



Durham County Council

Children and Young People's Services

**Annual Representations
Report 2008/09
(Comments, Compliments
and Complaints)**



CYPS Annual Representations Report 2008-09

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CYPS Annual Representations Report 2008-09

Executive Summary

1.0 Overview of Report

- 1.1 The role of representations in driving improvements within our service is critical. Representations in the form of complaints, compliments and comments received from our service users ensure that we can promote good practice and create a second chance to provide service and satisfaction to dissatisfied customers. They identify areas that need attention and provide opportunities to strengthen public support for our organisation. Representations can also act as an extra satisfaction measurement tool. It is essential to respond to local needs, and representations can be used as a vehicle to fulfil those needs.
- 1.2 This Annual Report, which covers the period 1st April 2008 – 31st March 2009, provides details about the performance of Durham County Council's Children and Young People's Services (DCC CYPS) in handling and dealing with representations.
- 1.3 There is no legislative requirement for the reporting of corporate representations, but in order that there is integrity in the governance procedures and as part of our commitment to providing a high quality service throughout the whole of CYPS, information on both statutory and corporate representations is included in this report.
- 1.4 We also need to be able to reflect on our practice and try to improve it. It is gratifying to report a substantial increase in the number of recorded compliments received by the service, in recognition of all the excellent work that is carried out by CYPS staff; following a difficult year for the Service.

2.0 Key themes

- 2.1 A number of positive messages have been identified through the report. These include:
- a decrease in the number of statutory complaints dealt with under the formal procedure, compared with previous years;
 - the number of complaints being fully upheld has reduced and is now 7.8%;
 - 98.7% of formal complaints received in CYPS were acknowledged within 2 working days;
 - The number of compliments has increased across the service;
 - A decrease in the number of statutory complaints received in relation to staff attitude and conduct.
- 2.2 Two main themes have been identified from complaints received during 2008/09 - '**communication**' and '**culture**'. A strategic action plan has been developed to address these and this will be reported on a quarterly basis.
- 2.3 It is hoped that responsiveness to complaints, and an organisational culture that receives and deals with complaints positively and creatively, will ultimately result in

a genuine understanding and partnership with service users. This will produce services that are driven by needs of customers, whilst taking into account all relevant factors.

2.4 Much progress has been made over the years in creating an organisational culture that has shifted from a blaming and closed culture to one that is open and fair, and work must continue to secure further development in this area.

3.0 Performance Summary

3.1 Numbers of representations across CYPS

3.1.1 In 2008/09, a total of 666 representations were reported as being received across CYPS, comprising

- 77 formal complaints (57 statutory, 20 corporate)
- 61 complaints which were informally resolved (26 statutory, 35 corporate)
- 100 comments (of a negative nature, all statutory)
- 428 compliments (148 statutory, 280 corporate)

3.1.2 5,723 contacts* were made with children, young people and their representatives across Safeguarding and Specialist Services (SaSS) and 83 statutory complaints and 100 negative comments about statutory services were submitted. This represents a very small proportion number of unsatisfied customers in relation to the number of contacts undertaken.

3.1.3 This year has again seen a decrease in the number of statutory complaints dealt with under the formal procedure, compared with previous years (79 in 2005/06, 67 in 2006/07, 61 in 2007/08, and 57 in 2008/09).

3.1.4 Conversely, the numbers of recorded formal corporate complaints has increased year on year, from 4 in 2006/07, to 11 in 2007/08, to 20 in 2008/09. This increase could be accounted for by the fact that all CYPS complaints are now being reported to one centralised point, and therefore all such complaints are now included in reporting figures. However there are now better recording practices and more robust follow-up procedures than ever before.

** number of under 18 year olds who have received an active provision (of any sort - includes Social Worker, equipment, placement) in the period 1st April 2008 - 31st March 2009.*

3.2 Complaints by CYPS Service Area

(see section 3, figs. 2 & 3, pp.13-14)

3.2.1 57 of the 77 (74%) formal complaints received in CYPS during the reporting year related to SaSS. As SaSS has more direct contact with children, young people and families, this figure is not surprising. Access and Inclusion Services received 16.9% (13) of the total; again, this is to be expected, as, of the 5 other service areas of CYPS, this service has the most direct impact on the lives of service users, in the form of services to children and young people with Special Educational Needs, and general access to education (school places, transport, and Education Welfare). Of

the remaining 4 formal complaints, 2 (2.6%) related to Extended Services and 2 to Finance Services.

3.3 Complaints by service user group

(see section 3, fig.5, p.15)

3.3.1 61% of all CYPS complaints (57.9% of statutory; 68.4% of corporate) were made by parents of the child(ren)/young person/people in receipt of services. Service users (children and young people) constitute the second highest proportion at 10.4%, together with other relatives, such as grandparents. Trends over time follow the same pattern.

3.4 Complaints by theme

(see section 3, fig. 6, p.16)

3.4.1 Standards Committee has expressed a particular interest in being informed about the numbers and details of complaints regarding poor service and staff conduct. Overall figures for CYPS show that a perception of poor service accounted for 31.2% of formal complaints in 2008/09, staff attitude or conduct for 28.6%, with 6.5% of complaints being about a combination of both poor service and staff attitude. Examples of complaints received are given in the supporting document '*Examples of complaints and compliments received in CYPS 2008/09*'

3.5 Complaints by gender, age and ethnicity

(see section 3, fig. 7&8, pp.16-17)

3.5.1 As last year, the highest percentage of statutory complaints received related to services to 0-17 year old females (45.6% compared with 42% in 2007/08). Overall in CYPS, 52% of formal complaints related to services to females and 45.5% to males. (2.6% of complaints were made on behalf of organisations for children and young people.)

3.5.2 1 formal statutory complaint out of 57 is recorded as being made by a person not of White British origin. In accordance with 2001 census information, the proportion of Black and Minority Ethnic (BME) communities in County Durham is around 1.4%. This one complaint represents 1.7% of the total, which could potentially be interpreted as an improvement on the nil figure in the previous year.

3.6 Complaints by outcome

(see section 3, fig 9. p.17)

3.6.1 All complaints are taken seriously and unless there is a very good reason not to, all will be investigated. This does not necessarily mean that all complaints, or even the majority, will be upheld*, as the figures for the reporting year show:

- Percentage of formal complaints upheld 7.8%
- Percentage of formal complaints partially upheld 37.7%
- Percentage of formal complaints not upheld 42.9%
- Percentage of formal complaints withdrawn 6.5%

- Percentage of formal complaints outstanding at time of writing 5.2%

**(see Appendix A Glossary of Terms and Abbreviations Used)*

3.7 Achieving timescales

(see section 3, fig 10. p.18)

3.7.1 Acknowledgement

The timescale for sending an acknowledgement of receipt to the complainant is 5 working days from receipt of complaint, for both statutory and corporate complaints. Within CYPS, we aim to give an excellent service, therefore we report against a 'good practice' standard of 2 working days.

During the reporting year, **98.7% of formal complaints received in CYPS were acknowledged within 2 working days.**

98.3% (56 of 57) of formal statutory complaints received were acknowledged within timescale of 2 working days, an improvement on the 2007/08 figure of 86.4%. 100% of formal corporate complaints were acknowledged within 2 working days.

3.7.2 Resolution – Stage 1 - Formal procedure

The timescale during the reporting year for resolving formal complaints was 20 working days from receipt for statutory complaints, and 15 working days for corporate. (From 1st April 2009, the timescale for resolution of corporate complaints at Stage 1 is 10 working days.)

3.7.3 During 2008/09, 67.1 % of formal complaints received in CYPS were resolved within timescale.

3.7.4 89.5% of formal corporate complaints were resolved within 15 working days. 56.2% (32 of 57) of statutory complaints received were resolved within timescale of 20 working days, a drop of 1.2% on the previous reporting year. As reported previously, those concerns that have progressed to formal complaints have generally become more complex, and in these circumstances, the timescales for investigations and resolution can be unrealistic.

4.0 Stage 2 and 3 complaints

4.1 Where formal complaints are received which are believed to be particularly complex, or when complainants have remained dissatisfied with the response at Stage 1 of the formal procedure, consideration is given to investigation at Stage 2, which is carried out by a person who was not involved at Stage 1.

4.2 During the reporting year:

- One Stage 1 statutory complaint progressed to Stage 2
- One statutory complaint which had initially been investigated directly at Stage 2 proceeded to Stage 3, where it was re-considered by an Independent Review Panel
- One corporate complaint was considered directly at Stage 2 due to its complexity; it subsequently proceeded to Stage 3 to be independently reviewed by a senior

member of staff in Corporate Services who had not been previously involved with the case.

- 4.3 The statutory complaints were both partially upheld; the corporate complaint was not upheld.

5.0 Local Government Ombudsman

- 5.1 The Local Government Ombudsman's annual letter to Durham County Council was received by the Chief Executive on 18th June 2009. The letter informed the Council that the LGO has made changes in the way they operate, which means that the statistics reported in 2008/09 are not directly comparable to those from 2007/08.

- 5.2 Out of a total of 40 enquiries about the County Council received by the LGO during the year, 4 concerning family services (SaSS) and 5 about education matters were investigated.

- 5.3 The letter details that the County Council settled 3 complaints during the reporting year, all relating to education matters.

6.0 Areas for future development

- 6.1 Representations guidance for managers and staff throughout the whole of CYPS is being developed. By ensuring that all staff are aware of their responsibilities regarding CYPS comments, compliments and complaints, service users will experience an improvement in the service they receive.

- 6.2 An e-learning training program about the complaints process is also being developed in consultation with the SaSS Workforce Learning and Development Officer, for access by all CYPS staff. This will be used initially as part of the induction training for Social Workers and staff working in children's residential settings.

- 6.3 The Derwentside Advocacy Pilot for advocacy services for children and young people making a complaint about *any* service provided to them by DCC CYPS will be further pursued with colleagues across the new unitary authority, with the aim of launching such a service across the whole of County Durham, should the pilot project prove successful. This initiative was put on hold during the lead up to Local Government Reorganisation (LGR); discussions are planned to move this forward during 2009/10.

- 6.4 Negative responses in the form of comments received are to be analysed and reported on a quarterly basis to Heads of Service. The number of comments received has risen dramatically since the introduction last year of sending out service user surveys regarding SaSS.

- 6.5 Numbers of complaints received by month will be recorded, with the aim of forecasting and reporting trends. In addition, learning from and actions implemented as a result of complaints will be more robustly recorded and monitored, via a Strategic Action Plan. This will be prepared and communicated to Standards Committee on a quarterly basis.

- 6.6 As a result of LGR, an updated Corporate Complaints Policy and Procedure has been created, which was implemented on 1st April 2009. The new process consists

of four stages instead of the previous five. Details of the implementation of the new procedures will be reported in the next Annual Report, and published on the Intranet.

7.0 Conclusion

- 7.1 Representations, and in particular, complaints, present real opportunities for change. From the issues raised by complainants, we gain a clearer understanding about where things have gone wrong for service users, and can use this information to effect changes that will ultimately lead to client-centred provision, which is at the heart of quality management.
- 7.2 Once again, this Annual Report indicates many positive achievements in performance in the management and reporting of representations and in the resolution of complaints, during the year 2008/09. It also recognises the need to strive for continuous improvement, and details some of the measures being implemented to ensure this improvement.

CYPS Annual Representations Report 2008-09

Section One - Introduction

1.1 This is the third Annual Report reporting on the performance of Durham County Council's Children and Young People's Services (DCC CYPS) Representations Procedure. Representations cover compliments, comments and complaints made by children and young people who are service users; or by their carers and/or their representatives on their behalf.

1.2 Requirements on the procedures for handling and considering statutory representations in Safeguarding and Specialist Services (SaSS) are enshrined in the:

- Children (Leaving Care) Act 2000;
- Adoption and Children Act 2002;
- Health and Social Care (Community Health & Standards Act) 2003; and
- Children Act 1989 Representations Procedure (England) Regulations 2006.

These acts set down the procedures that Local Authorities with social care responsibilities must follow when a representation about social care services is made.

The Department for Children, Schools and Families (DCSF) guidance document '*Change for Children – Every Child Matters – Getting the Best from Complaints*' sets out the changes to and requirements of the children's social services representations procedure as a result of the above legislation.

1.3 The same legislation requires the publication of an Annual Report to inform service users, their carers and/or representatives, elected members, staff, the general public and other statutory organisations such as Ofsted, about how the service has performed in meeting key national and local standards, in respect of handling complaints.

1.4 The Corporate Complaints Procedure applies to those complaints that fall outside of the statutory procedures. Whilst there is no legislative requirement for the reporting of these complaints, DCC is committed to making such information available in order that there is integrity in the governance procedures, and open and transparent communication with the people who use our services, the wider public and other partners. This report therefore provides information on the full range of representations made across the service.

1.5 Whilst there are processes to be adhered to in the handling of complaints, the real issues that arise within people's complaints are rarely reflected in statistical analyses. As well as providing data on measurable performance it is crucial that the report reflects the quality of life issues for the users of our services that have led them to complain about the services they receive or indeed to compliment those services. Real opportunities are presented for us to change and improve services using lessons learned from the issues raised in complaints – we have a clearer understanding about what works best for service users, and can effect change that ultimately leads to client-centred provision and performance improvement.

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Section Two – The CYPS Representations Procedures

2.1 Background

2.1.1 Children and Young People's Services incorporates six service areas:-

- Finance Services
- Strategic Commissioning
- Extended Services
- Achievement Services
- Access and Inclusion
- Safeguarding and Specialist Services (SaSS)

The Corporate Complaints Procedure applies to the first five of these service areas and representations regarding SaSS are dealt with under the statutory complaints procedure. Each procedure has its own timescales. However, the complainant does not see any difference in the level of service offered.

2.1.2 The representations covered in CYPS can be split into 2 main areas:

- Representations from children and young people (or their representative) who receive social care services from DCC. Throughout this report, these are referred to as 'statutory representations'.
- Representations from children and young people (or their representative) about other services provided by DCC CYPS, for example Special Educational Needs provision, Education Welfare services, student finances, youth service provision, and the handling of enquiries about/ applications for school admission/ exclusion, school transport. These are referred to throughout this report as 'corporate representations'.

2.1.3 Representations about school-based matters are dealt with via the Department for Children, Schools and Families (DSCF) document 'School Complaints Procedure', a copy of which is available from School and Governor Support Services (SGSS). Queries and complaints regarding issues in schools are also directed to SGSS.

2.2 Aims of the Representations Procedures

2.2.1 The primary aims of the procedures are to:-

- recognise and value the needs and rights of service users and others to express their views and concerns about the actions and decisions taken by Safeguarding and Specialist Services (SaSS) and CYPS as a whole;
- enable individuals who are eligible to make appropriate complaints or positive comments, to have easy access to the representations procedures;

- enable and empower staff to listen to the experiences of service users and carers, take seriously their concerns and complaints and use best customer care practice to try and resolve or remedy any problems to their satisfaction;
- provide information about important lessons learned, from complaints in particular, to make quality improvements to performance and service delivery.

2.3 How representations can be made

2.3.1 A child or young person can use any of the following ways to make a representation:

- in person;
- by telephone or fax;
- by e-mail or text message;
- by form or leaflet;
- via the DCC website;
- through a Councillor;
- through a representative, eg a parent or guardian, an advocate or solicitor.

2.4 General information

2.4.1 CYPS representations are managed within the Quality, Planning and Performance team. There is a close working relationship with all operational managers and staff in all of the service areas in CYPS.

2.4.2 The receipt and recording of representations is the responsibility of all staff in CYPS who receive a comment, compliment or complaint. Details are reported to Standards Committee and CYPS Senior Leadership Team on a quarterly basis.

2.4.3 All formal complaints are allocated to an appropriate senior manager for investigation and resolution if informal resolution has not been achieved.

2.5 The procedure for CYPS complaints

2.5.1 There are various stages of the complaints process with specific timescales for each stage of the process. These are shown in Figure 1 below. For a more detailed overview of the CYPS representations procedures, please contact the Complaints and Quality Officer on the contact details given at the end of this report.

Figure 1 – Timescales for complaints

	Statutory	Corporate
Acknowledgment of complaint	Within 5 working days of receipt of complaint	Within 5 working days of receipt of complaint
Stage 1 full response	20 working days from receipt of complaint	20 working days from receipt of complaint*
Stage 2 final response	Within 65 working days from agreement to commence Stage 2 investigation	Where possible, within 20 working days from agreement to commence Stage 2 investigation.*

Stage 3	Review Panel convened within 30 working days of request	Not applicable
Stage 3 response	Within 5 working days of panel meeting (from Corporate Services)	Within 25 working days of commencement of stage 3 investigation*
Stage 3 final response	Within 15 days of final response (from CYPS Head of Service)	Not applicable

* Note: these parts of the corporate procedure changed with effect from 1st April 2009, as part of Local Government Reorganisation (LGR), see section 6.2.6 for details.

CYPS Annual Representations Report 2008-09

Section Three – CYPS Representations Overview

3.1 Background and Analysis

- 3.1.1 Since the reorganisation of former Social Care and Health services into the two services of Adults, Wellbeing and Health and Children and Young People's Services, a number of developments to improve the co-ordination of representations have taken place enabling more integrated reporting on overall CYPS representations. Detailed information was not recorded for corporate complaints during previous reporting years and therefore comparator information is not available. However, this will be provided in future reports from 2009/10 onwards.
- 3.1.2 It is imperative that children, young people and their representatives have a voice and that we listen to their views. People who make complaints, in our experience, do not do so lightly or frivolously. Making a complaint can be time-consuming, takes effort and can be very stressful and distressing even when the best efforts are made to make the procedures accessible and straightforward.
- 3.1.3 We are therefore duty-bound to listen, learn and change as a result of the complaints we receive and to create an organisational culture where complaints are valued and used as examples of practical learning and to develop the quality of our services with policies and planning processes that continuously reflects this. CYPS positively encourage representations in the form of complaints. Any decline in the number of complaints received could mean that service users are extremely happy with the services being provided, or perhaps, that service users were not able to access our representations process or were not inclined to do so.
- 3.1.4 Separate reports can be provided which focus on statutory and corporate representations in greater detail.

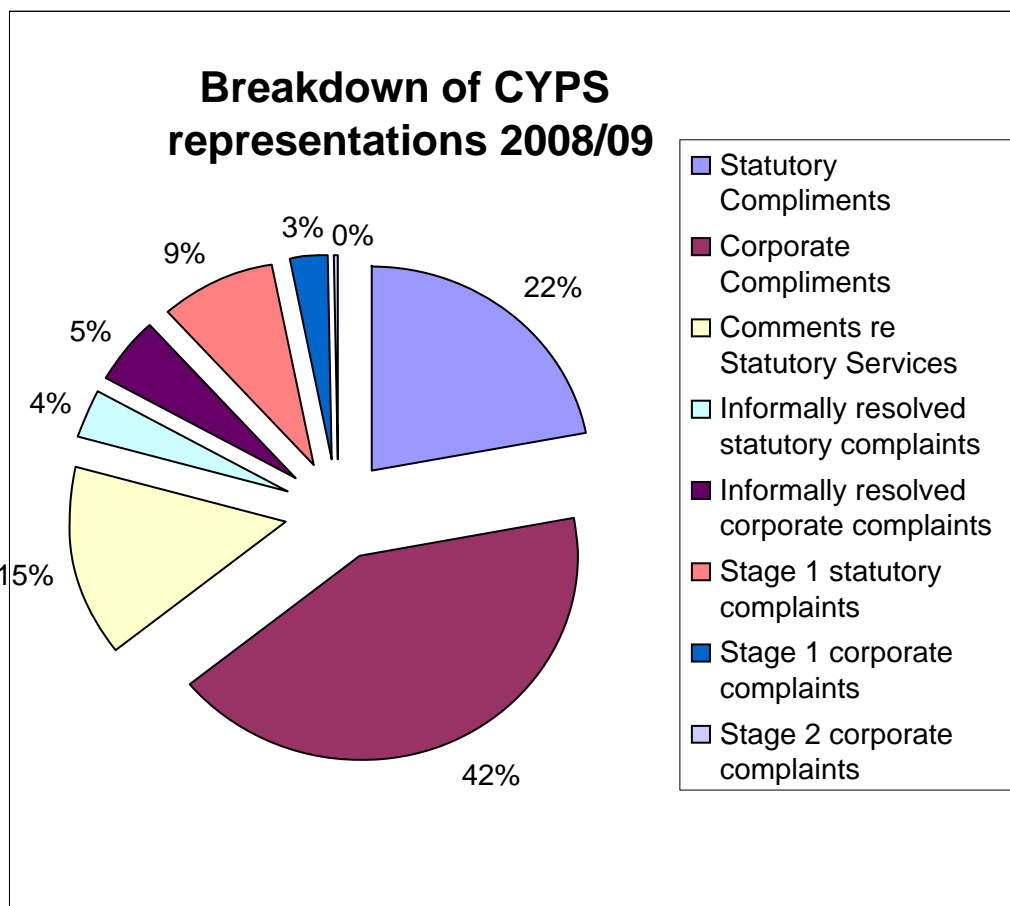
3.2 Breakdown of CYPS representations by type 2008/09

Figure 2 – overview of CYPS representations received 2008/09 (table)

Statutory compliments	148
Corporate compliments	280
Statutory comments	100
Corporate comments	Nil
Informally resolved statutory complaints	26
Informally resolved corporate complaints	35
Stage 1 statutory complaints (formal)*	57
Stage 1 corporate complaints (formal)	19
Stage 2 corporate complaints (formal)**	1
Total number of new CYPS representations 2008/09	666

- 3.2.1 As Figure 2 highlights, 666 new representations were made in relation to CYPS in 2008/09. It is pleasing to note that 64% of all representations received were in relation to compliments. Nearly as many complaints were resolved informally as were dealt with through the formal procedures indicating high levels of staff skill in handling dissatisfied customers effectively. The high levels of compliments recorded mean that for every negative representation received there are nearly twice as many positive ones.
- 3.2.2 In relation to statutory representations, a total of 331 were received, compared with 89 in 2007/08. This is largely due to a more robust recording system for compliments being put in place which has increased the numbers from 26 in 2007/08 to 148 in 2008/09. A total number of 183 negative representations were received but when compared with the total number of contacts made/services provided to children, young people and their families at 5,723 this represents a ratio of approximately 1:31. There has been a reduction in the number of statutory complaints dealt with under the formal procedure compared with previous years.
- 3.2.3 A total of 335 corporate representations were received during the reporting year, consisting of 280 compliments, 35 informally resolved complaints, 19 stage 1 complaints and 1 stage 2 complaint. Unfortunately, this report is unable to compare with previous years but this is something that will be included in future reports with effect from 2009/10.
- 3.2.4 Figure 3 below shows the information in a pie chart, clearly illustrating that compliments of a corporate nature make up 42% of all representations received, closely followed by statutory compliments at 22%.

Figure 3 – overview of CYPS representations received 2008/09 (pie)



3.3 Breakdown of CYPS Complaints by Service Area 2008/09

Figure 4 – formal CYPS complaints by Service Area

Service Area	Number
Safeguarding and Specialist Services	60
Access and Inclusion	13
Extended Services	2
Finance Services	2
Achievement Services	0
Strategic Commissioning	0
Total no. of formal complaints	77

3.3.1 Figure 4 above illustrates that the vast majority of complaints were received in relation to Safeguarding and Specialist Services (SaSS) which is not surprising given the large number of contacts made with children, young people and their families. Following this are services provided by Access and Inclusion Services, again which is not surprising as this service provides the second largest number of direct services to children, young people and their families.

3.4 Breakdown of CYPS complaints made by service user group

Figure 5 – formal CYPS complaints made by service user group

Complainant	Number	%
Parent	46	59.7
Client (child/young person)	8	10.4
Client (adult)*	4	5.2
Relative (Non Parent)	8	10.4
Carer	1	1.3
Advocate (includes solicitors)	4	5.2
M. P.	1	1.3
Other	5	6.5
	77	

3.4.1 Figure 5 highlights that the greatest majority of complaints are made by the parents of a child or young person. Just over 10% of children and young people made a complaint about services delivered. Plans are underway to find ways of making the complaints process more accessible and easier to use for children and young people and we are keen to see this figure increase in future reporting.

3.4.2 In 2008/09, 8 complaints (14.0%) in relation to SaSS were made by children and young people themselves. This reflects a substantial decrease from the 2007/08 figure of 32.3%. It may be that children and young people are more satisfied with the services they are receiving. The 'Exit' Survey Annual Report 2008/09 confirms that for all age groups 0-17, the overall rating of help received ('good' or 'excellent') has increased since 2007/08.

3.5 Breakdown of CYPS complaints by theme

Figure 6 - formal CYPS complaints by theme

Main reason for complaint	No. received	% of total
Staff Attitude or Conduct	22	28.6
Poor Service	24	31.2
Staff Attitude and Poor Service	5	6.5
Decision regarding service	13	16.9
Other	13	16.9
Total no. of formal complaints	77	

3.5.1 The broad nature of complaints received during the reporting year is clearly illustrated in figure 6 above. Standards Committee has expressed a particular interest in being informed about the numbers and details of complaints regarding poor service and staff conduct.

3.5.2 Nearly a third of complaints received were in relation to poor service, closely followed by complaints regarding staff attitude or conduct. Ways in which these areas can be addressed in 2009/10 are explored within the strategic action plan. Examples of complaints made in relation to these themes can be found in the supporting document '*Examples of CYPS complaints and compliments received 2008/09*'.

3.5.3 30.6% of all complaints in relation to SaSS were in relation to poor service and 26.1% for staff attitude or conduct. Similarly for corporate complaints, the figures are 26.3% respectively. It is pleasing to note that the percentage of formal complaints received in SaSS regarding the attitude and conduct of staff has shown a decrease from last year.

3.6 Demographic, equality and diversity information

3.6.1 Complainants' age and gender profiles

During the reporting year, complaints were made on behalf of the following service users (age and gender):

Figure 7 – complaints made in relation to gender

	Female 0-17	Female over 18	Total female	Male 0-17	Male over 18	Total male
Statutory	26	4	30	27	0	27

Corporate	7	3	10	5	2	7
Total	33	7	40	32	3	35
% of total (77)	42.9%	9.1%	52%	41.6%	3.9%	45.5%

3.6.2 Complainants' ethnicity profiles

56 statutory complaints out of 57 are recorded as being made by people of White British origin. In accordance with 2001 census information, the proportion of Black and Minority Ethnic (BME) communities in County Durham is around 1.4%. As figure 5 shows, one statutory complaint, representing 1.7% of the total, was received in 2008/09, which could be interpreted as an improvement on the nil figure in the previous year.

Figure 8 – Statutory complaints by ethnic group of service user

	White British	Any other ethnic group
Female	28	0
Male	28	1
Total	56	1
% of total (57)	98.3%	1.7%

3.6.3 An Equality Impact Assessment of the Statutory Representations Procedure will be carried out during 2009/10.

3.6.4 Complaints regarding discrimination

During the reporting year one complaint was received in CYPS in relation to alleged sex discrimination. The complaint was not upheld by CYPS, but as a result of the issues raised, the procedures for locating and offering Social Work placements are being reviewed.

3.7 Breakdown of formal CYPS complaints by outcome

Figure 9 - formal CYPS complaints by outcome

	No. upheld	No. partially upheld	No. not upheld	No. still outstanding*	No. withdrawn	Total no.
Statutory	5	26	17	4	5	57
Corporate	1	3	16	0	0	20

Total	6	29	33	4	5	77
% of total	7.8 %	37.7 %	42.9 %	5.2 %	6.5 %	

- 3.7.1 Information about whether complaints were upheld or not is a new performance measure for 2008/09 and was not previously recorded. This information shows the balance between the number of formal complaints received and investigated compared with the number where the service was required to make changes as a direct result of the complaint. Please refer to the glossary in Appendix A for full definitions.
- 3.7.2 Nearly half of all CYPS complaints (45.5%) in 2008/09 were completely or partially upheld. Nearly a third of all SaSS complaints were not upheld and the vast majority of corporate complaints (80%) were not upheld.

3.8 Performance indicators – Timescales (Stage 1 complaints)

Figure 10 - Performance indicators – timescales (Stage 1 complaints)

	No.	% of total
Stage 1 statutory acknowledged in timescale	56	98.3%
Stage 1 corporate acknowledged in timescale	19	100%
Total CYPS Stage 1 acknowledged in timescale	76	98.7%
Stage 1 statutory resolved in timescale	32	56.2%
Stage 1 corporate resolved in timescale	17	89.5%
Total CYPS Stage 1 resolved in timescale	51	67.1%

- 3.8.1 During the reporting year, 98.7% of all complaints received were acknowledged within the service standard of 2 working days. This compares favourably with the performance of 2007/08 of 86.4%. This illustrates improved working practices and reflects the high level of commitment in meeting the performance target. The performance of corporate complaints is 100% with statutory complaints slightly less with 98.3%.
- 3.8.2 67.1% of all complaints at Stage 1 of the formal process were resolved within the target of 20 working days. Account should be taken of the increasingly complex nature of many complaints received countered by the reduction in the number of complaints entering the formal system. A new system has been put in place whereby complainants are informed of any expected delay in writing or by telephone with the reason(s) why.
- 3.8.3 Performance for resolving corporate complaints within timescale fared better than statutory representations with performance of 89.5% and 56.2% respectively.

Reasons for the delay in resolving complaints within timescale are being explored with the service areas concerned.

3.9 Trends Overview – numbers of complaints received by month

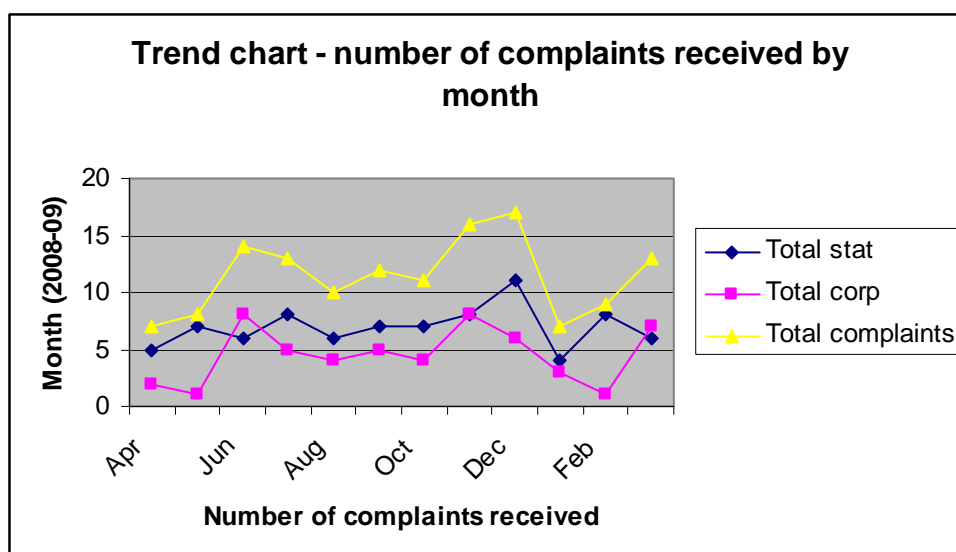
Figure 11 - Trends – numbers of complaints received by month

This is a new measure which has been recorded over the reporting year in order to try to forecast trends for future years, which may be useful for resource planning.

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Stat informal	1	2	1	4	3	3	3	1	5	1	1	1
Stat formal	4	5	5	4	3	4	4	7	6	3	7	5
Total stat	5	7	6	8	6	7	7	8	11	4	8	6
Corp informal	1	1	7	4	4	3	4	5	2	1	1	2
Corp formal	1	0	1	2	0	2	0	3	4	2	0	5
Total corp	2	1	8	6	4	5	4	8	6	3	1	7
Total complaints	7	8	14	14	10	12	11	16	17	7	9	13

3.9.1 Figures 11 and 12 outline that complaints are received consistently throughout the year. For 2008/09, particularly ‘busy’ periods occurred in the summer (June and July) and the late autumn/early winter (November and December) with quieter periods in April and January. Experience from colleagues in the region highlight that the pattern of complaints can never be predicted but it is felt that monitoring the trends will enable to see any pattern emerge in County Durham, if any.

Figure 12 – Trends - number of complaints received by month (graph)



3.10 Compliments

- 3.10.1 During the reporting year there were a total of 328 CYPS compliments (compared with 96 in 2007/08) which can be evidenced in the form of letters, e-mails, cards and completed survey forms (customer service questionnaires). There were 148 compliments regarding statutory services, and 280 regarding other CYPS services.
- 3.10.2 Once again, this number is a huge improvement on the numbers reported in previous years, and is believed to be a reflection not only of an increase in the number of compliments *received*, but also as a result of the changes to the recording and requesting procedures.
- 3.10.3 Copies of compliments received can be viewed on request, for up to one year after the reporting quarter. Many compliments highlight the professionalism of staff and their willingness to go 'the extra mile'. A number of recent compliments were received from parents about Sure Start services. A few examples of the many compliments received across the service this year are given in the supporting document – '*Examples of complaints and compliments received in CYPS 2008/09*'.
- 3.10.4 Colleagues across CYPS have recently been asked to record and report examples of 'Good News Stories', whereby improvements to services have been made as a direct result of complaints received, and tangible examples of changes to the lives of children and young people can be seen as a result.

3.11 Comments

- 3.11.1 CYPS actively seeks the comments of its service users, in order to inform service improvements and developments. The P&P team send out a number of surveys to children, young people and their carers in relation to services provided by SaSS only to ask for their comments about their contact experience with staff from SaSS. However, all complainants are able to make a comment about any of the CYPS services at any time through a range of communication channels.
- 3.11.2 Only recently have these comments been captured and fed into the representations procedure. Positive comments are recorded as compliments and negative ones are recorded as comments. Any that necessitate action under the appropriate procedure are actioned accordingly.
- 3.11.3 At the time of writing, there are 100 recorded comments of a negative nature, which have been received throughout 2008/09. For the future, any trends from comments will be analysed and incorporated into the Strategic Action Plan and reported on a quarterly basis.

The main themes from the negative comments received on 2008/09 are:

- Some families don't understand why they need the intervention of social services
- Those service users who asked for help felt that they weren't given it/enough
- Social Workers were difficult to contact, especially via the local office or 'phone (e-mail was more successful)
- Professionals didn't listen properly, and/or didn't treat parents/carers with enough respect
- Not enough importance was placed on confidentiality.

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Section Four - Local Government Ombudsman

- 4.1 The Local Government Ombudsman's annual letter to Durham County Council was received by the Chief Executive on 18th June 2009. The letter informed the Council that the LGO has made changes in the way they operate, which means that the statistics reported in 2008/09 are not directly comparable to those from 2007/08.
- 4.2 Numbers of complaints received from the County Council, regarding children and family services (SaSS) and education, in 2008/09 in each of the above categories, are shown below:

	Children and family services (SaSS)	Education	Total for Council
Total 2008/09	6	8	40
(Total 2007/08)	1	7	
(Total 2006/07)	3	8	

- 4.3 The letter summarises the decisions of the Investigative Team as follows

Decision	Number
Local settlement – investigation discontinued because action agreed by the LA and accepted by the LGO	3
Investigation discontinued because LGO can find no, or insufficient, evidence of maladministration	10
LGO's discretion not to pursue the complaint has been exercised – usually because no, or insufficient, injustice found to warrant pursuing the matter further	3
Outside the LGO's jurisdiction	1
Total	17

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Section Five - Learning from complaints

5.1 Underlying messages / themes

5.1.1 Two main themes have been identified from complaints received during 2008/09 - 'communication' and 'culture':-

Communication is key to building and retaining the confidence of service users and their representatives. Lack of communication is cited as the main reason for dissatisfaction by many complainants. Specifically, complainants have illustrated that they feel the Service has:

- Assumed that service users know more about 'the system' than they are likely to, for example, using jargon and terms like 'Section 37'
- Failed to give a clear explanation of actions taken, sometimes at the appropriate level of understanding of the child/young person/representative
- For various reasons, failed to answer calls and / or return messages, keep appointments (without cancelling). In all cases, complainants felt frustrated (and in some cases, angry).

In addition to this, another message which comes through from many complainants is a **negative culture** of an 'us and them' situation, whereby 'the Council' is viewed negatively and seen as working against the wishes of families/carers. As this report shows, where any intervention services to children are required, this can be an emotive area with the potential for a conflict of interests.

5.1.2 It is hoped that responsiveness to complaints, and an organisational culture that receives and deals with complaints positively and creatively, will ultimately result in a genuine understanding and partnership with service users. This will produce services that are driven by needs of customers, whilst taking into account all relevant factors.

5.1.3 Much progress has been made over the years in creating an organisational culture that has shifted from a blaming and closed culture to one that is open and fair, and work must continue to secure further development in this area.

5.2 Service Improvements Implemented 2008/09

5.2.1 A major improvement from previous years has been the recent setting up of a system of recording actions resulting from complaints. These actions may be

- recommended by the manager investigating the complaint, or
- recommended by the Complaints & Quality Officer, following analysis of the complaint and resolution.

5.2.2 All recommended and agreed actions are recorded, and managers are regularly encouraged to implement the actions identified. The identified actions will then be monitored within the Service Area concerned, and actions implemented, together with service improvements made as a result of complaints/comments and will be reported on a quarterly basis.

5.2.3 A brief summary of some of the recommended actions from formal complaints received in 2008/09 is given below:

- Initial Assessment Team to set up a system for logging phone calls, and implement an acknowledgement system when making referrals to external agencies
- Spennymoor CiN office to set up a system for the receipt and passing on of correspondence.
- A full explanation for decisions made is to be given to families wherever possible.
- An appropriate amount of time should be given to children and young people for them to read and understand reports.
- All parents/carers of children/YP placed on the Child Protection List should be given a copy of the LSCB leaflet 'Child Protection Conferences – Information for Parents, Carers, Children and Young People'
- When a child is placed with temporary Foster Carers, if the allocated Fostering Officer is not available, a CiN worker should be available to provide support if required.
- Messages received from Social Care Direct must be passed on to an appropriate person and calls must be returned.
- Policies/procedures regarding carrying out Section 37 reviews to be reviewed, to reflect the fact that Social Workers should take into account the 'bigger picture' and consider if Section 47 action is required.
- Policy and procedure to be drafted regarding requests for Social Work placements. A formal arrangement to be made re looking for placements eg in Job Description of relevant person.
- Where team use stamps showing their name (eg 'Educational Psychology Service'), this stamp should not be used on the outside of external envelopes sent to service users, as this can convey information of a confidential nature to anyone who sees the envelope.
- Connexions County Durham has a well-embedded system of making changes as a result of service user feedback in the form of comments received. Recent examples form the 'You Said – We Did' approach are given below:
 - Several publications for clients changed as a result of young people taking part in the evaluation and inputting. This is standard practice.
 - Feedback Card – Boxes available in Reception in each Centre and prominently displayed
 - One Centre has a display of anonymised client feedback cards in the window with how they responded to the request
 - Layout of library in Durham Connexions Office – made more user friendly

- Young people asked for music to be played in offices – Performing Rights Licences bought and radios introduced into each Centre
- Revamping answer phones to make the message more user friendly for young people
- Putting a piece of music on the phones as young people preferred to hear music whilst waiting to be connected to an extension
- Youth Charter – a better layout as result of youth focus group input
- Trialled late opening at request of 2 clients but the usage level was so low that it was abandoned at Durham Office

5.3 Service Improvements Planned 2009/10

- 5.3.1 For 2009/10 onwards, it is intended that a Strategic Plan of Actions from Representations will be created on a quarterly basis for presentation to CYPS SLT and reporting to Standards Committee. CYPS SLT will receive a report on a quarterly basis. Where necessary, meetings will also be arranged to enable a face-to-face discussion of the issues raised by the representations procedure, together with actions required to enable service improvement where necessary.
- 5.3.2 A Representations Guidance Document for managers and staff throughout the whole of CYPS is being developed. By ensuring that all staff are aware of their responsibilities regarding CYPS comments, compliments and complaints, service users will experience an improvement in the service they receive.
- 5.3.3 There will be greater accessibility for service users, with the aim of making it easier for children and young people to make a representation. The relationship with LiC will continue to be cultivated so that young people will be further involved in the consultation process regarding how best to meet their needs regarding making a complaint about the services they receive from CYPS. Work is continuing with the CYPS Communications team, to design a child/young person-friendly leaflet and/or poster, and update the DCC website to include easy-to-follow links to CYPS representations information. Children and young people will also be informed about how to complain/enquire via text message (to Social Care Direct). SCD will then forward messages as appropriate.
- 5.3.4 Work has begun with SaSS Workforce Learning and Development Officer to an e-learning training program about the complaints process, for access by all CYPS staff. This will be used initially as part of the induction training for Social Workers and staff working in children's residential settings. All staff should be aware of the right of children, young people and families to complain about the services they receive; and should also understand the procedures that should be followed to ensure that complaints are handled sensitively and in accordance with the appropriate policy; and that information regarding complaints should be reported so that performance can be measured and improvements to services recommended and implemented.
- 5.3.5 The Derwentside Advocacy Pilot for advocacy services for children and young people making a complaint about *any* service provided to them by DCC CYPS will be further pursued with colleagues across the new unitary authority, with the aim of

launching such a service across the whole of County Durham, should the pilot project prove successful.

5.3.6 Comments and compliments of both a statutory and corporate nature are to be analysed and reported in future annual reports.

5.3.7 Finally, it is intended to continue to establish stronger links with children's services complaints staff counterparts in neighbouring Local Authorities, including being more proactive in the membership of the Northern Regional Complaints Officers Group (NRCOG), to assist in the sharing of advice, information and good practice.

5.4 Compensatory Redress

Compensatory redress will only be considered where there is some evidence of shortcomings that may be contained in the Local Government Ombudsman's definition of maladministration. There were no complaints involving compensatory redress during the reporting year. We recognise, however, that where our responsibility for failings, that have caused losses and significant emotional distress, is clear, our duty is to acknowledge that and avoid further distress to the complainant.

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Section Six - Recent and Future Developments

6.1 National developments

- 6.1.1 Between 26th September and 21st November 2008, DCSF carried out a consultation exercise with parents, parents' organisations, young people, governing bodies, governors' associations, local government, school staff, teaching and support staff unions, and those with SEN interests, about ways of handling parents' and young people's complaints about school issues.

Generally, it was felt that the school's complaints process is neither robust nor open. Schools themselves did not give a good response to the consultation. There were a number of proposals; including some to strengthen how complaints about bullying should be dealt with.

The main conclusion was that if parents/carers are dissatisfied with the response to a complaint from the Head Teacher and Governing Body (GB), they will be able to take the complaint to the LGO for an independent review.

There is likely to be a significant impact on the LA and members will be updated in future reports.

- 6.1.2 On 28th April 2009 the DCSF launched another consultation, on giving children and young people a right to appeal decisions regarding exclusions, SEN statements and assessments, and to make disability discrimination claims in England. The consultation is open to all, in particular the range of people described in 6.1.1 above.

The consultation ran until 28th July 2009, and was in line with the Government's commitment to give young people more say in the processes and decisions that affect them. DCC CYPS have provided a response to the consultation questions and the results of the consultation proposals will be monitored and reported in the next Annual Report.

6.2 Local developments

- 6.2.1 The Authority has continued with its Service Level Agreement (SLA) with the National Youth Advocacy Service (NYAS). Independent advocacy services are provided to service users, carers and their representatives who wish to pursue complaints. The service is free of charge and is made available to all complainants who wish to be supported in the process. The service also covers advice and support in respect of non-complaints issues, especially regarding corporate complaints.

- 6.2.2 As a further development in the integration of CYPS statutory and corporate complaints, a copy of a 'Satisfaction Survey' form is now sent to *all* complainants. This form was previously only sent out with responses to corporate complaints as it was recognised as an example of good practice. The form has been updated to

include equalities information, to enable improved recording and monitoring of this information.

- 6.2.3 The CYPS P & P team issue a number of surveys to children and their families regarding the services they have received from CYPS SaSS. A procedure of recording any comments and compliments received via the completed surveys has been fully established, resulting in an increase in the number of recorded compliments and comments regarding statutory services.
- 6.2.4 The SLA with a private consultancy which provides Investigating Officers and Independent Persons for Stage 2 investigations into statutory complaints was reviewed and a tendering process took place in December 2008. A reduction in the percentage paid by Durham (from 36% to 18%) for the management cost of the contract was negotiated, resulting in substantial cost savings for CYPS. The new contract is between a Consortium consisting of seven local authorities in the North East, and NYAS, which has a local office in Durham.
- 6.2.5 At the end of 2008, Ofsted recommended that staff in residential children's homes throughout the county should be trained in the complaints process. In January and February 6 training sessions were delivered; around 90 staff attended the sessions and positive feedback was received.
- 6.2.6 As a result of Local Government Reorganisation (LGR), an updated Corporate Complaints Policy and Procedure has been created, which was implemented on 1st April 2009. The new process consists of four stages instead of the previous five:
- Informal resolution (immediate)
 - Stage 1 - formal investigation within the Service Area concerned
 - Stage 2 - formal review led by a Complaints Unit (CU) which is part of, but independent from, Customer Services (within Neighbourhood Services)
 - Stage 3 – Local Government Ombudsman

It is planned that all corporate representations will be 'captured' on a management information system, CRM (Customer Relations Management); and from which various quantitative data can be extracted. Two members of the P&P team were trained in using CRM in readiness for vesting day on 1st April. Details of the implementation of the new procedures will be reported in the next Annual Report.

We continue to strive to improve response times and the quality of responses provided to complainants. With this in mind, and due to the increasing complexity of complaints being received, a more robust tracking system has been created with the aim of ensuring that complainants are kept more fully informed of the status of their complaint, should it be likely to go outside the target timescale.

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Section Seven - Conclusion

- 7.1 CYPS receives a number of representations each year. This is predictable given the nature of the services, which are provided at difficult times in people's lives. Representations are a valuable source of feedback to inform service improvement. The number of representations is small as a percentage of the total number of contacts made with children, young people and their representatives.
- 7.2 This Annual Report indicates positive achievements and improvements in performance in the handling and consideration of representations, including complaints, during the year 1st April 2008 – 31st March 2009, and also recognises the need to strive for continuous improvement.
- 7.3 Acknowledgements are made and thanks given to the following contributors to representations during the reporting year:
- All service users who have contributed to our service developments by making representations.
 - Staff and managers who have increasingly recognised the importance of addressing concerns responsively and been prepared to learn from the compliments and concerns of service users.
 - The National Youth Advocacy Service which provides invaluable support and advice to service users and enables concerns to be clarified and articulated.
 - The Systems Development Team who have enabled data to be more accurately recorded and collated.
 - Members of the Local Authority's Standards Committee who objectively scrutinise representations and ensure that trends are recognised and acted upon.
 - Counterparts in Adults Well-being and Health, and in neighbouring Local Authorities for their advice and support throughout the reporting year.

Appendix A - Glossary of terms and abbreviations and terms used

AW-B&H	Adults, Well-being and Health (formerly Adult and Community Services)
ASCL	Apprenticeship, Skills, Children and Learning
BME	Black and Minority Ethnic
CiN	Children in Need
CLA	Children Looked After
CQO	Complaints and Quality Officer
CRM	Customer Relations Management (management information system)
CYPS	Children and Young People's Services
DCC	Durham County Council
DCSF	Department for Children, Schools and Families
DH	Department of Health
ECM	Every Child Matters
EWS	Education Welfare Service
Exit survey	A customer service questionnaire sent to services users families when a child's case is closed
GB	Governing Body
liC	Investing in Children
IO	Investigating Officer (statutory complaints Stage 2)
IP	Independent Person (statutory complaints Stage 2)
LGO	Local Government Ombudsman
LGR	Local Government Reorganisation
NRCOG	Northern Regional Complaints Officers Group
NYAS	National Youth Advocacy Service
P&P	Planning and Performance
SaSS (MT)	Safeguarding and Specialist Services (Management Team)
SCD	Social Care Direct
SGSS	School and Governor Support Service
SLA	Service Level Agreement
SLT	Senior Leadership Team
SS	Specialist Services
SSID	Social Services Information Database (management information system)
SW	Social Worker
upheld	Where a complaint is 'upheld', this means that, following investigation, CYPS agrees with the complainant's accusation

Appendix B - Summary of performance Trends over 3 year period 2006 - 2009

	2006/07	2007/08	2008/09	Change since last year
Total Number of Representations	160	170	666	+496
Number of Formal Complaints	71	72	77	+6
Number of Compliments	87	96	428	+ 332
Number of Comments	2	2	100	+98
Formal Complaints as a % of total	44.4%	42.4%	11.6%	- 30.8%
Compliments as a % of total	54.4%	56.4%	64.3%	+ 7.9%
Comments as a % of total	1.2%	1.2%	15.0%	+13.8%
Total number of Statutory Representations	89	89	305	+ 216
Number of Formal Statutory Complaints	67	61	57	- 4
Number of Statutory Compliments	22	26	148	+ 122
Number of Statutory Comments	2	2	100	+98
Statutory Complaints as a % of total	76%	68.5%	18.7%	- 49.8%
Statutory Compliments as a % of total	22%	29.2%	48.5%	+ 19.3%
Statutory Comments as a % of total	2%	2.3%	32.8%	+30.5%
Total number of Corporate Representations	71	81	300	+ 219
Number of Formal Corporate Complaints	4	11	20	+ 9
Number of Corporate Compliments	67	70	280	+ 210
Number of Corporate Comments	0	0	0	same
Corporate Complaints as a % of total	5.6%	13.6%	6.7%	- 6.7%
Corporate Compliments as a % of total	94.4%	86.4%	93.3%	+ 6.9%
Corporate Comments as a % of total	0	0	0	
Statutory complaints – Who complained?				
% of male complainants	43%	45.9%	47.4%	+ 1.5%
% of female complainants	57%	54.0%	52.6%	-1.4%
% of children/young people complaining	35%	32.3%	14%	- 18.3%
% of White British complainants	93.2%	96.7%	98.3%	+1.6%
Other ethnic origin/unrecorded	1.1/5.6%	3.3%	1.7%	-1.6%
Main Causes of Statutory Complaints:				
Conduct or Attitude of Staff	26.1%	31.3%	29.8%	-1.5%
Poor Service	30.6%	42.2%	33.3%	- 8.9%
Decision regarding services		3.2%	14.0%	+10.8%
Meeting Statutory timescales				
Acknowledgement within 2 working days		86.4%	98.3%	+ 11.9%
Response to complaint at Stage 1 within 20 working days	63.8%	57.4%	56.2%	- 1.2%

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আকারে এই তথ্যটি পেতে নিচের নম্বরে ফোন করুন:
Bengali

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Chinese

यदि आप यह जानकारी का संक्षेप हिन्दी में चाहते हैं, तो कृपया निचे दिए हुए नम्बर में सम्पर्क करें।
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Polish

ਜਾਂ ਤੁਸੀਂ ਇਹੁ ਖ਼ਬਰ ਦਾ ਨਿਚੋੜ ਪੰਜਾਬੀ ਵਿਚ ਚਾਹੁੰਦੇ ਹੋ, ਤਾਂ ਕਿਰਪਾ ਥੱਲੇ ਦਿੱਤੇ ਹੋਏ ਨੰਬਰ ਤੇ ਸੰਪਰਕ ਕਰੋ।
Punjabi

اگر آپ کو یہ معلومات اردو میں درکار ہیں تو اس نمبر پر کال کیجیے۔
Urdu



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Any comments or queries about this report can be made to:-

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