



Children and Adults Services

**ANNUAL STATUTORY REPRESENTATIONS REPORT
CHILDREN AND ADULTS SOCIAL CARE SERVICES
2012/13**



**ANNUAL REPRESENTATIONS REPORT
CHILDREN AND ADULTS SOCIAL CARE SERVICES 2012/13**

CONTENTS

		Page(s)
Part One	Introduction	4
Part Two	Key Messages for CAS	5-11
Part Three	Representations relating to Children’s Social Care Services	12-18
	<ul style="list-style-type: none"> • Context 12 • Number of Complaints Received 12 • Number of Complaints Upheld 13 • Percentage of Complaint Acknowledgements in Timescale 13 • Complaints Completed within Timescale 13 • Subject Matter of Complaints 14 • Complaints by Service Type 14 • Complaints referred to the Local Government Ombudsman (LGO) 15 • Complaints by Complainant Type 15 • Age Profiles of Service Users Making Complaints 15 • Ethnicity and Diversity 16 • Declined Complaints 16 • Year on Year Trend 2007-2013 16 • Number of Compliments Received 16 • Ratio of Compliments to Complaints 17 • Compliments by Service Area 17 • Key Areas Highlighted within Compliments Received 18 • Examples of Compliments Received 18 	
Part Four	Representations relating to Adult Social Care Services	19-25
	<ul style="list-style-type: none"> • Context 19 • Number of Complaints Received 19 • Number of Complaints Upheld 20 • Percentage of Complaint Acknowledgements in timescale 20 • Complaints Completed within Timescale 20 • Subject Matter of Complaints 21 • Complaints by Service Type 21 • Complaints Referred to the Local Government Ombudsman (LGO) 22 • Complaints by Complainant Type 22 • Complaints by Client Group 22 • Age Profiles of Service Users Making Complaints 23 	

	• Ethnicity and Diversity	23
	• Declined Complaints	23
	• Year on Year Trend 2007-2013	23
	• Number of Compliments Received	24
	• Ratio of Compliments to Complaints	24
	• Compliments by Service Area	24
	• Key Areas Highlighted within Compliments Received	25
	• Examples of Compliments Received	25
Part Five	Remedies and Learning Outcomes	26-29
	• Remedies in Children’s and Adult Complaints	26
	• Learning Outcomes	27
	• Children’s Complaints	27
	• Adult Complaints	28
Part Six	Conclusion	30
	Glossary of Abbreviations	31

Part One - Introduction

Welcome to Durham County Council's (DCC) Children and Adults Services (CAS) Annual Report detailing representations made in relation to Children and Adults Social Care Services. The report covers the period 1 April 2012 to 31 March 2013.

The report presents children and adults statutory representations in a combined report for the first time to reflect the new CAS service grouping.

The report is published under the provisions and requirements of the relevant regulations: *The Children Act 1989 Representations Procedure (England) Regulations 2006*, and the *Local Authority Social Services and the National Health Service Complaints (England) Regulations 2009*. The reporting format reflects the requirements detailed in the Regulations. The Regulations for children and young people's complaints are different to those for adults complaints and for this reason the data and analysis is presented in individual sections within the report.

Complaints are valued as an important source of feedback from service users on the quality of services provided by CAS. Each complaint is investigated and findings are fed back to the complainant and various remedies provided. Complaints also provide opportunities to learn lessons and continually improve services to prevent a repeat of any failures. Whilst there is no statutory requirement to publish data on compliments it is important that the fullest picture is obtained about what service users, their carers and families, and other representatives think about the services and the professionalism of staff they experience. Compliments equally provide the opportunity to learn lessons about what works best.

The report is broken down into six parts and provides an overview of the following areas in the reporting period:

- the numbers and composition of complaints and compliments received;
- information in relation to the complainant;
- performance data in relation to the handling of complaints; and
- lessons learnt and actions taken to improve service delivery.

Part Two - Key Messages for CAS

Number of Complaints Received

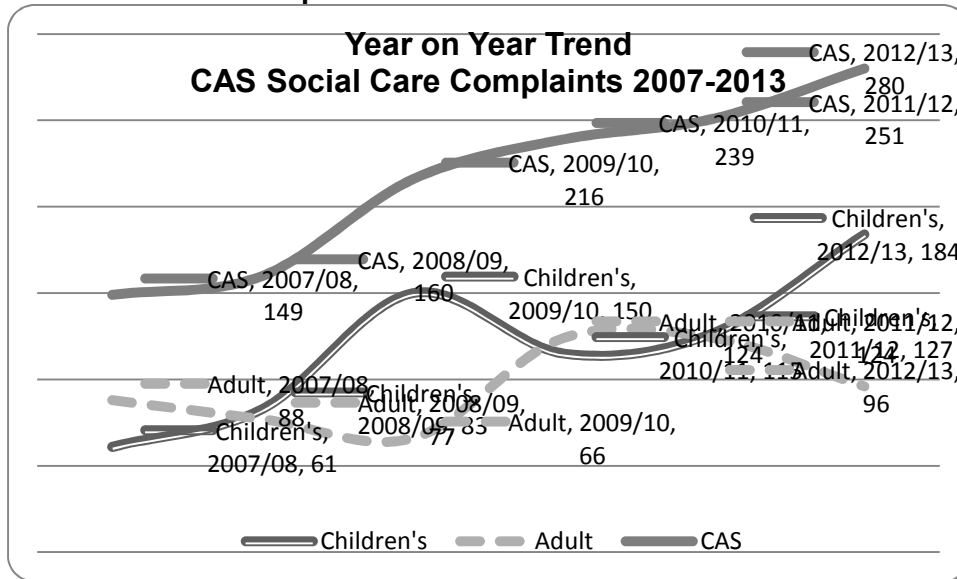
In 2012/13, a total of 276 complaints were received by CAS; 184 related to children's social care services and 92 related to adults social care services. There has been a 1.9% increase in CAS complaints when comparing with the number of complaints received in the previous year (271). Children's social care complaints have increased by 25.2% in comparison to the previous reporting year whilst complaints about adult services have decreased by 25.8% over the same period.

The graph overleaf illustrates a steady overall increase in the number of statutory complaints received over the preceding 7 years. Complaints across CAS as a whole are increasing, however, the increase is attributable to complaints in relation to children's social care services. Whilst complaints about adult care services are approximately at the same level in 2013 as they were in 2007, there are 3 times as many complaints in 2013 as there were in 2007 in relation to complaints about children's services.

The spike that can be seen from 2009/10 to 2011/12 in relation to adult social care complaints is largely as a result of changes to financial charging for social care services linked to the Medium Term Financial Plan. These changes were unpopular and unwelcome for some service users which led to the increase in complaints over this period. Complaints have decreased in the last reporting year and Durham has the third lowest rate of complaints in comparison to benchmarking neighbours.

The increase in complaints about children's social care services over the period 2007/08 to 2009/10 is largely attributable to improvements in the way in which complaints were captured, reported and monitored by the Complaints Officer within a central team. Complaints decreased between 2009/10 and 2010/11, levelled over the period 2009/10 to 2011/12 and have increased by 25% in the last year. Despite this, Durham continues to have the lowest number of formal complaints in comparison to benchmarking neighbours in the region and one of the lowest numbers of stage 1 complaints that progress to stages 2 and 3 of the statutory complaints procedure.

Graph 1: Year on Year Trend 2007-2013



Composition of Complaints Received

Of the 184 complaints received in relation to children’s social care, 145 were handled informally and within 10 working days of receipt and 39 were managed formally. Of these 39 complaints, 2 were received and subsequently withdrawn. Of the remaining complaints, 33 were addressed at Stage 1, 14 (39.4%) were resolved within the 20 working day timescale for Stage 1 complaints with 19 complaints (57.6%) resolved outside of the timescale. There were 4 Stage 2 complaints, 1 was resolved within timescale (25%) with 3 exceeding the timescale (75%).

A complaint is noted as informal where it is resolved directly by the team involved, quickly and locally and in collaboration with the complainant. If an informal complaint cannot be resolved within 10 working days, it then is managed as a formal complaint at Stage 1 of the procedure.

For complaints related to adult social care, all complaints must be resolved within 6 months of receipt within timescales agreed with the complainant (see Part Four for more details). There is one stage to this procedure.

Benchmarking Comparisons

A benchmarking exercise was undertaken with other Local Authorities (LAs) in the North East region and the tables overleaf summarise the information received.

Complaints Relating to Children's Social Care Services

Local Authority	Total Number of Formal Complaints	0-19 Population*	Rate of Complaints per 1000 0-19 Population	% of Stage 1 Complaints Progressed to Stage 2 and 3 of the Complaints Procedure
Durham	37	115, 500	0.32	10.8%
A	87	36, 300	2.39	16%
B	37	44, 800	0.83	0%
C	21	22, 900	0.92	16.6%
D	17	31, 200	0.55	29.4%
E	129	62, 600	2.09	9.3%
F	36	45, 300	0.79	12.8%

* 2011 Census, Office for National Statistics

The benchmarking information shows that:

- Durham has the lowest rate of formal complaints per 1000 0-19 population.
- Durham has the 3rd lowest percentage of Stage 1 complaints progressing to stages 2 and 3 of the formal complaints procedure.

Complaints relating to Adult Social Care Services

Local Authority	Total Number of Complaints	18+ Population**	Rate of Complaints per 1000 18+ Population
Durham	92	414, 109	0.22
A	31	107, 107	0.29
B	30	161, 113	0.19
C	14	71, 946	0.19
D	33	107, 475	0.30
E	176	221, 054	0.79
F	69	159, 783	0.43
G	32	118, 928	0.27
H	71	255, 103	0.28

** ONS Mid year population estimates 2013, Health and Social Care Information Centre

The benchmarking information shows that:

- County Durham has the 3rd lowest rate of complaints per 1000 18+ years population.

Number of Complaints Upheld

Over half of all complaints complete at the year end were not upheld (52.8%). 26.8% of complaints were partially upheld and 20.3% were upheld. In comparison to previous years, the number of complaints not upheld is

increasing; in 2011/12 the figure for CAS was 46.7% of all complaints not upheld and in 2010/11 the figure was 44.5% of all complaints not upheld.

In children's social care complaints, of the 32 Stage 1 complaints completed by the end of the reporting year, 6 (18.8%) were upheld in full and 15 (46.9%) were partially upheld. There were 11 (34.3%) complaints that were not upheld. Of the 3 Stage 2 complaints completed by the end of the reporting year, 2 complaints were upheld (66.6%) and one complaint was partially upheld (33.3%).

In adult social care complaints, of the 88 complaints completed by the end of the reporting year, 17 (19.3%) were upheld in full and 17 (19.3%) were partially upheld. There were 54 (61.4%) complaints that were not upheld.

Percentage of Complaint Acknowledgements within 2 Timescale

Of CAS formal complaints, 99.2% were acknowledged within the timescale of 2 working days. This represents an improvement from 2011/12 where 98.7% of formal complaints were acknowledged within timescale.

Complaints Completed within Timescale

Of the 33 children's social care complaints addressed at Stage 1, 14 (39.4%) were resolved within the 20 working day timescale for Stage 1 complaints with 19 complaints (57.6%) resolved outside of the timescale. There were 4 Stage 2 complaints, 1 was resolved within timescale (25%) with 3 exceeding the timescale (75%).

For complaints relating to adult social care, 88 complaints were concluded at the year end with 4 ongoing. Of the 88 completed complaints, 100% were completed within the individual timescales agreed in the Complaints Resolution Plan (CRP).

Subject Matter of Complaints

'Professional Conduct of Staff' constituted the category with the highest number of complaints in relation to children being recorded in 17 (43.6%) out of the 39 formal complaints received. In relation to adult social care complaints, *'Disputed Decisions'* constituted the category with the highest number of complaints relating to 23 complaints (25%).

Complaints Referred to the Local Government Ombudsman (LGO)

During the reporting year, the LGO issued 4 Final Decisions in children's social care complaints. In 3 of the cases the LGO declined to fully investigate on the grounds that public expense could not be upheld as maladministration had not occurred. In the other cases the complaint was not progressed as the Ombudsman determined the complaint to be outside of their jurisdiction.

The LGO received 2 further statutory complaints which were still open at the year end. One of these cases has subsequently been investigated by the Ombudsman; the other case remained open at the year end pending further investigation by the local authority.

During the reporting year, the LGO issued 8 Final Decisions in adult social care complaints. In 5 cases the LGO declined to have further involvement on the grounds that public expense could not be upheld as no maladministration had occurred. In 3 cases the complainants were significantly outside of the limitation period of 12 months and the LGO discontinued their involvement on those grounds.

Complaints by Complainant Type

In formal complaints received about children's social care services, '*Parents*' constituted the largest cohort of complainants (60%). In complaints about adult social care services, '*Relatives (non-parent)*' constituted the highest cohort of complainant at 48.9%. These complainant types have consistently constituted the largest cohorts over previous reporting years.

Age Profiles of Service Users Making Complaints

Using information based on the eldest child in a family, 16 (41%) of the 39 formal children's social care services complaints were made on behalf of boys aged 2-18 years, and 23 (59%) were made on behalf of girls aged 1-15 years. In relation to adult's complaints, twice as many complaints were made in respect of males aged 18-64 years than females aged 18-64 years (66% as opposed to 33%).

Duty to Co-operate – Joint Adult Social Care Services and NHS Complaints

Four complaints were received during the year that involved both adult social care and health services. One case involved the Tees, Esk & Wear Valley NHS Foundation Trust and three cases involved the former NHS County Durham and Darlington – Commissioning Support.

Declined Complaints

During the year, CAS declined to consider 8 complaints – 1 involving children's social care and 7 involving adult's social care. The children's case and 5 of the adult cases were declined on the grounds that they were significantly outside of the time limitation period of 12 months. In the remaining 2 cases the complaints were declined on the grounds that they did not fall within the jurisdiction of DCC.

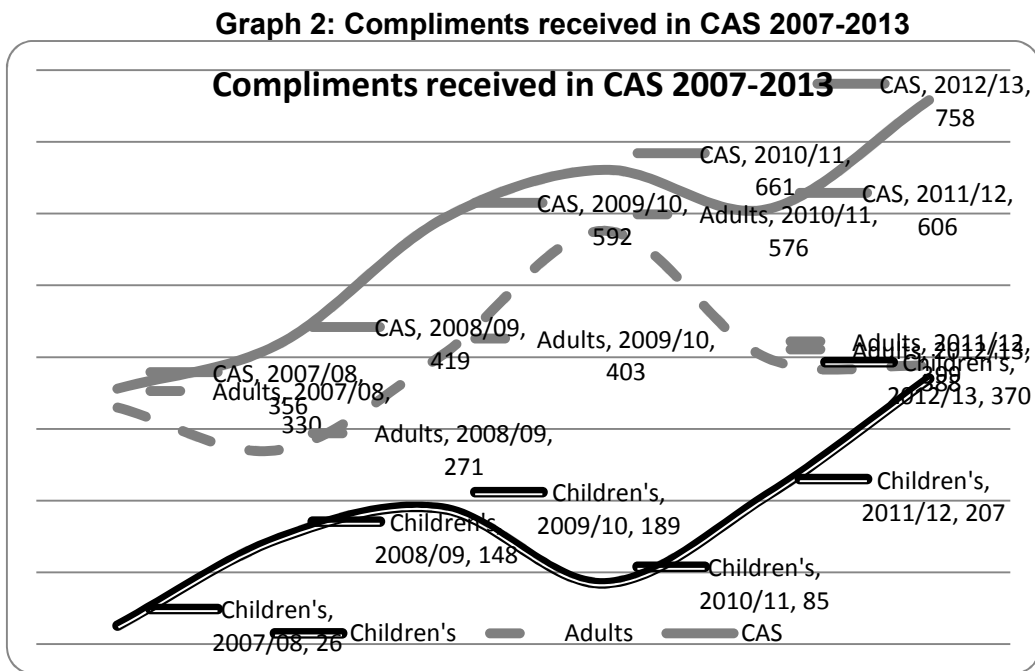
Remedies and Learning Outcomes

Examples of the remedies used to achieve resolution and the learning and practice developments that have accrued from complaints are provided in Part Five (pages 27-30) of the report.

Number of Compliments Received

In the reporting year a total of 758 compliments were received by CAS; 370 in relation to children's social care and 388 in relation to adult social care. This represents an increase of 25.1% in comparison to the previous year (606 compliments).

As outlined in graph 2 below, CAS has seen a steady increase in compliments in the preceding 7 years with compliments regarding children's social care and compliments regarding adult social care being equal for the first time. Partly attributable for this increase is due to improvements in the way compliments were captured and recorded in children's services and the awareness of sending compliments to the Complaints Officer for reporting.



Ratio of Compliments to Complaints

The ratio of compliments to all complaints received is 2.8:1. This represents an increase on the previous year when the ratio of compliments to complaints was 2.2:1 and is positive.

Compliments by Service Area

For compliments relating to children's social care, Copelaw Activities received 96 (25.9%) of the total compliments, followed by the Community Support Team (13.2%) and Aycliffe Secure Services (10.8%).

For compliments relating to adult social care, County Durham Care and Support (CDCS) received 245 (63%) of the total number of compliments, with Older People's/Older People's Mental Health/Physical Disabilities/Sensory Support service receiving 135 (34.8%) compliments.

Examples of compliments received and themes are contained within the report in Parts Three and Four.

Part Three - Representations relating to Children's Social Care Services

Context

This part of the report presents the data for representations relating to children's social care services received during the reporting year 2012/13. It reflects the publication requirements of *The Children Act 1989 Representations Procedure (England) Regulations 2006*. Locally-agreed reporting information is also provided.

The Regulations for children's social care complaints detail that complaints should be managed and resolved in 3 Stages:

- Stage 1 (local resolution) which has a target timescale of 10 working days and up to 20 days if requested;
- Stage 2 (independent investigation) which has a timescale of 25-65 working days from the complaint details being agreed; and
- Stage 3 (Review Panel) which has a timescale of up to 50 working days.

When a complaint is received it is risk-assessed to ensure that there are no safeguarding or other procedural issues that might supersede the complaints procedure; dates checked to ensure that it is within the 12 month limitation period (which may be waived in certain circumstances at the discretion of the local authority); and necessary consents obtained if the person making the complaint is doing so on someone else's behalf.

Where a complainant remains dissatisfied with the outcome of a complaint heard under the regulations, they can refer outstanding issues to the Local Government Ombudsman (LGO) who will determine their course of action dependant on the issues presented within the complaint.

Number of Complaints Received

In 2012/13 a total of 184 complaints were received and progressed under the Children's Social Care Complaints Regulations. This represents an increase of 25.2% on the 147 complaints received in 2011/2012.

Of the 184 complaints received:

- 145 were resolved at an informal level;
- 35 were formal Stage 1 complaints; and
- 4 were formal Stage 2 complaints.

This report contains performance information in relation to the 39 formal complaints received, of which 37 (94.9%) were concluded by the year end (34 at Stage 1 and 3 at Stage 2).

Number of Complaints Upheld

Of the 34 Stage 1 complaints concluded by the end of the reporting year, 6 (17.6%) were upheld in full and 15 (44.1%) were partially upheld. There were 11 (32.4%) complaints that were not upheld, and 2 (5.9%) were withdrawn.

Of the 3 Stage 2 complaints completed:

- Complaint 1 contained 2 statutory elements, 1 of which was partially upheld and 1 of which was not upheld. Overall this is noted on the table below as *Partially Upheld*.
- Complaint 2 contained 4 statutory elements, all of which were upheld and is noted on the table below as *Upheld*.
- Complaint 3 contained 19 statutory elements, 16 of which were upheld, 3 were partially upheld and 1 was not substantiated. Overall this is noted on the table below as *Upheld*.

Table 1: Outcome of Complaints for Children’s Social Care Services 2012/13

Outcome of Complaints 2012/13 Children’s Social Care					
Service Area	Upheld	Partially Upheld	Not Upheld	TBC/Withdrawn	Total
Disabled Children and Families Team	1	5	0	0	6
Fostering and Adoption	1	0	1	0	2
Initial Response/Emergency Duty	2	1	2	0	5
Safeguarding Children	3	9	8	4	24
Young People’s Service	1	1	0	0	2
Total	8	16	11	4	39

Percentage of Complaint Acknowledgements within Timescale

The statutory timescale for acknowledging a children’s social care complaint is 2 working days. Of the 39 formal complaints received, 100% were acknowledged within the 2 day timescale.

Complaints Completed within Timescale

Of the 184 complaints received regarding children’s social care, 145 were resolved informally and within 10 working days of receipt.

Of the 35 Stage 1 complaints received, 2 were withdrawn. Of the remaining 33, 13 (39.4%) were resolved within the 20 working day timescale for Stage 1 complaints. One complaint was ongoing at the end of the reporting year and the other 19 complaints (57.6%) were resolved outside the timescale.

Of the 4 Stage 2 complaints received, 1 was resolved within timescale (25%) and 2 outside of the timescales of 65 working days. One complaint was ongoing at the end of the reporting year. Durham County Council (DCC) uses a regionally approved list of independent investigating officers (IIO’s), and where Stage 2 investigations go over timescale, it is the responsibility of the IIO to keep the complainant informed. DCC work closely with IIOs to ensure

that any delays are kept to a minimum and that swift action can be taken by the local authority to address any delays.

Table 2: Percentage of Formal Complaints Completed within Timescale

	Total	Percentage of total formal complaints
Formal complaints resolved within 20 working days	14	37.8%
Formal complaints to be completed	2	5.4%
Formal complaints resolved outside timescale	21	56.8 %
Total	37*	100%

* Note that 2 complaints were withdrawn

Subject Matter of Complaints

Of the 39 formal complaints received, 17 (43.6%) cited '*Professional Conduct of Staff*' and constituted the category with the highest number of complaints. The category with 14 complaints (35.9%) was '*Lack of Communication/Information*' followed by 7 complaints (18.0%) about a '*Disputed Decision*'.

In the majority of cases citing failures in communication and information there is a direct link with '*Professional Conduct of Staff*'.

Table 3: Subject Matter of Complaints Received 2012/13

Complaint Classification / Issue	Number of Complaints
Disputed Decision	7
Lack Of Service - Communications/Information	14
Professional Conduct Of Staff	17
Finance - Assessment	2
Provision Of Service - Equipment	1
Quality Of Service - Missed/Late Calls or Service	3
Safeguarding	4
Finance - Direct Payment	1
Provision Of Service - Assessment	3
Quality Of Service – Report Writing	3
Quality Of Service - Personal Financial Issues	2
Provision Of Service - Placement Provision	2
Staff Attitude	6
Confidentiality	4
Lack Of Service - Contact/Visits	5
Provision Of Service - Reviews/Conferences	1
Total	75*

*Note: a complaint can have more than one classification recorded within it

Complaints by Service Type

The Service Area receiving the greatest number of complaints was Safeguarding Children (formerly called Children in Need), followed by the Disabled Children and Families Team. This is consistent with previous years.

Table 4: Number of Complaints received by Service Type 2012/13

Service	Complaint	Percentage
Disabled Children and Families Team	6	15.4%
Fostering and Adoption	2	5.1%
Initial Response/Emergency Duty	5	12.8%
Safeguarding Children	24	61.5%
Young People's Service	2	5.1%
Total	39	100%

Complaints Referred to the Local Government Ombudsman (LGO)

During 2012/13 the LGO issued 4 Final Decisions in cases that had been referred to them. In 3 of the cases the LGO declined to fully investigate on the grounds that public expense could not be upheld as maladministration had not occurred. One of these cases had been considered at Stage 2 of the statutory procedure during the previous reporting year.

In the other case the complaint was not progressed as the Ombudsman determined the complaint to be outside of their jurisdiction and discontinued involvement on those grounds.

The LGO received 3 further statutory complaints which were still open at the year end. One of these cases has subsequently been investigated by the Ombudsman following the receipt of information from the local authority; as the case also involved Health services, the Ombudsman is working in partnership with the Parliamentary and Health Service Ombudsman (PHSO) before a joint decision is issued. The other case remains open pending further investigation by the local authority.

Complaints by Complainant Type

As has been the trend over previous reporting years, 'Parents' constituted the highest number of complainants, representing 23 of the 39 formal complaints (23.1%); Carers represented 3 complaints (7.7%), other relatives represented 2 complaints (in both cases, an aunt); 1 complaint was made by the client (child) via an Advocate* and 1 by a mother's partner.

**DCC has a contract with the National Youth Advocacy Service (NYAS) to provide free advocacy services to children and young people who are looked after.*

Age Profiles of Service Users Making Complaints

Complaints made about services to children or young people may be submitted on behalf of one or more children in the family. If a complaint is made on behalf of more than one child, it is logged on the record of the eldest child. The 39 formal complaints were made on behalf of a total of 60 children and young people. Using the eldest child's information, it can be reported that 16 of the 39 complaints were made on behalf of boys aged 2-18 years, and 23 were made on behalf of girls aged 1-15 years.

Ethnicity and Diversity

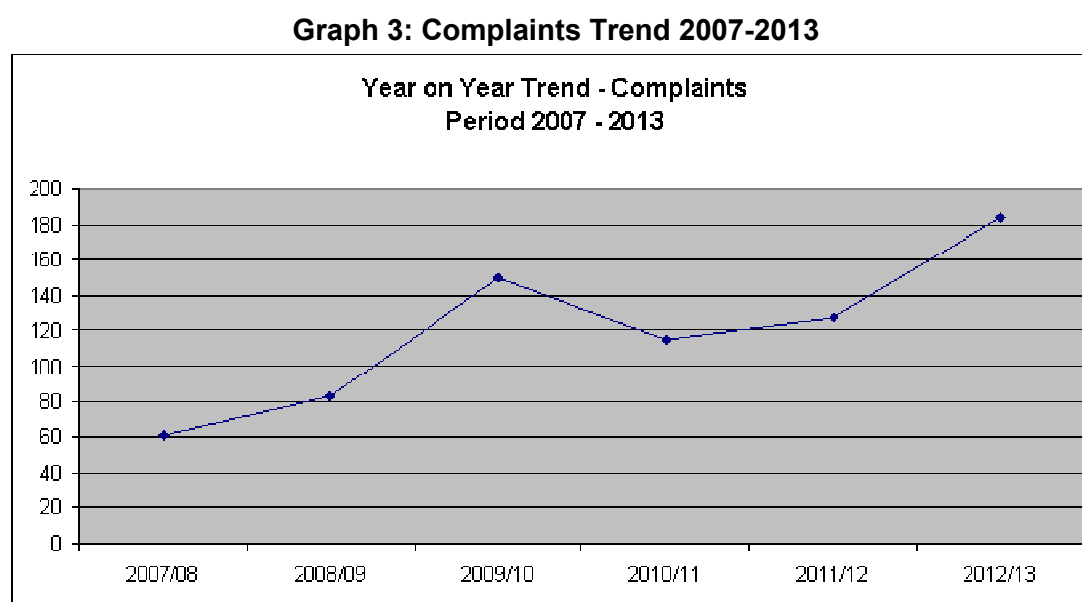
All complainants were White British.

Declined Complaints

During the reporting year, one complaint was declined, due to it being out of timescale by 8 years, and not meeting the criteria for making a complaint. Declined Complaints are *not* included in the figure total of 184 complaints received.

Year on Year Trend 2007-2013

In order to obtain an overview of overall performance from previous annual reports the graph below shows year on year comparisons of the total numbers of complaints received.

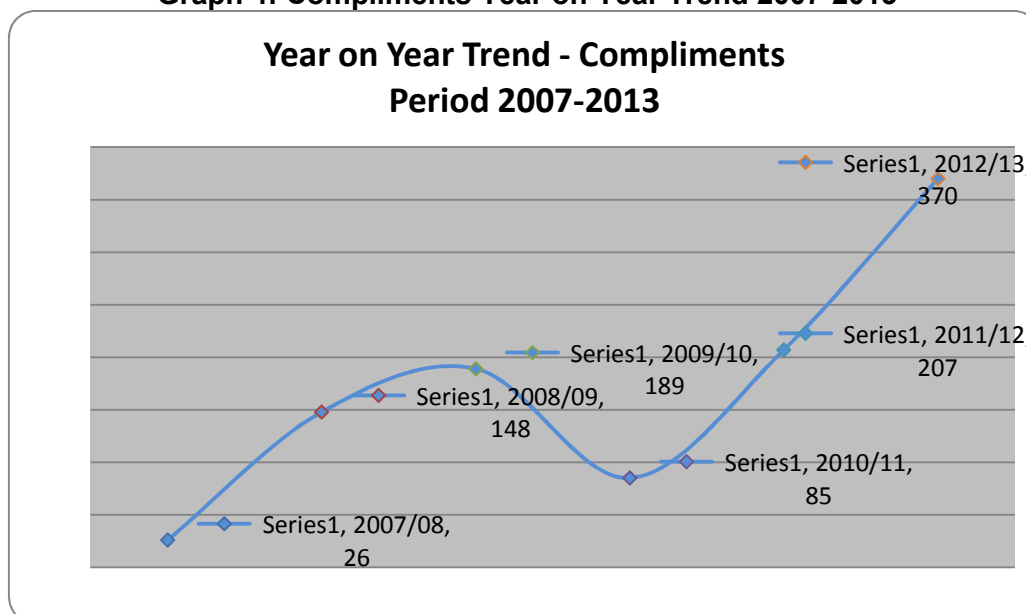


2012/13 saw a 25.2% increase in the total number of children's social care complaints received; 145 compared to 127 complaints received in 2011/2012. Over the previous 6 years, the graph shows that the general trend has seen an increase in the number of complaints received and 2012/13 represents the largest number of complaints received in any of the preceding years. There is no single reason why complaints are increasing and this therefore makes it very difficult to explain the rise. Generally, there are more unsatisfied customers and the majority of the complaints are relating to conduct of staff and disputed decisions.

Number of Compliments Received

In the reporting year a total of 370 compliments were received. This represents a significant increase of 78.7% from the 207 received during 2011/12, and continues the upward trend which has been seen over preceding years, as illustrated in the graph overleaf:

Graph 4: Compliments Year on Year Trend 2007-2013



Ratio of Compliments to Complaints

The increase in the number of compliments is reflected by the ratio of compliments to complaints received which is 2.0:1 compared to 1.6:1 in 2011/12.

Compliments by Service Area

The intervention service Copelaw Activities, Community Support Team and 4Real each received high percentages of total compliments as shown in the table below.

The Family Pathfinder service also received a relatively high percentage of total compliments, as well as a high number from young people and their families in regard to Aycliffe Secure Services.

Table 5: Number of compliments received by service area 2012/13

Service	Number	Percentage of total
Aycliffe Secure Services	40	10.8%
Copelaw Activities	96	25.9%
Children's Homes	25	6.8%
Community Support Team	49	13.2%
Countywide Admin teams	13	3.5%
Disabled Children and Families Team	2	0.5%
Family Pathfinder	34	9.2%
Fostering and Adoption	20	5.4%
Full Circle	5	1.4%
Initial Response/Emergency Duty	5	1.4%
Looked After Children – Aycliffe/Durham	11	3.0%
Safeguarding Children	31	8.4%
Young People's Service	5	1.4%
4Real	34	9.2%
Total	370	100%

Key Areas Highlighted within Compliments Received

Compliments highlight that service users have appreciated the following:

- feeling respected, listened to and supported;
- having decisions explained to them;
- being kept informed;
- staff explaining issues in a way the client understood;
- professionalism, care and commitment of staff; and
- being able to contact staff easily

Examples of Compliments Received

Some examples of compliments received include:

- *[He] has listened to all I have had to say. He's patient, gentle and kind. He's very good at explaining thoughts and ideas and suggestions. Very comfortable in his company. A true asset. Cannot fault him or your services, 10 out of 10. **Think Family***
- *Research tells us that one of the key areas used to judge effectiveness of an organisation is the response provided by the reception staff. Therefore this **Children's Team** must rate very highly given the first class service – and kindness – shown by [her] on reception.*
- *We have lived, as a family with my wife's illness for several years but only now, thanks to [her and her], are we able to start looking to the future... both these women are truly astonishing people and their efforts deserve recognition. **One Point***
- *Without you and the amazing work you do we would not have the most precious little girl in our lives. We will never forget you or stop thanking you everyday. You will always be in our hearts. **Looked after Children's Team***
- *Since working with Pathfinder I feel more confident as a mother and ready to face what's ahead. **Family Pathfinder***

Part Four - Representations Relating to Adult Social Care Services

Context

This Part of the report presents the data for representations regarding adult social care received during the year 2012/13 and reflects the statutory requirements of *The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009*. The reporting format reflects the requirements detailed in the Regulations but also includes locally-agreed reporting information.

The Regulations for adult social care complaints promoted new ways of managing and seeking to resolve complaints. There are no fixed timescales with the exception of 3 working days to acknowledge the complaint although the local performance target has been fixed at 2 working days to align with the Children's Regulations and a 6 month completion target. A complaint made verbally, if capable of being resolved within one working day, does not constitute a complaint for recording purposes under the Regulations.

As with children's social care complaints, when a complaint is received it is risk-assessed to ensure that there are no safeguarding or other procedural issues that might supersede the complaints procedure and that it is within the 12 month limitation period; consent has to be obtained to confirm that someone making a complaint on another's behalf has been given the authority to do so.

Once the above determinations have been made complainants are invited to be fully involved in planning how their complaint is to be addressed, within what timescale and their expectations on the desired outcome and from this a Complaints Resolution Plan letter is produced.

Different resolution methods are utilised depending on the issues being addressed and individual preferences and circumstances.

Where all proportionate resolution mechanisms have been exhausted and if the complaint remains unresolved, the complainant can refer outstanding issues to the Local Government Ombudsman.

Number of Complaints Received

In 2012/13 a total of 92 complaints were received and progressed through the Statutory Adult Social Care Complaints Procedure. This represents a decrease of 25.8% on the 124 complaints received in 2011/12.

Of the 92 complaints received 88 were concluded by the end of the reporting year with 4 complaints ongoing.

Number of Complaints Upheld

Of the 88 complaints completed by the end of the reporting year, 17 (19.3%) were upheld in full and 17 (19.3%) were partially upheld. There were 54 (61.4%) complaints that were not upheld. The reasons for many of the cases not being upheld within the reporting year related to the correct application to financial assessment and charging policies. Table 6 below shows the number of complaints received by each service and the outcome of the complaint.

Table 6: Outcome of Complaints 2012/13

Service Area	Upheld	Partially Upheld	Not Upheld	TBC	Total
Adult Care - LD/MH/Carers	1	2	12	2	17
Adult Care - OP/MHSOP/PDSI/SS	7	9	23	2	41
Adult Care - Safeguarding	0	1	1	0	2
Commissioning	9	2	13	0	24
County Durham Care And Support	0	3	5	0	8
Total	17	17	54	4	92

Percentage of Complaint Acknowledgements within Timescale

The statutory timescale for acknowledging an adult social care complaint is 3 working days. The CAS performance target for adult social care complaints is 2 working days. Of the 92 complaints received, 91 (98.9%) were acknowledged within the 2 day timescale.

Complaints Completed within Timescale

Complaints Resolution Plans (CRPs) were completed in all of the 92 complaints received in the year. The CRPs included timescales for response and are calculated based upon the potential complexity of the case. Of the 92 complaints received, 88 were completed at the end of the reporting year and 100% of these were completed within the agreed timescale of the CRP. Of the 4 complaints not completed at the end of the reporting year they remained within the timescale agreed in the CRP.

Table 7: Completion of Complaints within CRP Timescale 2012/13

CRP Response Date Target	Total	Percentage
Completed Complaints Response Timescale Met	88	100%
To be completed	4	n/a
Total	92	100%

Of the 88 complaints concluded over the year 27 (30.6%) were completed in less than ten working days; 30 (34.2%) were concluded between 10 and 20 working days; 18 (20.4%) were concluded between 21 and 30 working days; 13 (14.8%) of the completed complaints took more than 30 days to complete due to their complexity.

Subject Matter of Complaints

Of the 88 complaints received, 23 (26.1%) related to the category of '*Disputed Decisions*'. Many of these complaints arose in Finance where the complainant disputed the outcome of a financial assessment or disputed an invoice for charges. A small number involved disputes about needs assessments and care packages. The next highest number of complaints was in the category '*Lack of Communication/Information*' with 19 complaints, followed by 17 complaints involving '*Professional Conduct of Staff*'.

In the majority of cases citing failures in communication and information there is a direct link with 'Professional Conduct of Staff'.

Table 8: Subject Matter of Complaints Received 2012/13

Complaint Classification / Issue	Number of Complaints
Disputed Decision	23
Lack Of Service - Communications/Information	19
Professional Conduct Of Staff	17
Finance - Charging Policy	13
Application Of Service Guidance/Procedures	6
Finance - Assessment	5
Provision Of Service - Equipment	5
Lack Of Service - Denied Service	4
Quality Of Service - Missed/Late Dom Care Calls	4
Safeguarding	5
Standard Of Care	4
Finance - Direct Payment	3
Provision Of Service - Assessment	3
Quality Of Service - Personal Care	3
Quality Of Service - Personal Financial Issues	3
Quality Of Service - Work Of Other Agencies	3
Provision Of Service - Placement Provision	2
Quality Of Service - Privacy	2
Staff Attitude	3
Confidentiality	1
Lack Of Service - Contact/Visits	1
Lack Of Service - Restricted Choices Of Current Services	1
Provision Of Service - Reviews/Conferences	1
Refusal Of A Service	1
Service Withdrawal	1
Total	133*

*A complaint can have more than one classification recorded within it.

Complaints Received by Service Type

The service receiving the greatest number of complaints was Older People/Older People's Mental Health/Physical Disabilities/Sensory Impairment/Sensory Support, followed by the Learning Disabilities/Mental Health/Carers/Substance Misuse Service Area. This is consistent with previous years.

Table 9: Number of complaints received by service type 2012/13

Service	No of Complaints	Percentage
Older People/Mental Health Services for Older People/ Physical Disabilities/Sensory Impairment/ Sensory Support	41	44.5%
Learning Disabilities/Mental Health/Carers	17	18.5%
Commissioning	24	26.1%
County Durham Care And Support	8	8.7%
Adult Care - Safeguarding	2	2.2%
Total	92	100%

Complaints Referred to the Local Government Ombudsman (LGO)

During 2012/13 the LGO issued 8 Final Decisions in cases that had been referred to them. In 5 cases the LGO declined to have further involvement on the grounds that public expense could not be justified as maladministration had not occurred. In 3 cases the complainants were significantly outside of the limitation period of 12 months and the LGO discontinued their involvement on those grounds.

The LGO received 2 complaints which they determined were premature as the complaints had not been made to the local authority. These were subsequently referred to DCC and were investigated and responded to.

Complaints by Complainant Type

As has been the trend over previous reporting years, relatives (non-parent) constituted the highest category of complainant at 45 complaints (48.9%). In almost all cases an adult child made the complaint on behalf of their parent. The number of people who raised complaints on their own behalf was 27 (29.4%). The number of parents making a complaint relating to adult children was 18 (19.5%). This data is consistent with trends in previous reporting years.

Complaints by Client Group

Complaints about services for older people constituted the highest proportion of complaints at 55.4%, with services for learning disabilities clients at 23.9%.

Table 10: Complaints by Client Group 2012/13

Service Area	Learning Disabilities	Mental Health	Older People	Physical Disabilities	Total
Adult Care - LD/MH/Carers	16	2	1	0	19
Adult Care - OP/MHSOP/PDSI/SS	1	1	32	9	43
Adult Care - Safeguarding	0	0	2	0	2
Commissioning	3	2	13	2	20
County Durham Care And Support	2	1	3	2	8
Total	22	6	51	13	92
Percentage	23.9%	6.5%	55.4%	14.1%	100%

Age Profiles of Service Users Making Complaints

The greatest number of complaints – 31 (33%) – were made in respect of females aged 18-64 years, followed by females over the age of 85 with 17 complaints (18.4%) and males aged 18-64 years with 16 complaints (17.3%). This data represents an increase in the number of complaints made in previous years by females aged 18-64 and a decrease by males in the same age category.

Ethnicity and Diversity

Complaints analysed by ethnicity represented 98.02% White British with 1.98% of complainants describing themselves as Asian British.

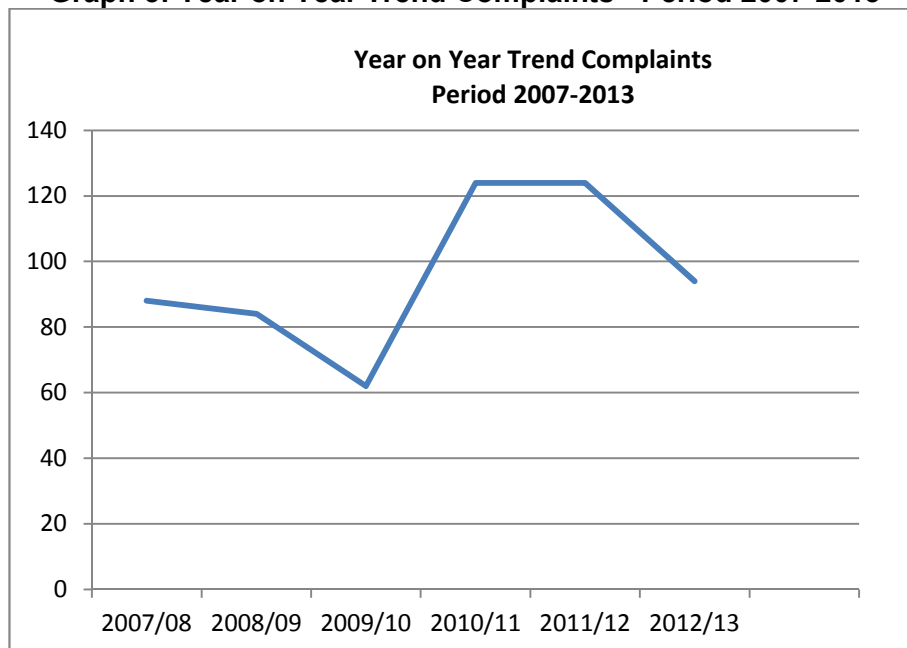
Declined Complaints

During the year, 7 complaints were declined. 5 were declined on the grounds that they were significantly outside of the time limitation period of 12 months and 2 complaints were declined on the grounds that they did not fall within the jurisdiction of DCC. Declined Complaints are *not* included in the figure total of 92 complaints received.

Year on Year Trend 2007-2013

The graph below shows year on year comparison of the numbers of complaints received.

Graph 5: Year on Year Trend Complaints - Period 2007-2013



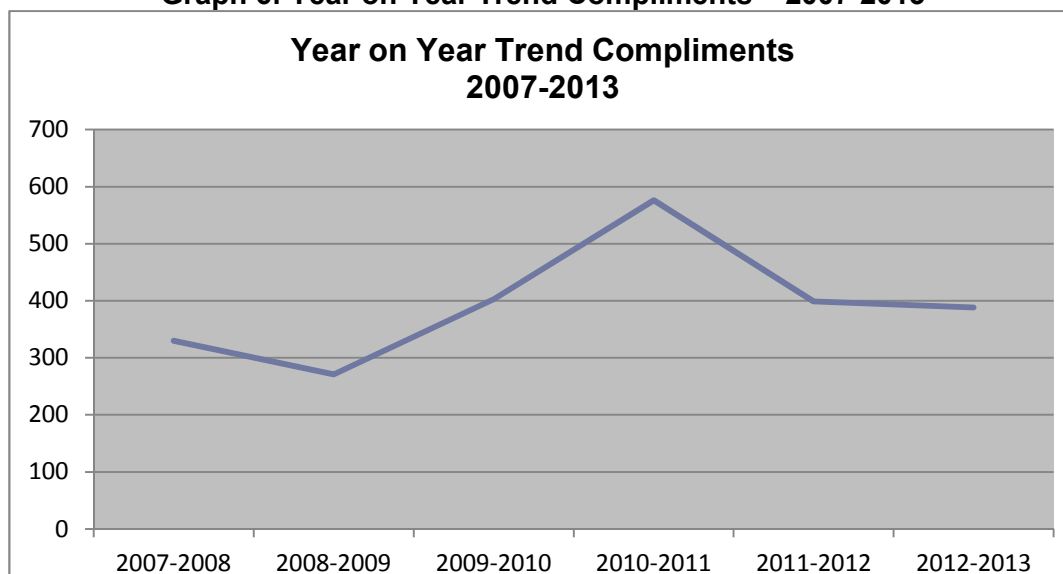
2012/13 saw a 25.8% decrease on the number of complaints received; 92 compared to 124 complaints received in 2011/2012, reversing the upward trend in that and the preceding reporting year of 2010/11. It is felt that the

spike in 2010/11 was a result of unwelcome changes to charging policies which led to a greater number of complaints being made.

Numbers of Compliments Received

In the reporting year a total of 388 compliments were received. This represents a decrease of 2.8% from the 399 received during 2011/12 but overall the number of compliments received has remained relatively stable. The graph below shows year on year comparison of the numbers of compliments received.

Graph 6: Year on Year Trend Compliments – 2007-2013



Ratio of Compliments to Complaints

Despite the slight decrease in the number of compliments received the ratio of compliments to complaints received is 4.2:1 compared to 3.2:1 in 2011/12 due to the decrease in the number of complaints.

Compliments by Service Area

County Durham Care and Support (CDCS), the in-house provider received 245 (63%) of the total number of compliments. The Older People's/Older People's Mental Health/Physical Disabilities/Sensory Support Service area received 135 (34.8%) compliments.

Table 11: Total Number of Compliments by service 2012/13

Service	Learning Disabilities	Older People	Physical Disabilities	Sensory Impairment	Total	Percentage
Adult Care - LD/MH/Carers	1	2	0	0	3	0.8%
Adult Care - OP/MHSOP/PDSI/SS	0	110	4	21	135	34.8%
County Durham Care And Support	4	236	5	0	245	63.1%
Planning And Service Strategy	0	4	1	0	5	1.3%
Total	5	352	10	21	388	100%

Key Areas Highlighted within Compliments Received

Compliments highlight that Service Users have appreciated the following:

- help with maintaining dignity;
- the independence derived from the provision of aids and equipment;
- appreciation of the quality of care and support provided to individuals by staff in residential and domiciliary care services expressed by both the clients and families;
- the support, care and kindness given by staff, to carers and service users, before and following family bereavement;
- staff explaining issues in a way the client understood;
- the regaining and maintaining of independence due to the rehabilitative environment in intermediate care settings; and
- responding quickly to requests for assistance.

Examples of Compliments Received

Some examples of compliments received include:

- *Thank you for all your help and kindness. You went above and beyond the call of duty in helping me to sort out things for my Mam. It has been an absolute pleasure getting to know you – thank you so much. **Review Team***
- *Thank you for enabling our mum to have her last wishes carried out and spend her last two days with two of her life-long friends. It meant so much to her and to us. **Residential Home, County Durham Care & Support***
- *C social worker, has been working on behalf of my mother. It is very difficult to put into words the excellent performance that C has conducted during my mother's case where she has been ultra professional mixed with compassion and the optimum level of customer care. In these times of pointing the finger of blame and waving a big stick particularly at Social Services, I would like to compliment C as a credit to your organisation, Her attitude is first class and her motivation is obvious for the well-being of her clients as well as her employer. **Locality Team***
- *This Day Care Centre has the best staff in the world – they never remind us of our disabilities or their causes. I can forget about my disabilities because of the good care from the staff. **Day Care Centre, CDCS***
- *I would like to thank you for the service received during my mobility training. I have been treated with respect and listened to and without your approach, I would have declined services. **Sensory Support Team***
- *Thank you so much for the care package you have put in place for Mam – she is now able to enjoy a more independent lifestyle. You do a great job. Thank You. **Locality Team***

Part Five - Remedies and Learning Outcomes 2012/13

Remedies in Children's and Adult Complaints

Providing remedies to issues that have arisen in a complaint are essential if trust and confidence are to be restored between the local authority and its service users. Even where complaints are not upheld, full explanations, further information and often apologies are given.

Remedies can be varied and examples of some provided in this reporting year are as follows:

Children's Complaints:

- Social Workers were changed in some cases, even where complaints were not upheld, in order to improve working relationships with parents.
- Addendums were added to reports to ensure that discrepancies were recorded in line with parent's wishes.
- Full explanations were given or repeated in terms that the complainant was able to understand more clearly.
- Managers met with complainants, which was appreciated in terms of complainants feeling listened to and that their concerns had been taken seriously.
- Placement moves were put on hold so that young people's views could be more fully considered prior to decisions being reconsidered by placement panels.

Adult Complaints:

- When a review in a care package is completed and changes are made, then staff must ensure a re-assessment of need is also undertaken.
- Explanations were provided or reiterated where communication had been poor.
- Occupational Therapy re-assessments were conducted where disputes arose following the original assessments for adaptations.
- Reimbursement action was taken where the client believed that they were in receipt of intermediate care and where there was no indication in the case notes that charging and financial assessment processes had been discussed with them.
- Meetings with Managers within the Service have proved extremely effective in satisfactorily concluding complaints. Complainants appreciate the time that Managers give to addressing their concerns in an open and informal way.

In all of the concluded complaints in CAS, full explanations and apologies where appropriate were provided in each case. It should be noted that compensatory redress was only considered where there was strong evidence

of shortcomings that may be construed within the Local Government Ombudsman's definition of maladministration. It is recognised however, that where CAS is responsible for service failures that have caused losses and significant emotional distress, there is clearly the duty to acknowledge that and avoid further distress to the complainant.

Learning Outcomes

Complaints provide invaluable information from which the Service learns how to improve. Complaints also act as a prompt to ensure all staff work consistently to policies and procedures. Some of the learning outcomes extracted and acted upon in the reporting year have included:

Children's Complaints:

Policies and Procedures

- A reminder was issued to staff regarding the necessity to ensure the timeliness and standards associated with the assessments of disabled young people are followed and if there are delays; the family be informed. This was also covered in a service-wide "Learning Lessons" workshop.
- Staff were reminded of the standards required with regard to the communication of Initial Assessment Reports and the necessity to maintain these standards if colleagues are away from work.
- A new procedure has been introduced regarding preliminary assessments for temporary approval of friends and family as foster carers.
- The introduction of procedures to improve working together arrangements where a parent of a child is having problems with alcohol or drug misuse.

Communications

- Staff were reminded of standards required in accuracy of personal information in the completion of Initial Assessment Reports.
- The paperwork associated with new referrals and checking if an individual wishes to remain anonymous, has been reviewed within the Initial Response Team.
- Staff were reminded of standards in Practitioner Briefings, regarding confidentiality and data security in relation to the sharing of adopter's addresses.

Reports

- Staff have been reminded of the requirements that Core Assessment reports are inclusive of all parties views. Work is on-going to develop an improved single assessment process.

Social Work Practice

- Work is being undertaken with social work staff on how parents should be consulted/informed regarding any health matters regarding looked after disabled children.
- Work is planned to review and improve the transitions process for disabled young people.
- A placements panel has been introduced which oversees all requests for foster and residential placements.
- A new court planning process has been introduced to ensure clear case management preparation arrangements are in place.
- The Young People's Service (YPS) are reviewing current arrangements relating to out of county Looked After Children who have a disability, to ensure the child will be provided with the correct and relevant services.
- Recently commissioned services, such as the Holistic Temporary Accommodation Support Service (HTASS) have been designed to ensure transitional barriers are removed for young people, who are now provided with a seamless service regardless of age.
- The Young People's Service is currently in liaison with the National Probation Service, County Durham Youth Offending Service (CDYOS) and the Community Drug / Alcohol Service Commissioners to explore transitions and better ways of working.

Adult Complaints:

Policies and Procedures

- Staff were reminded of the standards associated with the assessment of clients' needs to ensure services are commissioned consistently and according to policies and procedures. This was also raised in a Practice Development session with staff.
- A domiciliary care agency has implemented a new system in relation to sickness/absence recording to avoid missed/late calls.
- Practice guidance has been developed to support the work required within a Best Interest Meeting associated with decisions relating to an individual's capacity.
- Staff within the Finance Team were reminded of the necessity for robust checking of calculations and client's bank account details before issuing charges.

Communications

- Staff were reminded of the necessity to ensure clear notes are taken at meetings relating to assessment, detailing key issues and decisions taken and that this information is circulated to all parties. This advice was also raised in a Practice Development session with staff.

- Staff were reminded of the necessity to ensure that consistent and accurate terminology was used within communications relating to safeguarding episodes, to avoid causing confusion for clients and families.
- A domiciliary care agency were reminded of the need to advise the social worker if they are unable to complete their contact with a client, to ensure appropriate follow up actions are taken in a timely manner.

Social Work Practice

- Learning Disabilities staff received a reminder of the need to look holistically at clients' behavioural issues and the implications for the physical environment when conducting risk assessments.
- All social work and Occupational Therapists were reminded of standards relating to case recording and care plan documentation at a Practice Development session.
- Staff were reminded of the need to check the written documentation when a client is discharged from hospital rather than verbal information provided by ward staff.
- Staff were reminded of the necessity to wear their ID badges at all times and to ensure the client understood the reason for their visit.

Part Six – Conclusion

Complaints and compliments are a valuable source of feedback to inform service improvement. This Annual Report indicates positive achievements in performance in the handling and consideration of complaints and compliments but also recognises the need to strive for continuous improvement. The implementation of learning outcomes arising from complaints provides the opportunity to change practice and improve service delivery with transparency and accountability.

Over the preceding 7 years, there has been a general upward trend for complaints and compliments. It is reassuring to note that for every complaint received, nearly 3 times as many compliments are received; however, the service must continue to learn from the complaints received and take action to improve. As the complaints function embeds into the quality and development service, it plays a vital role and contributes to shaping our knowledge and management of quality and assurance across the service.

The highest number of complaints received relates to disputed decisions and poor service/conduct of staff. This is an area that must be monitored in future areas as financial constraints on the Local Authority continue to tighten.

A collaborative approach with the complainant to reach complaint resolution continues to develop. An approach based on local resolution and one where the complainant is central to the discussion and resolution of the complaint is proactively encouraged.

Details about the CAS Complaints procedures are available on Durham County Council's website (www.durham.gov.uk) and public information is in key locations throughout the County.

Contact the CAS Complaints Team in writing at Room 3:48, CAS, Durham County Council, County Hall, Durham DH1 5UL or by phone on 03000 265762 (children's social care complaints) and 01388 527956 (adults social care complaints) or email CASComplaints@durham.gov.uk .

Glossary of Abbreviations

CAS	Children and Adult's Services
CDC	County Durham Care
CDYOS	County Durham Youth Offending Service
CRP	Complaints Resolution Plan
DCC	Durham County Council
DCFT	Disabled Children and Families Team
HTASS	Holistic Temporary Accommodation Support Service
IIO	Independent Investigating Officer
LA	Local Authority
LD	Learning Disabilities
LGO	Local Government Ombudsman
MH	Mental Health
MHSOP	Mental Health Services for Older people
NHS	National Health Service
NYAS	National Youth Advocacy Service
OP	Older People
PD	Physical Disability
SI/SS	Sensory Impairment/Sensory Support
SSID	Social Services Information Database
YPS	Young People's Service

Children and Adults Services

Janet Beyleveld, Complaints Officer (Adults Social Care)
Tel: 01388 527956

Gill Ward, Complaints Officer (Children's Social Care)
Tel: 03000 265762

Please ask us if you would like this document summarised in another language or format.

العربية (Arabic) (中文 (繁體字)) (Chinese) اردو (Urdu)
polski (Polish) ਪੰਜਾਬੀ (Punjabi) Español (Spanish)
বাংলা (Bengali) हिन्दी (Hindi) Deutsch (German)
Français (French) Türkçe (Turkish) Melayu (Malay)

altformat.awh@durham.gov.uk

03000 261 381



Braille



Audio



Large Print