



REPORT TO: HEALTH AND SOCIAL CARE INTEGRATION JOINT BOARD
REPORT ON: COMPLAINTS PROCEDURE AND SYSTEMS
REPORT BY: CHIEF FINANCE OFFICER
REPORT NO: DIJB31-2016

1.0 PURPOSE OF REPORT

This report provides the Integration Joint Board with an update of the development of complaints procedures and systems to be applied by the Dundee Health and Social Care Partnership.

2.0 RECOMMENDATIONS

It is recommended that the Integration Joint Board (IJB):

- 2.1 Adopts the proposed approach towards the development and implementation of existing and new complaint processes for the Dundee Health and Social Care Partnership;
- 2.2 Instructs the Chief Finance Officer to ensure that updated and new complaint processes are submitted to the Integration Joint Board for approval, once they have been completed taking into account the forthcoming guidance from the Scottish Government and the Scottish Public Services Ombudsman (SPSO);
- 2.3 Instructs the Chief Finance Officer to ensure that regular Complaint Performance Reports are submitted to the Integrated Joint Board.

3.0 FINANCIAL IMPLICATIONS

There are no financial implications. New and revised public information materials will be created by staff and will not require any additional funding.

4.0 MAIN TEXT

4.1 Scottish Government Guidance on Complaint Handling for Health and Social Care Partnerships

- 4.1.1 The Scottish Government is creating specific guidance on complaint handling for Health and Social Care Partnerships to help ensure an integrated approach to handling complaints and annual Performance Reporting. This will largely follow the SPSO model Complaint Handling Procedures, including reference to the existing statutory social work and NHS complaint arrangements.
- 4.1.2 The aim was for this guidance to be published in spring 2016, however to date it has still not been published. Until this guidance is published, it is proposed that the Dundee Health and Social Care Partnership handle and report on complaints following the current processes. When the guidance is released, the complaint handlers for the Partnership will meet to draft updated procedures and supporting information and submit a further report to the IJB.

4.2 Statutory Social Work Complaints

- 4.2.1 Statutory Social Work complaints are handled using the Statutory Social Work Complaint Procedure. This was updated in April 2016 to take into account the dissolution of the Social Work Department within Dundee City Council and the creation of the Children and Families Service and Dundee Health and Social Care Partnership. (See Appendix 1)
- 4.2.2 The Scottish Government's consultation on the proposed changes to the Statutory Social Work complaints process closed in December 2015. The main proposed changes were:
- the model complaints handling procedure to be adopted for Social Work Complaints;
 - the Complaint Review Committee stage to be replaced by review by the SPSO;
 - the SPSO's functions to be extended to allow them to investigate Stage 3 of complaints and to consider in their investigation matters of professional judgment of social work staff.
- 4.2.3 Timescales for the completion of complaints have also been suggested, and feedback from the Local Authorities has been that extension of timescales should be permitted for complex cases due to the nature of Social Work complaints.
- 4.2.4 The Statutory Social Work Complaints process will also continue to handle complaints made about Social Work matters in the Children and Families Service. Children and Families Social Work complaints will continue to be managed by the Customer Care Governance Officer, hosted by the Health and Social Care Partnership.

4.3 NHS Complaints

- 4.3.1 NHS Complaints are currently handled using the NHS Tayside Complaints Management Procedure. (See Appendix 2)
- 4.3.2 The SPSO is working on a revised NHS model complaints handling procedure. Three subgroups are currently working on:
- a revised procedure;
 - data recording and reporting;
 - learning and training materials.
- 4.3.3 It is anticipated that the NHS model complaints handling procedure will be published in 2016 and implemented by NHS Scotland in April 2017.

4.4 Dundee City Council Corporate Complaints

- 4.4.1 Complaints made about Dundee City Council employees not covered under the Statutory Social Work Complaint procedure are handled using the Corporate Complaints Process. For example, a complaint may be made about an employee in working hours parking in a wrong parking space. The Corporate Complaints scheme also covers complaints about the administration of the Blue Badge Scheme. It is based on the Model Complaint Handling Process.
- 4.4.2 The Corporate Complaints process for complaints made about Dundee City Council employees within the Dundee Health and Social Care Partnership will continue to be administrated by the Customer Care Governance Officer.

4.5 Complaints about the Integration Joint Board

- 4.5.1 The Scottish Government propose that complaints about the IJB itself will be handled using a Model Complaint Handling Process, however the guidance has not been released yet.
- 4.5.2 Clarification is required in particular as to the suggested parties who will investigate and oversee any complaints made about the IJB.
- 4.5.3 The Corporate Planning Officer and Customer Care Governance Officer will continue to liaise with the SPSO regarding this.

4.6 Complaints about Independent Contractors involved with the Dundee Health and Social Care Partnership

4.6.1 In addition to the complaints processes above, all Independent Contractors involved with the Health and Social Care Partnership, will be required to have a Complaints Procedure in place. Where complaints are received that relate to a service provided by an Independent Contractor, the lead organisation will refer the complainant to the Independent Contractor for resolution of their complaint. This may be done by either provision of contact details or by the lead organisation passing the complaint on, depending on the approach preferred by the complainant.

4.7 Complaints about Integrated Services

4.7.1 Audit Scotland has recommended that all Local Authorities along with NHS produce a single point of contact for complaints. Complaints received will be screened by Complaint Handlers in the Partnership to ensure that they are routed quickly to the correct person.

4.7.2 Complaints by patients/carers/service users will be managed and responded to by the lead organisation responsible for the delivery of the service to which the complaint refers. The Chief Officer will have an overview of complaints related to integrated functions and will provide a commitment to joint working, wherever necessary, between the Council and NHS when dealing with complaints about integrated services.

4.8 Summary of Complaints Processes

4.8.1 In summary, Dundee Health and Social Care Partnership will continue to work with three current separate complaints processes and will work with one additional new process. These are:

- Statutory Social Work Complaints;
- NHS Complaints;
- Dundee City Council Corporate Complaints;
- Integration Joint Board Complaints process – new complaint process for handling complaints made about the Integration Joint Board itself.

4.8.2 In addition complaints may be received regarding Independent Contractors involved with the Dundee Health and Social Care Partnership.

4.9 Public Information About Complaints Processes

4.9.1 The creation of the Dundee Health and Social Care Partnership website is ongoing. An area of the website will be devoted to information about the different complaints processes and how to make complaints.

4.9.2 Care will be taken to ensure that the complaints processes are as simple to understand as possible. There will be contact details for people to use if they have queries about how to make a complaint.

4.9.3 Accessible information for people with learning disabilities is also being created.

4.10 NHS Tayside and Dundee, Perth and Kinross, and Angus councils

4.10.1 NHS Tayside works with three Integrated Joint Boards. Work will be undertaken to ensure there is consistency with the agreed reported data and complaint handling processes across Tayside.

4.11 Reporting of complaints

4.11.1 The future alignment of the health complaints model, and statutory social work complaints process with the standard model used by local authorities will help ensure that there is consistency of complaint reporting.

4.11.2 The complaint data that will be reported on will include:

- Types of complaints (e.g. Social Work, NHS etc.);
- Numbers of complaints;
- Stages of complaints (e.g. Frontline Resolution, Investigation etc.);
- Categories of reasons for complaints;
- Compliance with timescales for resolving complaints;
- Service improvements identified and carried out following on from complaints;
- Complainants' satisfaction with the complaints process

4.11.3 It is proposed that a complaint performance report is submitted to the IJB quarterly. More frequent complaint performance reports will also be submitted to the Performance and Audit Committee. This will ensure that problems are picked up and that complaint resolutions comply with timescales. Monthly reporting of current open complaints to Heads of Service will continue.

4.11.4 Annual reporting of complaints will be undertaken following the forthcoming guidance from the Scottish Government.

4.11.5 Covalent Performance Management software will be used to create performance reports.

5.0 POLICY IMPLICATIONS

This report has been screened for any policy implications in respect of Equality Impact Assessment and Risk Management. An EQIA is attached.

6.0 CONSULTATIONS

The Chief Officer and the Clerk were consulted in the preparation of this report.

7.0 BACKGROUND PAPERS

None.

Dave Berry
Chief Finance Officer

DATE: 2 June 2016