



Standards Committee

Date **Wednesday 7 November 2012**
Time **10.00 am**
Venue **Committee Room 1A, County Hall, Durham**

Business

Part A

**Items during which the Press and Public are welcome to attend.
Members of the Public can ask questions with the Chairman's agreement.**

1. Minutes of the Meeting held on 7 September 2012 (Pages 1 - 4)
2. Declarations of Interest, if any
3. Complaints, Compliments and Suggestions: Quarter 2, 2012/13 - Report of Corporate Director, Neighbourhood Services (Pages 5 - 28)
4. Annual Representations Report, Children and Young Peoples Services - Report of Corporate Director, Children and Adults Services (Pages 29 - 66)
5. Parish and Town Council Briefing Session Feedback - Report of Head of Legal and Democratic Services and Monitoring Officer (Pages 67 - 70)
6. Such other business as in the opinion of the Chairman of the Meeting is of sufficient urgency to warrant consideration.
7. Any resolution relating to the exclusion of the public during the discussion of items containing exempt information.

Part B

Items during which it is considered the meeting is not likely to be open to the public (consideration of exempt or confidential information)

8. Update on the handling of Current Complaints - Report of Head of Legal and Democratic Services and Monitoring Officer (Pages 71 - 76)
9. Such other business as in the opinion of the Chairman of the Meeting is of sufficient urgency to warrant consideration.

Colette Longbottom

Head of Legal and Democratic Services

County Hall
Durham
30 October 2012

To: The Members of the Standards Committee

Councillor P Charlton (Chair)
Councillor J Shiell (Vice-Chair)

Councillors J Armstrong, A Bainbridge, E Bell, C Carr, D Farry, G Holland, D J Southwell, W Stelling and M Williams

Parish and Town Council Representatives:-

Town Councillor AJ Cooke and Town Councillor T Batson

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DURHAM COUNTY COUNCIL

STANDARDS COMMITTEE

At a Meeting of **Standards Committee** held in Committee Room 2 - County Hall, Durham on **7 September 2012** at **10.00 am**

Present:

Councillor P Charlton (Chairman)

Members of the Standards Committee:

Councillors A Bainbridge, E Bell and J Shiell.

Apologies:

Apologies for absence were received from Councillors J Armstrong, C Carr, D Farry, D Southwell and M Williams.

1 Minutes of the Meeting held on 29 May 2012

The minutes of the meeting held on 29 May 2012 were confirmed as a correct record and signed by the Chairman.

2 Declarations of Interest

There were no declarations of interest received.

3 Overview of the Standards Regime

The Committee received a presentation from the Deputy Monitoring Officer which detailed the changes to the Standards regime in accordance with the Localism Act 2011 (for copy of slides see file of Minutes).

Following the presentation Members discussed the changes to the procedure through which Code of Conduct complaints would now be handled and the Deputy Monitoring Officer advised that Councillors Batson and Cooke had very recently been selected as the 2 co-optees from Parish and Town Councillors..

4 Performance Report for quarter 1, 2012/13: Complaints, Compliments and Suggestions

Consideration was given to the report of the Corporate Director, Neighbourhood Services, the purpose of which was to present performance in relation to complaints, compliments and suggestions for quarter 1, 2012/13 and to highlight any learning outcomes resulting from them. In addition the report provided an update in relation to developments in the collection, monitoring and management of complaints (for copy see file of Minutes).

The Service Development Manager was in attendance to deliver the report and an overview presentation of the statutory, non statutory and Local Government Ombudsman complaints received throughout the period (for copy of slides see file of Minutes).

Members raised concerns regarding complaints relating to the efficiency of the Council's telephone service and the length of time it appeared to take for telephone calls to be handled. In response, the Service Development Manager advised that steps were being taken to increase resources at peak times when a higher volume of calls could be expected.

The Committee was advised that there was a queue system in place on the Council's main telephone lines, which indicated the position a caller was in a queue and also had a restriction on the queue size. Attempts had been made previously to implement an answerphone service, however that had been unsuccessful due to complaints being received if messages weren't responded to the same day.

Members suggested that there should be an expectation that complaints against the Council could increase in areas where services were being reduced, for example, the changes which had recently been made to the provision of free school bus passes. The Service Development Manager agreed that an increase in complaints would be inevitable where service delivery was changing, and advised that all comments from Members would be fed back accordingly.

Resolved:

That the report be noted.

5 Annual Report Statutory Adult Social Care Complaints, Compliments and Comments 2011/2012

Consideration was given to the report of the Corporate Director, Children and Adults Services, which provided information regarding the management of Statutory complaints. The report also included details about the compliments and comments received from service users and carers during the year (for copy see file of Minutes).

The Strategic Manager, Quality Assurance, was in attendance to deliver the report and in doing so, highlighted to the Committee key areas of the Annual Report. In concluding, the Strategic Manager, Quality Assurance, advised that the Report indicated the positive achievements made by the service in relation to the handling and consideration of complaints and compliments. It was felt that the approach taken by the service was successful and would continue to be developed to make further improvements.

The Committee congratulated the service on the Report and the Chair commented that it was pleasing to see the number of compliments which the service had received during 2012/13.

In response to a query from a Member, the Strategic Manager, Quality Assurance, clarified the control measure, known as Capacity Testing, which was in place to ascertain whether a client was capable of pursuing a complaint.

Resolved:

That the report be noted.

6 Openness and Transparency on Personal Interests

The Committee considered a report of the Head of Legal and Democratic Services, which invited Members to note the Department for Communities and Local Government's (DCLG), Guide for Councillors on Openness and Transparency on Personal Interests (for copy see file of Minutes).

The Deputy Monitoring Officer presented the report, advising that the DCLG document was a good guide for Members and useful as a first point of reference in relation to the declaring and registering of Personal Interests.

Resolved:

That the report be noted.

7 Exclusion of the Public

Resolved:

That under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the said Act.

8 Appointment of Independent Persons to Assist with the Standards Process

Consideration was given to the report of the Head of Legal and Democratic Services and Monitoring Officer, which sought approval from the Standards Committee to recommend to the Council the appointment of two people as Independent Persons to assist with the Standards process (for copy see file of Minutes).

Resolved:

That the report's recommendation be accepted.

9 Local Investigation – Case Reference LA186

Consideration was given to the report of the Head of Legal and Democratic Services and Monitoring Officer which detailed the investigation conducted into an allegation that a Town Councillor contravened the Code of Conduct (for copy see file of Minutes).

The Investigating Officer's report concluded that there was no breach of the Code of Conduct.

Resolved:

That the report's recommendations be accepted.

10 Update on the handling of Current Complaints

The Committee considered a report of the Head of Legal and Democratic Services which provided an update report in respect of complaints of alleged breaches of the Code of Conduct (for copy see file of Minutes).

Resolved:

That the report be noted.

Standards Committee

7 November 2012



Complaints, Compliments and Suggestions: Quarter 2 2012/13

Report of Terry Collins- Corporate Director, Neighbourhood Services

Purpose of the Report

1. To present performance and information in relation to complaints, compliments and suggestions for quarter 2, 2012/13; highlighting any learning outcomes resulting from the complaints, compliments and suggestions received.

Change to Service Groupings

2. This report captures the changes presented as a result of the integration of Adults, Wellbeing and Health and Children and Young People Services and the transfer of culture and arts functions from AWBH to Neighbourhood Services.

Background

3. This report provides information in relation to the 2 types of complaint the Council deals with:
 - **Statutory.** A complaint which arises from the duties placed on a local social services authority to provide assessments and care services under the provisions of relevant adult and children's social care legislation. The process for managing such complaints is prescribed in Regulations.
 - **Non-Statutory.** All other complaints
4. This report contains information on all complaints received by the Authority and logged on the Customer Relationship Management (CRM) system or Social Services Information Database (SSID). All complaints received and reported relate to Durham County Council internally run services only. The overview section refers to the numbers of non-statutory complaints received across the Council. Details of the statutory complaints for Children and Adults Services are provided in the section appropriate to that service grouping.
5. The Corporate Complaints Unit (CCU), and the Council as a whole, works to specified service standards for dealing with non-statutory complaints; which are, acknowledging all complaints within 2 working days; responding to stage 1 complaints within 10 working days and responding to stage 2 complaints within 20 working days.

Review of the complaints process

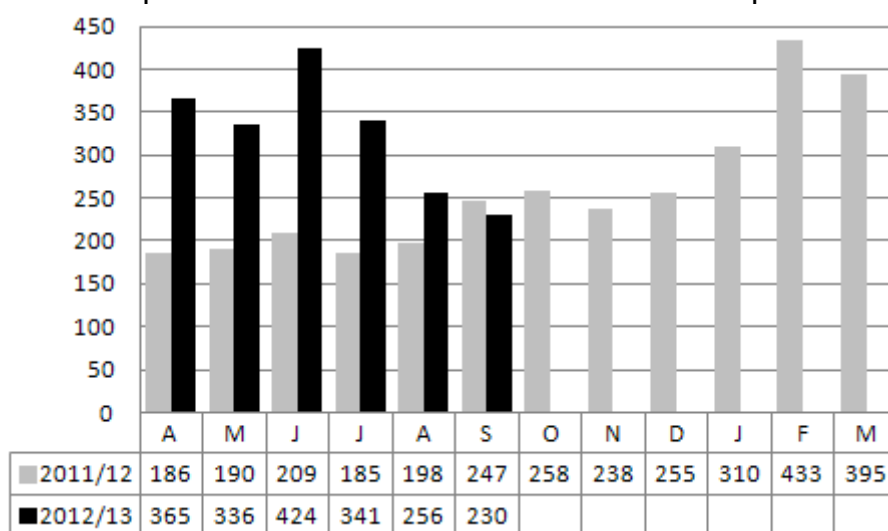
6. The Council's Customer First Strategy is in the process of being refreshed and includes a review of the current Corporate Complaints Policy and a revised mechanism for capturing learning outcomes. This work cuts across all service areas of the council and is aimed at both streamlining the processes currently in place and implementing an approach to working much more closely with service areas to use customer feedback, and in particular customer demand instigated by service failure, to ensure that improvement actions are implemented. Work is also currently underway to review the way in which complaints are captured on the CRM system to enable the system to capture more detailed information and improve the work flow which should result in better reporting.

Summary of Complaints, compliments and suggestions received across the Council during Quarter 2, 2012/13

7. Between 1 July 2012 and the 30 September 2012, 827 non-statutory complaints, 442 compliments and 74 suggestions were received by Durham County Council.

Complaints

8. Overall, there has been a 31% increase in the number of non-statutory complaints received and recorded on the CRM or SSID systems during quarter 2, 12/13 compared to those received during quarter 2, 11/12. The table below shows a comparison of the total numbers of complaints received across the Council since April 2011:



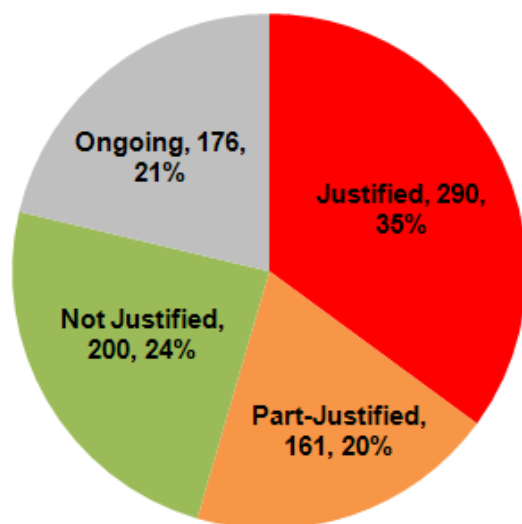
9. The table below shows a breakdown of complaints received across Service Groupings since 2010/11:

Service Grouping	10/11 Total	11/12					12/13				
		Q1	Q2	Q3	Q4	Total	Q1	Q2	Q3	Q4	Total
ACE	6	3	1	2	4	10	0	2	-	-	2
CAS	53	18	32	14	19	83	4	15	-	-	19
NS	1,069	329	301	360	599	1,589	737	537	-	-	1,274
RED	297	84	76	79	88	327	85	88	-	-	173
RES	350	151	220	296	428	1,095	299	185	-	-	484
TOTAL	1,775	585	630	751	1,138	3,104	1,125	827	-	-	1,952

10. Analysis of the data shows that the highest numbers of complaints were due to:
- Missed Bins. 178 complaints were received, compared to 68 in the same period last year. This increase can be attributed to changes to the refuse and recycling arrangements by moving to the Alternate Weekly Collection (AWC) service. However, it can also be seen that the number of complaints of this type are decreasing, with 40% fewer being received during quarter 2 compared to quarter 1.
 - Disputed benefit overpayments. 33 complaints related to benefits and 23 to council tax. Investigation suggests the increase in this nature of complaint is because more changes of circumstances have been processed which has led to an increase in benefit overpayments and revised council tax bills.
11. During this period, 96% of stage 1 complaints and 75% of Stage 2 complaints were responded to within the target of 2 working days. In addition, 63% of stage 1

complaints were responded to within the target of 10 working days, and 57% of stage 2 complaints were responded to within the target of 20 working days.

12. The Corporate Complaints Unit (CCU) is responsible for both acknowledging complaints and for working with services to endeavour to ensure complainants receive an appropriate response within set timescales. On occasions when complaints are received and a response is not available within the timescales holding letters are sent out explaining the reasons for the delays.
13. There is variation in response times throughout the year: turnaround times being dependent upon the number received. Changes in response times are most notable during the council tax billing period, periods of inclement weather and bank holidays. At these times, officers are unable to handle complaints within the desired timescales due to a combination of the volume received and the relevant officers endeavouring to keep services running during these busy periods.
14. Further investigation of the complaints received shows that during quarter 2, 2012/13 there were 200 occasions (24% of complaints processed) where the complaint was not upheld, indicating that although service users were dissatisfied with the service received, the service had in fact acted properly and followed the correct procedures.



15. If the not justified complaints and those that are ongoing are removed, DCC is left with 451 (55%) justified complaints, 290 fully and 161 part justified, from which there is possibility of learning.
16. In addition to complaints, we also analyse compliments and suggestions to determine if we can further improve processes, and thereby service delivery. The following table is a summary of the compliments and suggestions received throughout quarter 2, 2012/13.

Service Grouping	Compliments	Suggestions
ACE	3	1
CAS	312	0
NS	67	55
RED	39	11
RES	21	7
TOTAL	442	74

17. A large proportion of compliments are for staff in recognition of their support and help in resolving the customer's concerns and issues. On each of these occasions, the

individual officer is notified of the compliment and thanked by their line manager. Many of these relate to the professionalism, politeness and general helpfulness of staff.

Detailed report for each service grouping for quarter 2, 2012/13

18. The following sections provide details for each Service Grouping in relation to complaints compliments and suggestions received in quarter 2 and the learning outcomes applied to improve service delivery for those complaints which were justified

Assistant Chief Executive's Office (ACE)

19. The ACE service grouping consists of 3 service areas and between 1 July 2012 and 30 September 2012 ACE received 2 complaints, 3 compliments and 1 suggestion.

Abbreviation	Service Area
PCE	Partnerships & Community Engagement
PP	Planning & Performance
PC	Policy & Communications

Policy and Communications

20. During quarter 2, 1 complaint was received by Policy and Communications, relating to non-receipt of notification/consultation material/free newspaper from Durham County Council, in particular AAP information. This complaint is currently under consideration with the relevant service grouping.

Planning and Performance

21. During quarter 2, 1 complaint was received by Planning and Performance following a £10 charge for the provision of CCTV footage to the customer. A written response was sent to the customer explaining that the £10 fee related to the request for personal information under the Data Protection Act and not for the purchase of the CCTV footage.

Compliments and Suggestions

22. During quarter 2, ACE received 3 compliments; 2 compliments were received by the County Records Office. 1 compliment expressed thanks for assistance given by the team from a former colleague. The second compliment came from a member of the public who was conducting research into their family history and found the County Records team extremely helpful. A third compliment was made thanking the authority on the provision of a booklet containing service contact numbers which they had found useful.
23. A suggestion was made for a Social Care Direct contact number to be added to the Durham County News. However there is already a generic contact number in the Durham County News which will direct customers to the relevant service grouping depending upon the nature of the call.

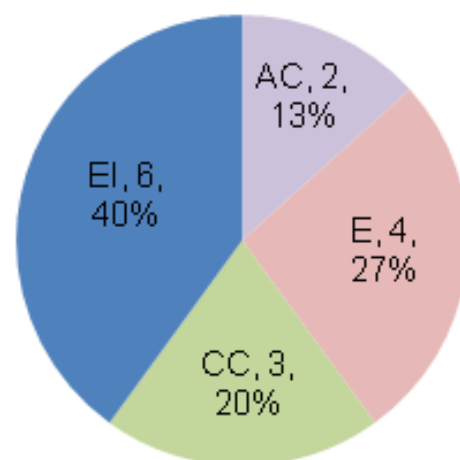
Children and Adults Services (CAS)

Corporate Complaints

24. During the quarter, 15 complaints were received (2 were for Adult Care, 5 for Education, 3 for Children's Care and 5 for Early Intervention and Involvement). See the Table below which shows the performance comparison on previous quarters.

Abbreviation	Service Area
AC	Adult Care
E	Education
CC	Children's Care
EI	Early Intervention & Involvement

Comparison of Complaints Received by Quarter						
	Q2 11/12 Total	Q3 11/12 Total	Q4 11/12 Total	Q1 12/13 Total	Q2 12/13 Total (Combined)	Direction of travel from previous Quarter
Adult	28	12	12	3	15	↑
Childrens	0	0	7	1		



25. Of the stage 1 complaints 100% were acknowledged within 2 working days and 94.4% were responded to within 10 working days.
26. Twelve complaints related to Service Failure/Poor Service, 1 to Staff Attitude and 2 were about the Decision Regarding Services.
27. Examples of these complaints include:
- Complaint about the County Council's handling of travellers encampments in two locations within the County.
 - Complaints regarding the Blue Badge application process including one from a complainant who experienced a lack of communication regarding their application. In the second case the applicant for a Blue Badge had been declined despite having had a badge for 6 years. The criteria for Blue Badge applications had changed and this was explained.
 - Complaint about Children's travel costs to and from school.
 - Complaint regarding lack of Communication with a Children's Service Area.
 - Complaint relating to advice received from a school meals application.
28. Of the 15 complaints received, 7 were not justified, 2 were partially justified, 3 were justified and 3 are ongoing.

Outcome of complaints completed in 2nd quarter (previous quarter's figures shown in brackets)


Service Area	Justified	Partly Justified	Not justified	Resolved at first point of contact	Ongoing	Total
Adult Care	1	0	1	0	0	2
Early Intervention & Involvement	0	1	1	0	3	5
Education	2	1	2	0	0	5
Children's Care	0	0	3	0	0	3
Total	3	2	7	0	3	15

Compliments and Suggestions

29. During the quarter, 95 compliments were received; 1 for Adult Care, 87 for Early Intervention and Involvement, 6 for Education, 1 Planning and Service Strategy. Of these, 64 compliments were received by the Welfare Rights service, complimenting the work and assistance given during Welfare applications and appeals and 20 for the One Point Hubs.
30. There has been a 36% decrease in the numbers of compliments received. This is due to a significant drop in the amount received by the Adult Learning & Skills Service. However, this is to be expected as it is more usual for compliments to be received by the Service at the end of academic terms.
31. There were 5 Comments/Suggestions received directed towards Early Intervention and Involvement and Education.

Adult Statutory complaints, compliments and suggestions

32. During the quarter, 26 complaints were received. Details of the quarterly performance are shown below.

Comparison of Complaints Received by Quarter						
Service Area	Q2 11/12	Q3 11/12	Q4 11/12	Q1 12/13	Q2 12/13	Direction of Travel from previous quarter
Adult Care	39	35	21	19	26	

33. Of complaints received 96% (25) were acknowledged within 3 working days.
34. Complaints Resolution Plans were completed in all cases. There were 19 complaints completed within the timescales agreed within the CRP. The remaining 7 cases were not concluded within the quarter but are still within their agreed completion timescales.
35. Social Work (Older Persons/Mental Health Services for Older People/Physical Disability/Sensory Support Services) Teams received the most with 11, followed by Commissioning with 5 complaints. See Table below.

Complaints Received by Service Area		
Service Area	Number	
	Current Quarter	Previous Quarter
Social Work Teams (Learning Disability /Mental Health/Carers)	4 (15.4%)	1(5%)
Social Work Teams (Older Persons /Mental Health Services Older Persons/ Physical Disability and Sensory Impairment & Sensory Support)	11 (42.4%)	11(58%)
Social Work Teams (Safeguarding)	1 (3.8%)	1(5%)
County Durham Care and Support	2 (7.6%)	1 (5%)
Commissioning	8 (30.8%)	5(27%)
Policy, Planning & Performance	0	0
TOTAL	26 (100%)	19(100%)

Declined Complaints

37. There were 3 complaints declined in the quarter, all on the grounds that the issues complained about had, in each case, occurred several years ago – in one case 14 years ago. Full explanations were given as to why the complaints could not be accepted.
38. Quality of Service – Communications/Information constituted the highest category of complaint with 6 recorded. See Table below.

Complaints by Classification	
Classification	No. of complaints
Lack Of Service - Communications/Information	6
Finance - Charging Policy	4
Disputed Decision	4
Finance - Assessment	3
Quality Of Service – Personal Care	3
Provision Of Service – Equipment	2
Quality Of Service – Work Of Other Agencies	2
Professional Conduct Of Staff	2
Missed/Late Domiciliary care Calls	1
Quality Of Service – Personal Financial Issues	1
Safeguarding	1
Application of Service Guidance/Procedures	1
Provision of Service - Assessment	1

NB A complaint may have more than one classification recorded against it

39. Of the 19 complaints completed in the quarter, 68% (13) were not upheld compared to 58% in the previous quarter. Of the remaining 6 completed complaints, 4 were partially upheld and 1 was upheld. See Table below.

Outcome of Complaints Completed in 2nd Quarter					
Service Area	Number				
	Not upheld	Partially Upheld	Upheld	TBC	Total
County Durham Care and Support	1	0	0	1	2
Social Work Teams (Learning Disability/Mental Health/Carers)	4	0	2	0	6
Social Work Teams (Older Persons/Mental Health Services Older Persons /Physical Disability and Sensory Impairment & Sensory Support)	3	1	0	5	9
Social Work Teams (Safeguarding)	1	0	0	0	1
Commissioning	4	0	3	1	8
Policy, Planning & Performance	0	0	0	0	
TOTAL	13	1	5	7	26

Actions as a result of statutory complaints

40. During the period the following outcomes/actions have been identified from the complaints concluded:
41. The Operations Manager for Older Persons/Mental Health Services for Older People/Physical Disabilities and Sensory Support has issued instructions that:
- Where a client is self-funding (i.e. they have capital above the allowable limits) but who has been assessed as meeting the criteria for 24 hour residential care and their capital may reduce within the next 4 months; the need to keep open the case on the Social Services Information Database – IT system. This will ensure that a financial assessment will not be overlooked and conducted in a timely way.
 - A financial assessment cannot be carried out if the client has not had an assessment that has concluded that they meet the eligibility criteria to receive services.
 - Where a service user or their family makes arrangements to enter into 24 hour care without reference to adult social care. Staff have been reminded that a financial assessment must not be undertaken until there has been an assessment of need against the eligibility criteria and Locality Panel approval given to the placement.

Compliments


42. There were 67 compliments received in Quarter 2. See Table below.

Compliments Received by Service Area		
Service Area	Number	
	Current Quarter	Previous Quarter
County Durham Care and Support	45 (67.2%)	44 (49.5%)
Social Work Teams (Learning Disability/Mental Health/Carers)	0 (0%)	1 (0.5%)
Social Work Teams (Older Persons/Mental Health Services Older Persons /Physical Disability and Sensory Impairment & Sensory Support)	20 (20.98%)	45 (50%)
Planning & Service Strategy	2 (3%)	0 (0%)
Commissioning	0 (0%)	0 (0%)
TOTAL	67 (100%)	90 (100%)

43. No suggestions were received during the quarter regarding social care services.

Children Statutory complaints, compliments and suggestions

44. During the quarter, 18 Stage 1 complaints were received. Details of the quarterly performance are show below:

Comparison of Complaints Received by Quarter						
Service Area	Q2 11/12	Q3 11/12	Q4 11/12	Q1 12/13	Q2 12/13	Direction of Travel from previous quarter
Children's Care	12	5	5	4	18	

45. Of these complaints 100% were acknowledged within 2 working days of receipt.
46. Due to their complexity, only 3 (16.7%) of the statutory Stage 1 complaints were resolved within the 20 working day timescale. Of the remaining 15 complaints, 9 (50.0%) were resolved outside 20 days, 5 complaints (27.7%) are still to be resolved and 1 complaint (5.6%) was withdrawn.
47. Safeguarding Children Teams received the most with 13, followed by Disability Social Work with 3 complaints. See Table below.

Complaints Received by Service Area		
Service Area	Current Quarter	Previous Quarter
Disability Social Work	3 (16.7%)	1 (33.3%)
Initial Response Team	1 (5.6%)	0
Looked After Children Aycliffe	1 (5.6%)	0
Safeguarding Children Aycliffe	2 (11.1%)	0
Safeguarding Children Crook	1 (5.6%)	0
Safeguarding Children Durham	3 (16.7%)	1 (33.3%)
Safeguarding Children Easington / Fostering & Adoption	1 (5.6%)	0
Safeguarding Children Peterlee	2 (11.1%)	0
Safeguarding Children Seaham	1 (5.6%)	0
Safeguarding Children Stanley 1	3 (16.7%)	0
Young People's Service (North)	0	1 (33.3%)
Total	18 (100%)	3 (100%)

Declined Complaints

48. No complaints were declined during the quarter. There were 6 issues relating to Children's Care services that were dealt with as enquiries rather than complaints.
49. Poor Service was the highest category of complaint with 8 recorded. See Table below.

Complaints by Classification	
Classification	No. of complaints
Poor Service	8
Staff Conduct or Attitude	7
Decision regarding a Service	6
Withdrawn	1

NB A complaint may have more than one classification recorded against it

50. Of the 18 complaints completed in the quarter, 58.3% (7) were not upheld. Of the remaining 6 completed complaints, 3 were partially upheld and 2 were upheld. See Table below.

Outcome of Complaints Completed in 2nd Quarter					
Service Area	Not Upheld	Partially Upheld	Upheld	TBC	Total
Disability Social Work	-	2	-	1	3
Initial Response Team	1	-	-	-	1
Looked After Children Aycliffe	-	-	1	-	1
Safeguarding Children Aycliffe	1	-	-	1	2
Safeguarding Children Crook	-	-	-	1	1
Safeguarding Children Durham	-	-	-	2	3
Safeguarding Children Easington / Fostering & Adoption	1	-	-	-	1
Safeguarding Children Peterlee	-	-	1	1 withdrawn	2
Safeguarding Children Seaham	-	1	-	-	1
Safeguarding Children Stanley 1	3	-	-	-	3
Young People's Service	-	-	-	-	0
TOTAL	7	3	2	6	18

Actions as a result of statutory complaints

51. During the period there were no general learning themes identified; however the following actions resulted from concluded complaints:
- Parents complained about the contact arrangements with their children who are looked after. The complaint was about the collection arrangements with the Volunteer Driver Service (VDS). It was found that the information provided to the VDS by the Safeguarding Children team (who have responsibility for arranging the contact between the children and the parents) had not been clear enough and this was rectified. The parents were asked to inform the children's Social Worker if there were any further incidences.
 - A young person (aged 11) in foster care complained that his placement was regularly reviewed, and he wanted to be told that he could stay in the same placement until he was 18 years old. Information about the case was reviewed, a care team meeting held (including the young person's Advocate), a report to the appropriate panel was written and the outcome was that approval was granted for long-term funding for the current placement.

Compliments

52. There were 150 compliments received in Quarter 2. See Table below.

Compliments Received by Service Area		
Service Area within SaSS	Compliments Received	
	Current Quarter	Previous Quarter
Aycliffe Secure Services	2 (1.3%)	0
CATS (Copelaw Activity Service)	95 (63.3%)	0
Children's Homes	8 (5.3%)	5 (8.9%)
Community Support service	14 (9.3%)	0
Fostering & Adoption	1 (0.6%)	0
Full Circle service	2 (1.3%)	0
Looked After Children - Durham	3 (2.0%)	1 (1.8%)
Looked After Children - Aycliffe	2 (1.3%)	3 (5.4%)
Pathfinder service	0	19 (33.9%)
Safeguarding Children – Bishop Auckland	1 (0.6%)	2 (3.6%)
Safeguarding Children – Chester le Street	1 (0.6%)	1 (1.8%)
Safeguarding Children - Durham	0	1 (1.8%)
Safeguarding Children - Easington	0	3 (5.4%)
Safeguarding Children - Peterlee	2 (1.3%)	0
Safeguarding Children – Seaham	2 (1.3%)	2 (3.6%)
Safeguarding Children – Stanley 2	0	1 (1.8%)
Young People's Service	1 (0.6%)	2 (3.6%)
4Real Team	16 (10.7%)	15 (26.8%)
Totals	150	56

53. No suggestions were received during the quarter regarding social care services.

Neighbourhood Services (NS)

Overview

54. The NS service grouping consists of 5 main service areas and between 1 July 2012 and 30 September 2012, 537 complaints, 67 compliments and 55 suggestions were received and recorded on the CRM.

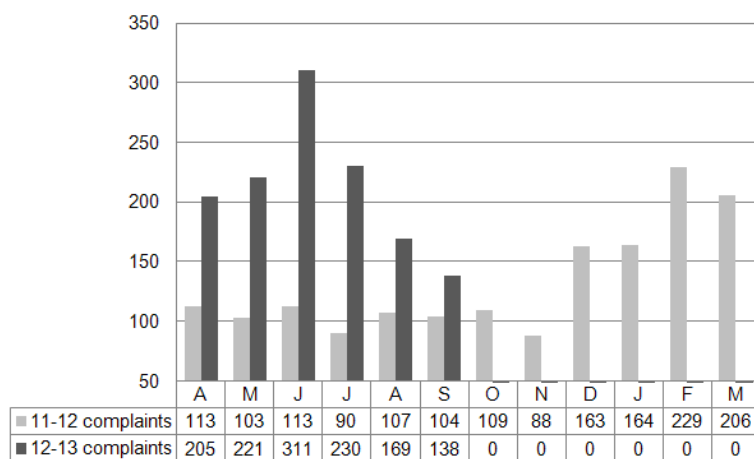
Abbreviation	Service Area
DS	Direct Services
EHCP	Environmental Health & Consumer Protection
PBS	Projects and Business Services
S&L	Sport and Leisure
TS	Technical Services

55. As can be seen in the table below; there is variation in the number of complaints received throughout the year.

Service Grouping	Number Received											% change*
	10/11	11/12	11/12 split by quarter				12/13 split by quarter				12/13 to date	
			Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4		
NS	1,032	1,589	329	301	360	599	737	537	-	-	1,274	102

*12/13 year to date compared to the same period last year

56. A monthly breakdown is shown in the graph below.



57. More than 50% of the complaints received during quarter 2 can be attributed to the following 4 categories

- Missed Bins. 178 complaints were received, compared to 68 in the same period last year, and this category made up 35% of all complaints received during quarter 2, 12/13. This increase could be attributed to changes to the refuse and recycling arrangements (Alternate Weekly Collection (AWC)). However, the number of complaints of this type are decreasing over time, 40% fewer were received during quarter 2 compared to quarter 1.

- Refuse staff not returning bins/containers. 33 complaints were received from residents, 5 of whom are on the assist list, complaining refuse bins/containers are not being returned to the correct location.
- Lack of action. 26 complaints were received from residents who believed NS did not respond appropriately to their original service request. It should be noted that almost 135,000 requests for service were received during quarter 2.
- Charges for replacement wheeled bins: 25 complaints were received from residents objecting to the £20 charge for replacement bins.

58. Further detail in relation to these areas can be found in the section of the report dedicated to that service area.
59. Further investigation of the complaints received shows that during quarter 2, 12/13 there were 111 occasions (28% of complaints processed, i.e. excluding those ongoing) where the complaint was not upheld, indicating that although service users were dissatisfied with the service received, the service had in fact acted properly and followed appropriate procedures.

	Justified (fully or partly)	Not justified	Ongoing	Total
Number	289	111	137	537
% of total received	54%	21%	25%	-

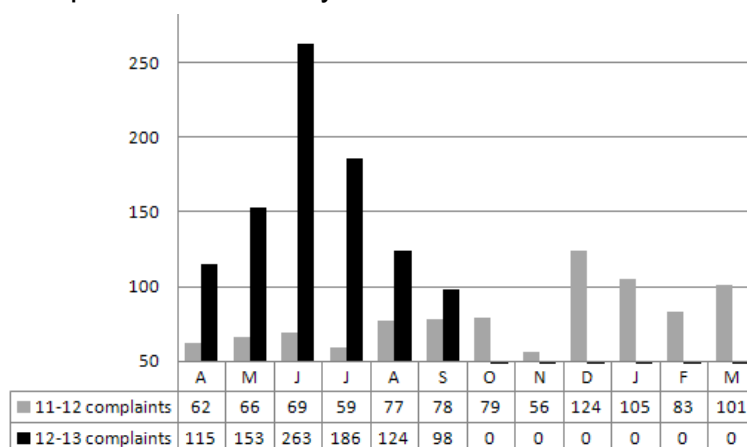
60. If the not justified complaints and those that are ongoing are removed, NS is left with 289 justified complaints, 199 fully and 90 partly

Direct Services (DS)

61. Between 1 July 2012 and 30 September 2012, 408 complaints were received by DS

	Justified (fully or partly)	Not justified	Ongoing	Total
Number	228	82	98	408
% of total received	56%	20%	24%	-

62. The number of complaints received by DS each month is shown in the graph below.



63. There was a marked increase in the number of complaints received by DS during quarter 1: this is mainly due to an increase in missed bins as changes to our refuse and recycling service have been implemented. However, after peaking in June, the number of complaints has started to decline.

Overarching Complaint Category	Detail	Q2 11/12	Q2 12/13	Change		Direction of Travel
				No.	%	
Refuse Collection	Missed Collection	68	174	106	156	✗
	Staff not returning bins / containers	8	33	25	312	✗
	Staff making a mess	9	4	-5	-56	✓
	Special collections	5	5	0	-	-
	Total	90	216	126	140	✗
Charges		17	24	7	41	✗
Lack of Action: Non-delivery of bins and containers		14	15	1	7	✗
Staff Attitude		6	16	10	167	✗
TOTAL		127	271	144	114	✗

64. Other complaints received by DS during quarter 2 are listed in the following table.

COMPLAINT CATEGORY	TOTAL	% of total
Condition of local area: detritus	1	0%
Condition of local area: grass cutting	11	3%
Condition of local area: litter	1	0%
Condition of local area: overhanging hedges / trees	5	1%
Condition of local area: parks / open spaces	8	2%
Customer Service: call waiting time	1	0%
DCC fleet: driving issues	2	1%
Highways: condition of footway	2	1%
Highways: drainage	2	1%
Lack of action	15	4%
No communication / missed appointments	10	3%
Other	25	6%
Other: staff attitude	12	3%
Other: damage caused by council	16	4%
Other: staff making a mess	6	2%
TOTAL	388	
comment	9	
service request	9	

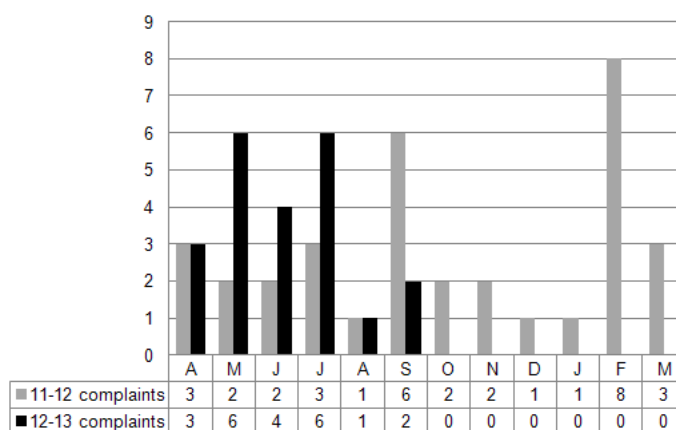
65. A regular meeting, named the "Customer Experience" has been set up for exchanging data, including complaints and suggestions, in order to improve our contact with customers. Learning outcomes from this analysis will result in a number of Improvement actions which are in the process of being implemented.

Environment, Health and Consumer Protection (EHCP)

66. Between 1 July 2012 and 30 September 2012, 9 complaints were received in relation to EHCP

	Justified (fully or partly)	Not justified	Ongoing	Total
Number	2	6	1	9
% of total received	22%	67%	11%	-

67. The number of complaints received by EHCP remains relatively low. The complaints tend to be specific and as such, learning outcomes are difficult to identify. However, the service continues to monitor all complaints in order to identify any emerging trends.

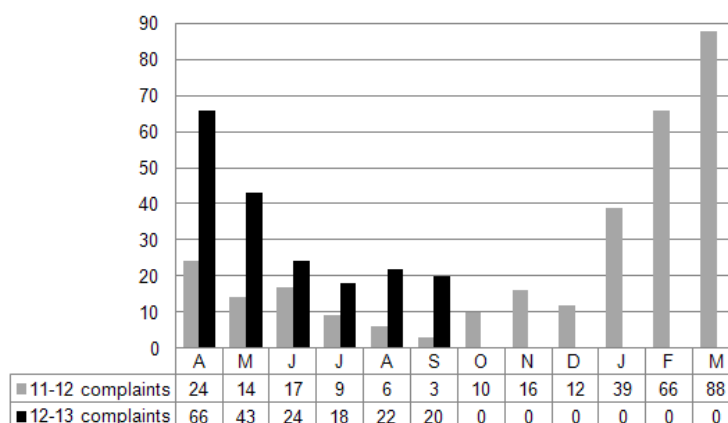


Projects and Business Services (PBS)

68. Between 1 July 2012 and 30 September 2012, 60 complaints were received in relation to PBS.

	Justified (fully or partly)	Not justified	Ongoing	Total
Number	30	10	20	60
% of total received	50%	17%	33%	-

69. 4 complaints were received in relation to call waiting times in Customer Services; a significant reduction from the complaints received in this respect in quarter 1 which totalled 67. The rest of the complaints relate to phone system issues where individuals were cut off; customers unhappy with the information/advice given; but the majority relate to dissatisfaction in not being informed by the service area after raising a service request; these issues are being addressed through the customer experience meetings to improve customer follow up. A summary of complaint numbers are shown below:

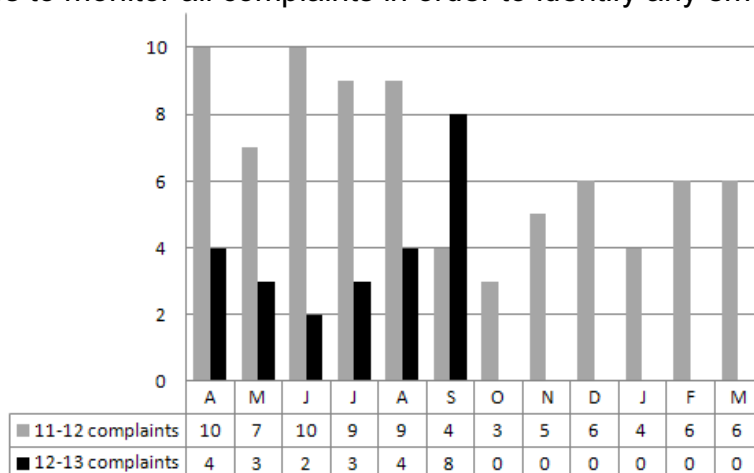


Sport and Leisure Services (S&L)

70. Between 1 July 2012 and 30 September 2012, 15 complaints were received in relation to S&L.

	Justified (fully or partly)	Not justified	Ongoing	Total
Number	8	4	3	15
% of total received	53%	27%	20%	-

71. The number of complaints received by S&L remains relatively low. The complaints tend to be specific and as such, learning outcomes are difficult to identify. However, the service continues to monitor all complaints in order to identify any emerging trends.

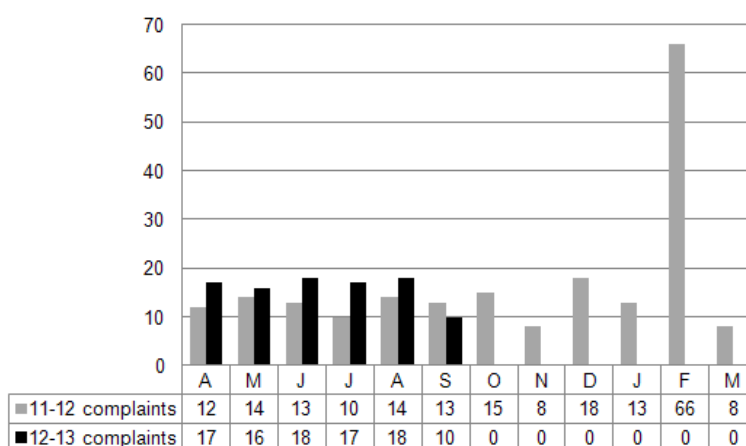


Technical Services (TS)

72. Between 1 July 2012 and 30 September 2012, 45 complaints were received in relation to TS.

	Justified (fully or partly)	Not justified	Ongoing	Total
Number	21	9	15	45
% of total received	47%	20%	33%	-

73. The number of complaints received by TS remains relatively low. The complaints tend to be specific and as such, learning outcomes are difficult to identify. However, the service continues to monitor all complaints in order to identify any emerging trends.



Compliments

74. Between 1 July 2012 and 30 September 2012, NS received 67 compliments which covered a wide range of subjects and service areas.
75. A large proportion of compliments relate to staff in recognition of their support and help in resolving the customer's concerns and issues. On each of these occasions, the individual officer is notified of the compliment and thanked by their line manager. Many of these relate to the professionalism, politeness and general helpfulness of staff.
76. The remaining compliments relate to our service provision, examples include
- Standard of work, e.g. keeping local areas clean and tidy, carrying out remedial work, road improvements
 - Speed of work, e.g. repair to street lights, filling in pot holes.

Suggestions

77. Between 1 July 2012 and 30 September 2012, NS received 55 suggestions which covered a wide range of subjects and service areas.
78. Each suggestion is passed to the appropriate service area and reviewed.

Regeneration and Economic Development (RED)

79. The level of Stage 1 complaints received by RED has remained consistent in comparison with previous quarters. Taken in the context of service changes and budget reductions the maintaining of complaints levels can be seen positively.

Stage 1 Complaints

Service Area	10/11 Total	11/12 Total	12/13 Q1	12/13 Q2	12/13 Q3	13/13 Q4	12/13 Total
Economic Development & Housing	106	119	25	27			52
Planning & Assets	145	129	34	32			66
Transport & Contract Services	46	79	26	29			55
RED Total	297	327	85	88			173

Service Area	Justified/ Part Justified	Not Justified
Economic Development & Housing	60%	28%
Planning & Assets	31%	55%
Transport & Contract Services	37.5%	37.5%
RED Total	42.3%	41%

*Of those due to be determined

Stage 2 complaints

Service Area	11/12 Total	12/13 Q1	12/13 Q2	12/13 Q3	13/13 Q4	12/13 Total
Economic Development & Housing	7	2	1			3
Planning & Assets	29	7	2			9
Transport & Contract Services	1	-	4			4
RED Total	37	9	7			16

Service Area	% Stage 2 complaints replied to within 20 day deadline
Economic Development & Housing	0%
Planning & Assets	50%
Transport & Contract Services	50%
RED Total	50%

Economic Development and Housing

80. During Quarter 2, 27 stage 1 complaints were received by the Economic Development and Housing service.
81. Of these, 21 were in relation to Durham City Homes mainly repairs and maintenance issues, 4 were in connection to Housing Solutions, 1 was for Housing Regeneration and 1 in connection with Regeneration and Development
82. 1 complaint in connection to Durham City Homes has escalated to Stage 2 during Quarter 2.

Planning and Assets

83. During Quarter 2, 32 Stage 1 complaints have been received by the Planning and Assets service.
84. Of the 32 complaints received, 27 were in relation to Development Management mainly in relation to planning decisions, and 5 were in relation to Assets
85. 2 complaints escalated to Stage 2 during Quarter 2 which were received by Development Management and were in relation to planning decisions

Transport and Contract Services

86. During Quarter 2, 29 complaints were received by Transport and Contract Services.
87. Of the 29, 16 were received by Sustainable Travel, 12 were received by Strategic Traffic and 2 by Supported Housing. The complaints covered a wide variety of issues not providing any themes for discussion.
88. 4 complaints escalated to Stage 2 during Quarter 2, 2 were received by Sustainable Travel and 2 by Strategic Traffic

Compliments and Suggestions

Service Area	Compliments	Suggestions
Economic Development & Housing	3	2
Planning & Assets	33	5
Transport & Contract Services	3	4
RED Total	39	11

89. The compliments received by RED are generally thanks to staff for the service they have provided. All compliments have been passed to the relevant staff and teams and have also been raised during team meetings highlighting the importance of a positive customer focus. All suggestions have been considered.

Resources (RES)

90. The Resources service grouping consists of 6 main service areas.

Abbreviation	Service Area
FS	Financial Services including the Revenues and Benefits Service
CF	Corporate Finance
HROD	Human Resources and Organisational Development
ICT	Information and Communication Technology
LDS	Legal and Democratic Services
IA&R	Internal Audit & Risk

91. During Q2 2012/13 a total of 185 complaints were recorded on the Customer Relationship Management (CRM) system that related to services delivered by the Resources Service Grouping. This represents a 38% improvement over Q1 when 299 complaints were received.
92. The rise in Resources' complaints during 2011/12 is known to have come about due to delays that arose in processing benefit claims during the implementation period of our new single computer system. Significant improvements have been made over recent months on claims processing and this has resulted in fewer complaints arising from delays.
93. During Q2 2012/13, a total of 21 compliments and 7 suggestions were logged in the CRM. The majority of compliments related to wedding ceremonies.
94. Of the 185 complaints received in Q2 for Resources, 64% were either justified or part justified (64% in Q1), 20% were not justified (21% in Q1) and 16% were unresolved at the point of reporting. (15% in Q1).
95. The proportion of complaints responded to within the 10 days standard has improved marginally from 49% in Q1 to 53% in Q2. Colleagues in Financial Services are working to improve responsiveness during the third quarter.

Financial Services

96. During Q2 of 2012/13, of the 185 complaints in total, 178 complaints were received in relation to Financial Services (which includes Revenues & Benefits Service). This represents a 39% reduction over Q1 when 292 were received – a real positive sign of service improvement.

	Justified	Partly Justified	Not justified	Ongoing	Total
Number	69	44	37	28	178
% of total received	63%		21%	16%	100%

97. The majority of complaints (44%) were received in July and the remaining were evenly spread over August and September.
98. The complaints were attributed to 8 categories: Service Failure –57%, Quality of Service –17%, Speed of Delivery - 17%, Administration – 8%, the remainder allocated to Council Policy, Communications, and Staff Attitude – 1%.
99. The Benefits service received 129 complaints. The proportion of complaints related to claims processing delays improved to 14% of all complaints received. At the same time, the number of complaints submitted by private landlords reduced significantly to 22% of all complaints to the Benefits service compared to over 50% in the previous quarter.
100. The Revenues service received 54 complaints in the second quarter. The complaints were evenly distributed between billing and recovery queries.
101. Analysis of the complaints received in quarter 2 identified a common trend reflected in both the Benefits and Revenues services. 33 Benefits complaints related to disputed overpayments and 23 Revenues complaints related to disputed Council Tax bills or Council tax recovery arrangements. Investigation suggests that the increase in this nature of complaint is because more changes of circumstances have been processed and this has resulted in an increase in benefit overpayments and revised council tax bills.
102. The Benefits Service continues to have a comprehensive improvement plan which is monitored on a weekly basis. This plan has produced positive results and delays have been significantly reduced and this is reflected in the sustained reduction of complaints received.
103. The Revenues and Benefits Service is committed to service improvement and is continually reviewing processes and procedures as well as working with software suppliers to ensure that the service functions as efficiently as possible. This will ensure that customer contacts are handled accurately and timely.
104. The service continues to engage with both internal and external stakeholders and meeting with Customer Services, Landlords, Dept of Work and Pensions, Welfare Rights, other welfare agencies and local authority benchmarking groups.

Legal and Democratic Services

105. During Q2 2012/13, 7 complaints were received in relation to Legal and Democratic Services.

	Justified	Partly Justified	Not justified	Ongoing	Total
Number	3	3	0	1	7
% of total received	86%		-	14%	100%

106. 4 complaints were received in relation to the Registration Service. Each of the complaints cited difficulties they had experienced in making contact with the service. Another complaint arose from a changed County Hall appointments system for highways search information. Other complaints related to information held on the electoral register and compensation claims.
107. Of the six complaints handled within the quarter, all were either justified or part-justified; 1 complaint remained unresolved at the end of September. Relevant managers within Legal and Democratic Services have been involved in the necessary investigations and responses and have considered the implications of each.

Compliments and Suggestions

108. During Q2 2012/13 we received a total of 21 compliments and 7 suggestions.
109. Compliments related to carrying out wedding ceremonies, individual staff in the Benefits Service and the standard of our archives and records.
110. Last quarter suggestions were received in relation to the wording of letters from the Revenues and Benefits Service; further suggestions to this effect were received in quarter 2. It should be noted that the service continuously reviews forms and literature in an attempt to make them as simple as possible whilst ensuring that they meet legislative requirements.
111. Another suggestion related to checking envelopes before posting. The service has recently automated the dispatch of all bills and benefit notification letters. This has significantly reduced the potential for data protection issues as software tags all correspondence to ensure that it is correctly enveloped.

Local Government Ombudsman (LGO): current activity

112. During quarter 1, 2012/13, the Local Government Ombudsman (LGO) initiated investigations into 8 matters relating to a range of complaints concerning:
- **Adult Social Care.** Outcome awaited
 - **Planning Enforcement.** Preliminary enquiries made, outcome awaited
 - **Planning Enforcement and Noise Nuisance (environmental).** Outcome awaited
 - **Planning and Development.** 3 issues; outcome awaited
 - **Housing.** Following preliminary enquiries, LGO decided not to investigate this matter
 - **Housing / tenancy.** Outcome awaited
 - **School Admissions.** 2 investigations: LGO discontinued both.
 - **School Transport.** Outcome awaited
113. The Ombudsman delivered decisions on 6 matters which had been subject to investigations that had been initiated prior to the beginning of the quarter. These matters can be summarised as follows:
- **Highways & Transport.** LGO decided not to initiate a full investigation into this matter

- **Benefits and Tax.** 3 issues, 2 of which were discontinued by LGO and the third was deemed to be outside LGO's jurisdiction.
 - **Environmental Services.** Public Protection and Regulation Issue (refuse collection). LGO decided not to initiate a full investigation into this matter.
 - **School Admissions Appeal.** LGO discontinued the investigation.
114. During the quarter the Ombudsman also notified the Council of the outcome in relation to a range of matters which were not subject to full investigation. The Ombudsman's investigators reached their decisions on the basis of the details supplied by complainants supplemented in some instances with contextual information from Council officers. These matters can be summarised as follows:
- Environmental Services and Public Protection & Regulation Issues: 2 complaints, both of which were outside LGO's jurisdiction
 - Children's Services. Investigation was not initiated.
 - Benefits & Tax. 2 issues, neither investigation were initiated.
 - Adult Care Services. Investigation was not initiated.
 - Planning and Development. Investigation was not initiated.
115. Details of learning outcomes have been sought in relation to all Ombudsman investigations which have been concluded during the quarter. During Quarter 2 no learning outcomes have been reported.

Recommendations and Reasons

116. Members of Standards Committee note the report.
117. When the current reporting regime for complaints handling was introduced it was on the understanding that refinements/further development would take place as a continuing process. The views of Members as part of this process are always welcome.

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Durham County Council
Children and Adult Services (CAS)

Annual Representations
Report 2011/12

**Services to Children, Young
People and their Families**

CAS Annual Representations Report 2011/12 Services to Children, Young People and their Families

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***This report is published under the provisions of the Children's Act 1989
Representation Procedure (England) Regulations 2006***

Annual Representations Report 2011/12 Services to Children, Young People and their Families

Executive Summary

1.0 Introduction

- 1.1 This is the sixth annual report detailing the performance of Durham County Council's Representations function in respect of services to children, young people and their families for the period 1 April 2011 to 31 March 2012. Representations cover compliments, suggestions, comments and complaints made by children and young people who are service users or by their carers and/or representatives on their behalf.
- 1.2 The aim of this report is to provide performance information in a concise manner. Detailed information, such as the aims of and procedures for handling complaints, can be supplied upon request.
- 1.3 It should be noted that former Children and Young People's Services (CYPS) Service Areas reduced from six to five, with some title changes, with effect from 1 April 2011 (and then further reduced to four service areas on 1 April 2012 when Finance services became part of the Council's Resources Service).
- 1.4 Explanations of terms used can be found in Appendix A and in the Glossary of Abbreviations in Appendix D at the end of the report.
- 1.5 Statutory complaints are complaints made about social care services, as defined in *The Children Act 1989 Representations Procedure (England) Regulations 2006*, and the guidance documents which accompanies the regulations: *Getting the Best from Complaints*.
- 1.6 Corporate complaints are complaints which are not about social care services but are about other services for children, young people and their families. For matters where there is an appeals process, the complaint may be made about the process but not the decision.

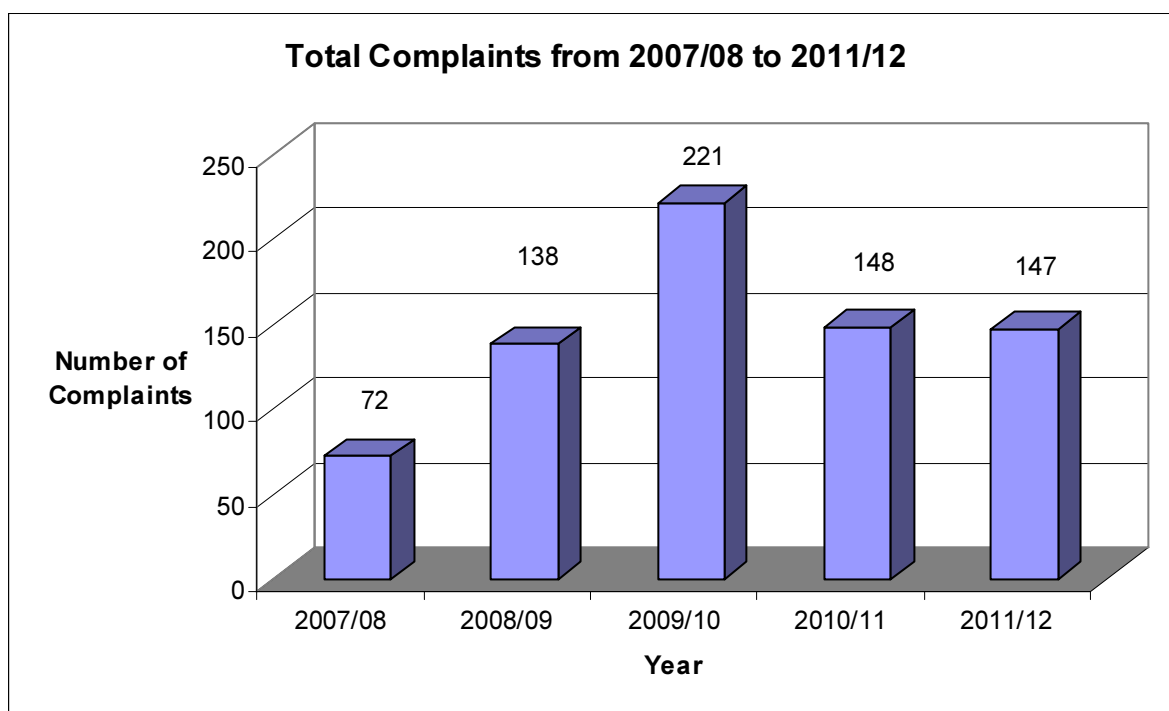
2.0 Key Messages

Representations Overview

- 2.1 In 2011/12, a total of 661 representations were received in relation to services for children, young people and their families in comparison to 625 in 2010/11. This represents an increase of 5.8% in representations received.

	2010/11	% of Total	2011/12	% of Total	Direction of Travel
Complaints	148	24	147	22	Improved
Compliments	414	10	446	10	Improved
Comments	61	<1	64	1	Improved
Suggestions	2	66	4	67	Improved
Grand Total	625	100	661	100	Improved

- 2.2 Of the 661 representations, the majority were compliments, representing 67% of the total representations received. Complaints represented 22%.
- 2.3 Performance has improved across all types of representation when compared with the previous year. Complaints have reduced marginally and there are more compliments, comments and suggestions. There are more representations being made but a higher percentage of these were of a positive nature.
- 2.4 Compliments as a % of total representations received as increased year on year since 2006/7. Additionally, 2011/12 represents the second year running where the number of complaints received has reduced as illustrated below:

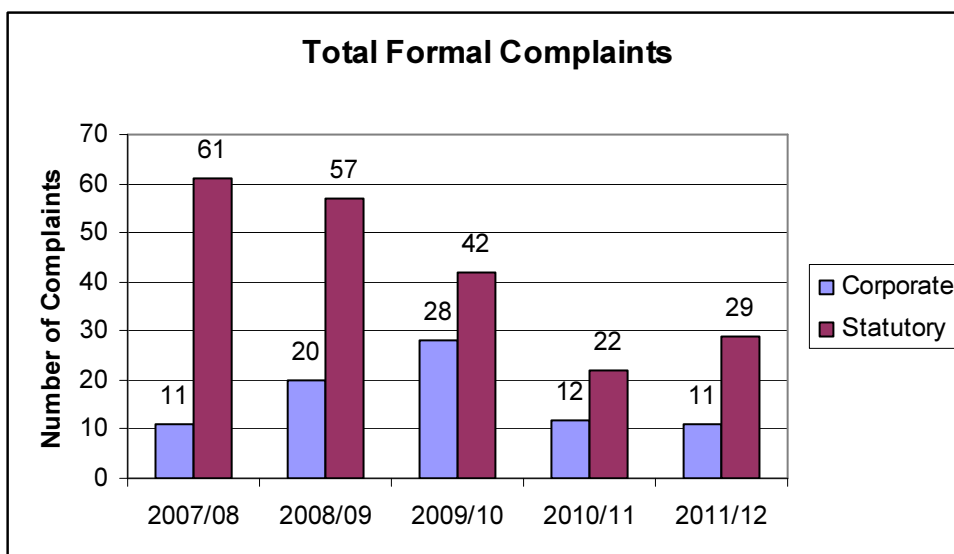


- 2.5 The service area which delivers a high number of ‘front line’ services (Safeguarding and Specialist Services) received the highest proportion of complaints with 127 out of 147 complaints (86.4%) relating to social care services.

Performance

- 2.6 The timescale for sending an acknowledgement of receipt of a complaint to the complainant is 2 working days from receipt of complaint. 100% of formal complaints received were acknowledged within 2 working days.
- 2.7 Performance has been sustained in acknowledging formal complaints over the past 2 years. 100% of all new formal complaints were acknowledged within 2 working days in 2011/12 and 2010/11 in comparison to 94.2% in 2009/10.
- 2.7 Informal complaints are where the complaints are dealt with *informally, normally at a local level within a reasonable length of time*. Formal complaints are where resolution at an informal level has not been successful or the complaint is particularly complex and requires to be immediately actioned under the formal procedure at Stage 1. An investigation will be undertaken by a Senior Manager within the service. The reporting

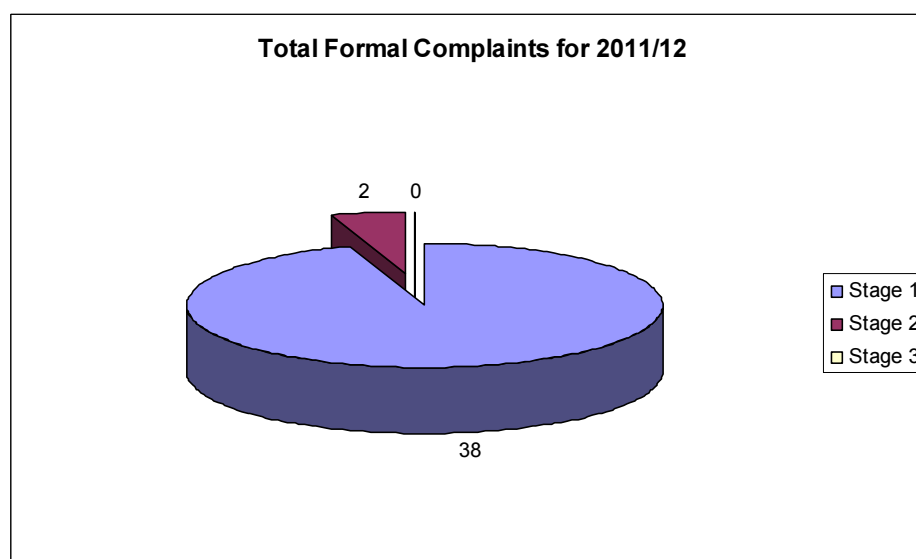
year has seen a slight increase in the number of complaints dealt with under the formal procedure, as illustrated below:



2.12 A lower percentage of complaints were resolved at first point of contact before entering the formal process in comparison to the previous year. 72.8% of complaints received were resolved informally compared with 77% in 2011/12 (68% in 2009/10 and 42% in 2008/09).

2.13 There are 3 stages within the formal procedure. Stage 1 involves an investigation by a strategic manager within the service. Stage 2 is where an independent evaluation and investigation into the complaints are undertaken by an impartial and independent person who may be from outside the Council. Stage 3 is either a Review Panel or the Local Ombudsman depending on whether the complaint is statutory or corporate.

Of the 40 formal complaints in 2011/12, 38 were stage 1 complaints, 2 were stage 2 complaints. There were no stage 3 complaints as the pie chart below shows.



- 2.14 Overall performance in resolving formal complaints within timescale has marginally deteriorated over the reporting year.
- 50% (19 out of 38) of Stage 1 complaints were resolved within timescale in comparison with 51.6% the previous year and 72.3% in 2009/10.
 - Neither of the 2 stage 2 complaints received were resolved within timescale. Both investigations were carried out by Independent Investigation Officers (IOs) and Independent Persons (IPs) from outside the Local Authority. Reasons for this are given in Part 2.
- 2.15 An Ofsted Inspection of Durham's safeguarding and looked after children services reported very favourably about the complaints process for services for children and young people, noting that "Complaints policies are well developed and disseminated. The council has a robust approach to the collation and evaluation of complaints. Complaints are dealt with swiftly....Lessons learned from complaints have helped to improve services.... They are well developed and used successfully by looked after children and young people...." (Ofsted, 28 November - 13 December 2011)

Benchmarking

- 2.16 Results of a benchmarking exercise with a random sample of North East Local Authorities shows that Durham's number of complaints are below the average for the number per 1,000 0-19 population, number per Looked After Child and per number of children on a child protection plan. Durham also has fewer stage 2 investigations per 1,000 0-19 population than 3 of the 4 comparator authorities and is equal with the 4th Local Authority.

Outcome

- 2.17 All complaints are taken seriously and investigated. This does not necessarily mean that all complaints, or even the majority, are upheld (justified)*, as the figures for the reporting year show:
- 20% of formal complaints were upheld (justified)
 - 30% of formal complaints were partially upheld (partially justified)
 - 42.5% of formal complaints were not upheld (not justified)
 - 2.5% of formal complaints were withdrawn
- (5% of formal complaints are ongoing at time of writing report)

* (see Appendix D Glossary of terms and abbreviations)

Themes

- 2.18 A perception of poor service accounted for 35% of formal complaints in 2011/12, a decrease from the 2010/11 figure of 29.4% (from 42.1% the preceding year).
- 2.19 It is pleasing to note that the percentage of formal statutory complaints regarding the attitude and conduct of staff has again shown a decrease from previous years to 2.5% (from 14.7% in 2010/11, 17.1% in 2009/10 and 28.6% in 2008/09).
- 2.20 The main theme that has been identified from complaints received during 2010/11 is 'not feeling listened to'.

Learning as a result of Complaints

2.21 Durham County Council learns from complaints that service users and their representatives make. Below are some examples of lessons learned.

Recommendation	Action
Staff should ensure that they are more helpful regarding telephone enquiries and retain a positive attitude with service users	This was included in team plans which are monitored by each strategic manager. A mystery shopping exercise was followed up by Business Support Services to check on improvement with positive results.
Keep families informed when staff are unable to attend appointments, so that service users are able to make alternative arrangements in their lives.	This issue has been raised by Head of Service in 2 of the last 3 practitioner briefings (over 150 staff attend) as part of a slide covering feedback and learning from complaints.
Ensure that there is good joined-up working between agencies working with children and young people with complex needs, to ensure that the most appropriate services are in place.	Services are now fully integrated and co-located and lead professionals are in place. Levels of complaints from parents of disabled children have dropped significantly in the last five years (they were the highest number of complainants previously).
Staff to be regularly reminded of their roles, duties and responsibilities with respect to children who are being placed for adoption.	Half day training sessions are currently being delivered by a member of adoption panel and adoption Team Manager for all social worker staff to emphasise this.

Annual Representations Report 2011/12

Services to Children, Young People and their Families

PART ONE – INTRODUCTION AND OVERVIEW

Introduction

- 1 This is the sixth Annual Report detailing the performance of Durham County Council's (DCC) Representations function in respect of services to children, young people and their families. Representations cover compliments, suggestions, comments and complaints made by children and young people who are service users; or by their carers and/or other representatives on their behalf.
- 2 For brevity, the aims and details of procedures for handling complaints are not provided within this report. This information can be supplied upon request.
- 3 It should be noted that former Children and Young People's Services (CYPS) Service Areas reduced from six to five, with some title changes, with effect from 1 April 2011 (and then further reduced to four service areas on 1 April 2012 when Finance services became part of the Council's Resources Service).
- 4 A number of terms are used throughout this report which are explained at Appendix A.
- 5 Requirements on the procedures for handling and considering statutory representations about children's social care services are enshrined in statute; The Children Act 1989 Representations Procedure (England) Regulations 2006 sets down the procedures that Local Authorities (LAs) with social care responsibilities must follow when a representation about social care services is made.
- 6 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.
- 7 Although there is no legislative requirement for the reporting of corporate complaints, CAS 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. The Service also learns from *all* representations, both statutory and corporate. This report therefore provides information on the full range of representations made across the service.
- 8 As noted at Appendix A, there are various stages to the complaints process with specific timescales for each stage of the process. These are shown in Figure 1 overleaf. The statutory and corporate procedures each have their own timescales, however, the 'customer' (service user / complainant) does not see any difference in the level of service offered.

Figure 1 – Timescales for complaints acknowledgement and resolution

	Statutory	Corporate
Acknowledgment of complaint	Within 2 working days of receipt of complaint	Within 2 working days of receipt of complaint
Stage 1 (formal) resolution and response	20 working days from receipt of complaint	10 working days from receipt of complaint
Stage 2 (formal) resolution and response	Within 65 working days from agreement to commence Stage 2 investigation	Within 20 working days from agreement to commence Stage 2 investigation.
Stage 3	Review Panel convened within 30 working days of request to go to Stage 3	Not applicable (Stage 3 is to the Local Government Ombudsman)
Stage 3 response	Within 5 working days of panel meeting (response from Legal Services)	Not applicable
Stage 3 final response	Within 15 days of final response (from Head of Service)	Not applicable

For a more detailed overview of the representations procedures, the Representations and Quality Officer (RQO) can be contacted as detailed at the end of this report or further information can be accessed via the intranet (DCC employees only) or the internet for members of the public.

- 9 No formal timescales exist for resolution of complaints at an informal level but the service aims to resolve these as soon as possible, at first point of contact and within a reasonable length of time.
- 10 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 analysis. This report therefore reflects the quality of life issues for service users that have led them to complain about (or compliment) the services they receive as well as providing data on measurable performance.
- 11 Lessons learned from the issues raised in representations are used to inform service improvements, examples of which are detailed in Section Eight of this report.
- 12 It should be noted that complaints about school-based matters are dealt with directly by the school and governing body, in line with the School Complaints Procedure, a copy of which is available from School and Governor Support Services (SGSS). Information about such complaints is therefore not included in this report. For matters where there is an appeals process, a complaint may be made about the process but not the decision.

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Overview of Representations

Breakdown of Representations by type 2011/12

- 13 As Figure 2 below shows, 661 new representations were made in 2011/12, an increase of 5.8% (36) on the previous year.
- 14 The overall number of compliments also increased and it is pleasing to note that 67.4% of all representations received were in relation to compliments (in comparison to 66% in 2010/11, 65% in 2009/10 and 64% in 2008/09).
- 15 73% of complaints received were resolved informally compared with 77% in 2010/11, 68% in 2009/10 and 42% in 2008/09. The high levels of compliments recorded mean that for every negative representation received (via a comment or complaint) there were over twice as many positive ones (ratio 1:2.1).

Figure 2 – Overview of Representations received 2011/12 (table)

	Corporate	Statutory	Total 2011/12	Total 2010/11	DOT*
Complaints – Informal	9	98	107	114	↓
Complaints – Stage 1	11	27	38	31	↑
Complaints – Stage 2	0	2	2	3	↓
Total Complaints	20	127	147	148	↓
Compliments	239	207	446	414	↑
Comments	0	64	64	61	↑
Suggestions	2	2	4	2	↑
		Total number of Representations	661	625	↑

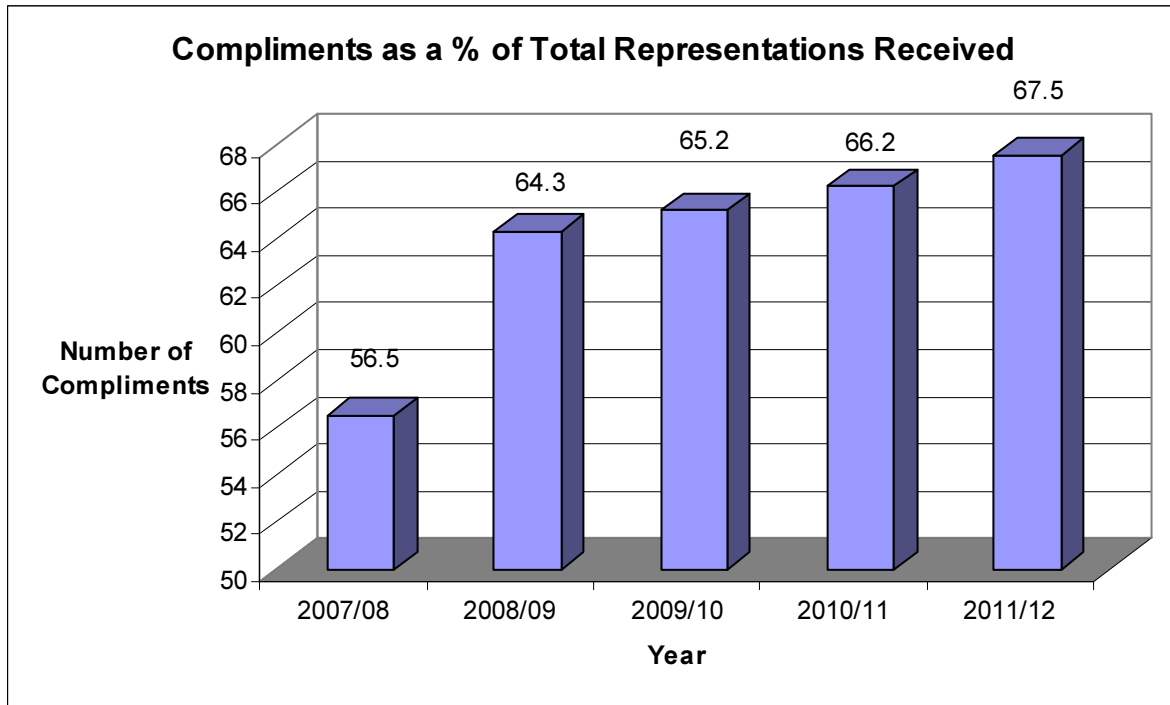
* Direction of Travel

Complaints

- 16 The overall number of complaints decreased marginally from 148 to 147 over the period 2010/11 to 2011/12.
- 17 Fewer complaints were resolved informally before entering the formal process. There were fewer stage 2 complaints compared with the previous year.

Compliments

- 18 The overall number of compliments has increased by 7% from 414 in 2010/11 to 446 in 2011/12 and compliments received by the service as a percentage of all representations have shown a year on year increase since 2006 as shown below:



Comments and Suggestions

- 19 There has been a slight increase in the number of comments and suggestions submitted.

Corporate Representations

- 20 It is pleasing to note that during the reporting year the number of corporate complaints about services for children and young people fell despite efficiency savings being implemented. A total of 261 corporate representations were received during the reporting year, compared with 364 in 2010/11, 449 in 2009/10 and 335 in 2008/09. Compliments accounted for 91.6% of corporate representations, compared with 90.4% in 2010/11, 83.7% in 2009/10 and 83.6% in 2008/09. Although representations have decreased in relation to corporate representations, a greater percentage of these are compliments.

Statutory Representations

- 21 The number of statutory complaints rose during the same period but this is believed to be as a result of increased actions to safeguard children leading to more parents making representations to the Council.
- 22 In relation to statutory representations, a total of 400 were received, compared to 261 in 2010/11, 417 in 2009/10, 331 in 2008/09 and 89 in 2007/08. The past few years have seen system improvements for more robust recording of representations, and particularly compliments. It is noted that of the 400 representations, over half (51.8%)

were compliments about children's social care services, compared with 32.6% of statutory representations being complimentary in 2010/11.

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PART TWO – PERFORMANCE AND MONITORING

Informally Resolved Complaints

23 Over the past few years, efforts have been made for more complaints to be resolved 'informally' at a local level without the need for a formal investigation by a senior manager. This is a view supported by the Local Government Ombudsman (LGO). In the Annual Review letter to the Councils' Chief Executive (22 June 2012) the LGO confirmed that *"We support local complaint resolution as the most speedy route to remedy"*.

Informal resolution improves service user relations and satisfaction and minimises the number of complaints initially actioned at a formal level, thereby potentially resulting in cost and time savings to the Local Authority

24 The Ofsted inspection report of Safeguarding and Looked after Children services dated 25 January 2012 made a number of positive references to the handling of complaints and noted that "Complaints are dealt with swiftly" and "virtually all complaints are dealt with at an early stage."

25 The table below summarises the numbers and percentages of complaints which were informally resolved during the reporting and preceding years:

	% resolved informally 2009/10	% resolved informally 2010/11	Total number complaints 2011/12	Number resolved informally 2011/12	% resolved informally 2011/12
Statutory	-	80.9%	127	98	77.2%
Corporate	-	63.6%	20	9	45.0%
All	31.7%	77.0%	147	107	72.8%

26 Every complaint is considered on a case by case basis to decide if it can initially be actioned 'informally' or 'formally' at stage 1 of the formal process.

27 If an informal complaint cannot be resolved within a reasonable timescale (usually within a few days), it will usually be logged as a 'formal' complaint to be investigated fully and formally under the appropriate Stage 1 procedure.

28 Informal resolution can provide greater service user satisfaction and gives the Service an opportunity to resolve matters before they are escalated into the 'formal' arena. Where a formal investigation is carried out, this will be by a senior manager of the service, and may be time-consuming if the complaint has reached such a point that there are numerous elements. It is therefore costly in terms of time and people resources; and this cost increases further if a statutory complaint is subsequently escalated to the next stage, as statutory Stage 2 investigations incur a cost to the LA for an independent Investigating Officer (IO) and Independent Person (IP).

29 In recent years Durham has had fewer complaints taken to Stage 2 than neighbouring local authorities therefore the practice of trying to resolve more complaints 'informally' at the outset appears to be beneficial.

- 30 A benchmarking exercise using a random sample was undertaken with neighbouring authorities within the North East region. Durham performs better than the average in relation to the number of complaints made, number of stage 2 complaints and number of complaints per LAC and Children on a Child Protection Plan, using the relevant populations as a comparator.
- 31 The table below outlines that Durham has fewer complaints per 1, 000 of the 0-19 population than 3 of the 4 neighbours; and fewer complaints per Child on a Child Protection Plan than 2 of the 4. Durham also had fewer Stage 2 investigations than 3 of the other 4 Local Authorities and is on par with one other authority with a rate of 0.02 Stage 2 investigations per 1, 000 0-19 population.

	Durham	1	2	3	4	
Informal	98	0	0	0	0	
Stage 1	27	48	49	29	133	
Stage 2	2	4	3	1	15	
Stage 3	0	4	0	1	3	
Total	127	56	52	31	151	Average
No. of complaints per 1, 000 (0-19 population)	1.10	1.54	2.06	0.68	2.41	1.56
No. of Stage 2 complaints per 1, 000 (0-19 population)	0.02	0.11	0.12	0.02	0.24	0.10
No. of complaints per Looked After Child	0.19	0.16	0.25	0.08	0.39	0.21
No of complaints per child with a child protection plan	0.29	0.22	0.51	0.16	0.38	0.31

- 32 All complaints that are resolved 'informally' are logged and any learning points are noted. The learning actions detailed in Section Eight are from both informally and formally resolved complaints.
- 33 Some examples of complaints which were informally resolved during the reporting year are given in Appendix B.

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Formal Complaints 2011/12

- 34 The table below summarises that 40 complaints were taken through a formal complaints process during the reporting year.






	Statutory	Corporate	Totals
Stage 1	27	11	38
Stage 2	2	0	2
Stage 3	0	N/A	0
Totals	29	11	40

- 35 During the preceding reporting year 2010/11, 35 complaints were actioned formally at Stage 1 or Stage 2 of the appropriate complaints procedure. There has therefore been an increase of 14.3% (from 35 to 40).

Formal Complaints by Service Area

- 36 Figure 4 below illustrates that the vast majority of formal complaints (75%) were received in relation to SaSS which is not surprising given the large number of front facing contacts made with children, young people and their families by this service area. This compares with 67.6% in 2010/11 and 62.9% in 2009/10.

Figure 4 – Formal complaints by Service Area

Service Area	Number 2009/10	Number 2010/11	Number 2011/12	DOT
Safeguarding and Specialist Services	44	23	30	
County Wide Services (formerly Access and Inclusion)	14	3	4	
Extended Services (no longer a service area from 1 st April 2011)	4	2	-	-
Finance Services	2	0	0	
Achievement Services	4	4	4	
Early Intervention & Partnership Service (formerly Strategic Commissioning)	2	2	2	
Total no. of formal complaints	70	34	40	

Formal complaints made by service users or on their behalf

- 37 Figure 5 highlights that, as in previous years, the greatest majority of formal complaints were made by the parents of a child or young person. Many complaints from direct service users (children and young people) are resolved informally at a local level, for example those housed in secure accommodation. This is in line with the good practice guidance for actioning statutory complaints, which suggests that LAs should attempt to resolve complaints quickly and at the point of delivery.

Figure 5 – Formal complaints made by service users or on their behalf

Complainant	% 2009/10	% 2010/11	Number 2011/12	% 2011/12
Parent	52.9	52.9	25	62.5
Client (child/young person)	8.6	5.9	4	10
Client (adult)	2.9	8.8	0	-
Relative (Non Parent)	7.1	11.8	6	15
Carer	2.9	-	1	2.5
Other	24.3	20.6	4	10
			40	

- 38 The 4 complaints which were made by children and young people were made via Advocates from the National Youth Advocacy Service (NYAS), with whom the LA has a contract with to provide free advocacy service to children and young people who are looked after. It is pleasing to note that more clients have accessed the complaints procedure than in previous years. Although this remains at only 10% of the overall figure and action has been taken to ensure accessibility e.g. improving web access and changes to the children and young person's complaints leaflet.

Formal complaints by theme

- 39 The broad nature of complaints received during the reporting year is illustrated in Figure 6 below.

Figure 6 - Formal complaints by theme

Main reason for complaint	% 2009/10	% 2010/11	Number 2011/12	% 2011/12
Poor Service	42.9	29.4	14	35
Staff Attitude or Conduct	17.1	14.7	1	2.5
Staff Attitude and Poor Service	7.1	11.8	6	15
Decision regarding service	21.4	17.7	12	30
Decision regarding service and Staff Conduct	4.3	14.7	3	7.5
Decision regarding service and Poor Service	Not noted	Not noted	3	7.5
Other	7.1	11.8	1	2.5
Total no. of formal complaints			40	100%

- 40 The percentage of complaints received in relation to poor service increased slightly from the preceding year; whilst the percentage relating to the decisions made by the

service increased considerably. It is worth noting that 70% of complaints received were either not upheld or only partially upheld (see Figure 8 overleaf so although service users complained that they had received poor services, in the majority of cases, investigations did not find evidence to support this.

- 41 In the case of statutory complaints, 37.9% (11 out of 29) were about perceived poor service (compared with 27.3% in 2010/11, 42.9% in 2009/10 and 30.6% in 2008/09). Many statutory complaints stem from highly emotive situations, often in cases where parents are unhappy that social care services have become involved in their children's lives; sometimes the children have been removed from their parents care as part of formal child protection proceedings.
- 42 It is pleasing to note that once again the percentage of formal statutory complaints regarding the attitude and conduct of staff has shown a decrease from previous years, at 2.5% (from 14.7% in 2010/11, 17.1% in 2009/10 and 28.6% in 2008/09).

Formal complaints by outcome

- 43 The information in Figure 7 shows the balance between the number of formal complaints received and investigated compared with the number where it was found that the service had acted inappropriately or could have done more. Please refer to the glossary in Appendix D for full definitions.

Figure 7 - formal complaints by outcome

	No. upheld	No. partially upheld	No. not upheld	No. still outstanding*	No. withdrawn	Total no.
Statutory	6	11	9	2	1	29
Corporate	2	1	8	0	0	11
Total	8	12	17	2	1	40
% of total (2011/12)	20%	30%	42.5%	5%	2.5%	100%
% of total (2010/11)	5.9%	44.1%	38.2%	8.8%	3.0%	
% of total (2009/10)	23.1%	27.7%	46.2%	0	3.1%	

*outstanding at the time of writing this report (July 2012)

- 44 As Figure 7 shows, 52.5% of all formal complaints received in 2011/12 were completely or partially upheld (justified) compared with 50% in 2010/11. 42.5% were not upheld. For formal statutory complaints, 9 out of 29 (31%) were not upheld; and 8 out of 11 (72.7%) formal corporate complaints were not upheld.

Performance indicators – Stage 1 complaints

- 45 As in 2010/11, during the reporting year 100% of all Stage 1 complaints received were acknowledged by the Service within the required timescale of 2 working days, which is an improvement on the performance of 2009/10 at 93.8%.
- 46 As Figure 8 below shows, 50% of complaints taken through the formal Stage 1 process were resolved within the target of 20 working days (statutory) and 10 working days (corporate). This performance is worse than that of the preceding years. The system of informing complainants of any expected delay (via written or verbal means) with the reason(s) why has continued during the reporting year.

Figure 8 - Performance indicators – timescales (Stage 1 complaints)

	% of total 2009/10	% of total 2010/11	No. 2011/12	% of total 2011/12	DOT
Stage 1 acknowledged in timescale	93.8 %	100%	38	100%	↔
Stage 1 statutory resolved in timescale	60.0%	25%	13	48.2%	↑
Stage 1 corporate resolved in timescale	92%	100%	6	54.5%	↓
Total Stage 1 resolved in timescale	78.3%	51.6%	19	50.0%	↓

- 47 Those complaints which are formally investigated tend to be the most complex ones, often involving a number of elements. Such complaints are investigated by senior managers in addition to their usual caseload, which may result in complaint investigation being de-prioritised behind issues of a more pressing nature involving child safeguarding.
- 48 Reasons for the delay in resolving complaints within timescale are explored on a quarterly basis via the quarterly representations reports and senior managers' performance days. Complainants are kept informed by the investigating manager and/or the RQO about the progress of the complaint.
- 49 It is noted that performance in relation to resolution of corporate Stage 1 complaints has worsened. Reasons for this have been explored. In the case of 3 complaints, the issues were particularly complex and necessitated numerous interviews which delayed matters beyond the 10 working day resolution timescale. In 2 cases there was some delay in allocating the complaint to an appropriate manager for investigation due to restructure and staff absence. This has been brought to the attention of senior managers to prevent recurrence.

Performance Indicators - Stage 2 complaints

- 50 Where formal complaints are received which are particularly complex, or when complainants have remained dissatisfied with the response at Stage 1 of the formal procedure, complaints are investigated at Stage 2, by a person who was not involved at Stage 1.
- 51 The procedures for statutory and corporate complaints taken to Stage 2 differ slightly in that for corporate Stage 2 complaints, the investigation is undertaken by staff within the LA; the Customer Complaints Unit (CCU) within Neighbourhood Services will allocate an appropriate senior manager to carry out the investigation.
- 52 For statutory complaints, an Independent Officer (IO) is appointed, as well as an Independent Person (IP) who oversees the process to ensure it is carried out appropriately. During the reporting period the LA had a contract with North East Consortium (NEC), part of NYAS, to supply IPs.
- 53 As Figure 9 below shows, both complaints taken to Stage 2 were acknowledged within the target of 2 working days; however neither were resolved in timescale (65 working days for statutory complaints, 20 working days for corporate).

Figure 9 - Performance indicators – timescales (Stage 2 complaints)

	No. 2010/11	% of total 2010/11	No. 2011/12	% of total 2011/12	DOT
Stage 2 acknowledged in timescale	3	100%	2	100%	↔
Stage 2 statutory resolved in timescale	0	0%	0	0%	↔
Stage 2 corporate resolved in timescale	0	0%	n/a	n/a	-
Total Stage 2 resolved in timescale	0	0%	0	0%	↔

- 54 Of the 2 stage 2 investigations during the reporting year:
- One was responded to 152 working days after being taken to Stage 2. This means that 152 days (31 weeks) passed between an independent Investigating Officer being appointed, and the final version of her report being completed. This represents 87 days over timescale.
 - One was responded to 178 working days after being taken to Stage 2. This means that 178 days (37.5 weeks) passed between an independent Investigating Officer being appointed, and the final version of her report being completed. This represents 113 days over timescale.

For both complaints, the Investigating Officer (IO) included a chronology within the report detailing the length of time taken to carry out interviews, look at records, write the reports and so forth. As part of the Independent Person (IP) role, the IP had to comment within their reports about reasons for delay and if these could have been avoided; in both cases the delays were considered to be acceptable in view of the complexity of the cases and the complaints. Complainants are kept informed of progress and delays by the IO.

- 55 Since new contract arrangements for Investigating Officers was changed on 1st January 2012, to an approved regional list, timescales for Stage 2 investigations have significantly improved.

Compliments

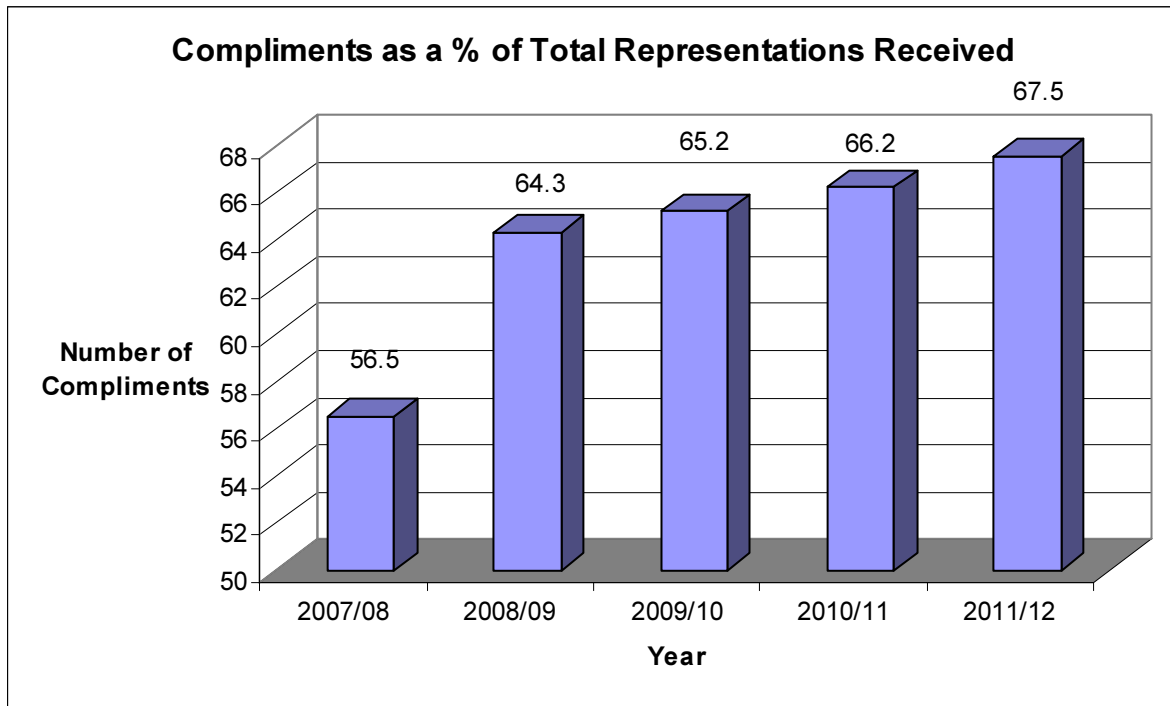
- 56 Paragraph 2.1 and Figure 2 (Section Two) show that during the reporting year there were a total of 446 compliments (compared with 414 in 2010/11, 565 in 2009/10 and 328 in 2008/09) which can be evidenced in the form of letters, e-mails, cards and completed survey forms (customer service questionnaires). There were 207 compliments regarding Statutory Services and 239 regarding other services, as shown in Figure 10 below:

Figure 10 – Compliments by service area

Service Area	Number
SaSS	207
Achievement Services	27
County Wide Services	180
Early Intervention & Partnership Service	30
Finance Services	1
Former Extended Services	1
Total	446

- 57 It is pleasing to note that the number of compliments received has increased from the previous year; and in particular compliments to SaSS about social care services have shown a 144% increase on the previous year. Compliments received by the service as a percentage of all representations has shown a year on year increase, as illustrated in Figure 11 overleaf. In 2011/12, 67.5% of all representations received were in relation to compliments.

Figure 11 – Year on year increase in compliments



58 Compliments highlight that service users appreciate the following:

- feeling respected, listened to and supported;
- having decisions explained to them;
- being kept informed;
- professionalism, care and commitment of staff; and
- being able to contact staff easily.

59 Examples of the many compliments received across the service this year are given in Appendix C; they give an insight into the diverse range of services which have been appreciated by staff and service users. Further examples can be given upon request, including hundreds of examples of positive feedback from families about summer breaks for disabled children.

Suggestions

60 During the reporting year, 4 suggestions were received from service users, which were acknowledged and responded to. Examples include:

- One suggestion related to the One Point Service, which consists of 10 main offices or 'Hubs', each of which has responsibility for a number of smaller offices or 'Spokes'. The suggestion was that the Spokes as well as the Hubs should be shown on a map, together with some information to show which Hub each Spoke relates to. The suggestion was welcomed and arrangements made to have the Spokes identified on a map locator.
- A foster carer suggested that carers should be issued with an up-to-date and comprehensive list of LA contacts whom they could telephone in case of emergency or if advice required. The carer was thanked for his useful suggestion and this has since been actioned.

Comments

- 61 Comments from service users are actively encouraged and welcomed in order to inform service improvements and developments through surveys and other communication channels.
- 62 During 2011/12, there were 64 comments of a negative nature received about social care services, compared with 61 received in 2010/11, 78 in 2009/10 and 100 in 2008/09. Feedback in the form of negative comments is analysed and any themes are included in quarterly reports to senior managers.
- 63 As in previous years, the main themes from the negative comments received in 2011/12 were:
- Social Workers cancelling meetings and/or not returning calls.
 - Families don't understand why they need the intervention of social services.
 - Frequent change of Social Worker and/or family not kept informed that the worker had been changed.
 - Those service users who asked for help felt that they weren't given it/sufficiently/quickly enough.
 - Professionals didn't listen properly, and/or didn't treat parents/carers with enough respect.
- 65 In addition to the above, a large number of enquiries are received from parents who are unhappy about an issue at their child's school, and these are re-routed to the appropriate officer in the School and Governor Support Service (SGSS).

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Equality and Diversity

Complainants' age and gender profiles

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

Figure 12 – complaints made in relation to age and gender

	Female 0-17	Female over 18	Total female	Male 0-17	Male over 18	Total male	Other/ unknown
Statutory	15	0	15	14	0	14	0
Corporate	5	0	5	2	0	2	4
Total	20	0	20	16	0	16	4
% of total (40) 2011/12	50%	0%	50%	40%	0%	40%	10%
% of total (34) 2010/11	44.1%	8.8%	52.9%	35.3%	0%	35.3%	11.8%

67 It should be noted that where complaints are made by parents/carers on behalf of children and young people, if there is more than one child in the family, the complaint details are recorded in the name of the eldest child. The figures and percentages above therefore do not give a full and true picture of the age and gender of children who were involved in making formal complaints.

68 For statutory complaints, specific details about the child or young person are required (full name, date of birth) in order to be able to investigate the complaint; whereas some corporate complaints can be looked into without necessarily knowing the child's details. 2 corporate complaints were received on behalf of an organisation (noted as 'other' in figure 12); one corporate complaint did not specify if the complaint was being made on behalf of a boy or girl, but simply referred to the "child". One corporate complaint was not made on behalf of children/young people but by prospective adopters.

Complainants' ethnicity profiles

69 Citizens who make a corporate complaint via the DCC website are asked for equality and diversity (E&D) information; however this information is not yet subsequently recorded on the CRM (Customer Relations Management) system where all service user contacts with the Council are captured. Where complaints are made directly to the Representations and Quality Officer, E&D information is not sought until the end of the

process, when it is included in a satisfaction survey about the complaints process. However complainants may choose not to complete the form or the E&D part.

- 70 Figure 13 below shows that all 29 formal statutory complaints are recorded as being made by or on behalf of children or young people of White British origin. At any one time, around 2% of the caseload of the social care teams for children is children or young people who are not White British (around 50 children and young people). Therefore, numbers of complaints expected are in line with what we would expect to see given the low population figures. The ethnic origin of the individual children who had corporate complaints investigated on their behalf is not known as this information was not shared by the complainants.

Figure 13 – Formal statutory Stage 1 complaints by ethnic group of service user

	White British	Any other ethnic group
Female	15	0
Male	14	0
Total	29	0
% of total	100%	0%

Complaints regarding equality and diversity issues

- 71 During the reporting year no formal complaints were received about services users being unable to access any service due to their age, gender, disability, race or ethnicity, religion or sexual orientation.

Local Government Ombudsman letter 2011/12

- 72 The Local Government Ombudsman’s (LGOs) Annual Review Letter to the Chief Executive of Durham County Council is dated 22 June 2012 and contains the following information about the numbers of complaints received about the County Council during the period 1st April 2011 to 31st March 2012:

	Education and Children’s services	Total for Council	Education and Children’s services Complaints as a % of Total
Total 2011/12	28	155	18.1%
Total 2010/11	9	155	5.8%
Total 2009/10	12	105	11.4%
Total 2008/09	14	40	35.0%
(Total 2007/08)*	8	-	-
(Total 2006/07)*	11	-	-

*Not directly comparable to subsequent years due to changes made in 2008/09 to the way the LGO operates.

- 73 Of the 28 complaints submitted to the LGO about 'Education & Children's Services':
- Advice was given in 5 cases.
 - 5 were deemed to be 'premature complaints' (the Council had not been given an adequate opportunity to respond).
 - 18 were forwarded to the investigative team as new complaints to the Ombudsman.
- 74 The letter states that the Ombudsman has no concerns about Durham's response times and there are no issues arising from the complaints that were reported about.

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Services for Children, Young People and their Families

PART THREE – LEARNING AND DEVELOPMENT

Strategic Level - Key Messages

- 75 The annual report for 2008/09 identified two clear themes from complaints and comments received in that year: communication and culture; and in 2009/10 and 2010/11 the major theme was poor communication. As Section Four shows, during 2011/12 the number of complaints about the service increased slightly from the previous year, and although perception of poor service was the main reason for the majority of complaints, 70% were either not or only partially upheld.
- 76 An analysis of complaints and comments received during 2011/12 shows that by 'poor service' complainants mean staff not answering or returning calls (particularly Social Workers) and service users feeling that they were not listened to or treated with respect.
- 77 As in previous years, the majority of citizens who make a complaint 'on behalf of' a child are inherently unhappy with a decision that the LA has made regarding the child(ren), be it about the school they are to attend, the refusal to supply transport, or the intervention of social care services, in some cases to safeguard the child(ren) concerned. From this inherent unhappiness there is a negative perception, resulting in complaints about poor service and staff attitude, the majority of which are not upheld. Complainants still refer to 'social services' in a negative manner and believe them to be working against the wishes of families/carers. Where any intervention services to children are required it can be an emotive area with the potential for a conflict of interest.
- 78 In 2011/12 the same messages continue from the previous year; complainants have illustrated that they feel the service has:
- either intervened unnecessarily in their child's life, or
 - not intervened enough, by failing to offer support and services which the family feel are required; and
 - moved children and young people to other placements when they did not wish to move;
 - failed to give a clear explanation of actions taken, sometimes at the appropriate level of understanding of the child/young person/representative; and
 - for various reasons, failed to answer calls and / or return messages, or keep appointments (without prior cancellation).
- 79 The overarching message from the majority of complainants during the reporting year is one of **not feeling listened to**.
- 80 Whilst some complaints could be avoided if the service was to offer a fuller and more detailed explanation of their role, what they are doing and what they can't do (and why), as mentioned above, some service users would inevitably remain dissatisfied simply because of having to deal with the service at all.

Operational level - recommended actions from complaints 2011/12

81 Recommended actions from complaints resolved and action taken in 2011/12 include:

Recommendations	Actions Taken
Staff should ensure that they are more helpful regarding telephone enquiries and retain a positive attitude with service users	This was included in team plans which are monitored by each strategic manager. A mystery shopping exercise was followed up by Business Support Services to check on improvement with positive results.
Families should be given clear, open and honest explanations at a level which meets their understanding about what is happening in relation to their children's case, and the reasons for actions.	Where there are concerns about the quality of communication, managers are asked to address this through direct observations and supervision. The numbers of observations carried out and reviews where communication has been addressed have increased significantly in the last few months.
Ensure that information included in assessment reports is accurate and that reports are shared with appropriate persons in a timely manner in order to check and record any discrepancies.	All assessments for child protection must be shared at least 2 days before the conference for this reason. Performance is monitored by the LSCB and its constituent locality groups regularly.
Ensure that meeting notes and minutes are shared with families in an appropriate and timely manner.	Notes are required to be shared within agreed timescales as shown above, performance is monitored and action taken to address where necessary.
Keep families informed when staff are unable to attend appointments, so that service users are able to make alternative arrangements in their lives.	This issue has been raised by Head of Service in 2 of the last 3 practitioner briefings (over 150 staff attend) as part of a slide covering feedback and learning from complaints.
Ensure that there is good joined-up working between agencies working with children and young people with complex needs, to ensure that the most appropriate services are in place.	Services are now fully integrated and co-located and lead professionals are in place. Levels of complaints from parents of disabled children have dropped significantly in the last five years (they were the highest number of complainants previously).
Wherever possible, return service users' calls (otherwise they are disappointed and sustain a poor view of the service).	This issue has been raised by Head of Service in 2 of the last 3 practitioner briefings (over 150 staff attend) as part of a slide covering feedback and learning from complaints.
Staff to be regularly reminded of their roles, duties and responsibilities with respect to children who are being placed for adoption.	Half day training sessions are currently being delivered by a member of adoption panel and adoption Team Manager for all social worker staff to emphasise this.

Developments relating to Representations

- 82 In the 2010/11 report it was mentioned that there was an expectation that numbers of complaints might increase if services were cut or decreased, but that efforts were being made to minimise cuts to front-line services. This report has shown that complaint numbers increased slightly during the reporting year; however this report does not reflect representations received regarding home to school transport applications (received as a result of savings made by cutting home to school transport) which are subject to an Appeal process rather than a complaints procedure.
- 83 Learning from representations has continued to be an integral part of the representations process. Every complaint received, whether or not upheld, is viewed as an opportunity for learning, and is analysed for any themes or changes that could be made to service delivery.
- 84 Services for children, young people and their families continues to be represented at a multi-service 'Learning from the Customer' complaints group to ensure that representations are captured and dealt with in an appropriate and timely manner, regardless of which Council service they are about. Last year it was reported that the Council's CRM system (which captures corporate representations) would be updated to make it more 'user friendly' for staff to input and extract representations information and data.
- 85 Integrated Teams (One Point) became operational in September 2011. The teams are based in 10 locations (Hubs) across the County, and involve multi-agency professionals and support staff working closely together from the same 'base' to meet the needs of children, young people and families. Complaints received may implicate colleagues from other organisations e.g. Health, therefore a representations procedure which incorporates all partner agencies is being developed.
- 86 The contract for Independent Persons (IPs) for statutory Stage 2 investigations came to an end in March 2012, and there was no contract in place for the supply of independent Investigating Officers (IOs) (provided on a 'spot purchase' basis only). Representatives from children and young people's services met with colleagues from neighbouring authorities to explore future, value for money options for the provision of both of these statutory services. As a result 'Approved Lists' of IOs and IPs have been developed, from which complaints officers and managers can appoint individuals in the knowledge that they have been through a regionally agreed assessment and approval criteria.
- 87 An Ofsted Inspection of Durham's safeguarding and looked after children services (28 November - 13 December 2011) reported very favourably about the complaints process for services for children and young people, noting that "Complaints policies are well developed and disseminated. The council has a robust approach to the collation and evaluation of complaints. Complaints are dealt with swiftly....Lessons learned from complaints have helped to improve services....The complaints and representation procedures meet statutory requirements. They are well developed and used successfully by looked after children and young people...."
- 88 Steps have been taken to provide a greater level of analysis of the information collected from the views of service users. The annual report of service user's views 2011/12 was completed to evaluate and triangulate the findings from service user

surveys, representations and other research conducted across former CYPs during 2011/12. Refinements have been made to the process for collecting the findings from research and this will ensure that there is a holistic understanding of service users' views across the Service and the Children and Families Trust.

- 89 A training package is currently being developed for managers who deal with complaints, to ensure they are kept up-to-date on the process and procedures.

Annual Representations Report 2011/12

Services for Children, Young People and their Families

Acknowledgements

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 all service areas within DCC and in neighbouring Local Authorities for their advice and support throughout the reporting year.
- The Investigating and Independent Officers who provide external and independent challenge and scrutiny through undertaking Stage 2 investigations.

Appendix A – Explanation of terms used

Term	Meaning	Notes
Statutory complaint	Complaints from children and young people (or their representative) about <i>social care services</i> are handled under the statutory complaints procedure. Throughout this report, these are referred to as 'statutory representations'.	This type of complaint can be made about Safeguarding and Specialist Services (SaSS). Some complaints about the Independent Reviewing Officers who chair Child Protection Conferences and Looked After Reviews are dealt with via the Local Safeguarding Children Board (LSCB) complaint procedure.
Corporate complaint	<i>(Non statutory complaint)</i> . Any other complaint about services for children, young people and their families, which is handled under the Council's corporate complaints procedure. This type of complaint can be about any of the 5 service areas of former CYPS in existence during the period of this report: <ul style="list-style-type: none"> • Achievement Services • County Wide Services • Early Intervention & Partnership Service • Finance Services • Safeguarding and Specialist Services (SaSS) 	Most complaints about SaSS would be taken through the statutory complaints procedure; however a few are actioned via the corporate procedure (for example, a citizen who is not eligible to complain on behalf of a child about the social care services received, but is unhappy with the way he was spoken to by a Social Worker, might make a complaint about the conduct of a member of staff of DCC under the corporate procedure). For matters where there is an Appeal process, a complaint may be made about the process, but not the decision.
Informal complaint	Where a complaint is resolved directly by the team involved, quickly and locally, and in collaboration with the complainant. Please see Section Three for further information.	The complainant will be informed of the result of the complaint; this may be verbally in the case of informal resolution.
Formal complaint	Complaints which are logged as formal complaints may not have been able to be resolved informally, or the complainant may state a wish to make a 'formal complaint' which requires a 3 rd party / senior manager to become involved and carry out an investigation into what occurred and how it can be resolved.	When the complaint has been investigated, a formal written response is sent to the complainant. Formal complaints are taken through different Stages as detailed below.
Stage 1	Formal complaints are usually taken firstly through 'Stage 1' of the appropriate procedure. An investigation is carried out by a senior manager of the team involved in the complaint.	For response timescales, see Figure 1.
Stage 2	If the complaint is particularly complex, or if the complainant is dissatisfied with the Stage 1 response, the complaint will be taken to 'Stage 2' of the appropriate procedure. The person carrying out the re-investigation or review of the complaint will not have been involved at Stage 1 and will be independent of	In the case of statutory complaints, an Independent Investigating Officer (IO) who does not work for the Council will usually be appointed, accompanied by an Independent Person (IP) whose role is to ensure the Stage 2 investigation is carried out in a fair and timely manner. For corporate Stage 2 investigations, the Council's Customer Complaints Unit

	the team involved in the complaint.	(CCU) allocates an investigating officer.
Comment	Where service users give negative feedback about their experience of services this is recorded as a comment.	Most comments are received via satisfaction surveys sent out about SaSS.
Compliment	Where service users give positive feedback about their experience of services, this is recorded as a compliment.	Compliments are received via a variety of media: satisfaction surveys, letters, e-mails, cards, and via the DCC website
Suggestion	Where service users offer an idea about how to change/improve services, this is recorded as a suggestion.	All suggestions are acknowledged and any changes made as a result are reported to Standards Committee.

Appendix B – Examples of Complaints

- Parents of disabled children complained that they had been told that they could not use direct payments monies to fund transport to a summer holiday scheme; this decision was subsequently reviewed and overturned.
- A carer complained that an Assessment Report had not been shared with her; an apology was offered (and accepted) and the assessment was shared.
- A father complained about information having been given to his son which he (the father) had thought would be confidential. An explanation was given about the reason and context of sharing the information which the father accepted.
- A child complained via her National Youth Advocacy Service (NYAS) Advocate about plans to move her placement. The Team Manager met with the child and listened to her views and these were considered alongside professional's reports; the outcome was that it was felt to be in the child's best interests to arrange for a change of placement.
- The partner of a mother of a Safeguarded child complained about the way he felt that the service had dealt with him. A full explanation about the statutory obligations of children's social care services and their actions in regard to the particular case was given.
- A mother complained about numerous Social Workers having been allocated to her children's' cases. The Team Manager met with the complainant and explained why this had happened; mother was satisfied with the explanation given and that there had been no negative impact on the children's cases.
- A young person who is in foster care complained about not being able to have overnight stays or after-school visits to her friends who live in another part of the County. The Team Manager met with the young person and an agreement was reached with her foster carers, to the young person's satisfaction.

Appendix C – Examples of Compliments

- ...the [adoption] panel were impressed by the quality of the reports and asked me to write and thank you for all of your efforts, I know this was not an easy process and reflects many hours of hard work.
- I just wanted to say a big thank you for working so hard to look after [young person] who at times did not give you very much in return....despite [his] best efforts to sabotage his placement, he didn't manage to....I think [young person] will look back on his time at [children's home] with affection all his life.
- Thank you so much for looking after [young person]...if people like you were not there for boys and girls like [him] I don't know what would become of them....
- Well my time at [children's home] has been very good when I look back...and I have to hold my hands up to staff and thank all of them for helping along my way from prison to now...
- A Head teacher asked me to pass on what a great service is provided now at IRT, how quickly the phones are answered and how good the advice is when she rings...
- ...I would like to commend her standard of social work practice. I have observed [her]....responding respectfully to challenges from individual family members which focussed the whole family on the issues which needed to be addressed....
- Just to say a big thank you to all the staff...they've supported me through my highs and lows.
- To social services – everybody who was involved with myself and [child] throughout the years, your kindness is appreciated very much.

Appendix D - Glossary of terms and abbreviations and terms used

CCU	Customer Complaints Unit
CLA	Children Looked After
CPP	Child Protection Plan
CRM	Customer Relations Management (management information system for capturing service user contacts)
CS Team	Community Support Team
CYPS	Children and Young People's Services
DCC	Durham County Council
DOT	Direction of Travel
E&D	Equality and Diversity
EDT	Emergency Duty Team
EMTAS	Ethnic Minority and Traveller Achievement Service
GP	General Practitioner
GSCC	General Social Care Council
IO	Investigating Officer (statutory complaints Stage 2)
IP	Independent Person (statutory complaints Stage 2)
IRT	Initial Response Team
LA	Local Authority
LGO	Local Government Ombudsman
LSCB	Local Safeguarding Children Board
MP	Member of Parliament
NEC	North East Consortium (part of NYAS)
NYAS	National Youth Advocacy Service
PC	Personal computer
PQRT	Planning, Quality and Research Team
RQO	Representations and Quality Officer
SaSS (MT)	Safeguarding and Specialist Services (Management Team)
SEN	Special Educational Needs
SGSS	School and Governor Support Service
SLT	Strategic Leadership Team
upheld	Where a complaint is ' upheld ', this means that, following investigation, CYPS agrees with the complainant's accusation; or that the complaint was justified.

Appendix E - Summary of performance (Trends over 5 year period 2007- 2012)

	2007-2008	2008-2009	2009-2010	2010 - 2011	2011-2012	Change since previous year
Total Number of Representations	170	666	866	625	661	+ 36
Number of Formal Complaints	72	77	70	34	40	+ 6
Number of Informal Complaints	-	61	151	114	107	- 7
Number of Compliments	96	428	565	414	446	+ 32
Number of Comments / Suggestions	2	100	80	63	68	+ 5
Formal Complaints as a % of total	42.4%	11.6%	8.1%	5.4%	6.1%	+ 0.7%
Compliments as a % of total	56.5%	64.3%	65.2%	66.2%	67.5%	+ 1.3%
Comments as a % of total	1.2%	15.0%	9.2%	10.1%	10.3%	+ 0.2%
Total number of Statutory Representations	89	331	417	261	400	+ 139
Number of Formal Statutory Complaints	61	57	42	22	29	+ 7
Number of Informal Statutory Complaints	-	26	108	93	98	+ 5
Number of Statutory Compliments	26	148	189	85	207	+ 122
Number of Statutory Comments	2	100	78	61	66	+ 5
Formal Statutory Complaints as a % of total	68.5%	17.2%	10.1%	8.4%	7.3%	- 1.1%
Statutory Compliments as a % of total	29.2%	44.7%	45.3%	32.6%	51.8%	+ 19.2%
Statutory Comments as a % of total	2.2%	30.2%	18.7%	23.4%	16.5%	- 6.9%
Total number of Corporate Representations	81	335	449	364	261	- 103
Number of Formal Corporate Complaints	11	20	28	12	11	- 1
Number of Informal Corporate Complaints	-	35	43	21	9	- 12
Number of Corporate Compliments	70	280	376	329	239	- 90
Number of Corporate Suggestions	0	0	2	2	2	same
Formal Corporate Complaints as a % of total	13.6%	6.0%	6.2%	3.3%	4.2%	+ 0.9%
Corporate Compliments as a % of total	86.4%	83.6%	83.7%	90.4%	91.6%	+ 1.2%
Corporate Suggestions as a % of total	0	0	0.4%	0.5%	0.8%	+ 0.3%
Statutory complaints – Who complained?						
% of male complainants	45.9%	47.4%	30.0%	35.3%	40%	+ 4.7%
% of female complainants	54.0%	52.6%	70.0%	52.9%	50%	- 2.9%
% of White British complainants	96.7%	98.3%	97.5%	100%	100%	same
Other ethnic origin/unrecorded	3.3%	1.7%	2.5%	0	0	same
Main Causes of Complaints:						
Conduct or Attitude of Staff	31.3% *	28.6%	17.1%	14.7%	2.5%	- 12.2%
Poor Service	42.2% *	31.2%	42.9%	29.4%	35.0%	+ 5.6%
Decision regarding services	3.2%*	16.9%	21.4%	17.7%	30.0%	+ 12.3%
Meeting Statutory timescales						
Acknowledgement within 2 working days	86.4%	98.3%	95.0%	100%	100%	same
Response to complaint at Stage 1 within 20 working days	57.4%	56.2%	60.0%	25.0%	48.2%	+ 23.2%

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Arabic

আকারে এই তথ্যটি পেতে নিচের নম্বরে ফোন করুন:

Bengali

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Chinese

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Hindi

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Polish

ਜਾਂ ਤੁਸੀਂ ਇਹੁ ਖਬਰ 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



(0191) 383 3981

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

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Representations and Quality Officer
Children and Adults Services
County Hall
Durham
DH1 5UJ
Telephone: (0191) 383 3981
E-mail: cypscomplaints@durham.gov.uk

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Standards Committee

7 November 2012



**Parish and Town Council Briefing
Session Feedback Report**

**Report of Colette Longbottom, Head of Legal and Democratic
Services and Monitoring Officer**

Purpose of the Report

1. To inform Members of the feedback received from a recent briefing session which was delivered to delegates from the County's Parish and Town Councils, held on 11 October 2012.

Background

2. The Localism Act came into force at the end of December 2011, and with it, brought many changes to the Standards regime, the requirement on Council's to have a Code of Conduct and the requirements placed on all Elected Members in relation to the registering of interests.
3. In order to ensure that all Parish and Town Council's understood the changes which have been made by the new legislation, and in an attempt to respond to any queries from local Elected Members and their staff, the Monitoring Officer took the decision to deliver a briefing session to all of the County's local Councils.
4. Delegates were invited from all of the County's local authorities and 86 people (representing 34 Parish and Town Councils) attended, with a broad mix of local Councillors, Chairs and Clerks. In conjunction with the County Monitoring Officer, the event was hosted by the County Deputy Monitoring Officer, Durham County Council's Governance Solicitor and the local representative from the County Durham Association of Local Councils (CDALC).
5. Several presentations were delivered during the event, covering topics such as the changes to Standards and the NALC Template Code of Conduct. The topics raised generated good debate and discussion with delegates and many of those in attendance took the opportunity to seek clarification and ask questions on relevant matters.

Feedback

6. All delegates were provided with an evaluation form which they were requested to complete in order for comments to be taken on board and improvements made to similar future events. 42 evaluation forms have been completed and returned, all of which provide positive feedback.
7. The forms asked delegates to score the event on a scale of 1 to 5, with 1 being poor and 5 being excellent. 12 people gave the event a rating of 3, 17 gave the event a rating of 4 and 11 people rated the score with a 5. 2 delegates failed to score the event.
8. Reasons for the scores provided generally commented on how informative and interesting the information was and how well delivered and relevant the presentations had been. All comments, compliments and suggestions will be taken into consideration when similar events are being planned.

Recommendation

9. Standards Committee is invited to note the content of this report.

Contact: Jocasta Lawton Tel: (0191) 383 3679

Appendix 1: Implications

Finance – none specific in this report

Staffing – none specific in this report

Risk – none specific in this report

Equality and Diversity / Public Sector Equality Duty – none specific in this report

Accommodation - none specific in this report

Crime and Disorder - none specific in this report

Human Rights - none specific in this report

Consultation – none specific in this report

Procurement - none specific in this report

Legal Implications – none specific in this report

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of the Local Government Act 1972.

Agenda Item 8

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