

Agenda Item 25.

TITLE	Complaint - Local Government Ombudsman's Report
FOR CONSIDERATION BY	Council on 20 July 2017
WARD	None Specific
DIRECTOR	Judith Ramsden, Director People Services

OUTCOME / BENEFITS TO THE COMMUNITY

The subsequent learning from the complaint against the authority will help significantly reduce the likelihood of any similar failings in the future.

RECOMMENDATION

That the content of the Ombudsman's report and the learning from this complaint be given consideration by Full Council, as is required by section s31 (2) of the Local Government Act 1974.

SUMMARY OF REPORT

Please refer to 'Background' for a summary of the report.

Background

The complaint was brought by Mrs A on behalf of her mother, Mrs X.

Mrs X was resident at Murdoch House between 2010 and 2013. The placement was arranged and funded by Wokingham Borough Council. At the time, the care home was managed by providers Four Seasons Healthcare (FSHC) Ltd.

It was alleged that as a result of poor care planning, delivery and monitoring by both the council and FSHC, Mrs X suffered severe malnourishment. A meeting was arranged with Mrs A to discuss her concern, and, subsequently, a formal complaint response was sent by the council's Adult Social Care Team.

Following on from this, Mrs A remained dissatisfied that her concerns had been sufficiently addressed. She therefore contacted the Local Government Ombudsman (LGO) who agreed to investigate the family's concerns. Their investigation concluded that:

- i. Mrs X's nutritional care was inadequate and not in line with regulations/guidance;
- ii. that there were not enough activities arranged to stimulate Mrs X; and
- iii. that the care planning and risk assessments around falls and mobility were inadequate.

In light of the LGO's findings, and the distress caused to Mrs X and her family, it was recommended that payments of £3,500.00 and £500.00 be made to Mrs X and Mrs A respectively. There was also a recommendation that the council's contract monitoring process be reviewed.

In addition, the LGO felt it was in the public interest to issue a press release on this case. Reports were released to the media in January this year.

Further details of the case can be found in the attached report from the LGO, which, due to recent press releases, is already in the public domain.

Analysis of Issues

In response to the inadequacies highlighted by the council's and the LGO's reviews, the following actions have been implemented:

- A clear framework for gathering information from the council's workforce and systems, our partner agencies, communities, relatives/individuals, and other official bodies to enable appropriate action and responses to be taken about concerns regarding the quality of care being provided to customers.
- A risk assessment tool to score the level of risk arising from individual provider agencies to enable appropriate monitoring and inspection and quality improvement.
- An internal quality assurance system in place to ensure standards are met in operational safeguarding practice to ensure all risks have been adequately identified, monitored and managed.

- Training and development for front line staff and managers on safeguarding requirements in provider services including individual safeguarding concerns and wider provider quality issues and how this links to the council's care governance arrangements.
- A register, which has been established to monitor agencies for whom quality and safety standards are of serious concern to the council. Information is reported to senior management, including the number of agencies on the list, whether restrictions have been placed on the provider regarding new admissions, and the length of time they remain on the register before standards improve. This information is benchmarked with neighbouring authorities.
- Clinical staff who have been commissioned through the Better Care Fund to work with providers to review high risk or complex care needs for individuals and support them in managing and reducing risk to ensure individuals receive good quality care.
- Provider Forums where officers from the Commissioning and Operations teams of the council meet with representatives of the provider agencies to give an opportunity for providers to share best practice and raise concerns and for the Council to update providers on recent changes, priorities and concerns.
- Interim manual measures were put in place to ensure that all annual reviews are captured. These are to be replaced by changes to the council's current information system.

The above actions have been communicated to the LGO, who are satisfied they are reasonable.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	N/A	N/A	N/A
Next Financial Year (Year 2)	N/A	N/A	N/A
Following Financial Year (Year 3)	N/A	N/A	N/A

Other financial information relevant to the Recommendation/Decision

N/A

Cross-Council Implications

N/A

Reasons for considering the report in Part 2

N/A

List of Background Papers

Report by the Local Government Ombudsman (dated 29 November 2016)

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