

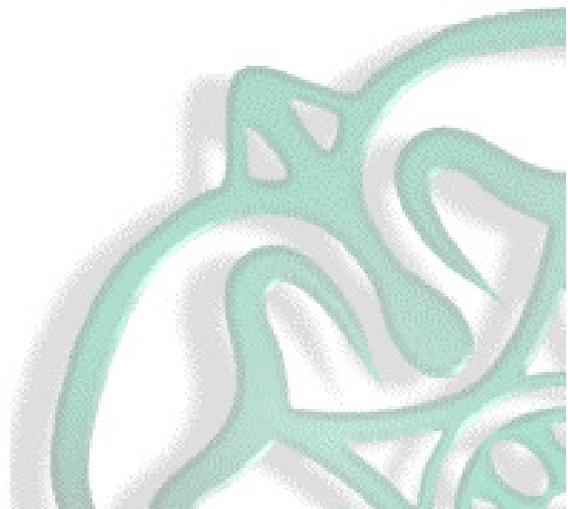
Compliments, Complaints and Comments Annual Report

Children's Services

2012 – 2013



EAST RIDING
OF YORKSHIRE COUNCIL



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Executive Summary

This is the seventh Compliments, Complaints and Comments Annual Report for East Riding of Yorkshire Council's Children's Services. The report covers the period 1 April 2012 to 31 March 2013. The purpose of the report is to inform customers, carers, elected members, partner agencies and staff about the work of the Customer Relations Team within Children's Services, the extent to which services are meeting our customers' expectations and the action we are taking to improve the quality of the social care services that we deliver. East Riding of Yorkshire Council strives for continuous improvement and value for money by listening to service users and through the regular consideration of feedback and lessons learned.

Key Messages

- The number of compliments increased to 126 in 2012-2013, this is an increase of 33 (35%) from the 93 compliments received in the previous year.
- The number of Children's Social Care complaints received reduced by 9 (16%) to 46 in 2012-2013 compared to 55 in 2011-2012.
- 29 (63%) Children's Social Care complainants were satisfied with the outcome at the first stage; only nine (19%) chose to progress to the second stage.
- Of the 12 complainants that remained dissatisfied with the outcome of their complaints at the first stage, nine chose to progress to the second stage.
- Three complainants remained dissatisfied with the second stage response to their complaint and chose to progress to the third stage.
- 3 complaints were allowed to go straight to stage 2 at the request of the clients. This was agreed due to the complexity of the complaints and to ensure independence.
- 9 complaints were not concluded within this reporting period.
- 8 Corporate Complaints were received in the period.
- Only three complainants contacted the Ombudsman in this reporting period. One complaint was classed as 'investigation discontinued' and the other two cases were not investigated.
- Monitoring of our compliments and complaints procedure has led to a number of actions and areas for development as set out in the appendices at the end of the report.

Introduction

The Customer Relations Team manages all compliments, comments and complaints for Children, Families and Schools.

This report covers the period from 1 April 2012 to 31 March 2013 and provides details about the legislation and procedures followed for compliments, comments and complaints as well as information on the numbers received and action taken.

Background

The population young people in East Riding of Yorkshire under 18 years of age was last estimated in mid-2011 at 63,966.

As at 31 March 2012 there were a total of 2002 children and young people using Children's Social Care. 336 children are full time looked after children and 9 children receive respite care.

The Early Years and Family Support team has responsibility for Childcare Development and the development and delivery of the Early Years Foundation stage. There are 14047 families registered and of these only one family made a complaint.

Compliments, Complaints and Comments

The Council is committed to providing very good customer care. Feedback is welcomed from people using our services and this is then used to make improvements to the service. Leaflets for service users wishing to make a Compliment, Complaint or Comment are available from Customer Service Networks, Libraries, Safeguarding teams and also on the internet.

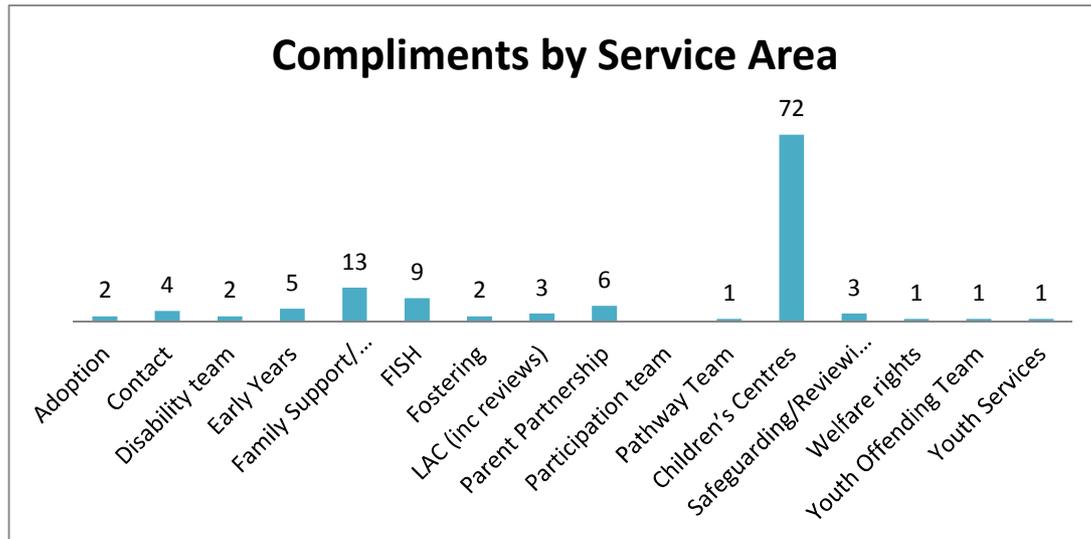
Compliments

Compliments are received in service areas and by the Customer Relations Team. The compliment is acknowledged and the correspondent is thanked for their feedback. Staff are encouraged to send in compliments received in the teams in order that these can be recorded and support service development.

The compliment is fed through to the relevant team manager and members of staff where appropriate. It is important to acknowledge and celebrate good practice as well

as to look for opportunities to share with other teams to share and develop that good practice.

Service users or their families send in compliments on a regular basis. The total number of compliments received in this reporting year is **126**.



Complaints

Management of Complaints

Feedback is always welcomed as it provides useful information about the way in which we deliver our services. A good complaints procedure should ensure that people who complain have their concerns resolved quickly and, wherever possible, locally. Complaints can be a positive aid to drive forward further improvements in service development and delivery. Senior Management are kept up to date on issues on a regular basis. Action Plans are produced and submitted to senior management. These are implemented using recommendations made in the Investigating Officers' reports.

What is a Complaint?

As a working guide, a complaint is generally defined as ***“an expression of dissatisfaction or disquiet about the actions, decisions or apparent failings of a local authority’s social services provision, which requires a response”***.

The intention is not to be too rigid in the way that complaints are defined. If it is possible to resolve the matter immediately this will be done.

Complaints are a valuable resource to ensure consistent improvement of services. Complaints or concerns may relate to the following, which is not an exhaustive list:

- An unwelcome or disputed decision;
- Concern about the quality or appropriateness of a service;
- Delay in decision making or provision of services;
- Delivery or non-delivery of services including complaints procedures;
- Quantity, frequency, change to cost of a service;
- Attitude or behaviour of staff;
- Application of eligibility and assessment criteria;
- The impact on an individual of the application of a local authority policy.

Who can make a Complaint?

- A person is eligible to make a complaint where the local authority has a duty or a power to provide, or to secure the provision of, a service for a person, and their need or possible need for such a service has (by whatever means) come to the attention of the local authority. This also applies to a person acting on behalf of someone else.
- A complaint may be made by a representative acting on behalf of an eligible person where that person has capacity to ask a representative to act on their behalf or is not capable of making the complaint themselves (this includes a person who has died). Where a complaint is received from a representative acting on behalf of a service user (i.e. their advocate) the authority has the discretion to consider their suitability to act in the individual's best interests. If considered unsuitable the representative will be notified accordingly in writing, explaining why no further action is being taken.
- Anonymous complaints are recorded and referred to the customer relations manager in the same way as other complaints. Anonymous complaints fall outside the scope of the statutory procedure and it is for the council to decide what action it should take. The fact that the complaint is from an anonymous source should not in itself justify a decision not to pursue the matter nor should it rule out referral to other procedures.

The Local Government Ombudsman

The Local Government Ombudsman examines complaints without taking sides and has the same powers as the High Court to obtain information and documents. The Local Government Ombudsman makes decisions independently of all government departments, councils and politicians. Their decisions are final and cannot be appealed - although they can be challenged in the High Court.

The Ombudsman will consider the complaint and will respond with one of the following outcomes:

- No Maladministration: This means that the Ombudsman has not found any Maladministration by the Local Authority.
- Ombudsman discretion: This means that his decision is final.
- Complaint not pursued: This means the Ombudsman decided not to pursue the complaint due to there being no, or insufficient, injustice to warrant pursuing the matter further.
- Premature complaint: This is where complainants have contacted the Ombudsman before giving the local authority the opportunity to respond to the complaint.

Complaints Procedures

Complaints are dealt with under two processes. There is a statutory complaints procedure for Children's Services and there is also the East Riding of Yorkshire Council Corporate Complaints Procedure.

Children's Services complaints and representations are dealt with under the *Children Act 1989 Representations Procedure (Children) Regulations, 2006*.

The corporate complaint process is not covered by legislation but is used to enable customers to complain about council services.

Children's Services Complaints

This is a 3 stage process, which when exhausted the complainant can also refer their complaint to the Local Government Ombudsman. The complainant remains involved throughout the process and is informed of any delays.

- The 1st stage is an attempt to address the complaint as quickly and informally as possible at local level. The report will indicate if the complaints are upheld, not upheld or no finding.
- The 2nd stage process is a more in depth investigation only looking at complaints that have not been upheld at the 1st stage. This will be done by a senior officer and an independent person.
- The 3rd stage process is a completely independent process undertaken by a panel of independent people.
- If the complainant remains dissatisfied they can refer their complaint to the Ombudsman.

Timescales for complaint process

Receipt of complaint	Complaint should be received within one year of the issue the complaint is about
First Stage resolution	10 working days plus an additional 10 working days if necessary to complete
Timescale for requesting Second Stage investigation by complainant	20 working days from completion (<i>or expiry of 10 + 10 days allocated for investigation at Stage one</i>)
Stage two resolution	25 + maximum of 40 working days where necessary (<i>65 in total from when complaints were confirmed</i>)
Complainant request for a review panel	20 working days from the date the report was sent to the complainant (<i>or expiry of 65 days at Stage two</i>)
Convening a panel	30 working days
Issue of panel report	5 working days
Director's response to any panel recommendations	15 working days

Advocacy Services

The Children's Participation Team provides an Advocacy Service for children and young people who are looked after. Although this is an in-house service, it maintains complete independence from the Council, working on behalf of the young people to represent their wishes and feelings. All children and young people who wish to complain are offered this service, however not all wish to have an advocate.

Independent Person Service

Legislation requires that Independent People work with the Investigating Officer for all second stage investigations. Three independent people are required for the third stage review panel and also the independent person involved in the second stage investigation must attend.

The Council has a list of suitably trained Independent People. Independent People should not be working for the Council – and if they have previously worked for the Council, should have had a break of at least three years. They are paid on an ad hoc basis as required. Independent People were required for nine, second stage investigations and three, third stage Independent Review Panels.

Alternative Dispute Resolution

The Council will always consider alternative ways of resolving a complaint:

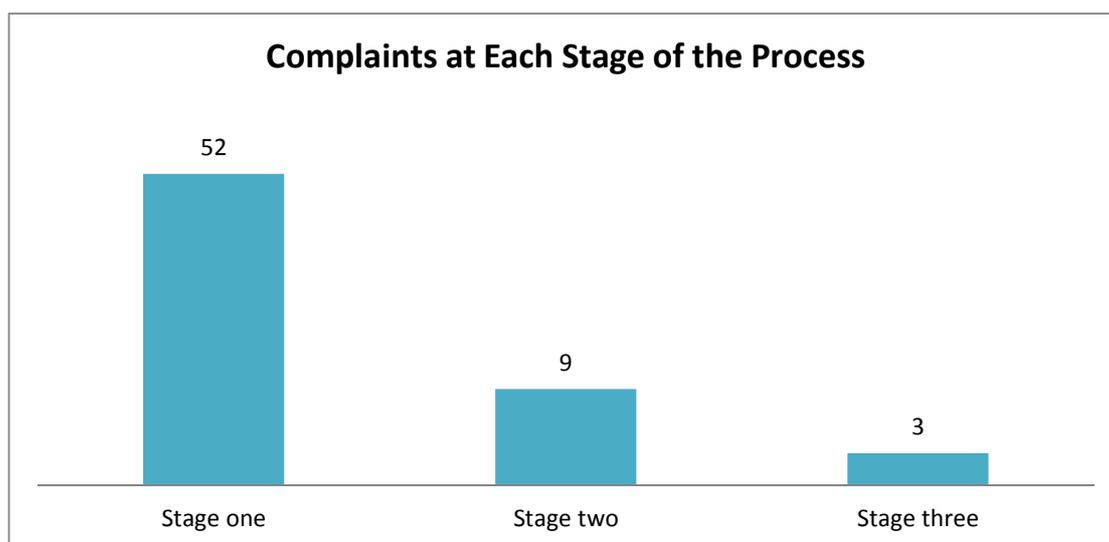
During the year, the following methods have been used:

- Meeting with the service user to listen to and try to fully understand their complaint;
- Issuing an apology if we have made an error;
- Changing the worker if requested and/or appropriate;
- Changing the provider if applicable;
- The Council has also offered reassessment of need if the service user feels they have not been assessed correctly;

Complaints Received

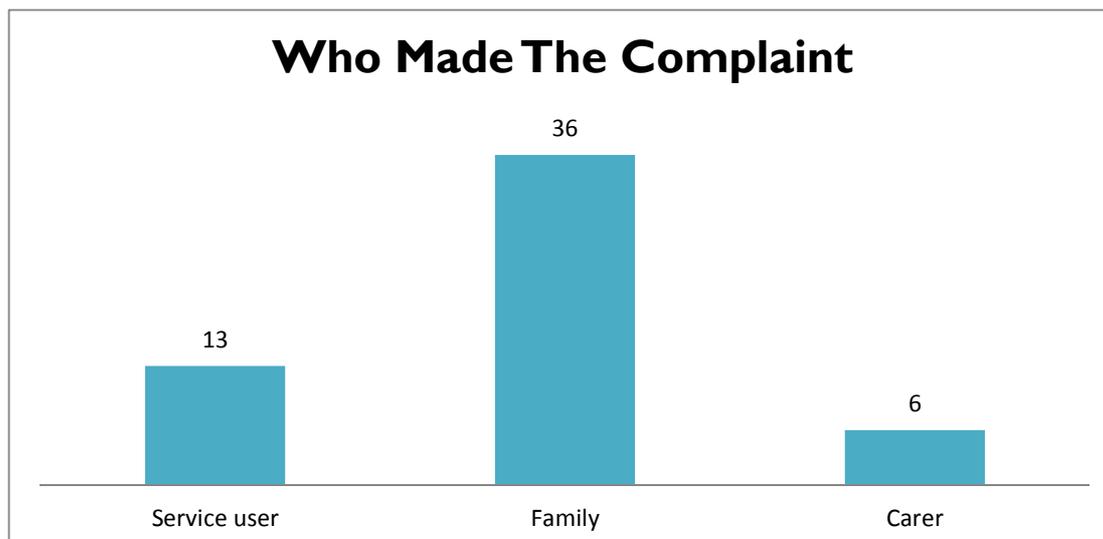
There were 55 complaints received in 2012-2013. Of these, 52 were dealt with at stage one and three were progressed straight to stage two as they were deemed to be complex.

The number of complaints dealt with at each stage



- Two complainants chose to withdraw their complaints
- Three complainants chose not to progress to stage two even though they were not satisfied with the stage one response
- Nine complaints were not concluded in this reporting period

Three complainants contacted the Ombudsman in this reporting year. One complaint was classed as investigation discontinued, two cases were not investigated.



Feedback from Complaints

At the end of the complaints process, Satisfaction Forms are sent out to the complainants together with the Complaint Investigation Report. Unfortunately the Satisfaction Forms are not always returned but when returned we use the information provided to ensure we are meeting Service Users' needs and responding to them appropriately. Feedback is also monitored through Quarterly Reports.

Equalities information is collected to evaluate the accessibility of the service. The figures shown below are comparable with the previous year. Most complaints made by service users were from the category 'White British', thus reflecting the very small ethnic community in the East Riding.

	Complaint made by service user	Complaint made on behalf of service user	Total
Breakdown by gender			
Male	4	15	19
Female	9	27	36
Total	13	42	55
Breakdown by age			
Under 16	10	0	10
16-18	3	0	3
No age held		42	42
Total	13	42	55
Breakdown by ethnicity			
White/British	13	0	13
Mixed Background	0	0	0
White/Other	0	0	0
Not known	0	42	42
Total	13	42	55

Lessons Learned from Complaints

Following an investigation, the Investigating Officer is asked to complete a Lessons Learned Form. This information is cascaded to staff to ensure that feedback is used to improve performance. Action Plans are produced and implemented following all second and third stage complaints.

Examples of lessons learned

Issue	Action / Lessons Learned
The complaint was in respect of staff attitude towards the father, who felt that the Team Manager had formed a view of him, having only spoken to him once and that his concerns about his daughter's welfare were ignored	Re-iteration that case notes should be recorded; procedures followed and father's views should be sought and included in assessment processes.
Complainant unhappy the Council is not allowing contact with his son on the dates he suggests and he feels that priority is given to son's visits to his foster parents. Complainant considers that this goes against the recommendations of an Independent Review Panel.	Clarity continues to be needed in explaining plans for contact
Various complaints about perceived lack of help from children's services and daughter's social worker. Also raised concerns about the foster carers.	Thorough checks should be completed on Private Fostering arrangements. Parent's views should be listened to.

Themes from Complaints

Themes from complaints are recorded and monitored to minimise the risk of a complaint being repeated and to support improved practice. These are identified so that Senior Management is kept informed.

The following are some general themes from complaints received in 2012/13

Communication	We need to focus on effective communication with service users / families to support better outcomes.
Impact of the messages we have to give	We need to be aware of how the message we give may impact on the service user/family and try to minimise distress.
Not being listened to	We need to appreciate that service user/families may not always understand or want to hear what is being said.
Poor/delayed provision.	We need to keep the service user/family informed and up to date – although this issue can also be about perception.

Service Improvements

Service improvements are frequently made as a consequence of a complaint.

The following are examples of outcomes and subsequent service improvements

Complaint	Outcome
Concerns re foster carers	Private Fostering regulations are being revisited. This will be rolled out to staff. Also the relevant staff member has been investigated re her practice.
During assessment process complainant's daughter was not asked her view with regard to having contact with father	Development days arranged regarding the completion of assessments, the team have undertaken two of these and these are continuing over the coming months
Poor transfer process	Managers to ensure transfer process is clear to all concerned, especially young people

Young Person complained about not receiving key information prior to the conference	Information be shared with clients prior to conferences taking place
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Corporate Complaints

Corporate Complaints

Corporate complaints pertain to decisions made by the Council so will relate to policy as opposed to a complaint about a specific service.

Timescales for the Corporate Complaint Process

Receipt of complaint	Acknowledge within 2 working days.
Stage One	Respond within 10 working days from receipt of complaint
Stage Two	Respond within 10 working days from confirmation of progression to the second stage.

Eight corporate complaints were received in 2012/13: All were responded to within the required timescales.

Comments & Contacts

Comments as well as compliments and complaints are welcomed.

In 2012-2013 there were no formal comments received.

We did, however, receive some 70 contacts from service users/families, which were not classed as a compliment, complaint or comment. Some service users simply wanted an outcome or advice and following discussion with the Customer Relations Team, decided not to progress a complaint.

Comments are always responded to and these are used to improve services.

Training and Staff Development

To increase staff awareness of our policies and procedures in relation to complaints, a training module is now included in the Children's Services Induction Programme in order that staff new to the Council are made aware of the good practice guidance. Complaint Awareness Training is available to Safeguarding Teams for staff. The main objective is to ensure that as many staff as possible are fully aware of how to manage complaints to minimise further distress to service users. Sure Start staff are included in the training.

The aim is to resolve as many complaints as possible at the 1st stage as this will reduce service user anxiety and distress. It is good to know that for 29 complainants, we were able to resolve the issue at the 1st stage before these escalated to a more serious complaint.

All team managers and area managers continue to be trained in investigating complaints to ensure that complaints receive a high profile and are investigated effectively.

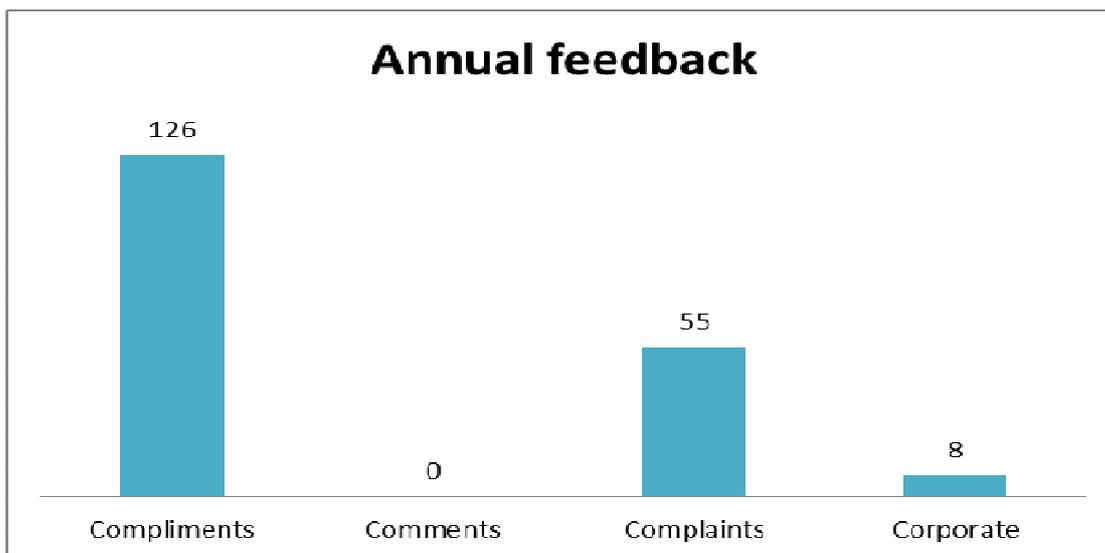
Conclusion

East Riding of Yorkshire Council strives to continually improve its services and provide value for money through listening to service users' feedback and lessons learned. 33 more compliments were recorded for this period compared to the previous year and there was a decrease in the number of formal complaints received.

All first stage complaints have been dealt with within 20 working days; service users/families have always been kept informed of progress. Lessons have been learned and new practices and procedures developed to further improve services and the performance of staff.

Awareness training continues to be delivered with training at staff induction also being provided. We will continue to raise awareness of good practice in resolving issues and to listen to people who use our services.

The following graph provides an overview of activity regarding compliments, complaints, comments and corporate complaints during 2012/13



Recommendations

All recommendations from the 2012/13 annual report have been met. Recommendations for this period include:

- Staff to forward compliments received by their service to Customer Relations Team to be recorded.
- Investigating Officers to endeavour to keep to timescales in order to minimise distress for the service user/family in finding resolution to their complaint.
- Service Users to be kept informed if any delays occur.
- Lessons learnt to be discussed in team meetings to improve practice and service.
- To continue to work on improving for service users experience within East Riding of Yorkshire

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