



Standards Committee

Date **Friday 17 February 2012**
Time **10.00 am**
Venue **Committee Room 2 - 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 18 November 2011 (Pages 1 - 4)
2. Declarations of Interest, if any
3. Performance Report for Quarter 3, 2011/12: Complaints, Compliments and Suggestions - Report of Corporate Director, Neighbourhood Services (Pages 5 - 38)
4. Children and Young People's Services Annual Representations Report 2010/11 (Compliments, Suggestions, Comments and Complaints) - Report of Corporate Director, Children and Young People's Services (Pages 39 - 72)
5. Progress of the Localism Act Provisions relating to Standards - Report of the Head of Legal and Democratic Services and Monitoring Officer (Pages 73 - 76)
6. Request for Dispensation from Eldon Parish Council - Report of the Head of Legal and Democratic Services and Monitoring Officer (Pages 77 - 78)
7. Such other business as in the opinion of the Chairman of the Meeting is of sufficient urgency to warrant consideration.
8. 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)

9. Monitoring Officers Other Action in relation to complaint LA163 - Report of the Head of Legal and Democratic Services and Monitoring Officer (Pages 79 - 80)
10. Update on the Handling of Current Complaints - Report of Head of Legal and Democratic Services and Monitoring Officer (Pages 81 - 86)
11. Review of Completed Complaints
12. 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
9 February 2012

To: The Members of the Standards Committee

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

Mr J G Armstrong, Mr D Balls, Mrs D Balmer, Mr J Hitchman, Mrs T Naples and Mrs D Winter

Councillors T Batson, F Duggan, M Goyns, D Liversidge and J Marr

- N.B.**
1. **All other Members of the County Council and the Co-opted Voting Members of the County Council's Overview and Scrutiny Management Board are invited to attend for Part A Business**
 2. **Members of the Standards Committees of Durham Police Authority and County Durham and Darlington Fire and Rescue Authority are also invited for Part A Business**

**DURHAM COUNTY COUNCIL
STANDARDS COMMITTEE**

At a Meeting of **Standards Committee** held in Committee Room 2 - County Hall, Durham on **18 November 2011** at **10.00 am**

Members of the Standards Committee:

Chairman: Mrs D Winter

County Councillors A Bainbridge, E Bell, P Charlton, G Holland, J Shiell, D Southwell, W Stelling and M Williams.

Mr J G Armstrong, Mr D Balls, Mrs D Balmer, Mr J Hitchman and Mrs T Naples.

Councillors T Batson, M Goyns and D Liversidge.

Other Members:

County Councillor B Myers

Apologies:

Councillors J Armstrong and F Duggan, Mr W Ault and Mrs E Davies.

Also in attendance:

Councillor B Myers

1 Minutes of the Meeting held on 16 September 2011

The minutes of the meeting held on 16 September 2011 were confirmed as a correct record and signed by the Chairman.

2 Declarations of Interest, if any

There were no declarations of interest received.

3 Performance Report for Quarter 2, 2011/12: Complaints, Compliments and Suggestions

The Committee noted a report of the Corporate Director, Neighbourhood Services, the purpose of which was to present performance in relation to complaints, compliments and suggestions for quarter 2 of 2011/12 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)

Both the Chair and Vice Chair took the opportunity to update the Committee regarding the visits they took to the Corporate Complaints team. During the recent visit both had expressed concerns regarding the increase in Revenues and Benefits related complaints which had resulted from the project to harmonise the Council's Benefits systems.

The Divisional Head of Revenues and Benefits was in attendance to advise Members of the processes involved in harmonising the systems and to respond to questions. Members were reassured that measures had been taken to ensure that the problems encountered would be resolved imminently.

Councillor E Bell reassured the Committee that the Audit Committee had received a presentation regarding the problems which had been encountered by the Revenues and Benefits section during the harmonisation process. The Audit Committee had accepted that there were extenuating circumstances which had led to difficulties occurring and Members had been left reassured that the situation would be resolved by the end of 2011.

In response to a query regarding the acknowledgement of letters of complaint, the Service Development Manager advised that all complaints were considered and processed based on the date they were received by the Authority, not just by the Complaints Team. This would ensure that the majority of complaints were acknowledged within 10 days of being received by the Authority. He continued to advise that new measures had recently been put into place which allowed customer service staff to respond to complaints, and more information on this would be presented to the next meeting of the Committee.

The Chair requested that Revenues and Benefits were represented at the next meeting of the Committee in order to provide Members with a progress report.

Resolved:

That the report be noted.

4 Progress of the Localism Bill Provisions relating to Standards

Consideration was given to a report of the Head of Legal and Democratic Services and Monitoring Officer which provided an update on recent changes to the Bill made in the House of Lords (for copy see file of Minutes).

The Head of Legal and Democratic Services advised that since production of the report the Localism Bill had received Royal Assent on 15 November 2011, as such

Members were provided with an overview of new legislation in relation to Standards.

The Committee were advised that the current Code of Conduct would cease to have effect however a relevant authority would be required to adopt a code to deal with the conduct that was expected of members and co-opted members of the authority when acting in that capacity. Any such Code adopted should be consistent with the Nolan Principles and must also provide for the registration and disclosure of pecuniary and non pecuniary interests.

In relation to Standards Committees, the Head of Legal and Democratic Services advised that the new legislation still required a principal authority to operate a Standards Committee, the general functions of which had remained unchanged. Arrangements would need to be put in place for complaints against Councillors to be investigated and decision to be made. A minimum of one independent person would need to be appointed from whom views would be sought on such complaints.

In summary, the Head of Legal and Democratic Services clarified that the next steps would be for the Council to come to an agreement about the arrangements to be put in place and in conjunction with the Deputy Monitoring Officer and Chair of the Standards Committee, she would be preparing a report to be considered by the Constitution Working Group.

Councillor T Batson advised of the position being communicated by the National Association of Local Councils, which was that on principle, they would recommend to all Parish and Town Councils that they opt to adopt the Code of the principal authority.

Following discussion of the new legislation and the future arrangements to be established by Durham County Council, the Chair confirmed that the views of the Committee would be taken into account when preparing recommendations to the Constitution Working Group.

Resolved:

That the report be noted.

5 Town and Parish Council Sub Committee

Consideration was given to a report of the Chair of Town and Parish Council Sub Committee which provided an update on the work of the Sub Committee (for copy see file of Minutes).

The Head of Legal and Democratic Services delivered the report advising that the work programme had been suspended for the current time and would be reviewed in due course.

Resolved:

That the report be noted.

6 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.

7 Update on the Handling of Current Complaints - Report of the Head of Legal and Democratic Services

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.

8 Review of Completed Complaints

Members of the Committee inspected a sample of completed complaints, comments and compliment files for the review period in question.

Standards Committee

17 February 2012



**Performance Report for Quarter 3, 2011/12:
Complaints, Compliments and Suggestions**

Report of Terry Collins- Corporate Director, Neighbourhood Services

Purpose of the Report

1. To present performance in relation to complaints, compliments and suggestions for quarter 3, 2011/12.
2. To highlight any learning outcomes resulting from the complaints, compliments and suggestions received.
3. To update Standards Committee of developments in the collection, monitoring and management of complaints.

Background

4. Durham County Council strives to provide high quality services. However, we realise that sometimes we get things wrong and people are not always happy with what we do. As part of the cycle of continuous improvement and to ensure we meet the needs and expectations of the residents of the County, we analyse data received through the complaints, compliments and suggestions system to determine if we can further improve processes and thereby service delivery.
5. There are 2 types of complaint used throughout this report,
 - **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
6. Non-statutory complaints, compliments and suggestions are monitored by the corporate complaints team which is part of customer services and contained within the Neighbourhood Services service grouping. They can be defined as follows;
 - **Complaint.** An expression of dissatisfaction about the standard of service, action or lack of action by the Council, its staff or contractors/agents providing services on behalf of the Council affecting an individual customer or group of customers.
 - **Compliment.** An expression of satisfaction with a service the Council provides. This could be satisfaction with an individual member of staff, team or particular service area
 - **Suggestion.** A remark made about a particular aspect of service which can be used to improve service delivery

7. Non-Statutory Complaints can be classified as Stage 1, Stage 2 or Stage 3.
 - **Stage 1:** complaint that can not be resolved at the first point of contact and so has been passed to Customer Services in order to 'champion' the complaint on behalf of the complainant.
 - **Stage 2:** complaint that can not be resolved at Stage 1 and so has been sent to the relevant director to investigate in conjunction with customer services
 - **Stage 3:** complaint that can not be resolved at Stage 2 and so has been referred to the Local Government Ombudsman (LGO) which will carry out an independent assessment on behalf of the complainant.
8. 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 Adults, Wellbeing & Health and Children & Young People's Services are provided in the section appropriate to that service grouping.
9. The corporate complaints team, and the Council as a whole, work to specified service standards, previously agreed by Cabinet for non-statutory complaints, and so have a number of targets to achieve, for example, acknowledging all complaints within 2 working days, and responding to stage 1 complaints within 10 working days and stage 2 complaints within 20 working days.
10. Performance updates are reported on a quarterly basis and this is the third routine report for 2011/12.

Data Quality

11. Previous work on data quality of complaints, compliments and suggestions highlighted a number of issues in relation to recording mechanisms in CRM, e.g. service requests being categorised as complaints or complaints being recorded as compliments or suggestions. This could result in flawed data analysis and incorrect conclusions reached. Work is continuing to correct the situation through the corporate complaints group. Service groupings are carrying out data cleanse exercises to ensure the correct recording of complaints, compliments and suggestions within the CRM.

Progress of the Complaints Handling Review

12. Work is continuing to further improve the 'complaints, compliments and suggestions' process and the outcomes for service users. As part of the wider Customer First Strategy implementation plan and the overall Corporate improvement programme, a review of the existing corporate complaints policy and procedure (non-statutory) continues to move forward and is based upon a number of key factors:-
 - Customer Feedback – what do our customers know about the procedures and do they think they are effective.
 - Staff Feedback – what problems do we have with the current procedures and how can we improve them.
 - Pilot Studies
 - Performance Reports – how do we collate data, is it accurate, how do we use it to change the way we do things and where is the information presented.

Format of this report

13. This report is divided into 2 main sections.

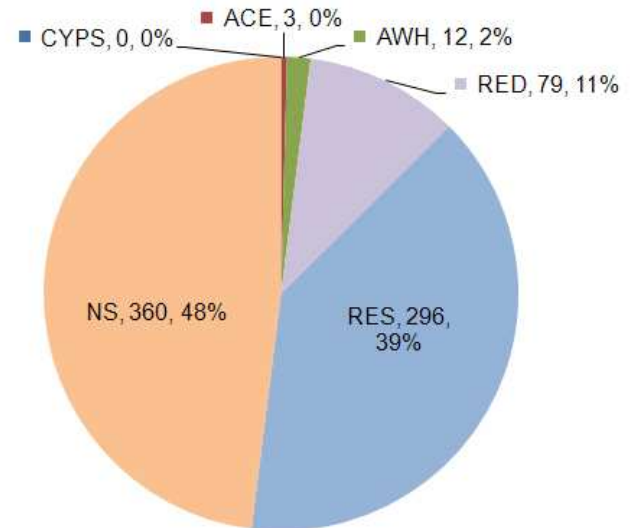
Section 1: Overview of Quarter 3, 2011/12

Section 2: Detailed Quarter 3, 2011/12 report from each service grouping

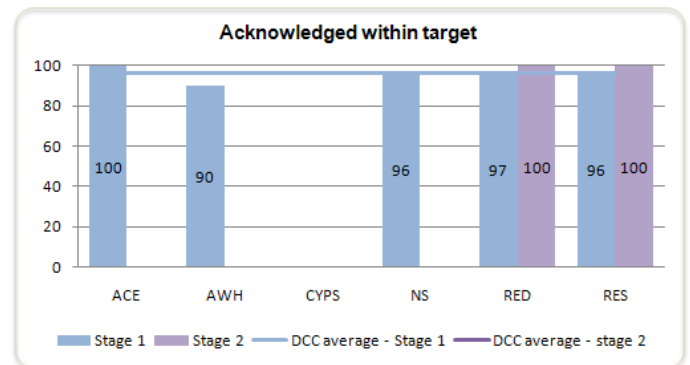
- Assistant Chief Executive's Office (ACE)
- Adults, Wellbeing and Health (AWH)
- Children and Young People's Services (CYPS)
- Resources (RES)
- Neighbourhood Services (NS)
- Regeneration and Economic Development (RED)

Section 1: Overview of non-statutory complaints, Q3, 2011/12

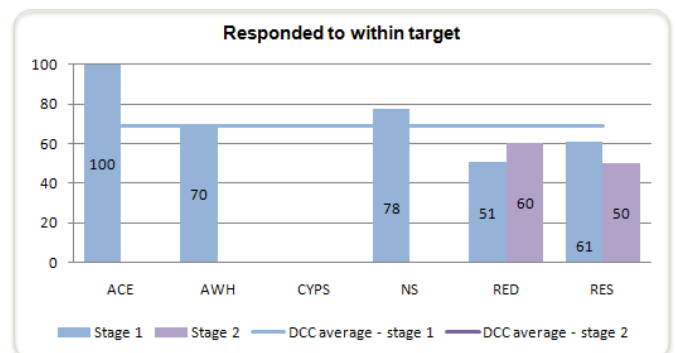
14. Between 1 October 2011 and the 31 December 2011, 750 non-statutory complaints were received by Durham County Council.
15. The chart on the right shows a breakdown of non-statutory complaints by service grouping.
16. The majority of complaints (48%) were received by Neighbourhood Services (NS). This is consistent with the trend over the 2010/11 financial year, however the proportion assigned to NS has decreased (it is usually around 58%). This is due to an overall increase in complaint numbers caused by an increase in the number received by the Resources service grouping.



17. The increased volume of complaints within resources has arisen from delays being experienced by customers in relation to benefits applications
18. The corporate complaints unit, which is part of NS, has responsibility for acknowledging complaints within the target of 2 working days.
19. During quarter 3, 96% of stage 1 complaints and 100% of stage 2 complaints were acknowledged within target.



20. In addition, there is a responded to target time of 10 working days for stage 1 complaints and 20 working days for stage 2 complaints. Service groupings are able to influence the response time.
21. On occasions when complaints are received and we have not been able to respond within the timescales holding letters are sent out explaining the reasons for the delays.



22. Further investigation of the 750 non-statutory complaints received during the quarter shows that there were 281 occasions (37%) when 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.
23. If the not justified complaints and those that are ongoing are removed, DCC is left with 430 (57%) justified complaints, 237 fully and 193 partly justified, from which there is possibility of learning.

24. In addition to complaints, we also analyse compliments and suggestions to determine if we can further improve processes, and thereby service delivery.
25. Between 1 October 2011 and the 31 December 2011, 750 non-statutory complaints, 302 compliments and 270 suggestions were received by Durham County Council.
26. During quarter 3, for every compliment received, 2.5 complaints were recorded.
27. For every suggestion received, 2.8 complaints were recorded
28. More detail in relation to learning outcomes can be found in each service grouping's dedicated section of the report.

Service Grouping	Number			Ratio	
	Complaints	Compliments	Suggestions	Complaints: Compliments	Complaints: Suggestions
ACE	3	24	6	0.1	0.5
AWH	12	95	2	0.1	6.0
CYPS	0	7	1	-	-
NS	360	118	216	3.0	1.7
RED	79	46	31	1.8	2.6
RES	296	12	14	24.7	21.1
TOTAL	750	302	270	2.5	2.8

Section 2: Detailed Q3, 2011/12 report from each service grouping

29. The following sections provide more detail of the types and numbers of statutory and non-statutory complaints received across the service groupings during quarter 3 of 2011/12:

Assistant Chief Executive's (ACE)

30. The ACE service grouping consists of 3 service areas and between 1 October 2011 and 31 December 2011 ACE received 3 complaints, 24 compliments and 6 suggestions.

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

Planning and Performance

31. During quarter 3, 2 complaints were received by Planning & Performance.

32. 1 complaint was received regarding quality of service as a result of a lack of response to an FOI request. On investigation it was found that initial attempts to forward the information had been unsuccessful. On receipt of the information the complaint was withdrawn at the customer's request.
33. 1 complaint was received which queried why equality monitoring questions are asked following a response to a consultation exercise on waste management. The customer did not require a response however a full explanation is held on file explaining why the information is requested and how it is used. The complaint was found to be not justified.

Policy and Communications

34. During quarter 3, 1 complaint was received by Policy and Communications.
35. The complaint to Policy and Communications referred to incorrect information on the DCC website in relation to times and charges for Durham City car parks. The complaint was re-allocated to Regeneration and Economic Development so that the pages on the DCC website could be updated where appropriate. On further investigation it became apparent that, in this instance, the operators responsible for the car parks in question had failed to notify Durham County Council of changes in times and tariffs. Where an operator repeatedly fails to advise of changes, their information may be removed from the Durham County Council website to avoid providing the public with incorrect and/or confusing information. A full explanation has been sent to the customer.
36. All 3 complaints received by ACE during quarter 3 were acknowledged within 2 working days.

Compliments and Suggestions

37. During quarter 3, ACE received 24 compliments. All 24 compliments were in support of the work of the County Durham Area Action Partnerships and their staff.
38. During quarter 3, ACE received 6 suggestions - 4 to Policy and Communications and 2 to Partnerships and Community Engagement.
39. Of the 4 suggestions to Policy and Communications, 2 highlighted incorrect spellings on DCC website; 1 suggested the inclusion of bin collection dates with council tax bills, and 1 identified an incorrect contact centre address in the Durham County News.
40. As a result, the 2 spelling errors on the DCC website have been corrected and the inclusion of bin collection dates with council tax bills is currently under consideration. However, the contact centre address was found to be correct therefore the suggestion was invalid.
41. The 2 suggestions to Partnerships and Community Engagement related to a Gay Pride event in Durham and a new survey in Castleside.
42. As a result the Lesbian Gay Bisexual Transexual Steering Group agreed to consider, at its next meeting in February, the possibility of organising a small scale Gay Pride activity (depending on resources).
43. And the AAP Co-ordinator will soon be visiting Healeyfield Parish Council and youth club in a supporting role and will recommend that the young people are involved in the new survey as it will be a valuable learning project.

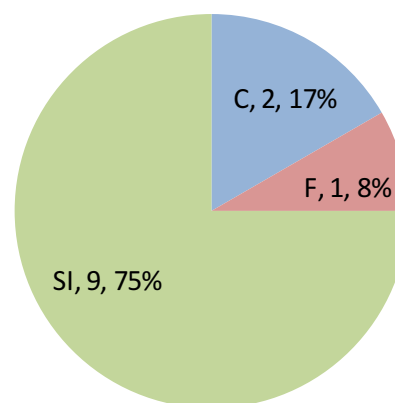
Adults, Wellbeing and Health (AWH)

Non-statutory complaints, compliments and suggestions

Non-statutory Complaints

44. The AWH service grouping consists of 5 main service areas and between 1st October 2011 and 31st December 2011, 12 non-statutory complaints, 95 compliments and 2 suggestions were received.
45. During quarter 3, 100% of complaints were responded to within 10 working days.
46. The majority of complaints, 9 (75%), were received by the Social Inclusion Service Area with 2 (16.7%) against Commissioning and 1 (8.3%) for Finance.
47. Further investigation of the complaints received during quarter 3, shows that there were 9 occasions (75%) where the complaint was not justified, indicating that although Service Users were dissatisfied with the service received, the service had in fact acted properly and followed appropriate procedures.

Abbreviation	Service Area
AC	Adult Care
C	Commissioning
F	Finance
PP&P	Policy, Planning & Performance
SI	Social Inclusion



48. If the not justified complaints and those that are ongoing are removed, AWH is left with 3 complaints, 1 (8.3%) fully and 2 (16.7%) partly justified.
49. In all complaints, information, explanations and apologies were provided to complainants, which resolved the enquiries satisfactorily. However due to the variety of issues raised within the complaints, and the fact that only 3 were partially or fully upheld, there were no key trends identified as learning outcomes for the Service to apply.

Non-statutory Compliments and Suggestions

50. During the quarter, 95 compliments were received. These were 6 for Commissioning, thanking the staff in the Record Office for their level of service. The remaining 89 related to Social Inclusion, 65 were complimenting the work of Welfare Rights and 24 the Adult Learning Service.
51. AWH received 2 comments/suggestions during the quarter, both within Social Inclusion. Of these, 1 was made to the Safer Communities Service and 1 to the Library Service, both detailed below. No key trends were identified.
- A number of residents of Neville Street in Durham wanted a CCTV camera installed to combat Anti-Social Behaviour on their street. At the time of the complaint an

AWH lead consultation regarding CCTV cameras was underway and they were urged to contribute to this. The complaint was also logged to the Anti-Social Behaviour Team in Neighbourhoods who looked into the wider issues raised regarding the disruptive behaviour.

- A member of the public was disappointed that Belmont Library would not sell tickets for an upcoming brass festival on his behalf. It was explained that having monies on site that staff were unable to monitor using the usual electronic systems would result in them being liable for any shortfall. As a result, and in accordance with Durham County Council's auditing procedures, they were unable to agree to sell tickets. However the Library Service apologised for not being able to do this and offered to display a poster for the festival and for staff to direct interested members of the public to a venue where tickets could be purchased instead.

Statutory complaints, compliments and suggestions

52. During the quarter, 35 complaints were received. This is a 10% decrease on the previous quarter. Details of the quarterly performance are shown below.

Comparison of Complaints Received by Quarter						
Service Area	Q3 10/11	Q4 10/11	Q1 11/12	Q2 11/12	Q3 11/12	Direction of Travel from previous quarter
Adult Social Care	40	35	29	39	35	↓↓

53. As with last quarter, 97% of complaints were acknowledged within 3 working days with one complaint taking 4 working days to acknowledge. This was as a result of a complaint being received by a Locality Office and the Quality Standards Team not being immediately notified, (as the complaint was sent through the internal mail rather than being faxed or otherwise notified). This occurred despite the previous quarter's reminder regarding the correct procedure to all Adult Care Operations Managers, Strategic Managers in Commissioning and Policy, Planning and Performance and an item being added to the Business Support Team meeting agendas.
54. Of the 35 complaints, Complaints Resolution Plans were completed in all cases. There were 26 complaints completed, all 26 of which were within the timescales agreed within the CRP. The remaining 9 cases were not concluded within the quarter but are still within their agreed completion timescales.
55. As with the last quarter, Older People Services received the most complaints with 20, followed by Financial Services with 7. Of the financial complaints, 6 of these primarily related to assessment of charges and 4 were not upheld as the financial charges had been accurately assessed. Table Two Annex 4 illustrates the full breakdown of complaints received by Service Area.

Complaints Received by Service Area		
Service Area	Number	
	Current Quarter	Previous Quarter
Social Work Teams	3 (8.6%)	5 (12.8%)

(Learning Disability /Mental Health/Carers)

Social Work Teams (Older Persons /Mental Health Services Older Persons/ Physical Disability and Sensory Impairment & Sensory Support)	20 (57.1%)	19 (48.7%)
Social Work Teams (Safeguarding)	1 (2.9%)	0 (0.0%)
Finance	7 (20.0%)	8 (20.5%)
County Durham Care and Support	2 (5.7%)	3 (7.7%)
Commissioning	2 (5.7%)	3 (7.7%)
Policy, Planning & Performance	0 (0.0%)	1 (2.6%)
TOTAL	35 (100%)	39 (100%)

56. Of the 26 complaints completed in the quarter 11 (42%) were not upheld compared to 19 (54%) in the previous quarter. Of the remaining 15 completed complaints, 4 were partially upheld and 11 were upheld.

Outcome of complaints completed in the quarter					
Service Area	Number				
	Not upheld	Partially Upheld	Upheld	TBC	Total
County Durham Care and Support	1	1	0	0	2
Social Work Teams (Learning Disability/Mental Health/Carers)	0	0	1	2	3
Social Work Teams (Older Persons/Mental Health Services Older Persons /Physical Disability and Sensory Impairment & Sensory Support)	5	2	9	4	20
Social Work Teams (Safeguarding)	0	0	0	1	1
Commissioning	1	0	1	0	2
Finance	4	1	0	2	7
Policy, Planning & Performance	0	0	0	0	0
TOTAL	11	4	11	9	35

57. Lack of Service – Communications/Information was the highest category of complaint with 8 recorded. This was closely followed by Conduct or Attitude of Staff, Lack of a Service – Other and Quality of Service – Personal Financial Issues which each had 6 complaints recorded against them.

Complaints by Classification	
Classification	Number
Lack Of Service - Communications/Information	8
Conduct Or Attitude Of Staff	6

Lack Of Service – Other	6
Quality Of Service – Personal Financial Issues	6
Provision Of Service – Equipment	4
Quality Of Service – Work Of Other Agencies	3
Lack Of Service – Contact/Visits/Service	2
Provision Of Service - Placement Provision	2
Lack Of Service - Restricted Choices Of Current Services	1
Provision Of Service – Assessment	1
Provision Of Service – Handling Of Complaint	1
Special Case – Confidentiality	1
Special Case – Protection Investigations	1
Quality Of Service – Personal Care	1

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

Actions as a result of statutory representations

58. The following recommended operational actions have been noted as a result of statutory complaints, compliments or suggestions received during the quarter:
- External independent organisations that provide activities for day centre clients have been asked to ensure both the provider and clients are made aware of external events (in this case a client was given a letter which had details of an evening event which he did not pass on to the staff where he lived and in consequence missed out on the event. If the Day Centre provider had been aware of the arrangement they could have ensured that the detail could have been communicated appropriately).
 - A briefing note was issued to Team Managers/Safeguarding Leads in Older People’s Services to remind them of the need to ensure service users views were explicitly sought and recorded in relation to safeguarding matters.

Local Government Ombudsman (LGO)

- During the quarter the Local Government Ombudsman (LGO) made preliminary enquiries into 3 matters– the outcome is awaited on all of these cases, all currently under consideration:
- The LGO did not deliver any decisions during the quarter.

Compliments

59. There were 82 compliments received in the third quarter of 2011-2012 (see table below). Although this constitutes a decrease of 22% research has found that this directly relates to inaccurate recording of compliments within the Shared Lives Scheme linked to feedback forms. The ratio of compliments to complaints is 2.3:1, compared to the 4:1 seen in the second quarter of 2011-2012.

Compliments Received by Service Area		
Service Area	Number	
	Current Quarter	Previous Quarter

County Durham Care and Support	57 (70%)	82 (78%)
Social Work Teams (Learning Disability /Mental Health/Carers)	1 (1%)	2 (2%)
Social Work Teams (Older Persons /Mental Health Services Older Persons /Physical Disability and Sensory Impairment & Sensory Support)	24 (29%)	21 (20%)
Policy, Planning & Performance	0 (0%)	0 (0%)
Finance	0 (0%)	0 (0%)
Commissioning	0 (0%)	0 (0%)
TOTAL	00 (100%)	105 (100%)

60. No suggestions relating to statutory functions were received during the quarter.

Children and Young People's Services (CYPS)

Non-statutory complaints, compliments and suggestions

Non-statutory Complaints

61. Between 1st October 2011 and 31st December 2011, no non-statutory complaints, 7 compliments and 1 suggestion was received.

Abbreviation	Service Area
AS	Achievement Services
CWS	County Wide Services
EI&PS	Early Intervention and Partnership Services
FS	Finance Services
SaSS	Safeguarding and Specialist Services

Non-statutory Compliments and Suggestions

62. During quarter 3, CYPS received 7 compliments which were not about social care services. These were all about County Wide Services.

63. The suggestion was one which was sent by an individual living in the West Midlands to all English local education authorities, that the school curriculum should be expanded to include Citizenship Education, and parents and families should be engaged in this. The response to this was that in Durham, Citizenship Education *is* currently on the school curriculum.

64.

Statutory complaints, compliments and suggestions

Statutory complaints

65. During quarter 3, 5 statutory complaints were received by the CYPS service grouping which were actioned at Stage 1. In addition, a further 22 statutory complaints were resolved locally and informally to the complainants' satisfaction. Details of the quarterly performance of Stage 1 complaints is shown below:

Comparison of Statutory Complaints Received by Quarter						
Service Area	Q3 10/11	Q4 10/11	Q1 11/12	Q2 11/12	Q3 11/12	Direction of Travel from previous quarter
Safeguarding and Specialist Services	3	4	7	10	5	↓ ↓

66. All 5 complaints were acknowledged within two working days maintaining performance at 100%.
67. Of the 5 Stage 1 complaints received in the quarter, 3 investigations were completed within the 20 working day timescale for response. The remaining cases were not and breached the response timescale.

68. Safeguarding Children (Peterlee team) received the most complaints this quarter:

Complaints Received by Service Area		
Service Area	Number	
	Current Quarter	Previous Quarter
Disabled Children and Families Team	1 (20%)	0
Safeguarding Children - Peterlee	2 (40%)	2 (20%)
Safeguarding Children – Stanley 1	1 (20%)	0
Tow Law Children’s Home	1 (20%)	0
TOTAL	5 (100%)	

69. Of the 3 Stage 1 complaints resolved in the quarter, none were upheld. The following table details the breakdown of findings per team:

Outcome of Statutory Complaints completed in the quarter					
Service Area	Number				
	Not upheld	Partially Upheld	Upheld	TBC	Total
Disabled Children and Families Team				1	1
Safeguarding Children - Peterlee	2				2
Safeguarding Children – Stanley 1	1				1
Tow Law Children’s Home				1	1
TOTAL	3			2	5

70. The complaints can be classified as shown in the table below. ‘Poor Service’ was the highest category of complaint. Neither complaint was upheld as it was found that in both cases, the Social Worker had been carrying out their professional role as required, however the complainants had not agreed with their words and actions.

Statutory Complaints by Classification	
Classification	Number
Poor service	2
Conduct or attitude of staff	1
Poor service and conduct or attitude of staff	1
Poor service and conduct / attitude of staff and decision regarding service	1

Compliments

71. During quarter 3, CYPS received 66 compliments about social care services. These compliments were all about Safeguarding and Specialist Services (SaSS), which is the only service within CYPS which provides social care services.
72. SaSS received 36 compliments in the previous quarter (see table below). The ratio of compliments to formal complaints is 13.2:1, compared to 2.75:1 in the previous quarter, a huge improvement.

Compliments Received by Service Area		
Service Area within SaSS	Number	
	Current Quarter	Previous Quarter
Children's Homes	2 (3.0%)	2 (5.6%)
Children Looked After - Durham	2 (3.0%)	0
Community Support Team	9 (13.6%)	13 (36.0%)
Disabled Children and Families Team	2 (3.0%)	3 (9.1%)
Pathfinder service	24 (36.4%)	3 (9.1%)
Safeguarding Children – Peterlee	1 (1.5%)	0
Safeguarding Children – Stanley 2	2 (3.0%)	0
4Real Team	23 (34.9%)	4 (11.0%)
To all of SaSS	1 (1.5%)	0
Total	66	

Suggestions

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

Actions as a result of statutory representations

74. No actions have been identified as a direct result of statutory complaints received or completed during this quarter. A continuing theme from complaints is that complainants appear not to understand (or accept) the intervention of SaSS, and/or the explanations/actions of children's Social Workers.

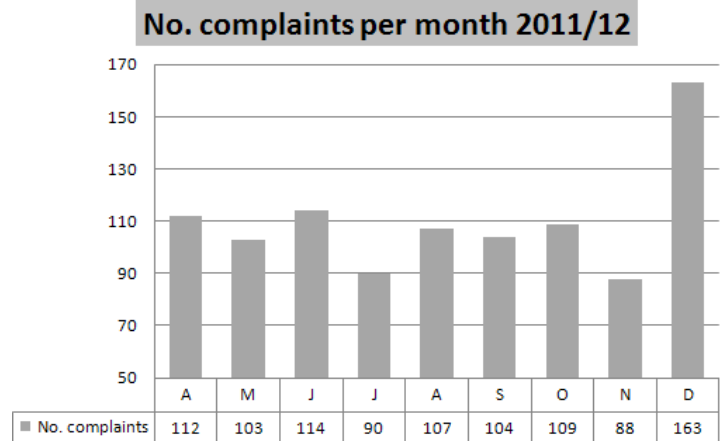
Neighbourhood Services (NS)

75. The NS service grouping consists of 5 main service areas and between 1 October 2011 and 31 December 2011, 360 complaints, 118 compliments and 216 suggestions were received.

Abbreviation	Service Area
CS	Customer Services
DS	Direct Services
EHCP	Environmental Health & Consumer Protection
S&L	Sport and Leisure
TS	Technical Services

76. An analysis of all complaints received by NS and logged on the CRM shows that during quarter 3, 360 complaints were recorded. This compares to 301 during quarter 2 and 329 during quarter 1

77. Although there tends to be a slight monthly variation, the number of complaints received does not vary dramatically. However, during December there was a noticeable increase in the number received. Analysis shows that this increase is mostly due to complaints (55) received in relation to missed bins on the 30 November 2011 – the day of industrial action by public sector workers.

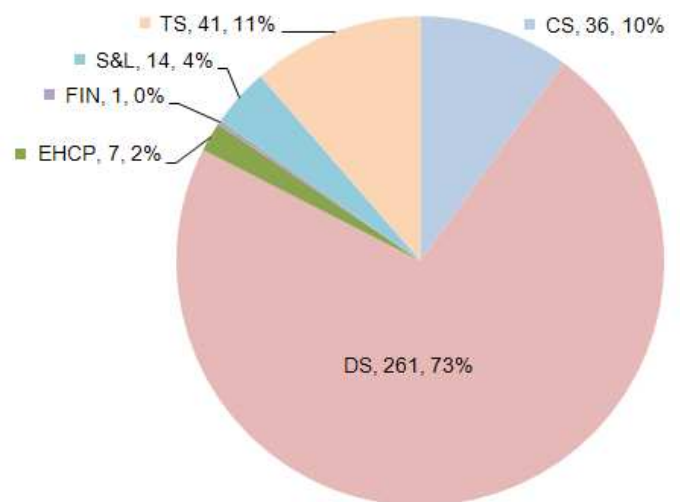


78. Direct Services received the majority of complaints (73%) which is in line with previous trends and reflects the front facing nature of the service area.

79. 96% of stage 1 complaints were acknowledged within 2 working days

80. 78% of stage 1 complaints were responded to within the target of 10 working days.

81. Further investigation of the complaints received shows that there were 164 occasions (46%) 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	Partly Justified	Not justified	Ongoing	Total
Number	78	67	164	51	360
% of total received	40%		46%	14%	-

82. If the not justified complaints and those that are ongoing are removed, NS is left with 145 (40%) justified complaints, 78 fully and 67 partly justified, from which there is possibility of learning

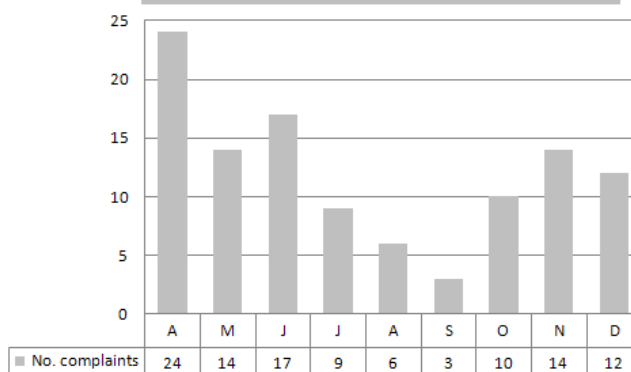
Customer Services (CS)

83. Between 1 April and 31 December 2011, 109 complaints were received in relation to CS

	Justified	Partly Justified	Not justified	Ongoing	Total
Number	35	37	29	8	109
% of total received	66%		27%	7%	-

84. 33% of the 109 complaints were received during quarter 3.
85. Further analysis (below) shows that almost a third of the complaints received since April related to call waiting times. However, this type of complaint has reduced throughout 2011/12, most likely due to the processes put in place since quarter 1. Initiatives include the use of skills based routing, call diversion from offices with high call volume to those with a lower call volume and diverting staff from face to face duties to telephone answering duties.

CS: complaints per month 2011/12



86. A corporate project is underway to virtualise and harmonise our access points and this will improve performance in relation to call handling. This project is due to be completed by the end of March 2012.

COMPLAINT CATEGORY	SERVICE AREA									TOTAL	% of total
	A	M	J	J	A	S	O	N	D		
Condition of local area: detritus	1									1	0.9%
Customer Service: call waiting time	9	6	9	2		2	2	5		35	32.7%
Customer Service: customer cut off	1		2	1	1		1			6	5.6%
Customer Service: long queuing time	1	1						1	1	4	3.7%
Customer Service: staff attitude	5									5	4.7%
Incorrect / insufficient information given	1	1	1			1				4	3.7%
Lack of action		1					2		1	4	3.7%
No communication / missed appointments	2	1	4							7	6.5%
Other	1	1	1	4	3		2	6	3	21	19.6%
Other: staff attitude	1	2							1	4	3.7%
Refuse: charges	1						1	1	1	4	3.7%
Refuse: missed collection				1				1		2	1.9%
Refuse: non-delivery of bin / container							2			2	1.9%
Refuse: special collections	1				1					2	1.9%
Refuse: staff attitude		1		1						2	1.9%
Refuse: strike action									2	2	1.9%
Street Lights									1	1	0.9%
website / communication					1					1	0.9%
TOTAL	24	14	17	9	6	3	10	14	10	107	100%
Not NS									2	2	-

87. 6 complaints received concerned customer services' handling of benefit and council tax issues. The new Revenues and Benefits computer system was implemented in December and no further downtime has been scheduled. The harmonisation of frontline service delivery for the Revenues and Benefits service is scheduled to be completed by the end of January 2012. The completion of these 2 projects should reduce the number of complaints received.
88. A reminder has been sent to all customer services staff reiterating the need to update Civica notes / CRM with details.
89. In response to specific complaints;
- A member of staff has been given further training by their supervisor in relation to setting up direct debits and will also undertake customer first training.
 - The process in relation to street lighting faults has been reiterated to all staff.
 - The policy relating to replacement of bins is to be included in the Frequently Asked Questions (FAQ) which will be issued to all customer services staff as part of the twin bin project.

- Staff have been reminded to check the DCC website and supporting information to ensure the information they give out is correct

90. In response to suggestions received

- Work is on-going to improve the staff directory
- It was suggested that we provide a geographical number (0191) for those who have to pay for 0300 numbers. Unfortunately, this is not feasible. The majority of our customers will benefit from this change and this is why the ICT unit will change all numbers within the council to 0300 over the telephone project period. A capital and monthly fee will be incurred by the council if we are to keep or indeed create a 0191 number.

Direct Services (DS)

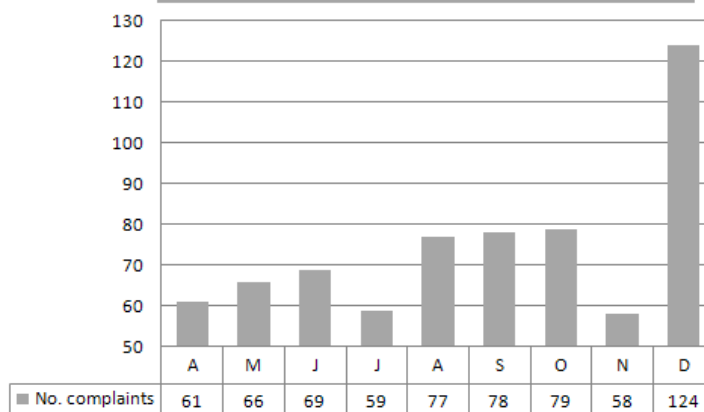
91. Between 1 April and 31 December 2011, 671 complaints were received by DS

	Justified	Partly Justified	Not justified	Ongoing	Total
Number	171	135	324	41	671
% of total received	46%		48%	6%	-

92. Of these complaints, 261 (39%) were received during quarter 3.

93. The number of complaints received by DS each month is shown in the graph to the right. Although there is variation, the number received remains relatively consistent at between 60 and 80 (affected by seasonality). The large increase in December can be attributed to industrial action that occurred on 30 November; 53 complaints were recorded, all in response to the suspension of refuse collection. If these complaints were excluded from the total, then 71 complaints would have been received by DS which is in line with expectations.

DS: complaints per month 2011/12



94. Compared to the previous 2 years, the winter so far has been mild. However, as 2011/12 progresses, there is an expectation that the weather will deteriorate and the number of complaints in relation to winter maintenance will increase.

95. The following table highlights the number of complaints received year to date by category.

COMPLAINT CATEGORY	SERVICE AREA									TOTAL	% of total	
	A	M	J	J	A	S	O	N	D			
Condition of local area: detritus	1					1					2	0.3%
Condition of local area: dog fouling								2	1	1	4	0.6%
Condition of local area: fly-tipping		1		1	2		1				5	0.8%
Condition of local area: grass cutting	1	2	3	6	2	4					18	2.8%
Condition of local area: litter			1						2		3	0.5%
Condition of local area: overhanging hedges	1	1		3	1	2	3			2	13	2.1%
Condition of local area: parks / open space	1				1	1	3				6	0.9%
Condition of local area: weeds		1	2	1	2	1	2				9	1.4%
Customer Service: call waiting time	2	1							1		4	0.6%
DCC fleet: drivers on mobile	1			1		1					3	0.5%
DCC fleet: driving issues	2		1				3				6	0.9%
DCC fleet: inappropriate parking	1		1				1			1	4	0.6%
DCC fleet: staff attitude	1						1			1	3	0.5%
Enforcement				2		2	3	1			8	1.3%
Housing Repairs			2			1					3	0.5%
Incorrect / insufficient information given	3	1	1								5	0.8%
Lack of action	7	1			4		8	3	6		29	4.6%
No communication / missed appointments	1	3	3	2	1		2				12	1.9%
Other	1		2	6	4	5	3	4	6		31	4.9%
Other charges				1				1	1		3	0.5%
Other: staff attitude			2	1	2	2	1	1	1		10	1.6%
Other: damage caused by council	3	5	1	3	1	4	4	1	2		24	3.8%
Other: staff making a mess	2			1							3	0.5%
Outdoor Leisure (excl. countryside)						1					1	0.2%
Pest Control: charges			3		1	1					5	0.8%
Refuse: business waste				1							1	0.2%
Refuse: charges	6	4	8	4	8	5	7	10	5	57	9.0%	
Refuse: missed collection	11	20	26	19	24	25	14	12	22	173	27.3%	
Refuse: non-delivery of bin / container	4	12	5	1	7	6	8	5	3	51	8.1%	
Refuse: special collections					3	2				1	6	0.9%
Refuse: staff attitude	4	4	2		2	4	2	1	3		22	3.5%
Refuse: staff making a mess	4				4	5	1	5	4		23	3.6%
Refuse: staff not returning bins / containers	1	4	2	3	2	3	6	4	5		30	4.7%
Refuse: strike action								1	52		53	8.4%
response to ASB		1									1	0.2%
website / communication									2		2	0.3%
TOTAL	58	61	65	56	71	76	75	53	118	633	100%	
comment	1	1	2	1	2	1		3	5		16	-
Not NS					1		1	1	1		4	-
service request	2	4	2	2	3	1	2				16	-

96. It can clearly be seen that the majority of complaints (418 equating to 62%) relate to our refuse service. This is unsurprising as waste collection is a visible front line service that is provided to every resident in the authority area. These are detailed in the table below

Overarching Complaint Category	Detail	Number	% of total
Refuse Collection	Missed Collection	173	41%
	Industrial Action	53	13%
	Staff not returning bins / containers	30	7%
	Staff making a mess	23	6%
	Special collections	6	1%
	HWRC	2	0%
	Business Waste	1	0%
	Total	288	69%
Charges		57	14%
Lack of Action: Non-delivery of bins and containers		51	12%
Staff Attitude		22	5%
TOTAL		418	

97. Collecting from over 214,000 properties per week, since 1 April, crews have made more than 10 million collections of household waste. Only 173 of these collections have resulted in a complaint that their bin has been missed.
98. When a bin is reported as being missed, we will try to collect that bin in line with pre-determined service standards which is to return to the property and empty the bin by the end of the next working day. Whilst in the majority of cases this is achieved, there are a number of overdue requests. Investigations have revealed these overdue requests are mainly due to the late submission of paperwork and missing dates from paperwork received. To resolve this problem, a working group has been established and daily reports produced.
99. Complaints (57) have been received as a consequence of introducing a £20 charge to replace missing or stolen bins. This is a policy decision, therefore in each of these cases the complainant is informed of the existence of a policy, made aware of the process surrounding policy changes and reassured that their comments will be retained and fed into the process when that policy is reviewed. However, changes have been made to this policy and where appropriate, residents are allowed to pay for their replacement wheeled bin in 2 instalments within a 3 week period. On receipt of the first payment (£10) arrangements are made for bagged rubbish to be collected from the property. On receipt of the second instalment (£10) the wheeled bin is delivered to the address and the wheeled bin collections resume.
100. 3 complaints were received stating DCC staff had been seen driving DCC vehicles whilst using a mobile phone. In each of these instances, the drivers were spoken to by their managers and the appropriate action taken.
101. A review of our pest control service has started. This review will harmonise the manner in which pest control inspections are carried out. Early indications suggest the utilisation of an appointment system which will give customers the opportunity to arrange a convenient time to meet with a pest control officer.
102. All complaints are discussed at Direct Service's management meetings, not only to ensure they are being dealt with in a timely and effective manner, but to identify any trends and put appropriate action in place.

Environment, Health and Consumer Protection (EHCP)

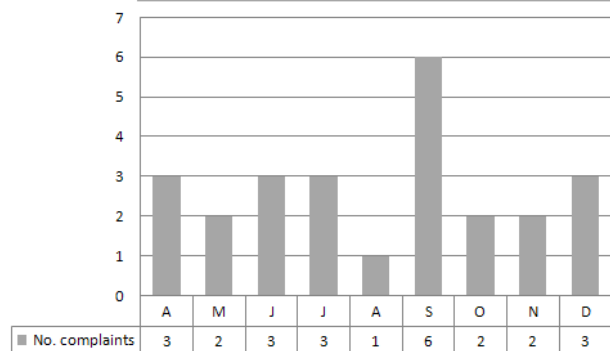
103. Between 1 April and 31 December 2011, 25 complaints were received in relation to EHCP

	Justified	Partly Justified	Not justified	Ongoing	Total
Number	3	3	11	8	25
% of total received	24%		44%	32%	-

104. Of these complaints 7 (28%) were received during quarter 3.

105. 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. The distinction between a genuine complaint and a service request still appears to be an issue but EHCP is endeavouring to resolve at an earlier stage.

EHCP: complaints per month 2011/12



106. The following table highlights the number of complaints received year to date by category.

COMPLAINT CATEGORY	SERVICE AREA										TOTAL	% of total
	A	M	J	J	A	S	O	N	D			
Highways: other						1					1	4.5%
Lack of action	1						1				2	18.2%
No communication / missed appointments	1										1	4.5%
Other			1	2	1	1			2		7	31.8%
Other charges				1		1					2	9.1%
Other: staff attitude	1	1	1			2	1			1	7	31.8%
TOTAL	3	1	2	3	1	6	1	2	3		22	100%
comment								1			1	-
service request		1	1								2	-

Finance (FIN)

107. During the first half of 2011/12, 5 complaints were received in relation to FIN

	Justified	Partly Justified	Not justified	Ongoing	Total
Number	1	0	4	0	5
% of total received	20%		80%	-	-

108. During quarter 3, 1 complaint was received in relation to FIN. This complaint was found to be justified.

109. The following table shows the number of complaints received year to date by category

COMPLAINT CATEGORY	SERVICE AREA										TOTAL	% of total
	A	M	J	J	A	S	O	N	D			
Customer Service: call waiting time	1										1	20.0%
Lack of action			1								1	20.0%
Other	1										1	20.0%
Other: staff attitude			1								1	20.0%
Other: damage caused by council									1		1	20.0%
TOTAL	2		2						1		5	100%

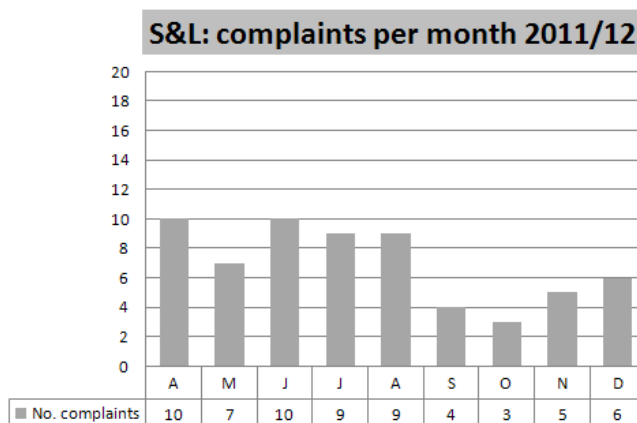
Sport and Leisure Services (S&L)

110. Between 1 April and 31 December 2011, 63 complaints were received by S&L

	Justified	Partly Justified	Not justified	Ongoing	Total
Number	13	9	38	3	63
% of total received	35%		60%		5%

111. Of these 14 (22%) were received during quarter 3.

112. Due to the small numbers involved, it is not possible to determine if this is a significant decrease. However, the numbers received will continue to be monitored.



113. The following table shows the number of complaints received by category

COMPLAINT CATEGORY	SERVICE AREA									TOTAL	% of total
	A	M	J	J	A	S	O	N	D		
Condition of local area: litter			1							1	1.6%
Condition of local area: parks / open space	3	2								5	8.2%
Customer Service: staff attitude		1								1	1.6%
Indoor Leisure: accidents		1						1		2	3.3%
Indoor Leisure: broken equipment			1						0	1	1.6%
Indoor Leisure: cancellation of classes			1							1	1.6%
Indoor Leisure: charges (excl. gym member)	1			1	1			1	2	6	9.8%
Indoor Leisure: membership fees	2	1	1	2	1			1		8	13.1%
Indoor Leisure: other	1			2	3	3	2	2	2	15	24.6%
Indoor Leisure: staff attitude	1		1	1						3	4.9%
Indoor Leisure: under 8s policy			1							1	1.6%
No communication / missed appointments		1	1	2						4	6.6%
Other	1	1	1	0		0	1	0	1	5	8.2%
Other: staff attitude			1							1	1.6%
Outdoor Leisure (excl. countryside)	1	0	0	1	1	1	0	0	1	5	8.2%
website / communication			1		1					2	3.3%
TOTAL	10	7	10	9	7	4	3	5	6	61	100%
comment					2					2	-

- 114. To improve the availability of up to date pricing information within facilities and ensure staff are fully aware of all pricing variations, specific S&L customer care training has been sourced. However, before this training can be arranged, it needs to be approved by NS's central training team.
- 115. Refund processes are to be reviewed as a result of the delays with 2 customer refunds. One refund relates to the MRM system configuration from the former Durham City Leisure Centre and this is currently being corrected.
- 116. The 2 complaints received about cleanliness (at Freeman's Quay and Woodhouse Close) have been fed into the review of cleaning and housekeeping schedules.

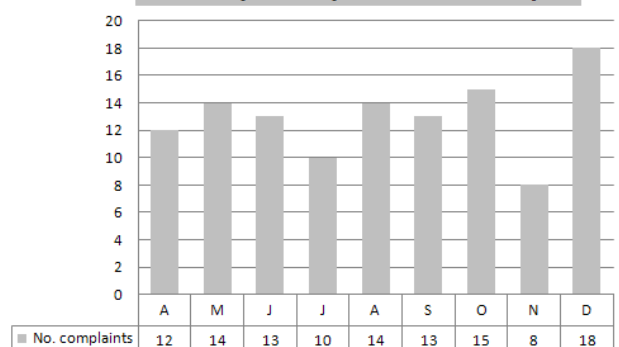
Technical Services (TS)

117. Between 1 April and 31 December 2011, 117 complaints were received in relation to TS

	Justified	Partly Justified	Not justified	Ongoing	Total
Number	14	27	69	7	117
% of total received	35%		59%	6%	-

- 118. Of these 41 (35%) were received during quarter 3.
- 119. The number of complaints received by TS has remained relatively consistent since 1 April. There was a slight increase in December but this can be attributed to a number of complaints (5) that were received in relation to gritting.
- 120. As 2011/12 progresses, and the weather deteriorates and street lights

TS: complaints per month 2011/12



burn for longer hours due to dark nights, it is expected that the number of complaints in relation to winter maintenance and street lighting will increase. These areas will be monitored to ensure the number of complaints remain manageable.

121. The following table highlights the number of complaints received year to date by category

COMPLAINT CATEGORY	SERVICE AREA									TOTAL	% of total
	A	M	J	J	A	S	O	N	D		
Customer Service: customer cut off					1					1	0.9%
DCC fleet: driving issues							1			1	0.9%
DCC fleet: inappropriate parking							1			1	0.9%
DCC fleet: staff attitude		1								1	0.9%
Highways: lack of communication		1	1	2		1	1			6	5.6%
Highways: condition of carriageway	1						2			3	2.8%
Highways: condition of footway		1								1	0.9%
Highways: damage caused by DCC	1	2	2	2						7	6.5%
Highways: drainage					1					1	0.9%
Highways: length of time carrying out repairs		1					1		2	4	3.7%
Highways: other						1			3	4	3.7%
Highways: street furniture	4	3	3		2	1			1	14	13.1%
Lack of action	1	1		2	5	2	1	4	4	20	18.7%
No communication / missed appointments			3	1	1	2		1		8	7.5%
Other	1	1		1	1	2		2	1	9	8.4%
Other charges					1					1	0.9%
Other: staff attitude			1						1	2	1.9%
Other: damage caused by council				1	1	2	2			6	5.6%
Other: staff making a mess				1						1	0.9%
Parking	1					1	1	1		4	3.7%
Street Lights	1	1	1		1		2		1	7	6.5%
winter maintenance: gritting									5	5	4.7%
TOTAL	10	12	11	10	14	12	12	8	18	107	100%
comment							1			1	-
Not NS	2									2	-
service request		2	2			1	2			7	-

122. Considering the size and scope of TS the number of complaints received remains low and between 20 and 25% result from a policy / strategic decision, e.g. gritting routes, brightness of street lights, parking. In each of these cases the complainant is informed of the existence of a policy, made aware of the process surrounding policy changes and reassured that their comments will be retained and fed into the process when that policy is reviewed. Due to the small numbers and diversity of the remaining complaints, it is not possible to identify trends and devise appropriate actions in response.

123. However, a technical fault has come to our notice which helps to explain the number of complaints in relation to street lighting. Reported street lighting faults are recorded within our Customer Relationship Management (CRM) system and this triggers a service request to the street lighting team. The street lighting team then repairs the light. If the fault is intermittent and subsequent calls are received, customer services re-open the previous record. However, it has been noted that service requests are not being automatically generated and so the street lighting team are not aware of the issue and no repair is made. Customer Services staff are now aware of this issue and new service requests will be created for repeat problems with street lights.

Compliments

124. Between 1 October and 31 December, NS received 118 compliments which covered a wide range of subjects and service areas.

	Q3, 2011/12	Comparator Data		
		Q2 2011/12	variance	Direction of travel
Number of compliments	118	97	+21	✓

125. The breakdown of compliments received by NS and recorded on the CRM is shown on the right
126. A large proportion of compliments (42%) 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.
127. The remaining compliments relate to our service provision, examples include

Compliments		
Service Area	Number	% of total
CS	15	13
DS	65	55
EHCP	13	11
S&L	1	1
TS	24	20

- 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

128. Between 1 October and 31 December, NS received 216 suggestions which covered a wide range of subjects and service areas.

	Q3, 2011/12	Comparator Data		
		Q2 2011/12	variance	Direction of travel
Number of suggestions	216	74	+142	✓

129. The breakdown of suggestions received is shown on the right. All suggestions are forwarded to the relevant team for consideration

Suggestions		
Service Area	Number	% of total
CS	88	41
DS	28	13
EHCP	3	1
S&L	85	39
TS	12	4

130. 155 (72%) of the suggestions received during quarter 3 related to consultation

- A standard letter was circulated by those who opposed the closure of Glenholme Leisure Centre. This letter stated that approximately £70 of council tax is used for the provision of Glenholme. If Glenholme is to close then a portion of that £70 should be refunded (for the period when there is no leisure provision). 77 such letters were received.
- 78 suggestions were received in response to the HWRC consultation. The following 74 oppose the closure
 - Hett Hills (28)
 - General opposition (19)
 - Stainton Wood / Cragwood (14)
 - Todhills (7)
 - Broomsdene (6)
- In addition there was one suggestion for income generation. A resident asked if it was viable to have a specific time slot available for small commercial vehicles to use the HWRCs for a small 'per visit' charge. This would raise income and reduce the temptation to fly-tip.
- This suggestion has been considered and an independent review undertaken by BREW as to the potential to do this on all sites. The result being that there are only a few sites that are "appropriate" due to size restrictions but it is possible. However the current licence for the sites excludes commercial waste so this would need to be renewed at considerable expense. Additionally there are health and safety issues with throwing waste from high pickups and flat beds as personnel doing this would be above the hand rails and could fall into skips; this is the reason it is suggested we ban flat bed trailers as part of our HWRC review/consultation. As an alternative we are considering offering the same principal at our Waste Transfer Stations which have weighbridges so accurate weight and charge per weight could be applied but Premier Waste is not prepared to work with us on this. Therefore this will be considered as part of our new waste contract. The Commercial trader depositing the waste has a duty of care to dispose of it legally and at an appropriate facility; our disposal costs are £100 per tonne so the suggested charge of £15 per visit is unlikely to be viable.

131. Examples of the remaining suggestions received during quarter 3, together with our response include

- It was suggested that we provide a geographical number (0191) for those who have to pay for 0300 numbers. Unfortunately, this is not feasible. The move to the 0300 number system is a central government initiative that ensures all government and charitable organisations can provide a consistent numbering system to customers, whereby geographical charges do not apply. E.g. as a unitary authority everyone outside the 0191 range e.g. 01388, 01833 would have incurred a charge, this would mean that the entire south and western parts of the county would pay a fee. For all landline calls, the 0300 number range will ensure that all calls will be charged at a local rate. In addition, most mobile packages now provide free calls to 01, 02 and

03 number ranges. In effect the vast majority of our customers will benefit from this change and this is why the ICT unit will change all numbers within the council to 0300 over the telephone project period. A capital and monthly fee will be incurred by the council if we are to keep or indeed create a 0191 number.

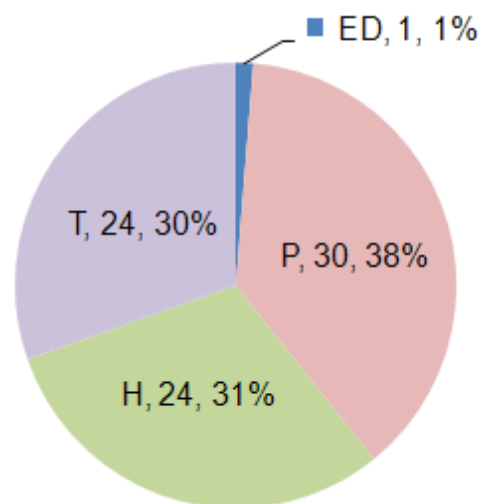
- A resident was having difficulty finding activities for pre-school age children on our website. The under 5s is an important group for the authority and we do offer a range of activities across the county to cater for their needs. We are concerned that this information is not within easy reach of parents and are looking improving the packaging and promotion of these activities to aid parents in their search for suitable activities for their children.
- A Ferryhill resident suggested that footpaths throughout the county should be gritted as they are dangerous and that salt bins were not sufficient. Footways are an important part of the network and the Winter Service Plan includes provision via partnerships, e.g. Ferryhill Town Council to treat priority footpaths
- A visitor to Durham suggested that the city centre needed greater lighting at night both for safety and aesthetic reasons. They also commented that some of the trees on the river need to be cut back. Street Lighting is installing more efficient lighting with the aim of saving money and reducing CO₂ emissions. There is also a scheme underway to floodlight the Castle and Cathedral, this supports the World Heritage Site Management Plan to enhance visitor experience and develop tourism in the city. Street scene staff are currently involved in the Riverside Project which will tidy up the riverbanks including cutting down overgrown trees.

Regeneration and Economic Development

132. The RED service grouping consists of 5 services of which four provide front-facing services and are thus liable to receive feedback from service users. Between 1 October 2011 and 31 December 2011, 79 complaints, 46 compliments and 31 suggestions were received.

Abbreviation	Service Area
ED	Economic Development
H	Housing
P	Planning and Assets
T	Transport

133. The majority of complaints received for RED are by the Planning and Housing services



134. The table below shows

Service Area	2010/11 Total	2011/12				Total
		Q1	Q2	Q3	Q4	
Economic Development	2	2	0	1		3
Housing	104	32	28	24		84
Planning	145	32	37	30		99
Transport	46	18	11	24		53
RED Total	297	84	76	79		239

Economic Development (ED)

135. During quarter 3, one complaint was received by the Economic Development service

136. As the numbers of complaints received by the Economic Development service are small it is difficult to identify any underlying trends. Any future complaints will be monitored to enable and trends to be identified.

Housing (H)

137. During quarter three, 24 complaints were received in relation to Housing,

138. Of the 24 complaints received, 19 related to Durham City Homes (13 in relation to repairs and decent homes and 6 in relation to Housing Management), Supported housing received 3 complaints, the Housing Renewal and Improvement Service received 1 complaint as did the Housing Solutions Service.

139. Feedback from Durham City Homes complaints has been used as part of ongoing efforts to implement new systems designed to improve communication between staff whilst the complaints for Supported Housing and Housing Solutions have been discussed with relevant officers as part of appraisals and one-to-ones.

140. The Housing Renewals and Improvement complaint has led to internal procedures being reviewed and proposed changes have been suggested to the regional partnership responsible for administering the scheme.

Planning and Assets (P)

141. During quarter 3, 30 Stage 1 complaints and 7 Stage 2 complaints were received in relation to the Planning and Assets service.

142. Of the 30 Planning and Assets related complaints, 11 were in relation to planning decisions, 6 were in relation to planning enforcement, 9 were in relation to the planning service, 2 were in relation to planning policy and 2 were in relation to Assets.

143. The majority of the complaints with regard to planning decisions were from members of the public who disagreed with planning permission being granted on particular developments.

144. The remainder of the complaints cover very different areas of the planning service and it is difficult to identify trends within these complaints. However, it is felt that improvements to communications can be made and these will be investigated during quarter 4.

Transport (T)

145. During quarter 3, 24 Stage 1 complaints and 1 Stage 2 complaint were received in relation to the Transport service

	Justified	Partly Justified	Not justified	Ongoing	Total
Number	4	8	12	0	24
% of total received	50%		50%	0%	-

146. There has been a significant increase in the number of complaints received by the Transport Service. Half of the complaints relate to bus services with the remainder in connection to parking services.
147. It was anticipated that the numbers of complaints would increase after the changes to the bus network came into force.
148. The one Stage 2 complaint received was the result of the issue of a parking ticket.
149. No improvements have been identified due to the variety of issues raised without any specific trend.

Compliments and suggestions

150. During quarter two, RED received 46 compliments and 31 suggestions.
151. The majority of the compliments received were for the Planning Service and were expressions of thanks for the service received
152. The majority of the suggestions received were for the Transport Service and covered a wide range of issues.

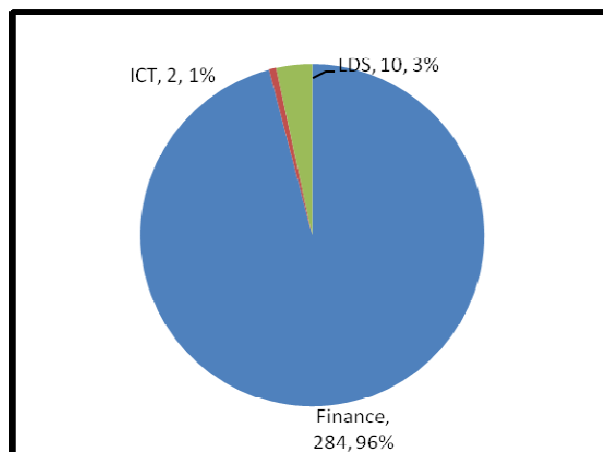
Resources

153. The Resources service grouping consists of 4 main service areas

Abbreviation	Service Area
F	Finance (Corporate Finance/ Financial Services) including the Revenues and Benefits Service
HROD	Human Resources and Organisational Development
ICT	Information and Communication Technology

154. Between 1 October 2011 and 31 December 2011 the number of complaints rose by 35%, from 220 in Q2 to 296 in Q3. This represents a continuation of the rise in complaints we have seen over recent quarters due to delays in processing benefit claims during the implementation period for our new computer system. We have done everything possible to alleviate the worst hardships for our most vulnerable customers during this difficult period. The new system went live on 5 December and staff are currently working to bring down the backlog and improve processing to acceptable levels. During the same period, 12 compliments and 14 suggestions were made.

155. During quarter 3, 73% of complaints (83% in Q1 and 88% in Q2) were responded to within 10 working days. Whilst this is outside of acceptable tolerance, it is a result of the volume of complaints, and the unprecedented increase in resources needed to respond to them, particularly for the Revenues and Benefits service.



156. Following the pattern of recent quarters, the vast majority of Resources' Q3 complaints (96%) related to finance, namely the Revenues and Benefits service

157. Further analysis of Q3 complaints reveals that 45% were justified (up from 27% in Q1, and 38% in Q2), 32% were partly justified (Q1, 25%, Q2, 36%) and 15% were not justified (42% in q1, 23% in q2), and 8% are yet to be categorised. It is therefore disappointing to report that 77% of our complaints fall into the categories of justified/partially justified. Those complaints that were not justified arose where it was found that customers, whilst dissatisfied with the service they received, had been subject to the appropriate application of council processes and procedures by Resources' staff.

Finance

158. During quarter 3, 284 (139 in Q1, 212 in Q2) complaints were received in relation to Finance.

	Justified	Partly Justified	Not justified	Resolved at 1 st point of contact	Ongoing	Total
Number	132	95	37	0	20	284
% of total received	80%		13%	-	7%	-

BENEFITS

159. Q3 complaints for Resources have again been dominated by the increased volume arising from delays being experienced by our customers in relation to benefits applications. The new ICT system has been live since 5 December and our staff are working very hard to process claims and bring down the backlog as quickly as possible. The previous deterioration in our processing times has levelled out and plans are in place to improve processing rates during Q4 of 2011/2012 with prioritisation for the most vulnerable in the meantime.
160. The majority of Q3 complaints related to delays in assessment of claims for benefits. However, although we saw an increase in the third quarter, the majority of complaints were received in October when the position peaked, and a gradual decrease was evident in November and December. This falling off of increased numbers of complaints appears to correspond with the levelling out of our performance for processing claims; previously deteriorating performance during the ICT system implementation levelled off at this time and we are now in a position where improvements can start to be realised
161. The Benefits service continues to prioritise processing cases where customers are at risk of eviction, with over 700 cases prioritised during this quarter. At the same time, service managers continue to meet regularly with private and social landlords to update them on the service position and inform them of actions being taken. New procedures and prepayment checks have also been put in place to ensure payments are made to the correct person.
162. All actions that are being taken to address the backlog of claims and improve the processing times continue to be subject to fortnightly reports to Corporate Management Team.
163. Further trend analysis of this quarter's complaints identified issues that have led us to take action. For example on three occasions customers received the benefit award letter of another customer in the same envelope as their own. To avoid this happening in future, all relevant staff have been made aware of the seriousness of these errors, for the authority, and for the individual customers.

REVENUES

164. In line with analysis at Q2, approximately half of this quarter's revenues complaints related to quality of service. Of those that were justified or partly justified, 9 complaints arose due to direct debits being taken one day early. The Council accepted full responsibility for this human error which resulted in 9 complaints and affected 21,000 customers. Procedures in respect of direct debits were further reviewed and improved and internal controls have been strengthened to avoid any further errors relating to the submission of direct debits.
165. Other complaints where a discernible trend was identified related to the implementation of the new Revenues and Benefits system such as the Council issuing new account numbers. Duplicate account numbers arose with the amalgamation of the 7 former systems and there was no alternative for the Council but to issue new account numbers.

166.

Information and Communication Technology (ICT)

167. During quarter 3, 2 complaints were received in relation to ICT.

	Justified	Partly Justified	Not justified	Resolved at 1 st point of contact	Ongoing	Total
Number	0	0	2	0	0	2
% of total received	-	-	100%	-	-	-

168. With 2 complainants assigned to ICT it was not possible to assess any trend. Further investigation revealed that one of these complaints arose from a service request being wrongly assigned to ICT; lack of communication back to the customer to let them know it had been passed elsewhere and was being dealt with resulted in a complaint. A review of the incident highlighted the need to keep customers informed when service requests are redirected.
169. We continue to consider and learn from any complaints we receive.

Legal and Democratic Services (LDS)						
	Justified	Partly Justified	Not justified	Resolved at 1 st point of contact	Ongoing	Total
Number	2	1	5	0	2	10
% of total received	30%		50%	-	20%	-

170. During quarter 3, 10 complaints were received in relation to LDS. The types of complaints received related primarily to quality of service and service failure.
171. Complaints this quarter covered a wide range of issues from wedding ceremonies, payment for certificates, electoral canvassers, assisted car purchase scheme etc. Whilst it was not possible to identify any trends that would lead to wider action, one complaint resulted in information being passed to the helpdesk for future reference.
- A customer was told that there was no facility within the council to provide an official signature and stamp; this was needed to verify that the customer was entitled to a pension from another European country. It was subsequently ascertained that this service is available from the Elections Manager and the helpdesk were informed of the availability of this service

Compliments and Suggestions

172. During quarter 3, Resources received 12 compliments and 14 suggestions.
173. Compliments were received in relation to members of both Revenues and Benefits staff for their assistance, to our registrars for the service provided in conducting wedding ceremonies. All staff involved have been made aware of compliments received.
174. Eight suggestions related to leisure facilities at Ferryhill and requested a reduction in council tax liability. Other suggestions related to the informality of addressing members and staff by their first names in meetings and envelopes from the council not being adequately sealed.

Local Government Ombudsman – Current Activity

175. During the quarter the Local Government Ombudsman (LGO) made initial enquiries / initiated investigations into 14 matters relating to a range of complaints concerning:
- 2 X Housing Benefits Issues – investigations ongoing, outcomes awaited.
 - 4 Planning Issues – In one of the cases the Ombudsman decided to discontinue the investigation, the remaining 3 investigations are ongoing.
 - 3 X Adult Care Services issues – all investigations are ongoing, outcomes awaited.
 - 1 X Planning/Environmental Health issue – Investigation ongoing, outcome awaited.
 - 1 X Housing issue – Investigation is ongoing, outcome awaited.
 - 2 X School Admissions issues – in one case the Ombudsman discontinued the investigation, the remaining investigation is ongoing.
 - 1 X School Transport Issue – Investigation ongoing, outcome awaited.
176. The Ombudsman delivered decisions on 2 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:
- 1 X Education and Children Services Issue – the Ombudsman discontinued the investigation.
 - 1 X Environmental Services, Public Protection and Regulation Issue – The Ombudsman discontinued the investigation.
177. 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:
- 1 x Compulsory Purchase Order Issue – Out of Jurisdiction.
 - 2 x Benefits and Tax Issues – Investigations were not initiated.
 - 1 x Housing Issue – Investigation not initiated.
 - 1 x Planning and Development issue – Investigation not initiated.
 - 1 x Environmental Services, Public Protection and Regulation Issue – Investigation not initiated.

Learning Outcomes

178. No learning outcomes have been reported during the quarter.

RECOMMENDATIONS AND REASONS

179. Members of the Standards Committee are asked to:
- Note the report
 - Discuss the requirements/areas of further development in relation to the complaints handling process

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Durham County Council

Children and Young People's Services

Annual Representations Report 2010/11 (Compliments, Suggestions, Comments and Complaints)

CYPS Annual Representations Report 2010/11

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CYPS Annual Representations Report 2010/11

Executive Summary

1.0 Introduction

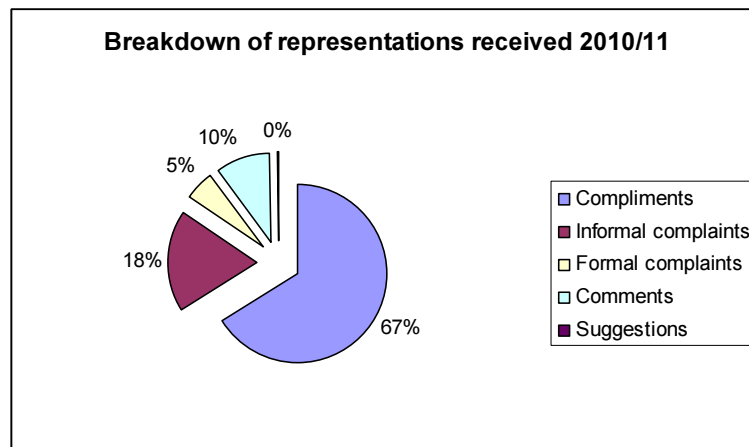
- 1.1 This is the fifth Annual Report detailing the performance of Durham County Council's Children and Young People's Services' (DCC CYPS) Representations Procedure. It covers the period 1st April 2010 – 31st March 2011. Representations cover compliments, suggestions, comments and complaints made by 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 CYPS Service Areas reduced from six to five, with some title changes, with effect from 1st April 2011. The new Service headings will be reflected in next years' Annual Report.
- 1.4 Explanations of terms used can be found in Section 1, figure 1; and in the Glossary of Abbreviations at the end of the report.

2.0 Key findings

- 2.1 In 2010/11, a total of **625 representations** were reported as being received across CYPS:

		Informal	Formal	Total
Negative Representations	Complaints	114	34	148
	Comments	61		61
Positive Representations	Suggestions	2		2
	Compliments	414		414
Total				625

- 2.2 The diagram below clearly shows that approximately **two thirds (67%) of all representations received were compliments:**



2.3 The service area which delivers a high number of 'front line' services (Safeguarding and Specialist Services) received the highest proportion of formal complaints:

- 115 out of 148 complaints (**77.7%**) **were about social care services**

2.4 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:

- **5.9% of formal complaints were upheld (justified)**
 - 44.1% of formal complaints were partially upheld (partially justified)
 - 38.2% of formal complaints were not upheld (not justified)
 - 3.0% of formal complaints were withdrawn
- (8.8% of formal complaints are ongoing at time of writing report)

* (see Appendix A Glossary of terms and abbreviations)

2.5 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 in CYPS were acknowledged within 2 working days.

2.6 The timescale for resolving complaints at Stage 1 is 20 working days from receipt for statutory complaints, and 10 working days for corporate complaints. During 2010/11, **51.6% of Stage 1 complaints received in CYPS were resolved within timescale, consisting of:**

- 25% (5 of 20) of formal statutory Stage 1 complaints*
- 100% (11 of 11) of formal corporate Stage 1 complaints

*These are about social care services and can involve numerous and complex issues.

2.7 Where formal complaints are received which are believed to be particularly complex, or when complainants have remained dissatisfied with the response at Stage 1 of the formal procedure, complaints are investigated at Stage 2, by a person who was not involved at Stage 1. During the reporting year **3 complaints were investigated at Stage 2** (2 statutory and 1 corporate).

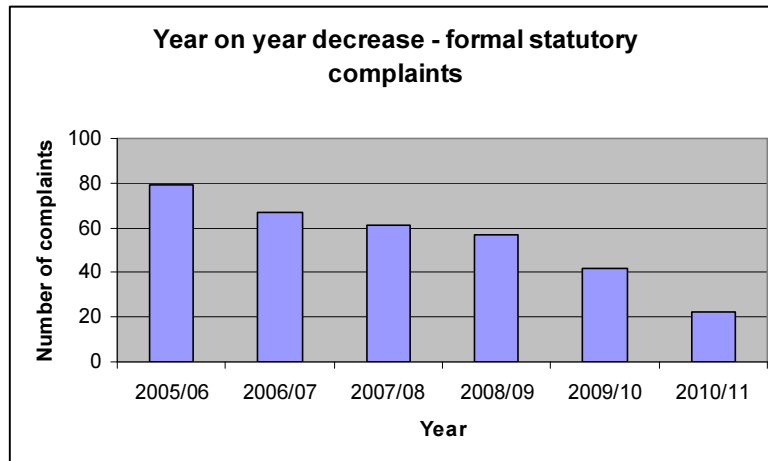
2.8 The timescale for resolving formal complaints at Stage 2 is 65 working days from receipt for statutory complaints, and 20 working days for corporate. During 2010/11, **none of the 3 Stage 2 complaints received in CYPS were resolved within timescale.** All 3 investigations were carried out outwith CYPS, by independent investigating officers.

3.0 Key messages

3.1 **The total number of representations has decreased by 38.6% from the previous year.**

3.2 **The overall number of negative representations (complaints and comments) has decreased by 30.6% from the previous year.** Statutory negative representations (complaints and comments) have decreased by 29.6% (from 228 to 176) during the same period; and corporate by 100% (from 71 to 35).

3.3 Additionally, this year has again seen a **decrease in the number of statutory complaints dealt with under the formal procedure**, as illustrated below:



3.4 **A higher number of complaints were resolved at first point of contact before entering the formal process in comparison to the previous year.** 77% of complaints received were resolved informally compared with 68% in 2009/10 and 42% in 2008/09.

3.5 The number of compliments received has decreased from the previous year; however **compliments received by the service as a percentage of all representations has remained on par with the previous year.** 66.2% of all representations received were in relation to compliments (an increase of 1% on 2009/10). The level of compliments recorded means that for every negative representation received there were almost twice as many positive ones.

3.6 **Performance in acknowledging formal complaints has improved over the past year.** 100% of all new formal complaints were acknowledged within 2 working days in comparison to 94.2% in 2009/10.

3.7 **Performance in resolving complaints in timescale has deteriorated.** Over the reporting year, 51.6% of Stage 1 complaints were resolved within timescale in comparison with 72.3% the year previously. 25% (5 out of 20) of statutory Stage 1 complaints were resolved within timescale of 20 working days, compared with 60% in 2009/10. However 100% of corporate complaints were resolved within 10 working days (compared with 92% in 2009/10). As detailed in Section 4.5.3, statutory complaints tend to be complex and the SaSS managers investigating them do so in addition to an already heavy workload.

3.8 Overall figures for CYPS show that **a perception of poor service accounted for 29.4% of formal complaints** in 2010/11, a decrease from the previous year's figure of 42.1%. However, **the majority of complaints (82.3%) were not upheld or only partially upheld.** Many complaints stem from the fact that families disagree with the decisions made by the service, which are made in the best interests of the child or young person. Nonetheless it is still concerning that service users have a *perception* of poor service, and actions to address this will be reflected in individual Service Area Plans.

- 3.9 It is pleasing to note that the percentage of formal statutory complaints regarding the **attitude and conduct of staff has again shown a decrease** (14.4%) from previous years (17.1% in 2009/10 and 26.1% in 2008/09).
- 3.10 It has also been noted that **complaints about services for disabled children and their families have declined over the past few years**, as a result of gradual improvements having been made over a period of time in the provision of services, partly as a result of the complaints which were formerly received about this service.
- 3.11 **The main theme that has been identified from complaints received during 2010/11 is 'poor communication'**. This is concerning as it has been an underlying message of complaints for the past few years. Heads of Service and senior managers will be recommended to note that improvements in communicating with service users are required when preparing their Service Area Plans, as well as cascading this message to their staff.

CYPS Annual Representations Report 2010/11

Section One - Introduction

- 1.1 This is the fifth Annual Report detailing the performance of Durham County Council's Children and Young People's Services (DCC CYPS) Representations Procedure. 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.
- 1.2 The aim of this report is to provide information in concise manner; therefore some of the detailed information which was included in previous annual reports, such as the aims of and procedures for handling complaints is not given within this report. However this information can be supplied upon request.
- 1.3 It should be noted that CYPS Service Areas reduced from six to five, with some title changes, with effect from 1st April 2011. The new Service headings will be reflected in next years Annual Report.
- 1.4 A number of terms are used in this report which are explained below:

Figure 1 – 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 Children and Young People's Services (CYPS), which is handled under the Council's corporate complaints procedure. This type of complaint can be about any of the 6 service areas of CYPS in existence during the period of this report: <ul style="list-style-type: none"> • Extended Services • Achievement Services • Access and Inclusion • Finance Services • Strategic Commissioning • 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 complaints 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; usually this is done verbally in the case of informal resolution.
Formal complaint	Complaints which are logged as formal complaints may not have been	When the complaint has been investigated, a formal written response

	able to be resolved informally, or the complainant may 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.	is sent to the complainant. Formal complaints are taken through different Stages, see 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 2.
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 the team involved in the complaint.	In the case of statutory complaints, the Stage 2 investigator will usually be from an independent agency, 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 (CCU) allocates an investigating officer.
Comment	Where service users give negative feedback about their experience of CYPS, 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 CYPS, 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.

- 1.5 Requirements on the procedures for handling and considering statutory representations in Safeguarding and Specialist Services (SaSS) are enshrined in statute; the various Acts set down the procedures that Local Authorities (LAs) with social care responsibilities must follow when a representation about social care services is made.
- 1.6 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.
- 1.7 Although there is no legislative requirement for the reporting of corporate complaints, CYPS 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.

1.8 There are various stages of the complaints process with specific timescales for each stage of the process. These are shown in figure 2 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 2 – Timescales for complaints

	Statutory	Corporate
Acknowledgment of complaint	Within 2 working days of receipt of complaint	Within 2 working days of receipt of complaint
Informal resolution	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	Not applicable (Stage 3 is to the Local Government Ombudsman)
Stage 3 response	Within 5 working days of panel meeting (from Legal Services)	Not applicable
Stage 3 final response	Within 15 days of final response (from CYPS Head of Service)	Not applicable

For a more detailed overview of the CYPS representations procedures, the CYPS Representations and Quality Officer (RQO) can be contacted as detailed at the end of this report or further information can be accessed on the intranet.

1.9 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 CYPS service users that have led them to complain about (or indeed compliment) the services they receive as well as providing data on measurable performance.

1.10 Lessons learned from the issues raised in complaints (and comments, suggestions and compliments) are used to inform service improvements, examples of which are detailed in Section Eight of this report.

1.11 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.











CYPS Annual Representations Report 2010/11

Section Two – Overview of CYPS representations

2.1 Breakdown of CYPS representations by type 2010/11

2.1.1 As Figure 3 below shows, 625 new representations were made in relation to CYPS in 2010/11, a decrease of 241 from the previous year. Although the overall number of compliments has also decreased, it is pleasing to note that 66.2% of all representations received were in relation to compliments (in comparison to 65% in 2009/10 and 64% in 2008/09). 77% of complaints received were resolved informally compared with 68% in 2009/10 and 42% in 2008/09, indicating improved levels of staff skill in handling dissatisfied customers effectively. The high levels of compliments recorded mean that for every negative representation received (via a comment or complaint) there were almost twice as many positive ones (ratio 1:1.75).

Figure 3 – overview of CYPS representations received 2010/11 (table)

	Type of representation	2009/10	2010/11	DOT*
Positive Representations	Compliment about statutory services	189	85	
	Compliment about non-statutory services	376	329	
	Suggestion (all about non statutory services)	2	2	
Negative Representations	Comment (all about statutory services)	78	61	
	Informally resolved statutory complaints	108	93	
	Informally resolved corporate complaints	43	21	
	Stage 1 formal statutory complaints	40	20	
	Stage 1 formal corporate complaints	25	11	
	Stage 2 formal statutory complaints	2	2	
	Stage 2 formal corporate complaints	3	1	
	Total number of CYPS representations	866	625	

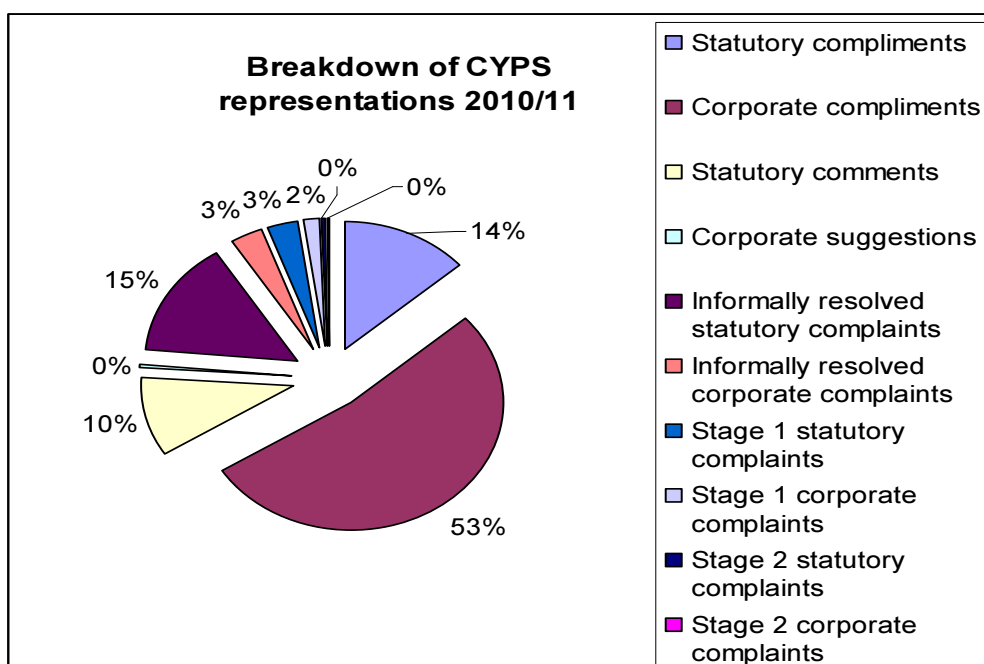
* *Direction of Travel*

** *11 corporate complaints logged as being formal on Customer Relations Management system (CRM) (see Section 5.1.4 of this report)*

2.1.2 The overall number of complaints and (negative) comments has decreased by 42.5% to 211 from 301 in 2009/10.

- 2.1.3 Statutory complaints and comments (combined) have decreased by 29.5% (from 228 to 176) since the previous year. Corporate complaints and comments/suggestions decreased by 100% (from 71 to 35).
- 2.1.4 Following year-on-year increases in complaints in recent years, these decreases are welcomed, and are believed to be result of service-wide improvements to the Service coming to fruition resulting in improved customer satisfaction. We are not complacent however, and we understand that there may be service users who are not satisfied with our services but who choose not to bring this to our attention.
- 2.1.5 We also realise that there is the potential for an increase in complaints during 2011/12 and beyond, as staff numbers and services begin to decline due to local government efficiency savings. In order to mitigate this, where there are proposed cuts, Equality Impact Assessments and Consultations are carried out to ensure that possible impacts to service users have been thoroughly considered.
- 2.1.6 In relation to statutory representations, a total of 261 were received, compared with 417 in 2009/10, 331 in 2008/09 and 89 in 2007/08. The previous year-on-year increase was in part due to a more robust recording system for compliments having been put in place. Whilst it is pleasing to note that the number of negative representations about social care services has decreased from 228 to 176, it is noted that there has also been a correlating decrease in the number of compliments about these services.
- 2.1.7 A total of 364 corporate representations were received during the reporting year, compared with 449 in 2009/10 and 335 in 2008/09. Compliments accounted for 90.4% of corporate representations, compared with 83.7% in 2009/10 and 83.6% in 2008/09.
- 2.1.8 Figure 4 below shows this information in a pie chart, clearly illustrating that compliments of a corporate nature make up 53% of all representations received, followed by statutory compliments at 14%.

Figure 4 – overview of CYPS representations received 2010/11 (pie)



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Section Three – Informally Resolved Complaints

3.1.1 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:

- improves service user relations and satisfaction;
- minimises the number of complaints initially actioned at a formal level, thereby potentially resulting in cost savings to the Service.

3.1.2 The table below summarises the numbers and percentages of complaints which were informally resolved during the reporting year:

	Number 2010/11	% of total complaints (148)	Number 2009/10	% of total complaints (221)
Corporate	21	-	43	-
Statutory	93	-	108	-
Total	114	77.0%	151	31.7%

3.1.3 Unless a complainant specifically request that their complaint is actioned as a 'formal complaint', every complaint is considered on a case by case basis to decide if it can initially be actioned 'informally' or 'formally' (directly at Stage 1).

3.1.4 All complaints are aimed to be acknowledged within 2 working days of receipt. If an informal complaint cannot be resolved within 2 days of receipt, it will be logged as a 'formal' complaint to be investigated fully and formally under the appropriate Stage 1 procedure.

3.1.5 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 issues. It is therefore costly in terms of time and people resources; and this cost increases further if a statutory complaint is subsequently taken to Stage 2, which requires the LA to pay for an independent investigator.

3.1.6 As Durham has historically had fewer complaints taken to Stage 2 than neighbouring local authorities in recent years, the practice of trying to resolve more complaints 'informally' at the outset appears to be working.

3.1.7 Regardless of whether a complaint is resolved 'informally' or 'formally', all complaints are logged, and complainants are asked for their feedback about how the complaint was handled, and any learning points are noted. The learning actions detailed in Section Eight are from both informally and formally resolved complaints.

3.1.8 A few examples of complaints which were informally resolved during the reporting year are given overleaf:

- A complaint from a father about a Social Worker speaking to his children whilst they were at school. The Social Worker discussed this with the children's parents, reminding them that this had been one of the recommendations of a Review Child Protection Conference.
- A complaint from a mother who was unhappy that her disabled son's case was to be closed. A re-assessment of his needs was arranged.
- A carer complained about care planning meetings having been cancelled due to school closure and bad weather. An apology and explanation was given; re-arranged meetings had already been planned.
- The neighbour of a Children's Home complained about the behaviour of one of the young people who lived at the Home. The Home staff dealt with the young person (which included involving the Police) and apologised to the neighbour.
- A mother (who had been the victim of extreme domestic violence, necessitating her to move out of County Durham) complained that social care services had failed to inform her that her children's father was due to be released from prison. This was quickly discussed with Police colleagues and the complainant was contacted to be given an update on the situation.
- A father complained about what he considered to be a 'hoax' visit to his home by a non-uniformed Police Officer, following a referral to social care services. The referral turned out to be unfounded. It was quickly established that a risk assessment undertaken by the Emergency Duty Team had felt that a home visit was necessary, and this was carried out by the Police Vulnerability Unit (who are non-uniformed); the complainant was given a full explanation and the details of the Police complaints department in case he wished to pursue the matter.
- A complaint about a child having been charged for music lessons which had been cancelled due to teacher absence. The parent was informed that all paid for lessons would be honoured in subsequent school terms when the teacher was available.
- A complaint that a pregnant single mother was unable to arrange for her two children to be taken to different schools following her impending Caesarean section. Arrangements were made for an Education Welfare Officer to meet with the mother to help her to make temporary arrangements.
- A complaint from a mother that her daughter had not been allocated a school place since moving into County Durham to live with her father. Enquiries quickly revealed that a school place *had* been allocated and the Pupil Casework Team had been liaising with the father to ensure the child attended.
- Complaints received about schools *not* opening during the inclement weather of 2010/11, and also about health and safety concerns where schools *had* opened.

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Section Four – Formal complaints







4.1 Formal CYPS Complaints by Service Area 2010/11

4.1.1 The table below summarises the numbers of complaints which were taken through a formal complaints process during the reporting year.

	Statutory	Corporate	Totals
Stage 1	20	11	31
Stage 2	2	1	3
Stage 3	0	N/A	0
Totals	22	12	34

4.1.2 Figure 5 below illustrates that the vast majority of formal complaints (67.7%) were received in relation to Safeguarding and Specialist Services (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 62.9% in 2009/10.

Figure 5 – formal CYPS complaints by Service Area

Service Area	Number 2009/10	Number 2010/11	DOT
Safeguarding and Specialist Services	44	23	
Access and Inclusion	14	3	
Extended Services	4	2	
Finance Services	2	0	
Achievement Services	4	4	
Strategic Commissioning	2	2	
Total no. of formal complaints	70	34	

4.1.3 Achievement Services received 4 out of 12 (33.3%) of formal corporate complaints; 2 of those were about school closures during the inclement weather in the winter of 2010/11.

4.2 Formal CYPS complaints made by service user group

4.2.1 Figure 6 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 (clients) are resolved informally at a local level, for example those housed in secure accommodation, in line with the good practice guidance for actioning statutory complaints, which suggests that Local Authorities should attempt to resolve complaints quickly and at the point of delivery.

Figure 6 – formal CYPS complaints made by service user group

Complainant	Number 2010/11	% 2010/11	Number 2009/10	% 2009/10
Parent	18	52.9	37	52.9
Client (child/young person)	2	5.9	6	8.6
Client (adult)	3	8.8	2	2.9
Relative (Non Parent)	4	11.8	5	7.1
Carer	0		2	2.9
Other	7	20.6	17	24.3
	34		70	

4.3 Formal CYPS complaints by theme

4.3.1 The broad nature of complaints received during the reporting year is illustrated in figure 7 below.

Figure 7 - formal CYPS complaints by theme

Main reason for complaint	No. received 2010/11	% of total	No. received 2009/10	% of total
Poor Service	10	29.4	30	42.9
Staff Attitude or Conduct	5	14.7	12	17.1
Staff Attitude and Poor Service	4	11.8	5	7.1
Decision regarding service	6	17.7	13	21.4
Decision regarding service and Staff Conduct	5	14.7	5	4.3
Other	4	11.8	5	7.1
Total no. of formal complaints	34		70	

4.3.2 It is pleasing to note that as well as a drop in the number of formal complaints, the percentage of complaints received in relation to poor service has decreased considerably since the preceding year. It is worth noting that 73.9% of complaints received were either not upheld or only partially upheld, so although service users complained that they had received poor services, in the majority of cases, investigations did not find evidence to support this.

4.3.3 In the case of statutory complaints, although the majority (6 out of 22) were about perceived poor service, this equates to 27.3%, which is an improvement when compared with 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. However, lessons can be learned from the perception of poor service which comes from all complaints, whether upheld or not; this is explored further in Section Nine of this report.

4.3.4 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 the previous year, at 9.1% (from 14.3% in 2009/10 and 26.1% in 2008/09).

4.4 Formal CYPS complaints by outcome

4.4.1 The information in figure 8 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. Please refer to the glossary in Appendix A for full definitions.

Figure 8 - formal CYPS complaints by outcome

	No. upheld	No. partially upheld	No. not upheld	No. still outstanding**	No. withdrawn	Total no.
Statutory	2	10	6	3	1	22
Corporate	0	5	7	0	0	12
Total	2	15	13	3	1	34
% of total (2010/11)	5.9% (6.5%*)	44.1% (41.9%*)	38.2% (41.9%*)	8.8% (6.5%*)	3.0% (3.2%*)	
% of total (2009/10)*	23.1%	27.7%	46.2%	0	3.1%	

*Stage 1 information only

**outstanding at the time of writing this report (June 2011)

4.4.2 As figure 8 shows, 50% of all CYPS formal complaints received in 2010/11 were completely or partially upheld (justified). 38.2% were not upheld. For formal statutory complaints, 6 out of 22 (27.3%) were not upheld; and 7 out of 12 (58.3%) formal corporate complaints were not upheld.

4.5 Performance indicators – timescales (Stage 1 complaints)

4.5.1 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 previous year's performance of 93.8% acknowledgements within timescale.

4.5.2 As figure 9 below shows, 51.6% of complaints taken through the 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 previous year (78.3). The system of informing complainants of any expected delay in writing or by telephone with the reason(s) why has continued during the reporting year.

Figure 9 - Performance indicators – timescales (Stage 1 complaints)

	No. 2009/10	% of total	No. 2010/11	% of total	DOT
Stage 1 statutory acknowledged in timescale	38	95.0%	20	100%	↑
Stage 1 corporate acknowledged in timescale	23	93.0%	11	100%	↑
Total CYPS Stage 1 acknowledged in timescale	61	93.8 %	31	100%	↑
Stage 1 statutory resolved in timescale	24	60.0%	5	25%	↓
Stage 1 corporate resolved in timescale	23	92%	11	100%	↑
Total CYPS Stage 1 resolved in timescale	47	78.3%	16	51.6%	↓

4.5.3 Performance for resolving corporate complaints within timescale fared better than that for statutory representations. As the percentage of complaints which are resolved informally rises (see Section Three), 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.

4.5.4 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. The continuing increase in the number of referrals to SaSS as a result of the Baby Peter case has continued to add to manager and staff workload pressures, resulting in less time for complaint investigation.

4.5.5 It is pleasing to note that 100% of corporate Stage 1 complaints were resolved within the 10 working day timescale. The managers and staff who respond to corporate complaints tend to be office based and are therefore often more able to quickly gather the information required for a complaint investigation. It is also noticeable that service users who make complaints about corporate services tend to be more articulate in expressing the exact nature and details of their complaint, which means that less time needs to be spent in trying to assess what the complainant is unhappy about, who s/he

is making a complaint on behalf of, and what outcomes they hope to achieve as a result of their complaint.

4.6 Stage 2 complaints

- 4.6.1 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.
- 4.6.2 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.
- 4.6.3 For statutory complaints, an independent Investigating Officer (IO) is appointed, as well as an Independent Person (IP) who oversees the process to ensure it is carried out appropriately. The LA has a contract with North East Consortium (NEC), which is part of the National Youth Advocacy Service (NYAS), to supply IPs. The contract also allows the LA to spot-purchase IOs. This means that the LA can choose on a case by case basis whether to procure an IO from NEC, or to make alternative arrangements such as contacting trained IOs directly.
- 4.6.4 As figure 10 below shows, all complaints taken to Stage 2 were acknowledged within the target of 2 working days; however none were resolved in timescale (65 working days for statutory complaints, 20 working days for corporate).

Figure 10 - Performance indicators – timescales (Stage 2 complaints)

	No. 2010/11 acknowledged in timescale	% of total	No. 2010/11 resolved in timescale	% of total
Stage 2 statutory	2	100%	0	0%
Stage 2 corporate	1	100%	0	0%
Total CYPS Stage 2 acknowledged in timescale	3	100%	0	0%

- 4.6.5 The corporate Stage 2 complaint investigation was carried out by the Corporate Complaints Team Leader. It took longer than 20 days as visits to the complainant had to be arranged to discuss the issues before a resolution could be reached.
- 4.6.6 One statutory Stage 2 complaint investigation is still ongoing at the time of writing. This investigation was re-commenced by NEC (at no cost to the LA) when they determined that the IO had failed to follow process correctly. The other statutory Stage 2 investigation went over timescale due to the complexity of the issues and the IO needing to carry out numerous meetings with the complainants and members of staff.

4.6.7 For full details of the Stage 2 procedures and information about Stage 2 complaints received during the reporting period, please contact the CYPS RQO as detailed at the end of this report.

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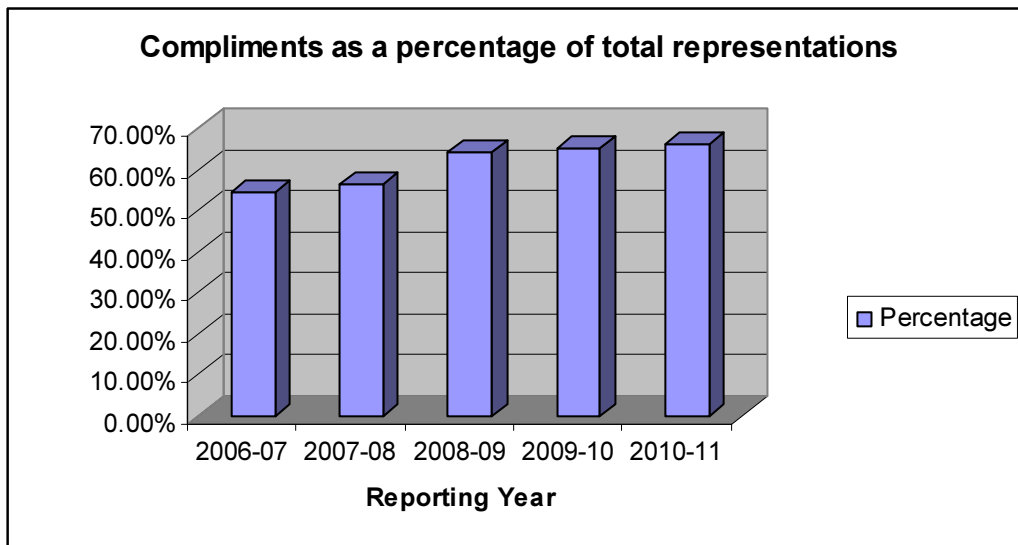
Section Five – Compliments, Suggestions and Comments

5.1 Compliments

5.1.1 Paragraph 2.1 and Figure 3 (Section Two) shows that during the reporting year there were a total of 414 CYPS compliments (compared with 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 85 compliments regarding SaSS and 329 regarding other CYPS services.

5.1.2 The number of compliments received has decreased from the previous year; however compliments received by the service as a percentage of all representations has shown a year on year increase, as illustrated in figure 11 below. In 2010/11, 66.2% of all representations received were in relation to compliments. The level of compliments recorded means that for every negative representation received there were almost twice as many positive ones.

Figure 11 – Compliments as a percentage of total representations



5.1.2 Copies of compliments received can be viewed on request, for up to one year after the reporting quarter. Compliments highlight that what service users appreciate includes:

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

5.1.3 A few examples of the many compliments received across the service this year are given overleaf; further examples can be given upon request. (The first 9 examples are about Safeguarding and Specialist Services).

- The people who work for CYPs are really good. They do a brilliant job and they are very caring with other people. Thank you for all the support which you have given me and [child] at a very bad time.
- My dealings with your department have been excellent and all effort was made to visit us as quickly as possible.
- Thank you for your help and guidance along the way. We will never be able to thank you enough for making us a FAMILY.
- I have been impressed by [Social Worker's] hard work in a difficult and trying case with serious complexities. The father must not have been the easiest individual to work with....Often so much criticism is aimed at social workers and they never get to hear the positive comments...
- (from a young person)...I just want to say Thank You for always being there for me no matter what I said and did!
- (from a young person about her Key Worker) ...She has been lovely...she does things out of her own time to help me and she is good to talk to.
- My son aged 14 has severe learning disabilities and autism...the social services team have supported me 100%...it is good to know they are there to help and support when I need it. Durham County Council should be proud of their services for disabled children and families.
- ...I have always found the staff very helpful and friendly and have witnessed the excellent care given to the young people...
- (from a young person) Great staff, team always there for the young people, enjoyed my time here, they really helped me.
- ...Your involvement with pupils who have complex emotional and behavioural difficulties has benefited individual children....parents have also commented how your support and guidance has helped their child and changed the way the family behave towards each other...
- (to Education Welfare Service) Thank you so much for all your help and support to [child] and our family. As a parent I did not know that special people like you were available within school and cannot express my gratitude to you enough...
- (about Sure Start) We have loved coming to the sessions because the staff and facilities have been excellent....it's a brilliant socialising influence on my two children.
- ...the invaluable contribution which the EMTAS team makes to our school. As a result of the work they are leading within the school, we have seen the students they work with progress both personally and academically...
- (to Connexions) Thank you for all the time and trouble you've gone to and for showing you care.
- I want to tell you how hugely impressed I've been with [member of staff]. I cannot begin to imagine the volume of requests during this period of mass restructures....she has been the voice of clarity, common sense and reason....
- (from the Deputy National Director School Improvement)...The strategic leadership that you bring as a team to Durham is outstanding...It is clear to me that you have successfully communicated a high level of strategic priority for ensuring Durham schools are good schools....

5.2 Suggestions

5.2.1 During the reporting year, 2 suggestions were received from service users, both of which were about non statutory services, and were acknowledged and responded to:

- One suggestion, which was from a young person, was about the provision to work 'on-line' at home, for example during periods of inclement weather such as

that experienced during the winter months of 2010/11. The young person was informed that work was already being undertaken to try to make this an option for the future. Many County Durham schools are already using Virtual Learning Environments (VLEs) where students can receive information and homework via their home PC or laptop.

- The second suggestion was about supply teachers in the Durham Supply Teaching Partnership being given passwords so they can access 'School to School' notices (for job opportunities) via the Extranet. This suggestion is being given serious consideration by Achievement Services; although it would require some work to set up initially, which would have a cost implication, this could potentially be recouped via a charge to supply teachers requiring this access, which could then generate income.

5.3 Comments

5.3.1 CYPS actively seeks the comments of its service users, in order to inform service improvements and developments. The Planning, Quality and Research Team (PQRT) sends out a number of surveys to children, young people and their carers in relation to services provided by SaSS, to ask for their feedback about their contact experience with staff from that service area. (Positive feedback is recorded as a compliment.) In addition all service users are able to make a comment about any area of CYPS at any time through a range of communication channels.

5.3.2 During 2010/11, there were 61 comments of a negative nature received about SaSS ('statutory comments'), compared with 78 received 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.

5.3.3 The main themes from the negative comments received in 2010/11 are:

- 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

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Section Six – Equality and Diversity information

6.1 Complainants’ age and gender profiles

6.1.1 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	11	2	13	9	0	9	0
Corporate	4	1	5	3	0	3	4
Total	15	3	18	12	0	12	4
% of total (34)	44.1%	8.8%	52.9%	35.3%	0%	35.3%	11.8%

6.1.2 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 number and genders of children who were involved in making formal complaints.

6.1.3 One corporate complaint was received on behalf of an organisation (noted as ‘other’ in figure 12); two corporate complaints did not specify if the complaint was being made on behalf of a boy or girl, but simply referred to their “child”. For statutory complaints, the precise details of the child or young person are required in order to be able to investigate the complaint.

6.2 Complainants’ ethnicity profiles

6.2.1 Citizens who make a corporate complaint via the DCC website are asked for equality and diversity 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 CYPS, this 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 equality and diversity part. It is known that 2 of the 11 formal Stage 1 corporate complaints received during the reporting period were made on behalf of children of White British origin; the ethnic origin of the remaining 9 is recorded as ‘unknown’.

6.2.2 Figure 13 overleaf shows that all 22 formal statutory complaints are recorded as being made by or on behalf of* children or young people of White British origin. As the numbers are so low, it is difficult to draw any conclusions from this information.

* One complaint was from a young adult who had previously been a looked after child, therefore SSID shows that she is White British. One complaint was from a Foster Carer, made on her own behalf rather than for a child or young person.

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

	White British	Any other ethnic group
Female	13	0
Male	9	0
Total	22	0
% of total	100%	0%

6.3 Complaints regarding equality and diversity issues

6.3.1 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.

6.3.2 Some complaints were received regarding children not being eligible for home to school transport to a faith school. Although such 'complaints' fall outside the remit of the corporate complaints policy (as the policy excludes complaints about Council policies, and as there is an Appeal process for disagreement with a decision about home to school transport) parents were nonetheless given responses which included a full explanation for the decision and information that the criteria in the home to school transport policy had been drawn up in agreement with the relevant church authorities, and had been found to be fair and relevant by the Ombudsman.

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Section Seven - Local Government Ombudsman

7.1 Local Government Ombudsman letter 2010/11

7.1.1 At the time of writing (June 2011) the Local Government Ombudsman's (LGO) annual letter to Durham County Council had not been received, but provisional information sent by the LGO in April 2011 shows the following information about the numbers of complaints received about the County Council, regarding children and family services (SaSS) and education, in 2010/11 in each of the above categories, are shown below:

	Children and family services (SaSS)	Education	Total for Council	CYPS complaints as a % of Total
Total 2010/11	1	8	155	5.8%
Total 2009/10	4	8	105	11.4%
Total 2008/09	6	8	40	35.0%
(Total 2007/08)*	1	7	-	-
(Total 2006/07)*	3	8	-	-

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

7.1.2 Of the 9 complaints submitted to the LGO about 'Education & Children's Services':

- The Ombudsman discontinued her investigation because action was agreed by the Local Authority and accepted by the LGO as a satisfactory outcome for the complainant (3).
- The Ombudsman could find no, or insufficient, evidence of maladministration (3).
- Ombudsman's discretion was used not to pursue the complaint any further (usually because the Ombudsman can find no or insufficient injustice to warrant pursuing the matter further) (2).
- 1 was outside the Ombudsman's jurisdiction.

7.1.3 Of the 8 complaints submitted to the LGO about 'Education':

- some were about home to school transport
- some were about school admissions
- 1 was about Special Educational Needs services

7.1.4 The Ombudsman also gave advice about 33 Durham County Council matters, 18% of which were in relation to 'Education and Children's Services'.

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Section Eight - Learning from complaints

8.1 Strategic level - key messages

- 8.1.1 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 the major theme was poor communication. As Section Four shows, during 2010/11 the number of complaints about the service decreased from the previous year, and although perception of poor service was the main reason for the majority (29.4%) of complaints to CYPS, this was a decrease from the previous year's figure of 42.9%.
- 8.1.2 An analysis of complaints and comments received during 2010/11 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.
- 8.1.3 As in previous years, from speaking to complainants and managing complaints throughout the reporting year, the CYPS RQO has identified that the majority of citizens who make a complaint 'on behalf of' a child are inherently unhappy with a decision that the Local Authority 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 of CYPS, 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, because where any intervention services to children are required, this can be of course be an emotive area with the potential for a conflict of interests. This is reflected by the fact that 82.3% of complaints received during 2010/11 were either not upheld or were only partially upheld.
- 8.1.4 In 2010/11 it appears that some of 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 cancelling). In all cases, complainants felt frustrated (and in some cases, angry).
- 8.1.5 The over-riding theme is **poor communication**, a message which will be relayed to senior managers for inclusion in their Service Area Plans. 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.

8.2 Operational level - recommended actions from complaints 2010/11

8.2.1 The system for recording actions resulting from complaints has continued during the reporting year. These actions may be

- recommended by the manager investigating the complaint, or
- recommended by the CYPS RQO, following analysis of the complaint and resolution, or
- recommended by an independent Investigating Officer.

8.2.2 All recommended actions are reported to senior managers on a quarterly basis for cascading throughout the Service. The identified actions are monitored within the Service Area(s) concerned.

8.2.3 A brief summary of some of the recommended actions from complaints resolved in 2010/11 is given below:

- Try to ensure that any concerns raised by other family members are listened to and taken into account in Social Worker reports to Court
- Make sure family contact rooms are kept warm and clean - including floors and toys
- Ensure that Core Assessments are written within appropriate timescales
- Initial Response Team should ensure that, where appropriate, referrers are made aware of action taken following the referral.
- Where Foster Carer Review reports say something about the Carers, they should be shared with Carers by their Supervising Social Worker, rather than being posted out.
- Where important and/or sensitive information is to be shared with family, this should be communicated via an appropriate means.
- Prior to Education development Service support and development visits, check that providers are aware of the purpose and remit of the visit.
- Where Nurseries are taken over by private providers, the process, including payments of fees, should be fully explained to parents.
- All staff should be made aware of the policy regarding use of Facebook and other social media; and should not publicise their place of work.
- Where 'template' letters are used, care should be taken to ensure details, including date, are correct for the particular recipient.

8.2.4 The following recommendations were made as a result of the one Stage 2 complaint which was completed during the reporting year:

- Consideration should be given to the active and appropriate involvement of young people in the Child Protection plan process. It is recognised however that the safety and welfare of children and young people is at all times paramount.

This has been brought to the attention of the LSCB, which continually reviews its procedures. The recommendation was also discussed with the Manager of the Quality and Review service (the Independent Reviewing Officers who Chair Child Protection Conferences), who confirmed that the IROs will continue to advocate for children and young people. Social Workers are being reminded to be always mindful of the potential impact of their involvement on the children and young people they work with.

- Social Workers should be given the opportunity to reflect on their practice in regular professional supervisions.

Social Workers are, and will continue to be given the opportunity to reflect on their practice. This is through regular (monthly) Supervision sessions with their manager, 6 monthly Reviews and annual Appraisals. In addition, all Team Managers and Social Workers are now required to complete decision and discussion sheets when they are considering individual cases.

- The Local Authority to promote the fact that services users have a right to access their files. They should also be aware of confidentiality in relation to stored information which is set out in County Durham's Access to Personal Social Care Records policy and is underpinned by the Data Protection Act 1998. This is supported in the Durham Local Safeguarding Children Board procedures.

Following a recent review of the procedures for retention and destruction of information, the Local Authority is currently undergoing a review of access to records, led by the Caldicott Guardian (the person who has responsibility for information governance) for CYPS. The Caldicott Guardian was informed of this recommendation and has arranged to ensure it is incorporated into the updated process.

- A written leaflet about the LSCB complaints process should be made available to family members. (Currently families are informed verbally about the process and are referred to the LSCB website for further information.)

This has been raised with the LSCB, who have undertaken to complete this task.

8.3 Gradual learning and improvements

- 8.3.1 It has been noticed that very few complaints are received about services for disabled children and their families, whereas historically numerous complaints were received about this issue. As a result of the previous negative feedback from parents and carers, gradual improvements were made over a period of time in the provision of services, which have resulted in greater customer satisfaction and no formal complaints being received about the Disabled Children and Families service during 2010/11.

CYPS Annual Representations Report 2010/11

Section Nine – National and local developments relating to representations

- 9.1 On a national level, since May 2010 there have been numerous developments relating to various areas of national and local government; however there have been no changes during the reporting year which have affected the legislation around children's representations. There is an expectation that numbers of complaints may increase if services are cut or decreased, and this will be monitored and reported on in 2011/12. CYPS is endeavouring to minimise cuts to front-line services, but already during the early part of 2011/12 complaints have been received from looked after children and young people who are unhappy about being informed that their placement will be changed from IFA (private) Foster Carers to Local Authority employed Foster Carers; and comments have been received about possible cuts to school transport.
- 9.2 Learning from representations has now become 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. The results of this analysis are reported quarterly to both CYPS SLT and SaSSMT, for cascading to managers and staff, and for the strategic themes to be included in Service Area Plans.
- 9.3 The PQRT now gathers information on a quarterly basis about other service user feedback (not only that received via representations), for example comments received through organised programmes of consultation and service user surveys. This information is to be amalgamated with feedback from representations, to be included in one over-arching report to enable improved identification of themes and issues of importance to children, young people and families.
- 9.4 CYPS 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. During forthcoming months the group will be working together to update the CRM system which captures corporate representations, to make it more 'user friendly' for staff to input and extract representations information and data.
- 9.5 CYPS will be working with Adults Wellbeing and Health to carry out a 'moderation' exercise to ensure that complaints are handled similarly by both services. In the light of forthcoming Value for Money reviews, it will be useful to learn from the good practice of our counterparts in another service, who deal with similar kinds of representations, particularly social care (statutory) complaints. The results of this work will be shared with the wider multi-service group. This will enable future recording and reporting to services and Standards Committee to be more closely reflective of the types of feedback that are received from our service users.
- 9.6 In CYPS, a major development which has been ongoing for some time but which will come to fruition during 2011 is the creation of Integrated Teams, which will be housed in 10 locations across the County and will involve multi-agency professionals and support staff working closely together from the same 'base' to meet the needs of children, young people and families. This could have an impact upon representations, for example a family might complain to the Council about the team working with their child, and the team could include health colleagues. Therefore closer partnership working with health services' representations staff will be required.

- 9.7 The contract for Independent Persons (IPs) for statutory Stage 2 investigations comes to an end in March 2012, and there is no contract in place currently for the supply of independent Investigating Officers (IOs) (only on a 'spot purchase' basis). Representatives from Durham CYPS have been meeting regularly with colleagues from neighbouring authorities to explore future, value for money options for the provision of both of these statutory services.
- 9.8 The IP contract is currently held by North East Consortium (NEC), which is part of NYAS (National Youth Advocacy Service) and it is planned that this contract will be extended until 2014. However the quality of some of the IO reports provided by NEC has been poor. CYPS has worked closely with NEC senior managers to resolve the issues, but moving forward, work is in hand for a consortium of regional Local Authorities (led by Hartlepool Borough Council) to create an approved list of IO providers which complaints managers can draw upon to carry out statutory Stage 2 investigations.

CYPS Annual Representations Report 2010/11

Section Ten - Conclusion and Acknowledgements

- 10.1 CYPS receives a number of representations each year. This is predictable given the nature of the services, which are provided at difficult times in people's lives. Representations are a valuable source of feedback to inform service improvement. The number of representations is very small as a percentage of the total number of contacts made with children, young people and their representatives.
- 10.2 This Annual Report indicates positive achievements and improvements in performance in the handling and consideration of representations, including complaints, during the year 1st April 2010 – 31st March 2011, and also recognises the need to strive for continuous improvement.
- 10.3 Acknowledgements are made and thanks given to the following contributors to representations during the reporting year:
- All service users who have contributed to our service developments by making representations.
 - Staff and managers who have increasingly recognised the importance of addressing concerns responsively and been prepared to learn from the compliments and concerns of service users.
 - The National Youth Advocacy Service which provides invaluable support and advice to service users and enables concerns to be clarified and articulated.
 - The Systems Development Team who have enabled data to be more accurately recorded and collated.
 - Members of the Local Authority's Standards Committee who objectively scrutinise representations and ensure that trends are recognised and acted upon.
 - Counterparts in all service areas within DCC and in neighbouring Local Authorities for their advice and support throughout the reporting year.

Appendix A - Glossary of terms and abbreviations and terms used

CCU	Customer Complaints Unit
CRM	Customer Relations Management (management information system for capturing service user contacts)
CYPS	Children and Young People's Services
DCC	Durham County Council
E&D	Equality and Diversity
EMTAS	Ethnic Minority and Traveller Achievement Service
Extranet	An internal website (an 'Intranet') for school staff, part of the Durham Learning Gateway
IO	Investigating Officer (statutory complaints Stage 2)
IP	Independent Person (statutory complaints Stage 2)
LA	Local Authority
LGO	Local Government Ombudsman
LSCB	Local Safeguarding Children Board
NEC	North East Consortium (part of NYAS)
NYAS	National Youth Advocacy Service
PQRT	Planning, Quality and Research Team
RQO	Representations and Quality Officer
SaSS	Safeguarding and Specialist Services
SGSS	School and Governor Support Service
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 B - Summary of performance Trends over 5 year period 2006 - 2011

	2006-2007	2007-2008	2008-2009	2009 - 2010	2010 - 2011	Change since last year
Total Number of Representations	160	170	666	866	625	- 241
Number of Formal Complaints	71	72	77	70	34	- 36
Number of Informal Complaints	-	-	61	151	114	- 37
Number of Compliments	87	96	428	565	414	- 151
Number of Comments / Suggestions	2	2	100	80	63	- 17
Formal Complaints as a % of total	44.4%	42.4%	11.6%	8.1%	5.4%	- 2.7%
Compliments as a % of total	54.4%	56.4%	64.3%	65.2%	66.2%	+ 1.0%
Comments as a % of total	1.2%	1.2%	15.0%	9.2%	10.1%	- 5.8%
Total number of Statutory Representations	89	89	331	417	261	- 156
Number of Formal Statutory Complaints	67	61	57	42	22	- 20
Number of Informal Statutory Complaints	-	-	26	108	93	- 15
Number of Statutory Compliments	22	26	148	189	85	- 104
Number of Statutory Comments	2	2	100	78	61	- 17
Formal Statutory Complaints as a % of total	76%	68.5%	17.2%	10.1%	8.4%	- 1.7%
Statutory Compliments as a % of total	22%	29.2%	44.7%	45.3%	35.6%	- 9.7%
Statutory Comments as a % of total	2%	2.3%	30.2%	18.7%	23.4%	+ 4.7%
Total number of Corporate Representations	71	81	335	449	364	- 85
Number of Formal Corporate Complaints	4	11	20	28	12	- 20
Number of Informal Corporate Complaints	-	-	35	43	21	+ 8
Number of Corporate Compliments	67	70	280	376	329	- 47
Number of Corporate Suggestions	0	0	0	2	2	same
Formal Corporate Complaints as a % of total	5.6%	13.6%	6.0%	6.2%	3.3%	- 2.9%
Corporate Compliments as a % of total	94.4%	86.4%	83.6%	83.7%	90.4%	+ 6.7%
Corporate Suggestions as a % of total	0	0	0	0.5%	0.6%	+ 0.1%
Statutory complaints – Who complained?						
% of male complainants	43%	45.9%	47.4%	30.0%	35.3%	+ 5.3%
% of female complainants	57%	54.0%	52.6%	70.0%	52.9%	- 17.1%
% of White British complainants	93.2%	96.7%	98.3%	97.5%	100%	+ 2.5%
Other ethnic origin/unrecorded	1.1%	3.3%	1.7%	2.5%	0	- 2.5%
Main Causes of CYPS Complaints:						
Conduct or Attitude of Staff	26.1% *	31.3% *	28.6%	17.1%	14.7%	- 2.4%
Poor Service	30.6% *	42.2% *	31.2%	42.9%	29.4%	- 13.5%
Decision regarding services		3.2%*	16.9%	21.4%	17.7%	- 3.7%
Meeting Statutory timescales						
Acknowledgement within 2 working days	-	86.4%	98.3%	95.0%	100.0%	+ 5.0%
Response to complaint at Stage 1 within 20 working days	63.8%	57.4%	56.2%	60.0%	25.0%	- 35.0%

* Statutory complaints only

If you need this information summarised in another language or format such as Braille, large print, CD or talking tape, please call the number below.

إذا اردت معرفت ملخص هذه المعلومات باللغة العربية اتصل علي الرقم التالي

Arabic

আকারে এই তথ্যটি পেতে নিচের নম্বরে ফোন করুন:

Bengali

假如您需要這份資料的中文摘要，請致電下面的號碼。

Chinese

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

Hindi

Jezeli potrzebujesz streszczenia tych informacji w jezyku polskim zadzwon prosze na ponizszy numer

Polish

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

Punjabi

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

Urdu



(0191) 383 3981

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

Gill Ward
Representations and Quality Officer
Planning, Quality and Research Team
Early Intervention and Partnership Service
Children and Young People's Services
County Hall
Durham
DH1 5UJ
Telephone: (0191) 383 3981
E-mail: cypscomplaints@durham.gov.uk

Standards Committee

17 February 2012

**Progress of the Localism Act
Provisions relating to Standards**



Report of Colette Longbottom, Head of Legal and Democratic Services

Purpose of the Report

1. To update Members of the Standards Committee on the progress made in relation to establishing a new ethical framework for Durham County Council.

Background

2. Members will recall that an item was considered at the meeting of the Committee held on 18 November 2011 regarding recent changes which had been made to the Localism Bill in the House of Lords.
3. Those changes included the obligatory requirement for all Local Authorities to have a Code of Conduct. The amendments also required Local Authorities to appoint an independent person through a transparent process and where a Local Authority has investigated an allegation it must seek the independent person's view before reaching a decision about the allegation. Since receiving Royal Assent it has become apparent in way the Localism Act has been worded, that current independent members of a council's standards committee are disqualified from being the new independent person in their current council. This also applies to anyone who has served as an independent member of a council's standards committee in the last five years.
4. Following inception of the Localism Act the Local Government Authority (LGA), having originally resolved to have no involvement in the production of a draft Code of Conduct, has now indicated that it will produce a model Code, although a timescale for this is yet to be established.
5. It is understood that the Association of County Secretaries and Solicitors have passed to the LGA a draft Code of Conduct which they have prepared.
6. In the meantime the Head of Legal and Democratic Services has prepared a report which is due for consideration by full Council on 21 March 2012, which will propose the next steps forward for the Authority.

Recommendations

7. It is recommended that the Standards Committee notes the content of the report with a view to receiving further updates in due course.

Contact: Colette Longbottom Tel: (0191) 3835643

Appendix 1: Implications

Finance	N/A
Staffing	N/A
Risk	N/A
Equality & Diversity	N/A
Accommodation	N/A
Crime and disorder	N/A
Sustainability	N/A
Human rights	N/A
Consultation	N/A
Procurement	N/A
Disability Discrimination Act	N/A
Legal Implications	N/A

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Standards Committee

17 February 2012



**Request for Dispensation from
Eldon Parish Council**

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

Purpose of the Report

1. To consider a request (copy attached as Appendix 1) from Councillor R Scaife of Eldon Parish Council for a dispensation under the Standards Committee (Further Provisions) (England) Order 2009, permitting members to speak and vote despite the existence of a prejudicial interest in business affecting the Eldon Community Partnership.

Background

2. A Standards Committee can grant a dispensation to a Member where more than 50% of the Members of the Council who have been entitled to attend a meeting are prohibited from voting or where the number of Members that are prohibited from voting at a meeting would upset the political balance of the meeting to the extent that the outcome of voting would be prejudiced.
3. Eldon Parish Council is comprised of 5 elected Members. In May 2010 three Members (Councillors G Pennington, V Chapman and J Gibson) were granted a dispensation due to being affiliated with the Eldon Community Partnership. A request for dispensation has now been received from Councillor R Scaife of Eldon Parish Council who is also now affiliated with the Eldon Community Partnership.
4. This kind of request has been previously submitted by other Parish Councils and approved by Standards Committee.

Recommendations and Reasons

5. Standards Committee is recommended to grant a dispensation to Councillor R Scaife of Eldon Parish Council who is affiliated with the Eldon Community Partnership, permitting her to participate and vote on any future Parish Council business concerning the Eldon Community Partnership, as has previously been granted to Eldon Parish Councillors Pennington, Chapman and Gibson. This dispensation shall continue until the next Parish Elections in 2013.

Contact: Jocasta Lawton

Tel: (0191) 3833679

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