



Adult Social Care Complaints and Compliments Procedure

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1. Introduction

- 1.1 Redcar and Cleveland Borough Council aim to provide a high standard of social care for adults, however from time-to-time things can go wrong and we receive a complaint. The complaints procedure is a valuable way of seeking feedback about services, and when managed in the right way complaints can become constructive opportunities. Redcar and Cleveland Borough Council welcomes adults feedback regarding its services and staff and has a process for adults to express their views and opinions.
- 1.2 We will aim to ensure that everyone is treated fairly and consistently in expressing their views and opinions and we will be mindful of equality and diversity issues.
- 1.3 We will also ensure that adults concerns are taken seriously, and that they receive a timely response and an explanation of how any decision about an issue raised has been reached.
- 1.4 All service requests, complaints and compliments will be recorded, with the intention that this will help us to:
- monitor our performance,
 - learn lessons for future,
 - inform and shape service delivery.

2. Principles and Purpose

- 2.1 We will ensure that our adults are at the heart of our complaints management, and we will use information provided as a learning opportunity with a view to avoiding similar complaints where possible.
- 2.2 We will use the information gained from complaints to drive improvements in the quality of the services we provide, and our relationship with our adults. Complaints regarding the services we provide, either ourselves or via our service providers, will be addressed through this procedure, unless otherwise stated.

3. Legislation and Responsibilities

- 3.1 The Council will deal with complaints impartially, objectively, professionally, ensuring confidentiality of all parties as appropriate. We will treat complainants with respect and courtesy, as we ourselves would like to be treated.
- 3.2 Complainants, or their representatives will not receive adverse treatment because they have made a complaint.
- 3.3 Complaints regarding Adult Social Care Services must be dealt with under a national legal framework called the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009. This legislation provides a single complaints process for adults who

are receiving services from the Local Authority Adult Social Care Department and the National Health Service (NHS). Redcar and Cleveland Borough Councils' Adult Social Care Complaints and Compliments procedure have been developed in line with this legislation. This means that we have one opportunity to get it right before the complainant can refer the matter to the Local Government and Social Care Ombudsman (or Health Services Ombudsman). Complaints not covered by these regulations or does not relate specifically to the care of an adult may be considered under the Council's Corporate Complaints process.

- 3.4 The Councils complaint handling procedure will be conducted in line with the Local Government and Social Care Ombudsman's ('Ombudsman') Complaint Handling Code. The Code provides guidance about good administrative practice to organisations under section 23(12A) of the Local Government Act 1974.
- 3.5 We will let complainants know which complaints procedure is being followed, what stage their complaint is at and what the next stage will be within the relevant procedure.
- 3.6 Equality of access is key, as the Council deals with a diverse population, including vulnerable individuals. In implementing this policy, the Council will seek to ensure that its actions are in accordance with its obligations under the Equality Act 2010 and other policies which may be relevant in the circumstances of an individual complaint.
- 3.7 At times individuals may need support to make a complaint and should be fully involved throughout the process. This support may be in the form of an alternative procedure format such as audio, braille or another language, or ongoing support from an advocate. The Complaints Officer will be able to make arrangements for the necessary support should an individual require assistance.

4. Definitions

- 4.1 Effective complaint handling enables individuals to be heard and understood.
- 4.2 A shared understanding of what constitutes a service request and what constitutes a complaint is necessary as, in most cases, issues can be resolved through normal service delivery in the first instance.

4.3 What is a service request?

A service request is defined as:

"A request that the organisation provide or improves a service, fixes a problem or reconsiders a decision."

- 4.4 Concerns are assessed at the outset and if appropriate the concerns are resolved as a service request. Service requests are not complaints but may contain expressions of dissatisfaction.

- 4.5 Some issues can be addressed through normal service delivery in the first instance. By utilising the service request option, we strive to address the concerns efficiently without the need to escalate to a formal complaint.
- 4.6 Service requests are a proactive effort to prevent issues from escalating into formal complaints, addressing concerns earlier, providing a timely and appropriate outcome for the individuals.
- 4.7 If the complainant remains dissatisfied with the response to their service request, it can be escalated and dealt with as a complaint.

4.8 What is a complaint?

A complaint is defined as:

“An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual or group of individuals.”

- 4.9 You can make a complaint if you are not satisfied with the outcome of a service request or:

- You feel you have not been treated with courtesy or fairness.
- You are unhappy about the standard of service you have received.
- You feel we have failed to provide a service to which you are entitled.
- You are unhappy about the action taken.

4.10 What is a compliment?

A compliment is defined as:

“An unsolicited statement of satisfaction or praise received from an outside source regarding an aspect of the service or an individual member of staff.”

- 4.11 The Council wants to hear from people when it gets things right. This helps us to understand what services people value. When we know what is working for our adults, we can develop as well as share good practice. This ensures we can continue to learn and improve. Compliments also help us to recognise and reward our staff when they “go the extra mile”.
- 4.12 When a compliment is received, the information will be shared with our senior managers so that they are aware of what their staff are achieving.
- 4.13 Non-qualifying Complaints - Exclusions
- 4.14 Although each complaint is considered on its own merits, there are occasions when there is a valid reason not to treat an issue as a complaint. Some complaints cannot be dealt with under this procedure as identified below.

- 4.15 Some complaints may involve matters which are more appropriately dealt with under other Council procedures or are outside of the Council's jurisdiction.
- 4.16 The following exclusions are not generally regarded as a complaint, and we would not usually consider them under our Adult Social Care Complaints procedure:
- The first request for a service or where we have been given insufficient time to deliver that service according to our service standards – this will be dealt with as a Service Request via the Service Request process.
 - A complaint which:
 - is made orally; and
 - is resolved to the complainant's satisfaction not later than the next working day after the day on which the complaint was made.
 - A request for information or service.
 - An explanation of a Council Policy or Procedure.
 - A complaint about the handling of a request for information under the Freedom of Information Act 2000 or the Data Protection Act 2018.
 - Complaints about personnel matters including recruitment, pay, grievances, discipline etc.
 - If a complaint is raised about the attitude or behaviour of a member of staff, it may be appropriate to investigate the matter under the Council's employment procedures. Due to the confidential nature of employer-employee relations we will not be able to provide the complainant with details of the outcome. It is likely that we would utilise this process where there are allegations of serious misconduct. We can investigate complaints about the attitude or behaviour of a member of staff under this procedure where we consider the matter to be not of a serious nature. We can subsequently refer the matter to be investigated under the Council's employment procedures should we feel it is necessary.
 - Insurance Claims.
 - An appeal against a decision where a right of appeal exists, for example, adults can challenge certain decisions about their care, entitlement to financial support or their contributions towards the cost of their care.
 - Adults and their representatives cannot raise issues under this procedure about services that they arrange and pay for themselves through a direct payment or individual budget. However, we will look at issues about our role in organising the direct payment, for example, assessing their needs or any advice and assistance given in setting up the direct payment. If the service is delivered by the Local Authority or a commissioned service as part of an individual budget, then a complaint can be made about those services.
 - If the complaint involves concerns about someone's safety, we will make an adult and/or child protection referral and follow the Teeswide Safeguarding Policy and Procedures. It may be appropriate to investigate the complaint at the same time however this will very much depend on individual circumstances.

- Anonymous complaints - these issues will be sent to the relevant services for consideration, however, there will be no formal acknowledgment of the complaint, and the Investigating Officer will be unable to interview or respond to the complainant.

If an anonymous complaint makes a serious allegation, it may be decided that the complaint is dealt with through our Adult Safeguarding Procedure or under an alternative relevant Council procedure.

The Complaints Team will record and hold details of the investigation findings and any subsequent action taken.

- We will not normally investigate a complaint where 12 months have passed since the date of the incident the complaint refers to; discretion will be considered where there are extenuating circumstances.
- Repetitious complaints - for example, complaints which have already been handled once under the Adult Social Care Complaints Procedure or another appropriate procedure will not be re-investigated unless the complainant raises new issues in relation to the matter or unless requested to do so by the Local Government and Social Care Ombudsman.
- We will not progress a complaint under this procedure where the complaint has previously been investigated by the Local Government Social Care Ombudsman or the Health Service Ombudsman.
- Matters under investigation by the coroner.
- The person complaining or their representative has already commenced legal proceedings about the matter.
- Matters relating to an ongoing or completed Police investigation.
- We cannot consider a complaint about matters decided by a court. A complaint challenging a decision of a Court cannot be accepted as a complaint.
- We would not normally consider a complaint about a service provided on behalf of the Council until the complaint has been considered through the service providers' own complaints process.

Complaints about a service arranged by us for example a contractor, a commissioned care provider or domiciliary care, in most circumstances the provider will have their own complaints procedure. The Council would welcome the opportunity for them to put it right and complaints should be raised with the provider in the first instance.

However, there may be exceptional circumstances where we will investigate a complaint before it has been considered by the service provider, for example should the complainant feel they are unable to discuss the matter with the provider, the complaint is of a serious nature, or the complainant has not received a response to their complaint from the provider.

- Complaints about decisions made under the Mental Capacity Act do not fall within the remit of this procedure. The Mental Capacity Act 2005 states that health or social care professionals can assess an adult as lacking capacity and make decisions or carry out actions on behalf of that person. Guidance on how to challenge decisions made under the Mental Capacity Act is included in the Mental Capacity Act Code of Practice which is available from the Department of Health and Social Care.

- We would not normally consider a complaint regarding the quality or delivery of care where another local authority is the placing authority and therefore retains legal responsibility for meeting the adult's eligible care and support needs. The placing authority is the local authority that has assessed the adult as having eligible care and support needs and has statutory responsibility for meeting those needs. Where the authority arranges or funds accommodation or care in another local authority's area (the hosting authority), the adult continues to be treated as ordinarily resident in the placing authority's area. Accordingly, the placing authority retains full responsibility for care planning and the quality of services provided.

The host authority is the local authority in whose geographical area the care home or provider is physically located. The hosting authority are acting as the commissioning authority (the host authority) for the area in which the provider is situated therefore our responsibility relates to contract monitoring.

The Council will consider complaints of this nature to determine the appropriate lead authority to investigate the concerns raised and may consider whether elements of complaint require shared responsibility.

4.17 Some areas/aspects of the Council have their own complaint procedures, for example:

- Statutory Complaints Procedure for Corporate
- Statutory Complaints Procedure for Children and Families Social Care
- Vexatious Complainants Procedure – Management of Unreasonable Complainant Behaviour
- Complaints about the Conduct of a Councillor

4.18 On receipt of a complaint deemed to meet the criteria for one of the above complaint procedures, the complaint will be assigned to the relevant Officer responsible for the procedure.

4.19 Where the Council find that there is a valid reason for not treating an issue as a complaint, we will contact the complainant, explain our rationale, and signpost the complainant to the Local Government and Social Care Ombudsman.

5. Who Can Make a Complaint or a Compliment?

5.1 A complaint or a compliment can be made by someone who is receiving an adult social care service, by a relative or friend of someone receiving an adult social care service or by someone who is affected by something a service has or has not done. This may include people who have come into contact or have been affected by one of our services for example an individual who lives close to a day centre.

5.2 Some people may need help to make a complaint or compliment and, so, we accept complaints and compliments made on their behalf, if they have consent. Complaints and compliments could be made, for example, by a relative/carer, a solicitor or other appointed advocate. Should a complainant need an advocate the Complaints Officer can provide advice on how to arrange one.

- 5.3 Councillors or Members of Parliament may represent a member of the public should they wish to make a complaint. It is important that Councillors distinguish between complaints and other representations and process them accordingly. Complaints raised on behalf of the public will be considered under this procedure, but other enquiries will be dealt with separately.
- 5.4 Councillors can use the complaints procedure in their capacity as citizens and service users; however, the complaints procedure is not appropriate for complaints which arise from undertaking their roles as a member of the Council.
- 5.5 When a complaint is made on behalf of another person, even if that person is a relative, we need to ensure that consent is in place so we can share information legally. We will also consider whether or not the individual is acting in the adult's best interests.
- 5.6 A signed consent form or a copy of the documentation providing the relevant legal power such as a Lasting Power of Attorney (LPA) is needed for us to discuss the complaint further and provide a response to the complainant. There two types of LPA which cover property and financial affairs and health and welfare.
- 5.7 If we receive a complaint without consent, we will contact the person using the service to seek their consent to share information with the person making the complaint. If consent is not obtained, we will make every effort to continue to investigate the complaint and will make the complainant aware that this will limit the information that can be shared.
- 5.8 If we receive a complaint on behalf of someone who is deemed to 'not have capacity' as defined by the Mental Capacity Act, we will only consider the complaint if we are satisfied that the representative is acting in the adult's best interests. If we have reason to believe an individual is not acting in that person's best interests, we will not consider the complaint and will inform them in writing of the reason for our decision.
- 5.9 Where someone is assessed as "lacking capacity" to make a complaint an Independent Mental Capacity Advocate (IMCA) may be involved to assist with the process.
- 5.10 If a complaint is made relating to a deceased individual, we will require evidence that the complainant has been granted the right to access to their personal information held by Adult Social Care. We will ask for a copy of the Grant of Probate or Letter of Administration from the complainant.
- 5.11 The Council reserves the right to limit correspondence with any such party that falls out of the above categories.

6. Multi-organisational complaints

- 6.1 Sometimes a complaint may relate to both health and social care who are working together to deliver a service. The Complaints Officer will identify where a complaint relates to both health and social care. With the consent of the complainant, we will refer to the relevant NHS organisation to work collaboratively with the aim of the complainant receiving a joint response. Between the two organisations, we will decide who will be the lead body to maintain contact with the complainant and ensure the complainant receives a coordinated response within the set timeframes of the complaint's legislation.

- 6.2 There may be occasions where the Council and the NHS decide it is best for the relevant health agency to complete their own investigation separate to ours. The Complaints Officer will inform the complainant when such a decision is made and give the complainant the named officer to contact at the NHS.
- 6.3 Mental Health Services are provided in partnership with Tees, Esk and Wear Valley NHS Trust who have their own complaints procedure. Where a complainant wishes to make a complaint about a mental health service, we will work in partnership with TEWV to decide on the best course of action. If it is determined that the complaint is best placed to be investigated by TEWV, we will refer this to them and inform the complainant accordingly. However, if it is decided that a joint investigation will take place, we will work with TEWV to ensure the complaint is responded to from both organisations.
- 6.4 The Emergency Duty Service provides an out-of-hour response to emergency situations for Adult Social Care services. The Emergency Duty Service is run by Stockton on Tees Borough Council on behalf of participating local authorities. Where a complainant wishes to make a complaint about the Emergency Duty Service, we will work in partnership with Stockton on Tees Borough Council to decide on the best course of action. If it is determined that the complaint is best placed to be investigated by Stockton on Tees Borough Council, we will refer this to them to investigate and inform the complainant accordingly. However, if it is decided that a joint investigation will take place, we will work with Stockton on Tees Borough Council to ensure the complaint is responded to by both organisations.
- 6.5 Where it has been agreed for a joint investigation between the Council and another organisation; we will ensure the relevant organisation completes their own investigation into the elements which relate to them. Redcar and Cleveland Borough Council Investigating Officers will not pass comment or judgement on their practices or complaint investigation.
- 6.6 If we receive a complaint around the actions of an Independent Mental Capacity Advocate (IMCA) the Complaints Officer will advise the complainant to approach the IMCA or their manager and use the service provider's complaints procedure. Following this, if they still have concerns, we will process the complaint as appropriate.
- 6.7 An Independent Mental Capacity Advocate (IMCA) may also use this complaints procedure, if necessary, to try to settle a disagreement with the Council. These complaints will be processed as appropriate.

7. Vexatious Complaints - Management of Unreasonable Complainant Behaviour

- 7.1 The Council is committed to dealing with all complaints fairly and impartially and to provide a high-quality service to those who complain. In a very small number of cases, where a complainant's behaviour may become unacceptable the Council has a duty to protect its staff from behaviour, which is abusive, offensive, or threatening.
- 7.2 Unreasonable or vexatious behaviour by a complainant may include, but is not limited to:
- Repeated shouting at a member of staff, swearing, threats, and name-calling.
 - Obsessive, harassing, or prolific behaviour.

- Making the same complaint repeatedly or with minor differences but never accepting the outcome.
- Making unjustified complaints about staff who are trying to deal with the issue and seeking to have them replaced.
- Seeking an unrealistic outcome and persisting until it is reached.
- A history of making other unreasonably persistent complaints.
- Sending unnecessarily persistent e-mail communications to numerous Officers.

7.3 Where it is considered that such behaviour means the relationship has become unworkable and/it is necessary to protect staff, the Vexatious Complainants Procedure may be instigated.

8. How Can a Complaint or Compliment be made?

8.1 A complaint or a compliment can be made to any member of Council's staff, however, to assist, contact can also be made by the following methods:

- **Online:**

<https://www.redcar-cleveland.gov.uk/about-the-council/compliments-and-complaints-procedures>

- **Email:**

Complaints@redcar-cleveland.gov.uk

- **Phone:**

01642 771500

- **Post:**

Complaints Team, Corporate Services, Redcar & Cleveland House, Kirkleatham Street, Redcar, TS10 1RT

- **In person:**

At any Council office

- **Completing a complaints and compliments form:**

Available at Council buildings, request a copy from your social care worker or by calling 01642 771500

8.2 The Council is committed to ensuring that all the services we provide are relevant and are fully accessible to all sections of the community who may need them. As part of the initial contact, we will ascertain if the complainant requires any reasonable adjustments under the Equality Act 2010.

The Council will keep a record of any reasonable adjustment agreed and keep them under active review.

9. Stages of the Adult Social Care Complaints Procedure

Please see Appendix 1 for a flow chart of the Adult Social Care Complaint's procedure

9.1 Acknowledging Adult Social Care Complaints

9.2 Once the complaint process is instigated, the Complaints Team will acknowledge a complaint either orally or in writing within 3 working days after the day on which it was received.

9.3 All acknowledgement letters will include a summary of the Adult Social Care Complaints and Compliments Procedure.

9.4 Stage 1 Complaint – Adult Social Care Complaints Procedure

9.5 Complaints will be allocated to an Investigating Officer. They will contact the complainant within 5 working days of receiving the complaint to discuss the complaint and explain to the complainant what will happen as part of the investigation, and how long the investigation will take.

9.6 Under the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, complaints must be investigated within a reasonable period. We aim to provide a response in writing, to the complainant within 20 working days of the complaint being received.

9.7 If it is not possible to respond to the complaint within the initial timeframe, the Investigating Officer may request an extension of up to 45 additional working days. This means that, in total, a response may be provided within a maximum of 65 working days, in accordance with the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009. This provision for an extension should not be used as a matter of course and only utilised where a complaint may be:

- more complex to resolve.
- a key witness is unavailable for part of the time.
- the complaint involves several organisations.
- all or some of the matters concerned are the subject of a concurrent investigation.
- there are other extenuating circumstances in which it is reasonable for the timescale to be extended.

9.8 If an extension is required, the Complaints Team will contact the complainant and advise them of the reason for the extension and the expected timescales of the response. Additionally, the contact details of the Ombudsman will be included in the letter.

- 9.9 The Stage 1 response letter should address all points raised by the complainant and provide clear reasons for any decisions, referencing relevant policy, law and good practice where appropriate.
- 9.10 The Adult Social Care Complaints procedure is a one stage process therefore if the complainant remains unhappy following the Stage 1 Response, they have the right to refer the matter to the Ombudsman, which is the independent body that investigates complaints about councils. The Ombudsman will usually only investigate complaints when the council's own complaint procedure has been exhausted or if there has been advice from the council to contact the Ombudsman.

The Local Government and Social Care Ombudsman can be contacted in the following ways:

Website: www.lgo.org.uk

Telephone: 0300 061 0614

On-line: www.lgo.org.uk/making-a-complaint

Post: The Local Government & Social Care Ombudsman, PO Box 4771, Coventry, CV4 0EH

10. Putting Things Right - Remedies

- 10.1 When it is found there has been fault on the part of the Council, we need to put things right by acknowledging our mistakes and apologising for them, explaining why things went wrong and what the Council will do to prevent the same mistake happening again.
- 10.2 Any remedy offered should reflect the impact on the individual(s).
- 10.3 So far as possible, we will aim to place the complainant back in the position they would have been if there had been no fault. Sometimes it is not possible to do this, and, in such cases, compensation may be appropriate. In other cases, a remedy could include:
- **Taking some specific action** – such as reconsidering a decision.
 - **Paying some compensation** – money is not the only, or necessarily the best, remedy in every case, but the Council will generally consider payment of compensation if people are out of pocket because of its mistakes, or if they have been caused undue hardship, inconvenience, or distress. In making such payments, the Council will follow the guidelines issued by the Ombudsman in deciding the appropriate amount of compensation. These can be found on the Ombudsman's website at www.lgo.org.uk/information-centre/staff-guidance/guidance-on-remedies

11. Performance Reporting and Continuous Learning Improvements

- 11.1 Complaints, service requests and compliments form a vital part of our overall engagement activity. By listening to the adults we support, along with their Carers and family we can gain valuable insight into the unique experiences of adults who use our services.
- 11.2 Whilst our service works closely with adults and their families to ensure they understand what is happening or will happen when they receive care and support from us, there may be times where things go wrong.

- 11.3 Our aim is to resolve and learn from complaints raised, identify when we are not getting things right and what we need to do to improve our services to ensure it does not happen again.
- 11.4 At the conclusion of the complaint investigation, lessons learned are reviewed by the Adult Social Care Business Development Officer and/or relevant Service Managers. Learnings are discussed with senior management and the Principal Social Worker to capture learning, identify themes arising from complaints, linking these to practice development, workforce learning, supervision, and continuous improvement activity within Adult Social Care. This is recorded and monitored to give assurances that improvements have been made and any agreed actions completed.
- 11.5 The Adult Social Care Senior Management Team ("SMT") will receive regular information on complaints that will provide insight on the Council's Adult Social Care complaint handling performance, this will include:

- Regular updates on the volume, categories, and outcomes of complaints, alongside complaint handling performance.
- Regular reviews of issues and trends arising from complaint handling.
- An annual complaints performance and service improvement report.

Frequency of reporting is outlined below:

- Weekly Complaints Report to Adult Social Care SMT
 - Quarterly Performance Report to DMT/SMT
 - Annually Publication of the Adult Social Care Annual Complaints and Compliments Report
- 11.6 Assistant Directors in Adult Social Care have oversight of Adult Social Care complaints and are made aware of complex complaints that may require their oversight.
- 11.7 Complaints received from the Local Government and Social Care Ombudsman are shared with Assistant Directors in Adults Social Care to oversee any actions and response required.
- 11.8 In addition, to demonstrate the Council's accountability and transparency to promote a positive organisational performance culture the Council's Monitoring Officer will oversee the Council's complaint handling performance. The Monitoring Officer will assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.
- 11.9 The Governance Committee will lead on responsibility for complaints in governance arrangements acting collectively as the 'Member responsible for Complaints'.
- 11.10 The Committee will receive regular information on complaints that will provide insight on the Council's complaint handling performance, this will include:
- Regular updates on the volume, categories, and outcomes of complaints, alongside complaint handling performance.

- Regular reviews of issues and trends arising from complaint handling.
- An annual complaints performance and service improvement report.

11.11 The annual complaints performance and service improvement report will include the following:

- The annual letter about the Council's performance from the Ombudsman.
- Any other relevant reports or publications produced the Ombudsman in relation to the work of the Council.

11.12 It is a statutory requirement for all local authorities who deliver a social care service to report annually on the number of complaints received. This report will be published on the Complaints section of the Council's website and is available to anyone who requests it. The report will include:

- the number of complaints received
- specify the number of complaints which were upheld
- specify the number of complaints which have been referred to the Ombudsman
- the subject matter of the complaints received
- any matters of general importance arising from complaints
- the way in which the complaints were handled
- matters where action has been or is to be taken to improve services as a consequence of those complaints

12. Confidentiality

12.1 The Council considers the importance of confidentiality when handling any complaints. However, to enable a complaint investigation to be undertaken, a person's information will be shared with the investigating officers and, on occasion, other officers as reasonably necessary in order to consider the complaint effectively.

12.2 Personal information will not be shared with anyone unnecessarily and will be handled in accordance with the requirements of the Council's Data Protection Policy and the provisions of the General Data Protection Regulations (GDPR) and the Data Protection Act 2018.

12.3 If information is given to the Council in confidence, the information will not be disclosed without consent, unless the Council has a legitimate or legal reason to do so, for example a safeguarding concern.

12.4 Where the Council identifies there is a need for a joint complaint investigation with another organisation, the Council will seek consent from the complainant to share their details with the other organisation.

12.5 If a Complainant involves the Local Government & Social Care Ombudsman or the Parliamentary Health Services Ombudsman, we will share personal data to assist with such activity.

13. Use of Artificial Intelligence (AI)

- 13.1 Artificial intelligence (AI) is growing in use, and we are aware that many complainants are submitting AI generated complaints. While complainants are entitled to choose how they submit, review and respond to our correspondence, we would like to advise that AI-generated content can sometimes include false or unsupported claims.

To maintain the integrity and reliability of communications with us, we advise that any AI generated material is verified before including in your communications with us. This will help to avoid any potential misinterpretations or the inclusion of incorrect information.

14. Retention of Complaints and Compliments Documents

- 14.1 All records will be kept in line with the Council's retention periods. Complaints, compliments and case records are kept for six years from the close of the case, after this time all details will be deleted from the Council's systems permanently.

15. Review of the Adult Social Care Complaints and Compliments Procedure

- 15.1 The Adult Social Care Complaint and Compliment Procedure will be reviewed biennially or when necessary, including following the notification of Complaint Handling Code changes or best practice guidance from the Local Government and Social Care Ombudsman.

The Council reserves the right to make amendments to this procedure at short notice, or in any situation that warrants an immediate amendment being introduced.

Appendix 1 - Redcar and Cleveland Borough Council Adult Social Care Complaints Procedure

