

**NORTH LINCOLNSHIRE COUNCIL**

**PEOPLE  
CABINET MEMBER**

**ANNUAL REPRESENTATIONS AND COMPLAINTS REPORT 2011-12**

**1. OBJECT AND KEY POINTS IN THIS REPORT**

- 1.1 To present the Annual Representations and Complaints Report 2011-12 for Children and Young People's Service and for Adults Social Care Service in line with statutory requirements.

**2 BACKGROUND INFORMATION**

- 2.1 There is a statutory requirement to present an annual report covering representations and complaints received about services delivered under the Children Act 1989 and under the NHS Community Care Act 1990.
- 2.2 These statutory procedures confer on service users, or representatives acting on their behalf, the right to make representations about our services. They require the Local Authority to address these representations, through a three stage procedure for complaints concerning services to children and a two stage procedure for Adults Social Care Services.
- 2.3 The Children Act procedure has timescales attached to each stage and specific guidance as to the handling of complaints at each stage. Stage One is an opportunity for local resolution by the service concerned and should be completed in under twenty working days. Stage Two is an independent investigation, with up to sixty-five working days and Stage Three is panel review with recommendations to the Director, which should be concluded in thirty working days.
- 2.4 The procedure for Adults Social Care aims to resolve complaints within one stage, timescales are therefore attached to each complaint according to the issues involved. The second stage of this procedure rests with the Local Government Ombudsman.

**3 OPTIONS FOR CONSIDERATION**

- 3.1 Children and Young People's Service:
- 3.1.1 There has been a small increase in the number of complaints made this year, from forty six to fifty two, This continues to represent a very small proportion of our service users at less than 6% of currently open cases.

- 3.1.2 The majority (88%) of complaints were resolved at the first stage of the procedure. Only six complaints were investigated at stage two of the procedure.
- 3.1.3 Seventeen complaints were made by children or young people on their own behalf, this represents a third of complaints. This is consistent with previous years and again indicates that children and young people have ease of access to the procedure. Children and young people also recognise the relevance of the Complaints Procedure as an effective means to address their concerns or worries.
- 3.1.4 This year largest single area of complaint (30%) has been service delivery. The main concern in this area is on issues around services and support not being provided in the way the complainant had expected.
- 3.1.5 Over half of the complaints received were not upheld and only six were upheld in full.(12%). The service recognises that all complaints can give us valuable information about our services, even if they are not upheld.
- 3.1.6 In response to complaints made actions that have been taken include the following:
- Amended procedures in respect of attendance at reviews.
  - Amended processes to improve case transfer between workers.
  - Introduced a minimum requirement for home visits young people who have left care.
  - Revised case recording training and procedures to highlight the need to use clear language and avoid the use of jargon.

## 3.2 Adults Social Services

- 3.2.1 There has been a reduction in complaints about Adults Social Care services this year from fifty five to forty. This is due in part to management of external provision through out quality and performance team. Also some changes to service provision that gave rise to complaints in previous years have become established.
- 3.2.2 All complaints were resolved within the one stage procedure, none were referred to the Local Government Ombudsman.
- 3.2.3 The service user group to which complaints relate are older people, this is consistent with the proportionately greater volume of service to this group.
- 3.2.4 Thirty four complaints were not upheld or upheld in part with only six complaints upheld in full.
- 3.2.5 In response to these complaints the following actions have been taken:

- Update training and offer sessions to staff on personal budget assessments and support planning, using examples from complaints.
- Revision of public information in relation to both personalisation and safeguarding procedures.
- Improved front facing customer service processes.

#### **4 ANALYSIS OF OPTIONS**

4.1 Not applicable.

#### **5 RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)**

5.1 None

#### **6 OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)**

6.1 The production of the Annual Representations and Complaints Report fulfils statutory duties.

6.2 An accessible and transparent complaints procedure offers a route whereby any potential inequality can be challenged and so helps to ensure that services are able to fulfil their statutory duties in terms of diversity and equality. None of the complaints received this year cited equality and diversity as an issue.

#### **7. OUTCOMES OF CONSULTATION**

7.1 None required.

#### **8. RECOMMENDATIONS**

8.1 That the Annual Representations and Complaints Reports for Children and Young People's Service and Adults Social Care Service is received and approved.

DIRECTOR OF PEOPLE

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**Background Papers used in the preparation of this report:**

Getting the Best from Complaints. Social Care Complaints and Representations for Children, Young People & Others. DFES 2007.

The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.



## **Annual Report on Representations and Complaints Adults' Social Care Service 2011-2012**



### **Introduction**

- 1.1 This report concerns complaints made under The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, Making Experiences Count, about Adults' Social Care services in the year 2011-12. These are services provided or commissioned by the Local Authority for: People with a learning disability; people with a physical disability and older people. Services for people with mental health problems are managed by RDASH (mental health trust) and complaints are addressed and reported on according to their procedures.



- 1.2 These complaint regulations apply across all Health and Adults' Social Care provision. This ensures that the concerns people raise are dealt with in a consistent way and facilitates co-operation between agencies.
- 1.3 The complaints procedure in Adults' Services meets the requirements of the above legislation and is designed to ensure that complaints are dealt with in a way that takes into account both the significance of the issues concerned and the complainants' views. The approach to complaints resolution therefore reflects the development of personalisation that is taking place within the Adults' Social Care arena.
- 1.4 Personalisation represents a new approach to the assessment for and delivery of services. Putting service users to the fore in the assessment of their needs. It offers the individual more choice and control over the way in which those needs are met. This means that there is an increased imperative for the service to have clear communication and understanding with our service users and their representatives.
- 1.5 The strategic objectives of Adults' Social Care set out in our Strategy document is that our service users are: safe; respected; healthy; in control; involved; independent and confident in the future. Fundamental to achieving these objectives is the inclusion of service users in the evaluation and development of services. It is recognised that the views and contribution of the people who use our services are vital if we are to meet these objectives and ensure that our services are fit for purpose.
- 1.6 Key to this process is listening to our service users and their representatives. We do this in a number of ways increasingly through the assessment and support planning process but also through surveys, consultation events and reviews. The Complaints & Representations Procedure is another important means by which we can receive views about our services.
- 1.7 We want people to feel confident in the process and understand that their



concerns will be dealt with fairly and objectively. We therefore promote the procedure and ensure that information is given out at key points in our service. We ensure that our staff are well informed about the procedure so that they can offer positive advice and support where necessary.

- 1.8 Our procedure ensures that we understand the complainants concerns and agree with them complainants a way of addressing them. Our responses ensure that the information we have gathered in looking at the complaint is shared openly with the complainant.

## **2 The Procedure**

'Making Experiences Count' is described as a two stage process, however only one stage rests with the Local Authority.

### **2.1 Stage One**

When a complaint is received it is initially screened by the complaints manager in relation to the issues in the complaint and whether these issues have been raised before. This helps to determine the potential impact of the complaint for the service and the individual. In all but the most readily resolved cases the complainants will be consulted about the way in which their complaints will be addressed. Their view of the issues will be taken into account in making the decision about the most appropriate means of dealing with the complaint.

We have a number of ways of dealing with complaints and the procedures allow us to be flexible in our approach. For more minor readily resolved issues the manager of the service concerned will offer resolution. For the more complex complaints that cannot be responded to directly by the service concerned we can arrange for an in-house or completely independent investigation or review. These complaints are subject to a resolution plan or agreement with the investigator that clearly sets out for the complainant what the issues are and the manner by which they will be addressed. The outcome of these investigations are reported to the appropriate responsible manager to adjudicate and provide a response to the complainant, on behalf of the Chief Executive of the Local Authority.



There is opportunity to revisit the complaint if it is judged by the complainant and the Local Authority that there is some value in doing so, if, for example, some significant information has been missed or an aspect of the complaint has not been considered properly. Other than this the complainant if they continue to be dissatisfied has recourse to the second stage of the procedure. The onus then in our complaint handling is to 'do it once and do it right'.

## **2.2 Stage Two**

This stage is in the hands of the Local Government Ombudsman (LGO). Complainants who are not satisfied with the outcome to their complaints must now refer these concerns to the LGO. In considering the representations of complainants the LGO will look at the issues of concern within the complaint and the manner in which the Local Authority handled the complaint.

## **3. Analysis**

3.1 In this section there will be a discussion and analysis of the complaints which we have addressed through our formal procedure over the year. These are complaints that have been considered under the formal representations process. The complaints procedure sits alongside other procedures for addressing concerns, primarily safeguarding procedures, and should be seen in the context of efforts made at the frontline to promptly resolve issues of concern so that they do not develop into complaints.

Comparative information from previous years will be provided where it can be. Service changes mean that direct comparison is not always possible.



### 3.2 Table 1 Complaints received in the year

Year	Number of Complaints
2009-10	41
2010-11	55
2011-12	40

- There has been a reduction in the number of complaints from the previous year to forty from fifty-five. This, in part, reflects the efforts made to recognise and resolve issues before they reach the point of becoming a complaint and that some service changes that took place last year, giving rise to complaints, have now become established.
- All of these complaints were resolved within the one stage procedure and none have been referred to The Local Government Ombudsman (LGO).
- We had one complaint from the previous year that was forwarded to the LGO for consideration but this was referred back by the LGO as the complainant raised issues that were not part of the original complaint.

### Fig 2

Number of Complaints by Complainant

	2010-11	2011-12
Service user	8	4
Relative	46	35
Other	1	1



3.3 The substantial majority of complaints are made on behalf of the service user by their family member, in general this is on behalf of older parents or by parents of people with disabilities. This illustrates the importance of ensuring that advice and information about the procedure is widely available so that representatives of vulnerable people know how to go about raising concerns on their behalf.

**Fig 3**

**Complaints by outcome**

	2009-10	2010-11	2011-12
Upheld in full	11	12	6
Upheld in part	17	22	13
Not upheld	13	21	21

3.4 Only six complaints were upheld in full but almost half had some element that was upheld. Although it may not be possible to uphold the complaints the process can still help to resolve issues of concern for complainants and the process can provide information from which services can learn.

**Fig 4**

**Complaints by service user group**

	2009-10	2010-11	2011-12
Older people	20	41	22
Learning disability	6	8	12
Physical disability	11	5	5
Carer	4	1	1

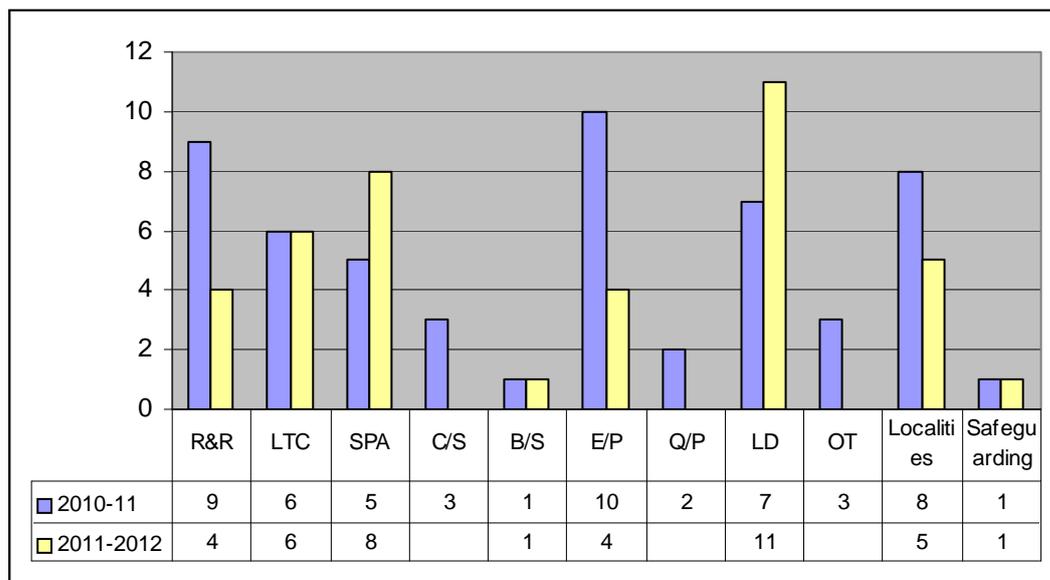


3.5 This chart illustrates that, consistently with previous years, the greatest proportion of complaints are made by or on behalf of older people. This reflects the greater proportion of services working with and providing services to older people. The area showing the greatest increase has been in relation to people with a learning disability where it can be seen there has been a steady increase over recent years.

The process of personalisation and personal budgets offers particular challenge where individuals have complex needs. Some families and carers have concerns about the changes to the way in which support is provided and their complaints about the process often reflect their concerns about the changes. In contrast the level of complaint from people with a physical disability has decreased as they have welcomed the potential for choice that personalisation has offered them.

**Fig 5**

Complaints by team



*R&R – Rehabilitation and Re-ablement  
 LTC – Long Term Conditions  
 SPA – single point of access  
 C/S – Customer Support*

*B/S Business support  
 E/P – External provision.  
 Q/P – Quality & Performance  
 L.D – Learning Disability  
 OT – Occupational Therapy*



3.6 The team showing the largest number of complaints is the Learning Disability Team, reflecting the complaints made in respect of service users with a learning disability discussed in the above paragraph. There has been a reduction in complaints in relation to the Rehabilitation and Re-ablement Service. This is because a higher number of complaints about the service were received the previous year as a result of changes to the remit of The Lilacs as it moved away from the provision of respite services to shorter term rehabilitation and re-ablement services. This service change is established now and work was undertaken with the people affected to give clear information and make sure that suitable provision was in place, resulting in no complaints being made about this issue this year. This is an example of how positive engagement with service users and their representatives can successfully convey how the new service works and the benefits it would offer.

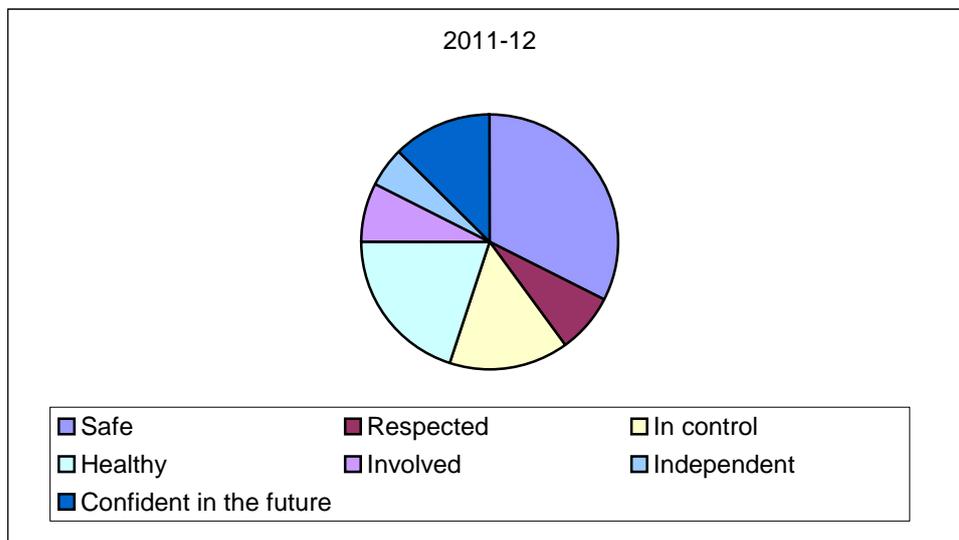
There were only four formal complaints this year about commissioned services. Two in relation to residential care and two to home care. In each of these cases the providers worked with the service to resolve the concerns and to put in place improvements where these were found to be necessary. The low number of complaints about contracted services reflects the efforts made by the Quality and Performance Team to ensure that issues are addressed promptly through their contract monitoring systems.

Complaints in relation to the SPA team tend to feature concerns about assessment for services and whether appropriate services are provided. Issues raised about the Long Term Conditions team and Localities are around changes to provision and appropriate and timely responses to change in service users circumstances.



**Fig 6**

Complaints by strategic outcome



3.7 Adults' Services is committed to meeting its strategic outcomes in the way in which it delivers services. User feedback helps the service to understand how effective we are in doing so.

The outcome to which the largest number of complaints relate is that service users are safe. This reflects the concerns felt, often on the part of families, that services provided do not adequately meet the needs of people so potentially putting them at risk. The move away from traditional services is a matter of concern to some people. They have felt reassured that their family member is 'safe' within the traditional service that they are used to and so are reluctant to support services that are offering more community based activities. This is a challenge that services are working with, alongside service users and families and providers, to overcome these fears and enable individuals to lead independent fulfilling and safe lives within the wider community.



**Fig 7 Complaint by issue**

	2009-10	2010-11	2011-12
Service provision	15	25	23
Service quality	15	20	12
Information & communication	9	6	3
Customer service	3	4	2

3.8 The area of service provision continues to be the largest single area of complaint. Complaints about service provision include:

- Concerns that a requested service is not being provided
- That sufficient funding is not available to provide for a wanted service
- That a service is not being provided in the way that the complainant expected

In response to complaints about service provision we have been able to:

- Update the training and guidance given to staff in respect of the personal budget process, to enable them to give clear and accurate advice to families.
- Revision of public information in relation to personalisation.
- Reviewed assessments and decisions in respect of funding where indicated necessary.
- Review of policy in respect of funding for some care, which has resulted in a change to criteria for funded services.
- Review of decision in respect of service provision in the light of additional information from the complaint and put in place the requested service.



- Inform the revision of safeguarding procedures and policy and the development of a public information pack.
- Improve communication with the hospital to ensure that people admitted to care direct from hospital are given accurate information about the service.

Complaints about service quality include:

- Delays in the provision of service
- Poor standards of care.
- Not ensuring the appropriate support is in place

In response to complaints about service quality we were able to:

- Reach agreement with the individual about the way in which care is to be delivered.
- Changed requirements for evidence of identity for blue badge applications.
- Review and improve customer service processes to ensure a timely response to enquiries.
- Work with care homes to ensure their quality of care and that effective procedures are in place.

Complaints about information and communication and customer service include:

- Not including the service user in planning
- Attitudes of members of staff
- Poor customer service.

In response to these complaints we were able to:

- Offer a reassessment to ensure that the individual felt their views were represented accurately within the process.



- Explain the role of the service in responding to the views of their service users – even if this does not reflect the family's view.
- Put in place communication plans to ensure that carers felt fully informed and included.
- Ensure that people understood who their point of contact is for information and advice.

#### **4. Overview**

##### **4.1 Reporting and Monitoring**

The information about complaints in Adults' Services is collated and reported in the following forums, in addition to meetings with managers around individual complaints, so that performance can be monitored and learning identified and acted upon across the service.

Corporate performance monitoring

- This looks at the number of complaints, broad subject area, number upheld and general learning and changes made to service as a result.

Learning from experience

- Bi Monthly meetings is chaired by the service manager for workforce development and attended by representatives from the safeguarding team, HR, commissioning and the Local Authority's counselling service. Considers issues and trends in complaints & other processes. The meeting identifies links, learning and actions and the appropriate strategic or service group responsible. The meeting then monitors that these identified actions have been taken.

##### **4.2 Access**

We want to make sure that our procedure is as accessible as possible to the people who may wish to use it. Information about the process is given at the start of a service and at review. Complaints can be made verbally or in writing and can be



taken at any point in the service delivery. Our staff are trained to understand their role in the procedure and so that they are confident in recognising and knowing how to deal with issues that may be raised with them.

### 4.3 Timescales

**Fig 7 Complaint response times**

	2009-10	2010-11	2011-12
1-10	15	18	7
10-20	15	20	16
20+	10	17	17

The above chart illustrates that a slightly lower proportion of complaints have been addressed in less than 20 working days. This is attributable to the fact that the complaints that have been received are more complex and efforts to resolve therefore take longer. The procedures do not fix specific timescales to complaint resolution but allow for timescales to be set according to the demands of each individual complaint. We do make every effort to deal with complaints in a timely manner but it is important, particularly as the procedures have only one stage, that a thorough piece of work is carried out on each complaint and usually complainants are satisfied with this in order to get their complaint addressed properly.







## Annual Report on Representations made to Children and Young People's Service under the statutory procedure 2011-2012



### 1 Introduction

1.1 This report is written under the terms of the Children Act 1989, Representations Procedure Regulations (England) 2006. It considers representations made by service users that were addressed by Children and Young People's Service, under this procedure, for the year April 2011 to March 2012.



1.2 The procedure applies to representations about children's social care services and in particular services that are provided under parts 3, 4 and 5 of the Act. These services include the following provision:

- Services to promote the welfare of children in need
- Services for children with a disability
- Care and protection of children and young people
- Supervision orders
- Adoption related functions

1.3 Children and Young People's Service is committed to the values stated in our Children and Young People's Plan, to provide services that are relevant, targeted and accessible and to ensure that every child and young person is consulted on the plans, interventions and services that affect them. Within its principles for service delivery Children and Young People's Service clearly recognises the contribution that children, young people and their families bring to their own plans.

1.4 These statements of intent show a commitment to seeking out, listening to and acting on the views and opinions of the people who use services. It has been recognised for some time that the people who can best judge the effectiveness of services are the people who use them. Children and Young People's Service understands that it cannot alone meet its aspirations to improve outcomes for children and young people, particularly those who are vulnerable. We must work together, not only with partner organisations but also with the children and families at whom our services are aimed.

1.5 Participation in the development and evaluation of services can take many forms and takes place at the strategic, service and individual level. Efforts are made to ensure that participation happens across each level of



service, from cross council events, such as takeover day, to the quarterly question process for children in care, to the inclusion of children and young people's views in the review of their own plan and service.

1.6 As an organisation we strive to be open and willing to learn, we therefore create opportunities wherever possible to gather information about our services. We view the complaints' procedure as one more means by which service users can inform us about their experience of our services.

1.7 The Children Act and associated legislation bestows on Children and Young People's Service a responsibility to ensure the safeguarding and the promotion of the welfare of the children and young people in North Lincolnshire. This entails working in arenas that offer complexity and challenge with people who are in distress and may be fearful or anxious. It is therefore of particular importance that individuals and families have confidence in our services. We make every effort to be clear and work positively and we would never wish to cause any additional concern or confusion by our actions and decision. We do however recognise that occasionally there may be times when service users feel that they have not received a service that is of the standard they would wish or they do not understand an action or a decision taken.

1.8 When this happens we want to know so that we can act to put it right. Our complaints procedure gives a clear pathway and process by which our service users can let their concerns be known and we then have the opportunity to reflect, to address the issues raised in a way that is timely, open and robust, to act on them as necessary and to learn from them for the future.



## 2. THE PROCEDURE

Our complaints procedure is compliant with all statutory requirements and is designed to make sure that problems are responded to without delay and without unnecessary complication. There are three stages:

2.1 Stage One: allows the people most closely involved with the service concerned to deal with the issue that has been raised. This is because usually these colleagues will be most familiar with the problem and understand what can be done to sort it out promptly.

2.2 Stage Two: is a more detailed investigation of a complaint. This stage involves the appointment of an investigating officer. The investigating officer is independent of the service complained about. If the complaint is from, or about, a child or young person then someone independent of the council the 'Independent Person' oversees the investigation. The Independent Person provides an extra assurance that the complaint is investigated properly and fairly. The complainant will get a full report from the investigation, along with the responsible manager's decision.

2.3 Stage Three: is the final stage of the procedure. It is an independent review of the complaint. A panel of three people, who are all new to the complaint and who are independent of the Local Authority, will review the information from the Stage Two investigation. They will talk to the complainant, the Investigating Officer and the responsible manager. They then make recommendations to the Assistant Director of the Service, who must take them into account in reaching a final decision on the complaint.



### 3. Analysis of Complaints for the year

#### 3.1 Fig 1 Complaints received in the year

The charts in this section will compare performance over the past three years where possible.

Year	Number of Complaints
2009-10	64
2010-11	46
2011-12	52

- Although a slight increase on last year, there is an average downward trend from 2009. The number of complaints is a very small proportion of the number of open cases (761 at 31<sup>st</sup> March 2012).
- Six complaints received this year have been considered at stage two of the procedure by independent investigation, in addition another complaint from the previous year has progressed to independent investigation within this year.
- Two of the six complaints went straight to stage two. One, from a young person who raised an objection to the plans for her to move placement, required the additional objectivity and scrutiny of an independent review, rather than those responsible for the decision-making that was being complained about trying to resolve the concern. The second complaint to progress straight to stage two was linked to a complaint made in the previous year and so was not appropriate to refer for local resolution at stage one.



- None of these complaints have yet been addressed at the panel review stage.
- The Ombudsman has investigated one complaint that was raised last year and was able to confirm that Children and Young People's Service had acted appropriately, commenting positively on the planning in the case.

**Fig 2 Complaints by complainant**

	Children & young people	Parent	Other relative	Carer	Other
2009-10	24	27	9	3	1
2010-11	14	21	10	0	1
2011-12	17	26	5	2	2

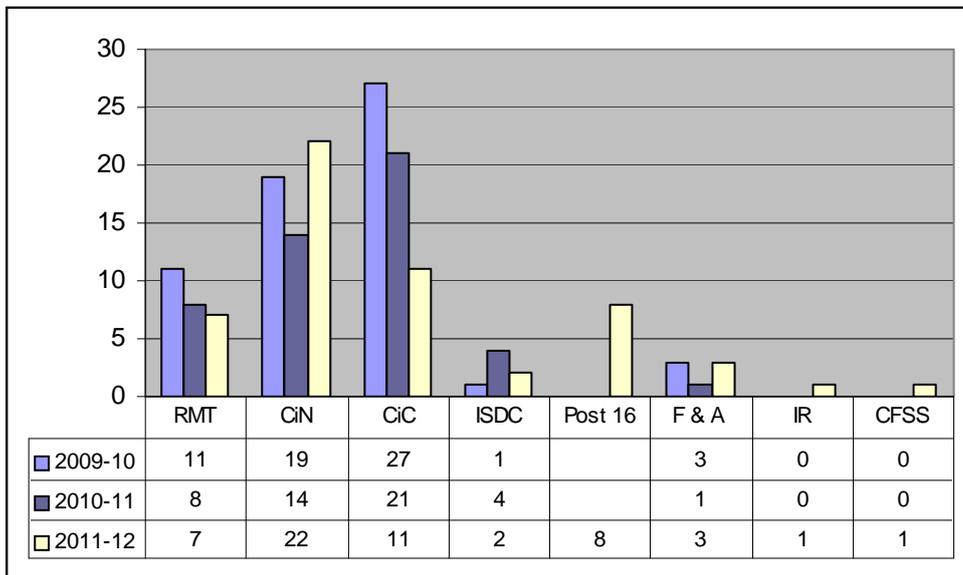
- As with previous years parents form the largest single group of complainants. Parents have raised issues both in relation to the way in which services have worked with them and in relation to the services to their children, if they have not felt that they are appropriate or of a sufficiently high quality. A number of these complaints have featured separated parents, one of whom has felt that they have not been dealt with in an even handed manner and that the other parent has received preferential treatment. This illustrates the difficulties inherent in working with parents, in the interests of their children, when there is dispute between them.
- Seventeen complaints were made by children and young people on their own behalf. Of these four children were in foster care, six in residential care, five



young people were care leavers, two lived at home.

- This level of complaint from children and young people represents one third of complaints for the year and demonstrates that children and young people are able to gain access to the procedure and are prepared to use it in order to have their concerns resolved.
- Children and young people are given the opportunity to meet with or speak to someone independent of the service. Eight of these complainants were supported by the children's advocate and one by their IRO. The rest had direct contact with the complaints manager in making their complaint.

### 3.3 Fig 3 Complaints by service area



RMT = Referral Management

CIN = Children in Need

CiC = Children in Care

ISDC = Integrated Service for Disabled Children

Post 16 – previously leaving care – figures included in CiC figures before this year.

F&A = Fostering and Adoption

IR –Independent reviewing service

CFSS – Children and families support service



- The above chart reflects complaints broken down by service being complained about. The figures are slightly higher than the number of complaints because some complaints involve more than one service area.
- This year the children in care figures have been separated to show a figure for the post 16, (previously leaving care) service. Together these figures show that there has been a small decrease in complaints about those services.
- It can be seen from the above chart that the team delivering services to children in need of protection and their families have received the highest number of complaints and show an increase on the number received the previous year. This is to be expected in the context of their higher volume of activity on the part of this team.
- As noted above there have been a number of complaints made by parents who feel that the other parent is receiving more favourable treatment or more information than they are. At least two such complaints were from parents who were involved in court processes. Other complaints were from parents involved in the child protection process who were seeking to challenge the grounds for this course of action on the part of children's services.
- Complaints in relation to the children in care service and post 16 related to a number of issues but some concerned the kind of support that young people were receiving that they did not feel was at an appropriate level. One young person who is approaching the move to independence made three complaints in connection with the support she was being given to prepare her to live independently.



### 3.4 Fig 4 Complaints by finding

	Upheld	Not Upheld	Upheld in Part	Not found
2009-10	11	37	16	0
2010-11	2	22	19	2
2011-12	6	33	12	1

- The above table details the findings on the complaints made this year and shows that a significant number of complaints were not upheld and a small proportion were upheld in full.
- The above outcomes do not mean that the service had nothing to learn from the issues raised just that, after careful consideration, the main elements of the complaint were not justified.
- The fact that there were fewer complaints upheld may have had an impact on the slight increase in complaints that have progressed to stage 2 of the procedure as complainants seek to have their issues scrutinised further.

### 3.5 Fig 5 Complaints by main issue

	2009-10	2010-11	2011-12
Service delivery	12	6	18
Service quality	20	15	16
Appropriate Service	9	4	1
Information/communication	16	12	9
Inclusion/involvement	0	6	2
Customer service	7	2	6



- The above table shows the number of complaints by main issue.
- Complaints about information and communication have gradually decreased year on year and complaints in relation to inclusion and involvement have also decreased. We use the learning from the complaints process to improve our service provision and to inform staff training and this seems to be having a positive impact. The service has improved how we work with children and families to ensure that they are consulted, included in and encouraged to contribute to their own plans and in decisions making.
- The issue that is showing an increase is that of service delivery. This includes complaints about a perceived lack of service or dispute with the service received. Examples of which are: family members complaining that they had not received the financial support they felt they needed to looking after their children; concerns that a service was not being provided as requested by a family to assist in the management of their child's behaviour. A feature of some complaints in this category this year has been challenge to the grounds for child protection enquiries to be undertaken.
- Complaints about service quality remain at a steady level and include issues around delay, that the service being received is appropriate but not of a good enough standard, is delayed or does not offer enough support

#### **4. Actions in response to complaints**

The commentary below outlines the actions taken in response to complaints – these can be specific to the individual complaint or they can be wider issues. It is important that we scrutinise complaint information to ensure that we capture wider learning for the service and not only the individuals directly concerned. Case examples illustrating learning about these wider issues are included in more detail in the commentary. Under each heading the commentary distinguishes between complaints with a focus on children in care and post 16 and those with a focus on safeguarding issues.



#### 4.1 Actions in response to complaints about service delivery include:

For complaints in respect of children in care and post 16 we:

- Clarified the process and policy in relation to supported lodgings payments.
- Listened carefully to a young person who was objecting to a move of placement, explained why the new placement was a positive move and put in place the right support to achieve a successful transfer.
- Addressed a series of concerns from a young person including, putting in place contact and transport arrangements, ensuring she understood the support available to her.
- Supported a young person in finding more suitable accommodation.

For complaints in respect of safeguarding we:

- Put in place the requested service or support
- Ensured that parents were given information about the role and responsibility of Children and Young People's Service in respect of safeguarding enquiries.
- Reviewed processes to ensure that timely information is shared with service users about the outcomes of core assessments.
- Explained processes in relation to post adoption support.
- Put in place arrangements to ensure family contact.



## Case Example

### **What You Said**

*'I don't want you to change my social worker, I like her and have known her a long time'*

### **What we did**

*We explained that your worker was moving to a new job but arranged for her to carry on seeing you until you felt comfortable with your new worker. You now get on really well with the new social worker.*

*We recognised that it can be very unsettling for young people to have a change of worker, especially when they have been together for a long time. We have improved our processes to make sure that there is enough time to prepare young people for the change and made our handover periods longer.*

## 4.2 Action in response to complaints about service quality

Complaints in respect of children in care and Post 16 we:

- Changed practice in respect of emergency placements in independent living settings.
- Worked with a young person to help her to understand the process in relation to preparing her for independent living.
- Reviewed foster placement process to ensure that the right information was shared about what and with whom.
- Changed procedures to ensure a minimum requirement for visiting young people who are living independently, in their own homes, even if regular contact is made with them elsewhere.



Complaints in respect of safeguarding we:

- Offered explanation and advice in relation to processes so that the individual understood the reasons for certain requirements.
- Amended procedures to ensure that active consideration is given to the planning for the children in circumstances where outcomes of child protection enquiries are delayed because of ongoing investigation.

### Case Example

#### **What You Said**

*'The letter you have sent to us to tell us the conclusion of your safeguarding enquiries has the wrong information in it and we don't understand what it is saying'.*

#### **What we did:**

*Agreed with you that the letter was not as clear as it should have been we apologised to you and made the changes that were needed.*

*We have included information from this complaint in our training on case recording, to make sure that our staff understand the need to use clear language and avoid jargon*

### 4.3 Action in response to complaints about information and communication.

Complaints in relation to children in care and post 16 we:

- Apologised for the lack of prior communication but explained the necessity for the action to be taken.
- Put in place the requested arrangements for contact.
- Gave a further explanation about service changes and invited the young person to be a part of the consultation group.



Complaints relating to safeguarding we:

- Ensured that a parent had access to the appropriate advice and support
- Reviewed the process of signposting where there is a lower level child concern to ensure that it is effective and clear.
- Clarified with parents the remit of the intervention by the service.

*Case example*

***What You Said:***

*'You have not included us in plans being made for our daughter and we are not making any progress in having more contact with her'*

***What we did:***

*Explained that you were aware of plans and the decisions about contact but agreed that the follow up review that should have been held with you after the main review was delayed too long.*

*We have made changes to our procedures that mean follow up reviews like this will be held within a set timescale of the main review.*

**4.4 Actions in response to complaints about inclusion and involvement, customer service and appropriate service include:**

Children in care and post 16

- Offered further explanation of why some information was not shared and of the reasons behind some observations made in a meeting.

Safeguarding:

- Clarified actions taken and advice given.
- Offered explanation of the information and advice given as part of a child



protection investigation.

- Apologised for the way in which some information was shared.

#### Case example

##### **What You Said**

*'You did not support me in my review with the decisions I am making about where I want to live and you are not listening to me'*

##### **What we did:**

*We made sure that the right support was in place for you and reassured you that we were listening to what you had to say. We found that you had been involved in a court case as a witness and that some support you needed had not been arranged in good time. We shared this with the service to make sure that our procedures were effective in ensuring appropriate and timely support.*

## 5. Overview of the procedure

### 5.1 Monitoring and Reporting

Information from complaints is reported across the service to monitor performance and to ensure that learning informs wider service developments. To this end information is presented to:

Corporate performance monitoring system

- These reports present an overview of numbers of complaints, broad subject areas of the complaint and numbers upheld.

Senior Leadership Team via reporting to the Assistant Director Localities and Partnerships.

- These reports identify trends in complaints and implications of individual complaints for wider learning across the service or in respect of policy.



Assistant Director Specialist Services, Heads of Service and Service Managers at specialist services management team meetings.

- These reports present complaints information in respect of each service area and across specialist services. Consideration is given to understand the issues being raised by complaints and identifying what action should be taken to address these issues and to reduce the likelihood of any reoccurrence in the future.

Children in Care Safeguarding meeting.

- These reports look at the issues raised by complaints made by and on behalf of children in care. Consideration is given to understand the issues being raised by complaints and identifying what action should be taken to address these issues and to reduce the likelihood of any re-occurrence in the future.

## 5.2 Learning

Complaints offer a valuable opportunity to reflect on actions and decisions and to consider in detail aspects of our service delivery. The opportunity is taken to learn about the service we provide, to identify where improvements can be made and to take the action indicated.

The monitoring arrangements set out above ensure that information is shared with whom and actions are identified and their implementation is monitored. We are continuing to develop our systems so that we can track that identified actions have been implemented and measure the impact.

An example of the impact of actions taken on complaints is that this year we have received no complaints about the management of the behaviour of other children and young people in children's homes. This reflects the efforts made within the homes to implement clear behaviour management strategies, restorative justice techniques and to engage young people in positive activities.



### 5.3 Access

We want to ensure that access to the procedure is as straightforward as possible and that people who need support get it. The Children's Advocate proactively seeks out the views of children and young people and contributes to the resolution of children and young people's concerns before they reach the formal procedure. This is usually what young people prefer. If young people chose to make a formal complaint then the Children's Advocate is available to support them.

Advice and information about our procedure is given at key points in the service. All children and young people are asked at statutory review whether they know how to make a complaint and positive response levels are very high.

Training is offered to staff so that they feel comfortable and competent to give advice and to understand what to do if they are involved in a complaint.

### 5.4 Timescales

The chart below illustrates the number of working days to respond to a complaint at the first stage. The two complaints that entered the procedure at stage two are reflected here in the figures and in both cases it took over 20 working days to respond (see p4)

The chart shows that 50% of the complaints received this year were dealt with and the reply sent within ten days or less. A further 29% were dealt with between 11 and 20 days, therefore 80% received their full response in less that twenty working days. This shows a consistent performance in recent years and demonstrates the efforts made to deal with complaints in a timely way against a backdrop of service changes and some restructuring of roles and responsibilities. Timescales are something that will continue to be monitored closely in order to manage any avoidable delays.



**Fig 6 Percentage of Complaints within timescales**

	1-10 Days	11-20 Days	20+ Days
2009-10	49%	32%	19%
2010-11	48%	36%	16%
2011-12	50%	29%	21%



## Appendix 1

The following is a breakdown of available information relating to children and young people who have made a complaint.

<b>Gender</b>	Number of complainants	% of complainants
Male	13	76%
Female	4	24%
<b>Age</b>		
<10	1	6%
10-15	5	29%
15+	11	65%
<b>With Disability</b>	4	24%
<b>Ethnicity</b>		
White British	17	100%

