.

From the closer working relationships built over the year between the HNYICB Team and Focus colleagues, changes to the way in which compliments are logged has resulted in a significant increase in those reported this year. Processes are clearer and responsibilities within the respective organisations in this regard now better understood.

The positive working relationships will continue to be built on across organisations to foster a true joined up approach to complaints management. As at March 2025, it will be important to monitor the impact of the Government announcements in relation to ICB wide staffing cuts and any impact this could have on the delegation arrangements.