



## Children and Adults Services

# ANNUAL STATUTORY REPRESENTATIONS REPORT CHILDREN AND ADULTS SOCIAL CARE SERVICES 2013/14

**ANNUAL REPRESENTATIONS REPORT  
CHILDREN AND ADULTS SOCIAL CARE SERVICES 2013/14**

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## 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 2013 to 31 March 2014.

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*<sup>1</sup>. The reporting format reflects the requirements detailed in the Regulations. The Regulations for children and young people's social care complaints are different to those for adult social care 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, families and other representatives think about the services they receive and their experiences of the professionalism of staff. 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;
- lessons learnt and actions taken to improve service delivery; and
- future developments.

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<sup>1</sup> Statutory Regulations for the management of complaints only apply to complaints about **social care** provision, as defined in community care legislation, not to any other service within the Authority. The Regulations **prescribe** how social care complaints must be managed and progressed, hence children's and adult social care complaints are referred to as 'statutory complaints'. All other complaints received in the Authority are dealt with under the corporate complaints procedures. Whilst there is a duty placed upon a Local Authority to have a complaints procedure how such complaints are managed is not prescribed by Regulations. Each Local Authority can determine how it manages its non-statutory (or corporate) complaints.

## Part Two - Key Messages for CAS

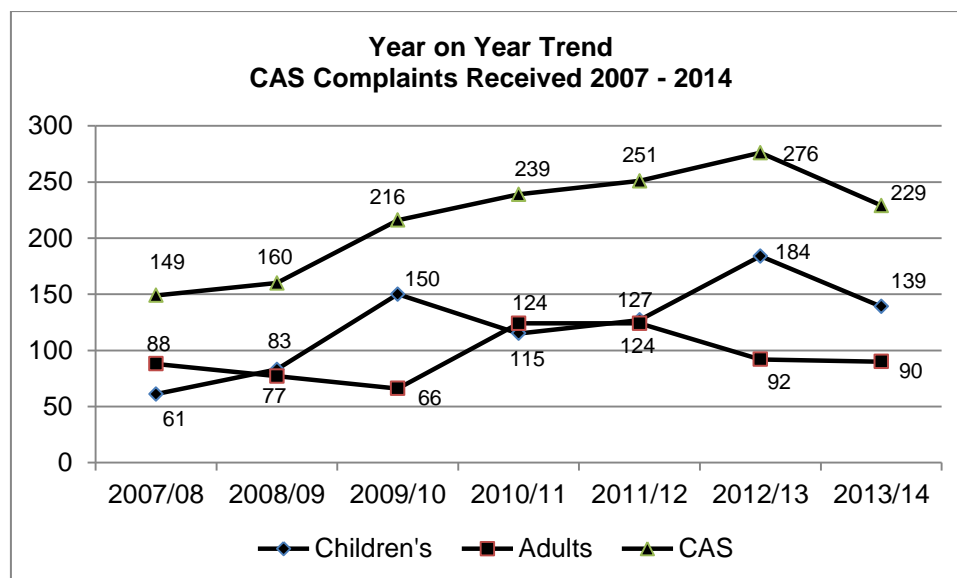
### Number of Complaints Received

In 2013/14, a total of 229 complaints were received by CAS; 139 related to children's social care services and 90 related to adults social care services. There has been a 17% decrease in CAS complaints when compared with the number of complaints received in 2012/13 (276). Children's social care complaints have decreased by 24.5% in comparison to the previous reporting year whilst complaints about adult services have decreased by 2.2% over the same period.

Graph 1 below illustrates the trend of a steady overall increase in the number of statutory complaints received over the period 2007 – 2013, with the increase being attributable to complaints in relation to children's social care services. In relation to those complaints:

- the number received in 2013/14 is the lowest since 2009/10;
- there was improved collecting and reporting of complaints between 2007/08 and 2009/10;
- in 2013/14, numbers returned to the levels experienced in 2010 – 2012;
- numbers had remained relatively static until 2012/13, when there was a sharp increase from 127 to 184 complaints. Reasons for this increase were explored with Children's Services managers and with neighbouring local authorities, 4 of whom also reported large increases in the same year. No particular and over-riding factor was identified for the increase in complaints about Durham children's social care services in 2012/13.

**Graph 1: Year on Year Trend 2007-2014 – CAS Complaints Received**



It is pleasing to note the decrease in the total number of complaints received this year, across CAS as a whole and particularly in children's services complaints. Although there has been a decrease in the overall number of complaints received regarding children's social care services, there were more stage 1 complaints received this year in comparison to the previous year, which is due to improved recording and logging practices.

## Composition of Complaints Received

Of the 139 complaints received in relation to children’s social care, 60 were resolved informally and at a local level and 79 were managed at Stages 1 – 3 of the statutory complaints process. Of these, 75 were addressed at Stage 1, there were 3 taken to Stage 2 and 1 was taken to Stage 3.

(Children’s social care complaints are managed and resolved in 3 Stages:

- Stage 1 (local resolution) which has a target timescale of up to 20 working days;
- Stage 2 (independent investigation) which has a target 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.)

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

The detailed information given in this report refers to 169 formal complaints: the 79 Stage 1, 2 and 3 complaints about children’s services, 77 of which were concluded at the year-end (the 2 ongoing were Stage 2 complaints); and the 90 complaints in relation to adults social care services, 79 of which were concluded by the year end, equating to 156 complaints completed at the year end.

## Benchmarking Comparisons

A benchmarking exercise was undertaken to gather information from neighbouring Local Authorities (LAs). Each authority was contacted for their annual statutory complaints data.

Information received to date is summarised in Tables 1 and 2 below:

**Table 1: Complaints Relating to Children’s Social Care Services**

Local Authority	Total Number Stage 1 Complaints	Rate of Complaints per 1000 0-19 Population	% of Stage 1 Complaints Progressed to Stage 2 of the Complaints Procedure
Durham	75	0.66	4%
A	46	1.83	19.5%
B	34	0.76	11.8%
C	22	0.97	27.3%
D	107	2.97	No information provided
E	No information provided	-	No information provided
F	141	2.08	2.1%
G	19	0.62	26.3%
H	70	2.11	1.4%
I	76	1.6	19.7%
J	176	2.84	3.4%

\* ONS Mid-2012 estimates, Office for National Statistics

The benchmarking information shows that from the information supplied, in 2013/14:

- Durham had the second lowest rate of Stage 1 complaints per 1000 population aged 0-19 years.
- Durham had the fourth lowest percentage of Stage 1 complaints progressing to Stage 2 of the formal complaints procedure.

Durham has had a lower percentage of complaints escalating to Stage 2 than neighbouring authorities for a number of years. Managers and staff try to resolve as many complaints as possible within the informal and Stage 1 part of the process. This may mean that resolution is achieved outside target timescale (20 working days), for example, due to further meetings being held with complainants to reach a satisfactory conclusion; this is balanced against the time and cost involved in the Stage 2 process.

**Table 2: Complaints Relating to Adult Social Care Services**

Local Authority	Total Number of Complaints	Rate of Complaints per 1000 18+ Population
Durham	90	0.22
A	26	0.32
B	81	0.51
C	15	0.21
D	17	0.16
E	No information provided	No information provided
F	69	0.27
G	18	0.17
H	35	0.30
I	54	0.36
J	144	0.66

*\*\* ONS Mid-2012 estimates, Office for National Statistics*

- The benchmarking information shows that from the information supplied, in 2013/14, Durham had the fourth lowest rate of complaints per 1000 population aged 18+ years.

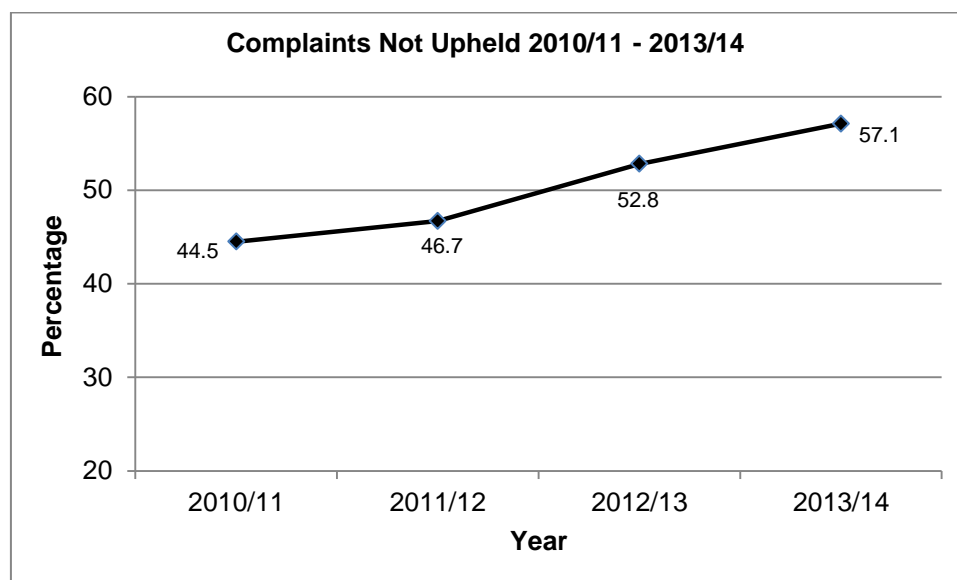
### Number of Complaints Upheld

Once complaints have been investigated, a determination is made based upon the findings about whether the complaint is upheld, partially upheld or not upheld. A complaint determined as upheld means that all elements of the complaint have been found to be substantiated. A complaint 'not upheld' indicates that no element of the complaint has been substantiated. A finding of a complaint being 'partially upheld' denotes that some elements of the complaint have been found to be substantiated whilst other elements of the complaint have not.

Of the 156 formal complaints completed at the year-end, over half were not upheld. There were 89 not upheld (57.1%), 29 complaints partially upheld (18.5%) and 38 upheld (24.4%).

In comparison to previous years, the number of complaints not upheld across CAS as a whole is increasing; in 2012/13 the figure for CAS was 52.8% of all complaints not upheld; in 2011/12 it was 46.7% and in 2010/11, 44.5% were not upheld as Graph 2 below illustrates.

**Graph 2: Complaints Not Upheld in CAS 2010-2014**



In children’s social care complaints, of the 79 Stage 1-3 complaints, 12 were upheld in full (15.2%) and 19 were partially upheld (24.1%) (including one complaint at Stage 3). There were 46 complaints that were not upheld (58.2%) (including the one completed Stage 2 complaint); and 2 complaints were ongoing at the year-end (2.5%) (both stage 2 complaints). This means that the majority of complaints were found to be not upheld, in contrast with 2012/13 when 38.3% were not upheld.

In adult social care complaints, of the 79 complaints completed by the end of the reporting year, 26 were upheld in full (32.9%) and 10 were partially upheld (12.7%). There were 43 complaints that were not upheld (54.4%). In comparison to 2012/13 the number of complaints not upheld has decreased from 61.4% to 54.4%.

### Percentage of Complaint Acknowledgements within 2 Working Day Timescale

There were 97% of complaints acknowledged within the timescale of 2 working days. Four complaints about children’s services and one complaint about adult’s services were acknowledged outside the 2 working days during the early part of the year. This was due to an administrative error and has been resolved.

### Complaints Completed within Timescale

Of the 75 children’s social care Stage 1 complaints, 44 were resolved within the 20 working day timescale (58.7%), an improvement on the previous year when 39.4% were resolved in timescale. The other 31 complaints (41.3%) were resolved outside of timescale. There were 3 Stage 2 complaints, none of which were resolved within timescale of 65 working days. The Stage 3 complaint was resolved within the target timescale of 50 working days.



For complaints relating to adult social care, 79 complaints were completed at the year end with 11 ongoing. Of the 79 completed complaints, 97.5% were completed within the individual timescales agreed in the Complaints Resolution Plan (CRP), compared with 100% resolved within agreed CRP timescales in 2012/13. In the one case where the timescale was not achieved the response was one day overdue due to an administrative error.

### Subject Matter of Complaints

The top 3 subject matters for complaints within CAS were:

1. *'Lack of Communication/Information'* - featured as an element in the majority of both children's and adult's services complaints, relating to 32% of CAS complaints (32 children's services complaints and 22 adults services complaints).
2. *'Professional Conduct of Staff'* was cited in 28 complaints about children's services and 16 about adult's services, equating to 26% of total CAS complaints.
3. *'Disputed Decision'* – 21.9% of total CAS complaints were about or contained this as an element (15 children's services and 22 adult's services complaints).

### Complaints by Team and Service Area

Tables 3 and 4 below show the breakdown of complaints by team, whilst Graph 3 provides the breakdown by service area. Further detail is given in Parts Three and Four of the report.

**Table 3: Children's Complaints by Team**

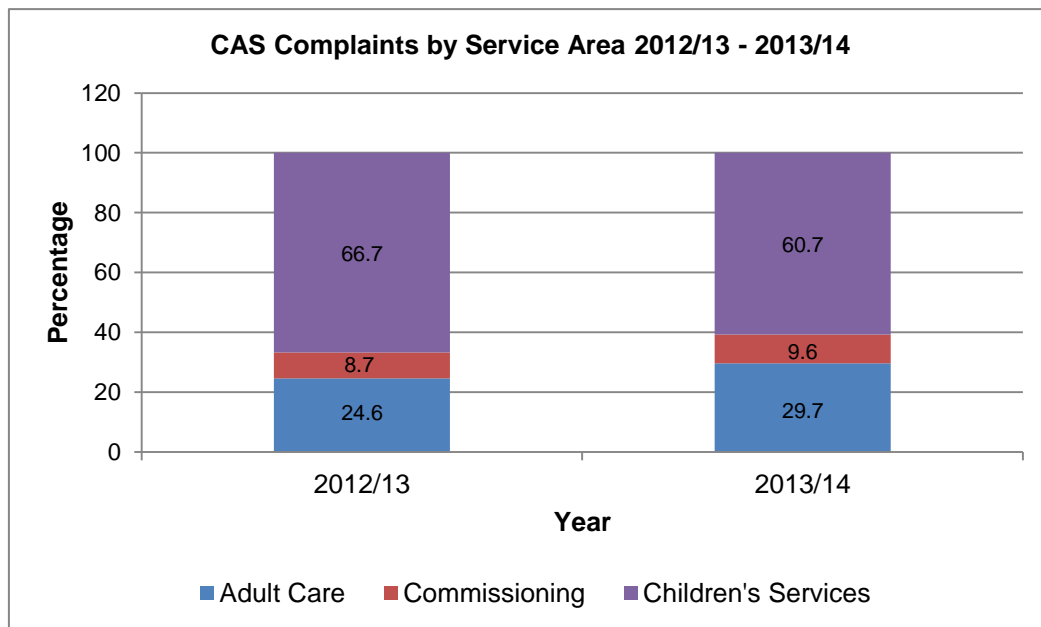
Service	Number of Stage 1 and Stage 2 Complaints 2013/14	Number of Stage 1 and Stage 2 Complaints 2012/13	Direction of Travel*	% of Total Complaints 2013/14	% of Total Complaints 2012/13
Safeguarding Children teams	55	24	↑	69.6%	61.5%
Initial Response/Emergency Duty	6	5	↑	7.6%	12.8%
Looked After Children teams	5	0	↑	6.3%	0
Young People's Service	4	2	↑	5.1%	5.1%
Assessment & Intervention teams	3	0	↑	3.8%	0
Disabled Children and Families Team	2	6	↓	2.5%	15.4%
Aycliffe Secure Services	1	0	↑	1.3%	0
Children's Home	1	0	↑	1.3%	0
Full Circle	1	0	↑	1.3%	0
Pathfinder	1	0	↑	1.3%	0
Fostering and Adoption	0	2	↓	0	5.1%
<b>Total</b>	<b>79</b>	<b>39</b>	↑*	<b>100%</b>	<b>100%</b>

\*Whilst the Direction of Travel shows an increase in the number of formal Stage 1 and 2 complaints received, the overall number of complaints about children's social care (both informally and formally resolved complaints) decreased, from 184 to 139. Therefore the percentage of formally resolved (Stage 1/2/3) complaints increased, from 21.2% in 2012/13 to 56.8% in 2013/14. Systems for the logging and reporting of complaints continue to be reviewed, and from Q1 2014/15, all reported complaints will be logged at Stage 1/2/3, which will make both the management and reporting of complaints simpler.

**Table 4: Adult Complaints by Team**

Service	Number of Complaints 2013/14	Number of Complaints 2012/13	Direction of Travel	% of Total Complaints 2013/14	% of Total Complaints 2012/13
Older People/Mental Health Services for Older People/ Physical Disabilities/Sensory Impairment/ Sensory Support	48	41	↑	53.3%	44.5%
Learning Disabilities/Mental Health/ Carers	12	17	↓	13.3%	18.5%
Commissioning	22	24	↓	24.4%	26.1%
County Durham Care And Support	4	8	↓	4.5%	8.7%
Adult Care - Safeguarding	4	2	↑	4.5%	2.2%
<b>Total</b>	<b>90</b>	<b>92</b>	<b>-</b>	<b>100%</b>	<b>100%</b>

**Graph 3: CAS Statutory Complaints by Service Area**



In 2012/13 and 2013/14, the highest percentage of CAS complaints received related to the Children’s Services service area (66.7% and 60.7% respectively). Adult Care accounted for 24.6% of all complaints in 2012/13 and 29.7% in 2013/14 whilst complaints relating to the Commissioning service area were 8.7% and 9.6% respectively.

**Complaints Referred to the Local Government Ombudsman (LGO)**

During the reporting year, the LGO issued 20 Final Decisions in relation to children and adults social care cases:

- In 5 cases (2 children’s and 3 adults) the LGO decided not to investigate.
- Two cases (1 children’s, 1 adults) were outside the LGO’s jurisdiction.
- Five cases (2 children’s, 3 adults) were investigated and no fault was found.
- Two adult’s cases were investigated and the LGO found no maladministration or injustice.

- In 2 children's cases the Ombudsman recommended the Local Authority pay compensation to the complainants.
- One complaint in relation to an adult's case was deemed premature.
- Three cases were referred to Children's Services for further investigation; 1 was reviewed and upheld, 2 are being independently investigated at Stage 2.

### Complaints by Complainant Type

In formal complaints received about children's social care services, 'Parents' constituted the largest cohort of complainants (49.1%). In complaints about adult social care services, 'Relatives (non-parent)' constituted the highest cohort of complainant at 54.4%. These complainant types have consistently been the largest cohorts over previous reporting years.

### Age and Gender Profiles of Complainants

Using information based on the eldest child in a family, 42 (53.2%) of the 79 formal children's social care services complaints were made on behalf of girls aged 0-18 years, and 37 (46.8%) were made on behalf of boys aged 0-17 years. In relation to adults complaints, the majority, 69.3%, were made in respect of females (23.1% aged 18-64 years, 24.2% aged 65-84 years and 22.0% aged 85+ years). Males made 25.3% of complaints (14.4% aged 18-64 years, 7.7% aged 65-84 years and 3.3% aged 85+ years). For the remaining 5.4%, age/gender information was not recorded.

### Declined Complaints

During the year, CAS declined to consider 14 complaints, an increase on the 8 declined complaints in 2012/13. There were 5 declined complaints about children's social care and 9 about adults. Declined complaints are not included in the numbers of actioned complaints.

### 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 of the report.

### Number of Compliments Received

In the reporting year, a total of 451 compliments were received by CAS; 108 in relation to children's social care and 343 about adult social care. This represents a decrease across the service of 41% in comparison to the previous year (758).

As outlined in Graph 4, CAS had experienced a steady increase in compliments in the period 2007-2013 with compliments regarding children's social care and compliments regarding adult social care being approximately the same in 2012/13. Improvements in the way compliments were captured and recorded in children's services was partly attributable for this improvement.

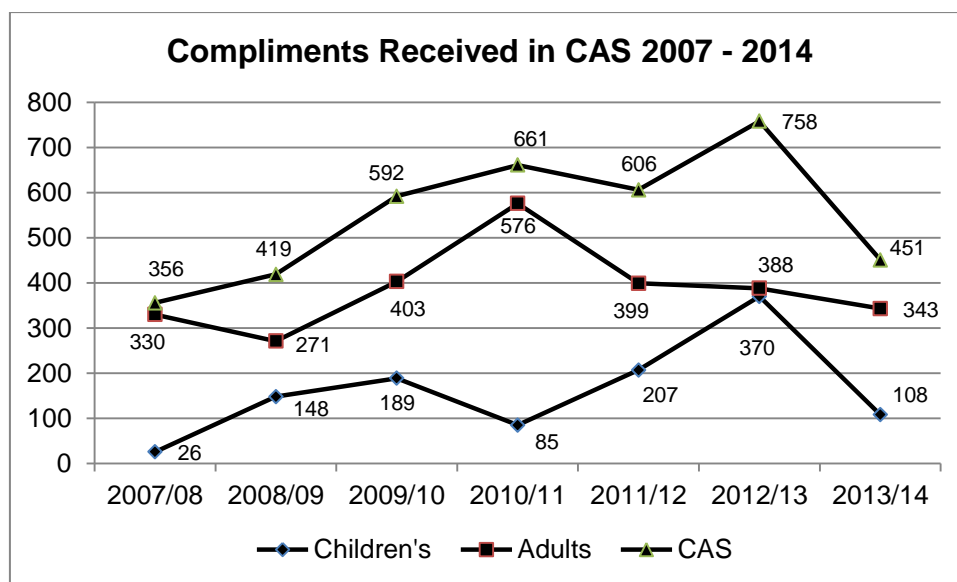
The decrease in compliments received in 2013/14 may not necessarily be attributable to an implied expression of dissatisfaction with service provision. In

adults, for example, which experienced an overall 11.6% decrease in the number of compliments received, County Durham Care and Support's (CDCS's) in-house residential care services experienced a slight decline in the numbers received and this followed the uncertainty arising from the consultation on in-house residential care provision. Nevertheless, CDCS still attracted the greatest proportion of compliments across the service areas. The compliments received in Older People/Mental Health Services for Older People/ Physical Disabilities and Sensory Support (OP/MHSOP/PD/SS) declined more sharply from 135 in 2012/13 to 99 in 2013/14 (a decrease of 26.6%). The reason for this decline is not known but it could be associated with the changes to care provision and eligibility criteria for services and a more general reaction to negative media reporting.

In Children's Services, realignment may have had an impact as staff implement change. The Copelaw Activities Service (CATS) also previously represented a large proportion of compliments received (25% in 2012/13). This service no longer exists and has therefore impacted the numbers of compliments received. The service areas of Aycliffe Secure Services, Children's Homes, Fostering and Adoption, Children's Safeguarding, Family Pathfinder and 4Real have all seen a reduction in compliments received in 2013/14. In contrast, the Community Support Team<sup>2</sup> has seen an increase.

Managers are being reminded regularly through CAS communications of the importance of capturing and reporting compliments received by staff in the form of letters, emails and cards, ensuring that these are sent to the Quality and Improvement Team (QIT) for recording and reporting.

**Graph 4: Compliments Received in CAS 2007-2014**



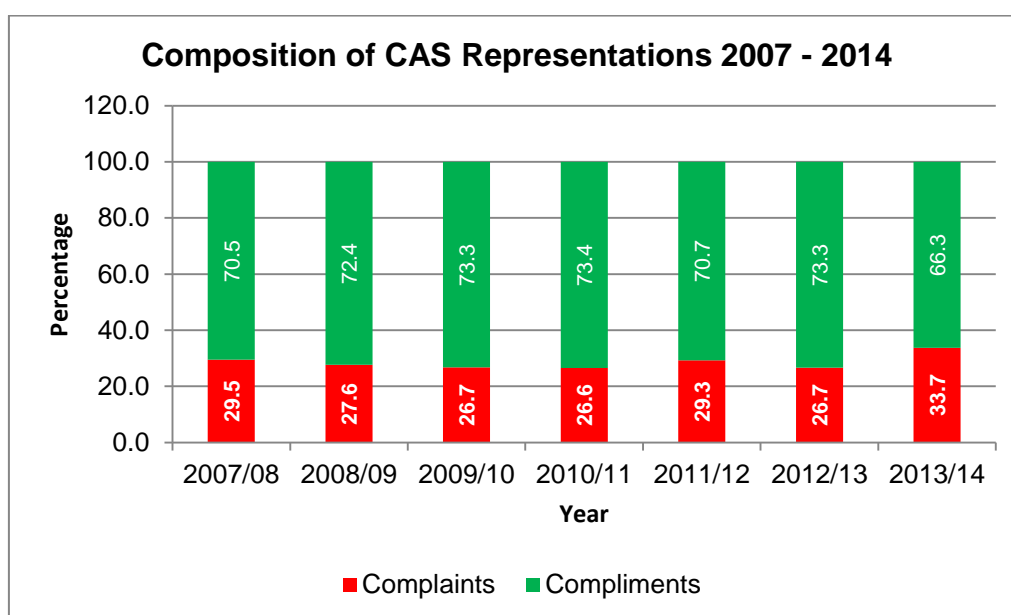
<sup>2</sup>The Community Support team works alongside the Emergency Duty team to support young people and their families who are experiencing difficulties in their lives. Staff have experience in a wide range of areas, working with families in a number of different circumstances. The **aim of the team** is to help to prevent the breakdown of a young person's living situation. This could be at home with their family, living with foster carers or living on their own. The team also assists with the re-integration of a young person to their home following a period of short-term accommodation.

## Ratio of Compliments to Complaints

The ratio of compliments to all complaints across CAS received is 2:1. This represents a decrease on the previous year when the ratio of compliments to complaints was 2.8:1.

Graph 5 below shows that between 2007/08 and 2013/14, the percentage of compliments received has consistently outweighed the percentage of complaints received, however, in 2013/14, the proportion of compliments has fallen below 67% of all representations received.

**Graph 5: Composition of CAS Representations 2007-2014**



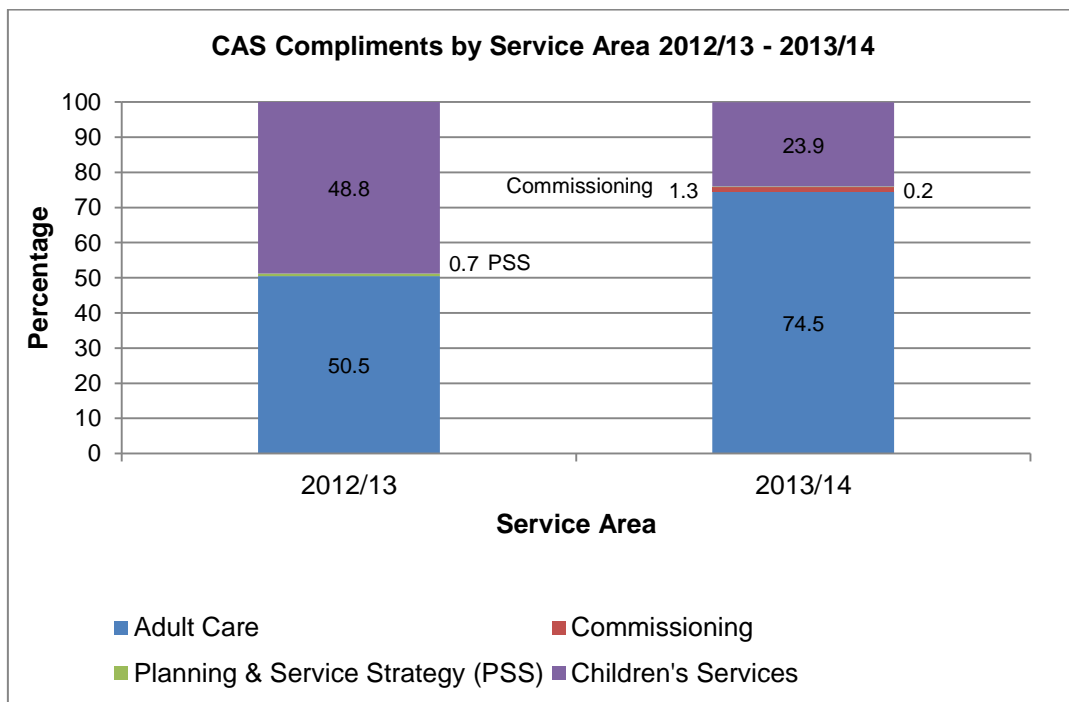
## Compliments by Team and Service Area

The Community Support Team<sup>2</sup> received the majority of compliments about children's social care with 56 (51.9%) of the total compliments, followed by Aycliffe Secure Services with 11 (10.3%) and the Safeguarding Children teams with 11 (10.3%).

For compliments relating to adult social care, County Durham Care and Support (CDCS), the in-house provider, received 233 (67.9%) of the total number of compliments, with Older People's/Older People's Mental Health/Physical Disabilities/Sensory Support service receiving 99 (28.9%) compliments. This reflects the previous year's trends in relation to the service areas receiving the greatest number of compliments.

Graph 6 overleaf shows that as with complaints, the largest percentage of compliments received relate to the Adult Care and Children's Services service areas in both 2012/13 and 2013/14. The percentage of compliments relating to Adult Care increased from 50.5% in 2012/13 to 74.5% in 2013/14. However, compliments relating to Children's Services decreased from 48.8% to 23.9% during the same period.

**Graph 6: CAS Compliments by Service Area**



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 2013/14. 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 up to 20 working days;
- Stage 2 (independent investigation) which has a target 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.

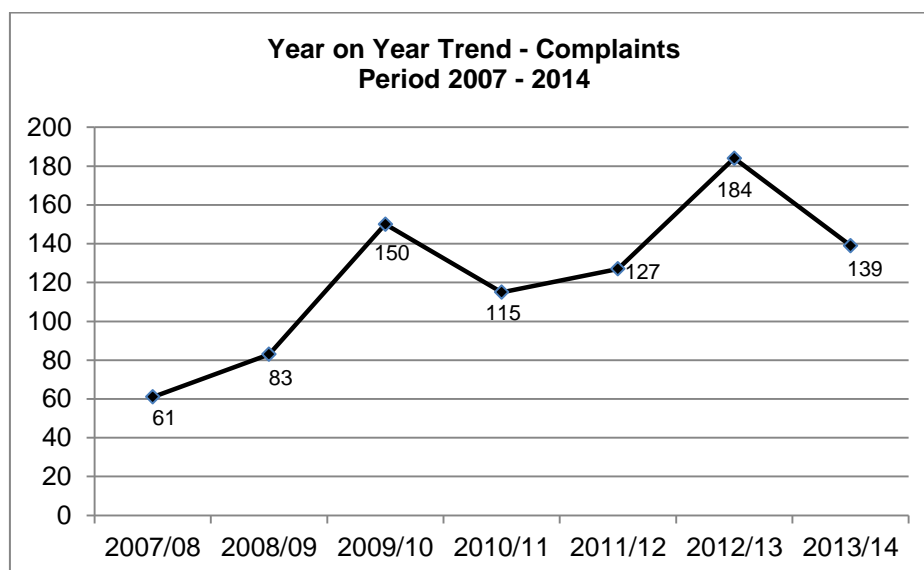
When a complaint is received it is risk-assessed to ensure that there are no safeguarding or other procedural issues that might supersede the complaints procedure, and dates checked to ensure that it is within the 12 month limitation period (which may be waived in certain circumstances at the discretion of the local authority).

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 dependent on the issues presented within the complaint.

### Year on Year Trend 2007-2014

In order to obtain an overview of overall performance from previous annual reports Graph 7 below shows year on year comparisons of the total numbers of complaints received for children's social care.

**Graph 7: Complaints Trend 2007-2014 – Children's Social Care**



In 2013/14, a 24.5% decrease was evident in the total number of children's social care complaints received; 139 compared to 184 complaints received in 2012/2013. Over the period 2007 - 2014, the graph shows that the number of complaints increased between 2007/08 and 2009/10, some of which was due to improved recording. Complaints then decreased before rising again to peak in 2012/13. Reasons for this increase were explored with Children's Services managers and with neighbouring local authorities, 4 of whom also reported large increases in the same year. No particular and over-riding factor was identified for the increase in complaints about Durham children's social care services in 2012/13.

The service is increasingly looking at ways of ensuring that complaints are dealt with at as early a stage as possible to stop them escalating to more formal stages. This has included meeting with complainants, using the telephone or face to face communication rather than written communication, apologising when necessary and writing high quality robust responses when a formal letter is required. The service is also increasingly looking at ways of ensuring that learning from complaints is noted and implemented so that mistakes are not repeated. A culture of 'valuing the apology' and 'learning from complaints' is gradually becoming embedded. All of this may account for the decreased number of complaints in 2013/14.

### **Number of Complaints Received**

In 2013/14, a total of 139 complaints were received and progressed under the Children's Social Care Complaints Regulations. This represents a decrease of 24.5% on the 184 complaints received in 2012/13.

Of the 139 complaints received:

- 60 were recorded as resolved at an informal level;<sup>3</sup>
- 75 were logged as Stage 1 complaints (local resolution);<sup>3</sup>
- 3 were taken through the Stage 2 complaints process; and
- 1 was actioned at Stage 3.

This report contains performance information in relation to the 79 complaints recorded at Stages 1, 2 and 3; of which 77 (97.5 %) were concluded by the year end (75 at Stage 1, one at Stage 2 and one at Stage 3).

Although there was a reduction in the number of complaints received, due to improved logging practices, more complaints were logged at Stage 1 than in previous years.

<sup>3</sup>Note: Informal resolution is where complaints are resolved quickly without entering the formal process. Stage 1 (local resolution) complaints are logged and enter the formal procedure and the LA has a 20 day timescale to respond. There have been improved logging practices implemented in the reporting period which led to more stage 1 complaints being logged than in previous years, despite there being an overall reduction in total complaints received. This is a trend that is likely to continue next year.



## Number of Complaints Upheld

Of the 79 Stage 1-3 complaints, 12 were upheld in full (15.2%) and 19 were partially upheld (24.1%) (including one complaint at Stage 3). There were 46 complaints (58.2%) that were not upheld (including 1 Stage 2 complaint). Two complaints at Stage 2 (2.5%) were ongoing at the year end.

In 2012/13, 17.6% of complaints were upheld, 44.1% were partially upheld and 32.4% were not upheld (with 5.9% withdrawn). Therefore, in 2013/14 a greater percentage of complaints were not upheld than in the preceding year.

**Table 5: Outcome of Complaints for Children’s Social Care Services 2013/14**

Outcome of Complaints 2013/14 Children’s Social Care					
Service Area	Upheld	Partially Upheld	Not Upheld	Ongoing	Total
Safeguarding Children teams	9	11	33	2	55
Initial Response/Emergency Duty	0	2	4	0	6
Looked After Children teams	1	4	0	0	5
Young People’s Service	0	0	4	0	4
Assessment & Intervention teams*	1	1	1	0	3
Disabled Children and Families Team	1	0	1	0	2
Aycliffe Secure Services	0	0	1	0	1
Children’s Home	0	0	1	0	1
Full Circle	0	0	1	0	1
Pathfinder	0	1	0	0	1
<b>Total</b>	<b>12</b>	<b>19</b>	<b>46</b>	<b>2</b>	<b>79</b>

\* Teams in place since February 2014 following an internal restructure

## Percentage of Complaint Acknowledgements in Timescale

The statutory timescale for acknowledging a children’s social care complaint is 2 working days. Of the 79 complaints logged at Stage 1-3, 75 (94.9%) were acknowledged within the 2 day timescale. During the early part of the reporting year, 4 Stage 1 complaints were acknowledged outside 2 days; this was due to an administrative error and was quickly resolved.

## Complaints Completed within Timescale

Of the 75 Stage 1 complaints received, 44 (58.7%) were resolved within the 20 working day timescale for Stage 1 complaints. (Of these 44, half were resolved within 10 working days). This is an improvement on the previous year, when 39.4% were resolved within the 20 day timescale. The other 31 complaints (41.3%) were resolved outside the timescale. The service continues to strive to improve on performance against the 20 day target and will be introducing new escalation measures to improve this.

Stage 2 complaints have a target timescale of 65 working days from the date the complainant signs their agreement with the elements of the complaint to the date that the Local Authority issues a response to the report written by an independent investigator.

Of the 3 Stage 2 complaints received, none were resolved within the 65 day timescale. One complaint took 5 months to conclude and two remained ongoing at

the year end. The independent investigating officer gives regular progress updates to the complainants and the Local Authority. Developments have been put in place to improve the management of this process such as utilising a project plan and escalating to the Strategic Manager for the service. However, complaints which are taken to Stage 2 are particularly complex and usually comprise numerous elements. One of the ongoing Stage 2 complaints requires an investigation of 26 complaints in relation to the cases of 5 children.

Stage 3 complaints follow a process which takes up to 50 working days to complete; the process involves an independent Review Panel considering the Stage 2 complaint investigation report and deciding if any further recommendations are required. The complaint which was taken to Stage 3 in 2013/14 was the first to follow this process since 2008/09, and was concluded within the required timescale.

**Table 6: Percentage of Stage 1-3 Complaints Completed within Timescale**

	Total	Percentage of Total Formal Complaints	Percentages 2012/13	Direction of Travel
Stage 1-3 complaints resolved within target timescale	45	57.0%	37.8%	↑
Stage 1-3 complaints to be completed	2	2.5%	5.4%	↓
Stage 1-3 complaints resolved outside timescale	32	40.5%	56.8%	↓
<b>Total</b>	<b>79</b>	<b>100%</b>	<b>100%</b>	-

### Themes of Complaints

As shown in Table 7 overleaf, of the 79 Stage1-3 complaints received, 32 (40.5%) included *Lack of Communication/Information* as at least one of the reasons for the complaint. Examples of this are complaints about not being able to get in contact with social workers; not being kept informed about what was happening in a child's case; and not receiving copies of children's records such as contact sheets or assessment reports.

*Professional Conduct of Staff* was included as a reason in 28 (35.4%) complaints. Complaints in this category usually detailed that social workers had failed to follow procedures, had lied to families, or had given preferential treatment to one parent over another.

There were 15 complaints (19.0%) which were about a *Disputed Decision*. In some cases this related to parents being unhappy about the decisions made by social work teams in relation to family dynamics (e.g. children must not have contact with a mother's partner, who is believed to be a risk to the children). In other cases, young people complained about decisions made to move them to a different foster placement or school.

These three major themes of complaints can be compared to 2012/13, when *Professional Conduct of Staff* was cited in 43.6% of complaints, followed by *Lack of Communication/Information* (35.9%) and *Disputed Decision* (18.0%).

In the majority of cases citing failures in communication and information there is a direct link with '*Professional Conduct of Staff*', which relates to how a worker conducts themselves according to their professional responsibilities (e.g. complaints

about Social Workers allegedly being biased toward one parent). Complaints about *Staff Attitude* are in relation to staff being rude or appearing not to care, for example.

Table 8 shows the subject matter of the 31 complaints which were upheld or partially upheld (as detailed in Table 5); that is, where the service was found to be at fault. This highlights that of the 12 complaints which were fully upheld, 4 (one-third) cited *Provision of Service – Assessment*. This means that the service did not carry out an adequate process in relation to assessing families to determine what services they might benefit from or require.

**Table 7: Themes of Complaints Received 2013/14**

Complaint Classification / Issue	Number of Complaints
Lack of Service – Communications/Information	32
Professional Conduct of Staff	28
Disputed Decision	15
Lack of Service – Contact/Visits	12
Provision of Service - Assessment	9
Lack of Service – Referrals Not Actioned	9
Quality of Service – Report Writing	9
Quality of Service – Late Referrals	7
Staff Attitude	6
Confidentiality	4
Finance - Assessment	4
Safeguarding	4
Quality of Service - Personal Financial Issues	3
Application of Service Guidance/Procedures	2
Provision of Services – Reviews/Conferences	2
Lack of Service – Denied Service	1
<b>Total</b>	<b>147*</b>

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

**Table 8: Themes of Upheld and Partially Upheld Complaints 2013/14**

Complaint Classification / Issue	Fully Upheld Complaints	Partially Upheld Complaints	Total
Lack of Service – Communications/Information	2	11	13
Professional Conduct of Staff	2	9	11
Disputed Decision	2	5	7
Lack of Service – Contact/Visits	3	1	4
Provision of Service - Assessment	4	1	5
Quality of Service – Report Writing	-	5	5
Quality of Service – Late Referrals	1	3	4
Finance - Assessment	2	1	3
Lack of Service – Referrals Not Actioned	-	2	2
Staff Attitude	-	2	2
Provision of Services – Reviews/Conferences	1	1	2
Safeguarding	-	1	1
Quality of Service - Personal Financial Issues	-	1	1
<b>Total</b>	<b>17</b>	<b>43</b>	<b>60</b>

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

In addition to the information above, further information given by complainants suggests that service users:

- experienced difficulties in making a complaint (resulting in some complainants going directly to the Corporate Director of CAS with their complaints)
- felt that they were discriminated against on the basis of gender; and

- lacked confidence in the service’s ability to record factually correct information.

These issues are all being explored by the service in order to mitigate against further complaints with these themes. Managers and staff are:

- reviewing the complaints process to ensure accessibility;
- to receive complaints training to ensure that they know how to action any complaint and signpost service users to the complaints procedures;
- give equal attention to information and views from both parents (without giving more attention to the primary carer); and
- being vigilant about recording information and ensuring factual accuracy.

### Complaints Received by Service Area

The service area receiving the greatest number of complaints was Safeguarding Children followed by the Initial Response Team. These two service areas have arguably the greatest amount of contact with service users and members of the public. It is pleasing to note that the number of complaints about services to disabled children decreased by 4 complaints and that the number of complaints received by Fostering and Adoption decreased by 2 complaints.

It is noted that although the total number of complaints decreased from 2012/13, the number of stage 1 complaints increased across the majority of areas. In Safeguarding Children teams, the number of complaints rose by 31, although of the 55 complaints received by those teams, 33 (60%) were not upheld.

**Table 9: Number of Complaints Received by Service Area 2013/14**

Service	Number of Stage 1-3 Complaints 2013/14	Number of Stage 1 – 3 Complaints 2012/13	Direction of Travel	% of Total Complaints 2013/14	% of Total Complaints 2012/13
Safeguarding Children teams	55	24	↑	69.6%	61.5%
Initial Response/Emergency Duty	6	5	↑	7.6%	12.8%
Looked After Children teams	5	0	↑	6.3%	0
Young People’s Service	4	2	↑	5.1%	5.1%
Assessment & Intervention teams	3	0	↑	3.8%	0
Disabled Children and Families	2	6	↓	2.5%	15.4%
Aycliffe Secure Services	1	0	↑	1.3%	0
Children’s Home	1	0	↑	1.3%	0
Full Circle	1	0	↑	1.3%	0
Pathfinder	1	0	↑	1.3%	0
Fostering and Adoption	0	2	↓	0	5.1%
<b>Total</b>	<b>79</b>	<b>39</b>	<b>-</b>	<b>100%</b>	<b>100%</b>

### Complaints Referred to the Local Government Ombudsman (LGO)

The Ombudsman had involvement in 10 children’s social care cases during 2013/14, compared with 7 in 2012/13. During 2013/14 the LGO issued 10 Final Decisions in cases that had been referred to them. In 2 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 case was about a Court matter and was therefore outside the jurisdiction of the Local Authority and the Ombudsman.

Of the 7 cases which the Ombudsman investigated:

- Two were not upheld.
- One case was referred back to children's services to review. The review found that children's services had been at fault and actions were undertaken.
- Two cases were referred back to the service, to arrange for Stage 2 independent investigations.
- The Local Authority was recommended to pay compensation in 2 cases, 1 in relation to a data breach; and 1 in relation to a child's Birth Plan not being clear enough and the subsequent impact this had on the family.

### Complaints by Complainant Type

As has been the trend over previous reporting years, *Parents* constituted the highest number of complainants, representing 42 of the 79 Stage 1-3 complaints (53.2%). *Other relatives* brought 18 (22.8%) complaints (in most cases, grandparents); followed by *Advocates\** who made 11 complaints (13.9%). *Carers* made 3 complaints (3.8%) and *Clients* (service users, young people) made 3 (3.8%) complaints. Two complaints (2.5%) were made by *Other* people (1 was made by a mother's partner and 1 was made by a father's former 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.*

### Gender Profile

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 79 Stage 1-3 complaints were made on behalf of a total of 153 children and young people. Using the eldest child's information, it can be reported that 42 of the 79 complaints were made on behalf of girls aged 0-18 years, and 37 were made on behalf of boys aged 0-17 years.

### Ethnicity and Diversity

In 76 of the 79 (96.2%) complaints, the eldest child (or the child who the complaint was made on behalf of) was White British; in 2 cases the child was recorded as being Mixed Race Asian, and in 1 case the child was Mixed Race Caribbean.

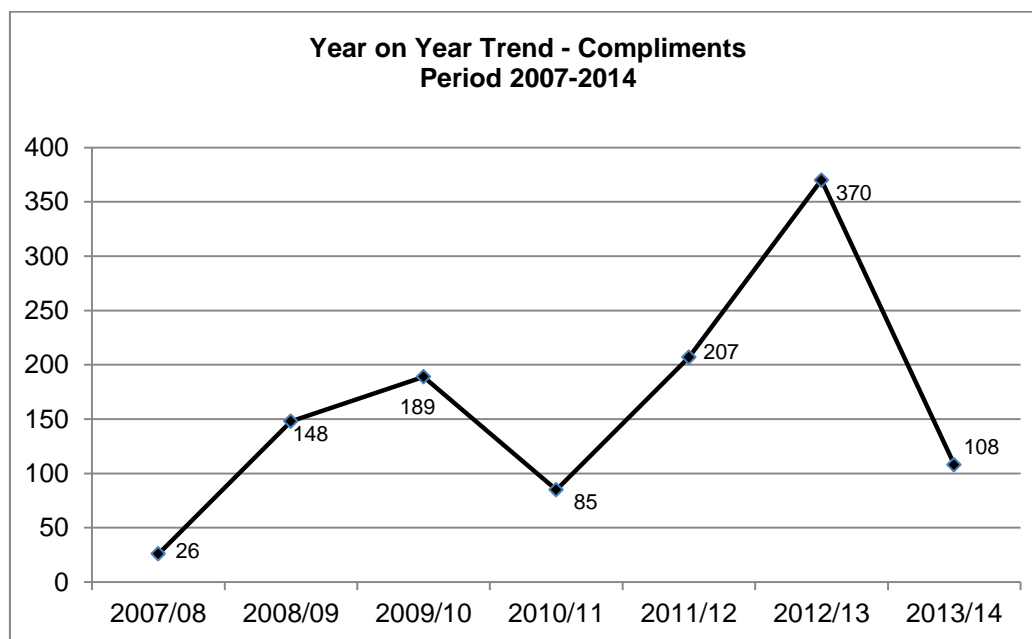
### Declined Complaints

During the reporting year, 5 complaints were declined, 1 due to it being out of timescale by 20 years, 1 which did not meet the criteria for making a statutory complaint, and 3 about matters which should have been taken through a respective legal process. Declined complaints are *not* included in the total figure of 139 complaints received.

## Number of Compliments Received

It is disappointing to note that in the reporting year, the number of recorded compliments fell from 370 in 2012/13 to 108 in 2013/14. This represents a decrease of 70.8%, in contrast to the 78.7% increase which was reported in the previous year. Reasons for this increase were attributed to improved collecting and reporting of compliments, therefore managers have been reminded to report any compliments received from service users and their families, which may take the form of emails, letters, and cards and ensure these are sent to the QIT for recording.

**Graph 8: Compliments Year on Year Trend 2007-2014**



## Compliments Received by Service Area

In 2013/14, the service which received the most compliments was the Community Support Team, which is a positive intervention service. There was also a substantial increase from the year before.

Aycliffe Secure Services received over 10% of total compliments, as they did in 2012/13.

A number of service areas saw a reduction in compliments such as Children's Homes, Family Pathfinder, Fostering and Adoption, Safeguarding Children and 4Real.

**Table 10: Number of Compliments Received by Service Area 2013/14**

Service	Number of Compliments 2013/14	Number of Compliments 2012/13	Direction of Travel	% of Total Compliments 2013/14	% of Total Compliments 2012/13
Aycliffe Secure Services	11	40	↓	10.3%	10.8%
Copelaw Activities (CATS)	1	96	↓	0.9%	25.9%
Children's Homes	2	25	↓	1.9%	6.8%
Community Support Team	56	49	↑	51.9%	13.2%
Countywide Admin teams	0	13	↓	-	3.5%
Disabled Children and Families Team	1	2	↓	0.9%	0.5%
Family Pathfinder	2	34	↓	1.9%	9.2%
Fostering and Adoption	1	20	↓	0.9%	5.4%
Full Circle	6	5	↑	5.6%	1.4%
Initial Response/Emergency Duty	1	5	↓	0.9%	1.4%
Looked After Children – Aycliffe/Durham	8	11	↓	7.4%	3.0%
Safeguarding Children teams	11	31	↓	10.3%	8.4%
Supervised Contact Service	1	-	↑	0.9%	-
Young People's Service	0	5	↓	-	1.4%
4Real	7	34	↓	6.5%	9.2%
<b>Total</b>	<b>108</b>	<b>370</b>	↓	<b>100%</b>	<b>100%</b>

### Ratio of Compliments to Complaints

The ratio of compliments to complaints received is 0.8:1 compared to 2:0:1 in 2012/13 and 1.6:1 in 2011/12.

### 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:

- *My life has improved and I feel a lot better in myself and feel a lot more grounded to be able to sort my own life out, I will miss [worker] and always remember how she has helped me turn my life around over the years. Couldn't have done it without you.*
- *This support was invaluable. [Worker] was patient and understanding with both of us. He spoke at an appropriate level depending on who he was talking to. He phrased questions and checked understanding before moving on.*
- *[Young person] has been extremely vocal in her opinions of Education whilst at Aycliffe, all of which are encouraging. [She] has received an excellent school report, in her own words she is quoted as saying "...I would also like to thank ... for their support and their effort and changing my views on education."*



- *I would like to say a huge thank you for everything you have done for [child] and our family over the past years...you are the best social worker we could have asked for as, as well as doing your job you also took time to listen and care especially over this last year and your support was a godsend.*
- *We have always found [worker] to be supportive, especially at times when things were difficult with family members. She always made herself available for a chat when we needed to discuss things, and sometimes called just to say hello, which made us feel like she cares about her work with the children and the families.*



## **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 2013/14 and reflects the statutory requirements of *The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009*. The reporting format also includes locally-agreed reporting information over and above that required by the Regulations.

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 set 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 1 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.

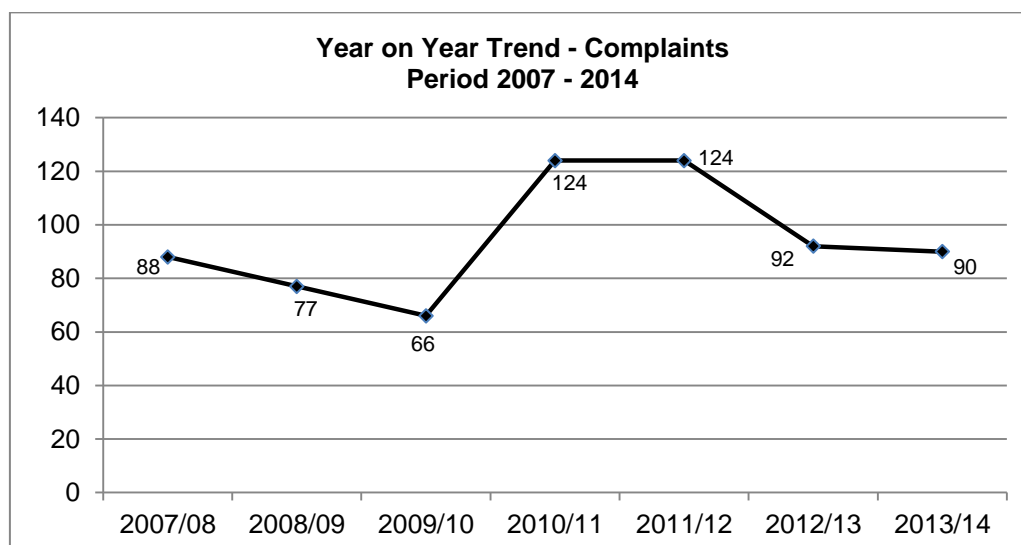
Different resolution methods are utilised depending on the issues being addressed and individual preferences and circumstances.

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.

### **Year on Year Trend 2007-2014**

Graph 9 overleaf shows year on year comparison of the numbers of complaints received for adult social care.

**Graph 9: Year on Year Trend Complaints - Period 2007-2014 – Adult Social Care**



In 2013/14, there was a 2.2% decrease in the number of complaints received; 90 compared to 92 complaints received in 2012/13 continuing the downward trend of the previous reporting year when compared to a spike which occurred between 2010/11 and 2011/12. This coincided with changes to charging policies leading to a greater number of complaints being made.

### Number of Complaints Received

In 2013/14, a total of 90 complaints were received and progressed through the Statutory Adult Social Care Complaints Procedure. This represents a decrease of 2.2% on the 92 complaints received in 2012/13.

Of the 90 complaints received, 79 were concluded by the end of the reporting year with 11 complaints ongoing.

### Number of Complaints Upheld

Of the 79 complaints completed by the end of the reporting year, 26 (32.9%) were upheld in full and 10 (12.7%) were partially upheld. There were 43 (54.4%) complaints that were not upheld.

**Table 11: Outcome of Complaints 2013/14**

Service Area	Upheld	Partially Upheld	Not Upheld	Ongoing	Total
Adult Care - LD/MH/Carers	5	0	3	4	12
Adult Care - OP/MHSOP/PDSI/SS	14	6	24	4	48
Adult Care - Safeguarding	0	1	3	0	4
Commissioning	6	3	12	1	22
County Durham Care And Support	1	0	1	2	4
<b>Total</b>	<b>26</b>	<b>10</b>	<b>43</b>	<b>11</b>	<b>90</b>

## Percentage of Complaint Acknowledgements in 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 90 complaints received, 89 (98.8%) were acknowledged within the 2 day timescale. In the one case timescale for acknowledgement was not met, this was due to an administrative error and was resolved.

## Complaints Completed within Timescale

Complaints Resolution Plans (CRPs) were completed in all of the 90 complaints received in the year. The CRPs included timescales for response and are calculated based upon the potential complexity of the case. Of the 90 complaints received, 79 were completed at the end of the reporting year and 97.7% of these were completed within the agreed timescale of the CRP. In one case a complaint response missed the timescale by 1 day due to an administrative change. Of the 11 complaints not completed at the end of the reporting year they remained within the timescale agreed in the CRP.

Of the 79 complaints concluded over the year 17 (21.5%) were completed in less than 10 working days; 33 (41.8%) were concluded between 10 and 20 working days; 16 (20.3%) were concluded between 21 and 30 working days; 13 (16.4%) of the completed complaints took more than 30 days to complete due to their complexity.

## Themes of Complaints

Of the 90 complaints received, 22 related to the category of *'Disputed Decisions'*. An example of *'disputed decisions'* is where following assessment, a client did not meet the criteria to receive a service and this was challenged. There were 22 complaints in the *'Communications/Information'* category. Complaints in this category usually detailed a failure in providing comprehensive and comprehensible information or not following up with information and updates when promised. The next highest category of complaint was *'Professional Conduct of Staff'*. Such complaints tended to be allied to disputed decisions and involved allegations that assessments had not been thoroughly conducted. The distinction between *'Professional Conduct'* issues and the category of *'Staff Attitude'* is that the former relates to how the worker conducts themselves according to their professional responsibilities and the regulatory requirements whilst the latter relates to, for example, allegations of rudeness in communication.

**Table 12: Themes of Complaints Received 2013/14**

Complaint Classification / Issue	Number of Complaints
Disputed Decision	22
Lack Of Service - Communications/Information	22
Professional Conduct Of Staff	16
Provision Of Service - Equipment	14
Finance - Charging Policy	11
Application Of Service Guidance/Procedures	10
Quality Of Service - Personal Financial Issues	7
Finance - Assessment	4
Lack Of Service - Denied Service	4
Quality Of Service - Personal Care	4
Safeguarding	4
Staff Attitude	4
Confidentiality	4
Provision Of Service - Assessment	3
Finance - Direct Payment	3
Provision Of Service - Reviews/Conferences	2
Quality Of Service - Work Of Other Agencies	2
Quality Of Service - Missed/Late Dom Care Calls	1
Lack Of Service - Contact/Visits	1
Lack Of Service - Restricted Choices Of Current Services	1
Refusal Of A Service	1
Service Withdrawal	1
<b>Total</b>	<b>141*</b>

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

**Table 13: Themes of Upheld and Partially Upheld Complaints 2013/14**

Complaint Classification / Issue	Upheld Complaints	Partially Upheld	Total
Disputed Decision	4	6	10
Lack Of Service - Communications/Information	6	5	11
Professional Conduct Of Staff	3	2	5
Provision Of Service - Equipment	1	2	3
Finance - Charging Policy	3	-	3
Application Of Service Guidance/Procedures	5	2	7
Quality Of Service - Personal Financial Issues	3	1	4
Finance - Assessment	-	1	1
Lack Of Service - Denied Service	-	2	2
Quality Of Service - Personal Care	3	-	3
Safeguarding	-	1	1
Staff Attitude	1	1	2
Confidentiality	1	-	1
Provision Of Service - Assessment	2	1	3
Finance - Direct Payment	2	-	2
Provision Of Service - Reviews/Conferences	1	1	2
Quality Of Service - Work Of Other Agencies	1	-	1
Quality Of Service - Missed/Late Dom Care Calls	1	-	1
Lack Of Service - Contact/Visits	-	1	1
Service Withdrawal	1	-	1
<b>Total</b>	<b>38</b>	<b>26</b>	<b>64*</b>

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

## Complaints Received by Service Area

The service receiving the greatest number of complaints was Older People/Older People's Mental Health/Physical Disabilities/Sensory Impairment/Sensory Support, followed by Commissioning. In previous years the second highest number of complaints would usually be in the Learning Disabilities/Mental Health/ Carers/ Substance Misuse Service Area. This service area has, however, experienced a decrease in the number of complaints in 2013/14 when compared to 2012/13 when 18 were received. The main reason, however, why there has been a change in trend is that complaints about Finance and Direct Payments now come under Commissioning and the data is now combined rather than being reported as separate service areas.

**Table 14: Number of Complaints Received by Service Area 2013/14**

Service	Number of Complaints 2013/14	Number of Complaints 2012/13	Direction of Travel	% of Total Complaints 2013/14	% of Total Complaints 2012/13
Older People/Mental Health Services for Older People/ Physical Disabilities/Sensory Impairment/ Sensory Support	48	41	↓	53.3%	44.5%
Learning Disabilities/Mental Health/Carers/Substance Misuse	12	17	↓	13.3%	18.5%
Commissioning	22	24	↓	24.4%	26.1%
County Durham Care And Support	4	8	↓	4.5%	8.7%
Adult Care - Safeguarding	4	2	↑	4.5%	2.2%
<b>Total</b>	<b>90</b>	<b>92</b>	-	<b>100%</b>	<b>100%</b>

## Complaints Referred to the Local Government Ombudsman (LGO)

During 2013/14, the LGO issued 10 Final Decisions in adult social care cases that had been referred to them:

- In 3 cases the LGO found no evidence of fault.
- In 3 cases the LGO decided not to investigate on the basis of the information provided to the preliminary enquiries.
- One complaint was not within jurisdiction due to the passage of time.
- Two complaints were subject to full investigation and the LGO found no maladministration or injustice in either case. One complaint was deemed premature.

Following the establishment of its specialist adult social care complaints investigation unit the LGO has for the first time published statistics for local authority adult social care complaints and private care providers. The Review Report notes that the LGO has seen a 130% increase in adult social care complaints since it took on responsibility for registered private care providers in 2009. In the last year, the LGO saw a 14% increase in the number of complaints and enquiries received about adult social care.

The Review established that 40% of the total number of complaints the LGO received related to just 25 council areas.

Durham County Council was one of only 44 (22.6%) of the 194 Councils where the LGO made no findings against it in any of the adult social care complaints referred there.

### Complaints by Complainant Type

As has been the trend over previous reporting years, relatives (non-parent) constituted the highest category of complainant at 49 complaints (54.4%). 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 26 (28.9%). The number of parents making a complaint relating to adult children was 12 (13.3%). Three (3.4%) complaints were made by advocates. 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 15: Complaints by Client Group 2013/14**

Service Area	Learning Disabilities	Mental Health	Older People	Physical Disabilities	Total
Adult Care - LD/MH/Carers	11	1	0	0	12
Adult Care - OP/MHSOP/PDSI/SS	0	0	36	12	48
Adult Care - Safeguarding	0	0	4	0	4
Commissioning	1	1	19	1	22
County Durham Care And Support	0	1	3	0	4
<b>Total</b>	<b>12</b>	<b>3</b>	<b>62</b>	<b>13</b>	<b>90</b>
<b>Percentage</b>	<b>13.3%</b>	<b>3.3%</b>	<b>68.9%</b>	<b>14.5%</b>	<b>100%</b>

### Age and Gender Profiles of Complainants

The majority (69.3%) of complaints were made by on or behalf of females (23.1% aged 18-64 years, 24.2% aged 65-84 years and 22.0% aged 85+ years). Males accounted for 25.3% of complainants (14.4% aged 18-64 years, 7.7% aged 65-84 years and 3.3% aged 85+ years). For the remaining 5.4%, age/gender information was not recorded. This data represents a decrease in complaints for females and males in the 18-64 age range (compared to previous years) and an increase for females aged 85+.

### Ethnicity and Diversity

Complaints analysed by ethnicity represented 100% White British.

### Declined Complaints

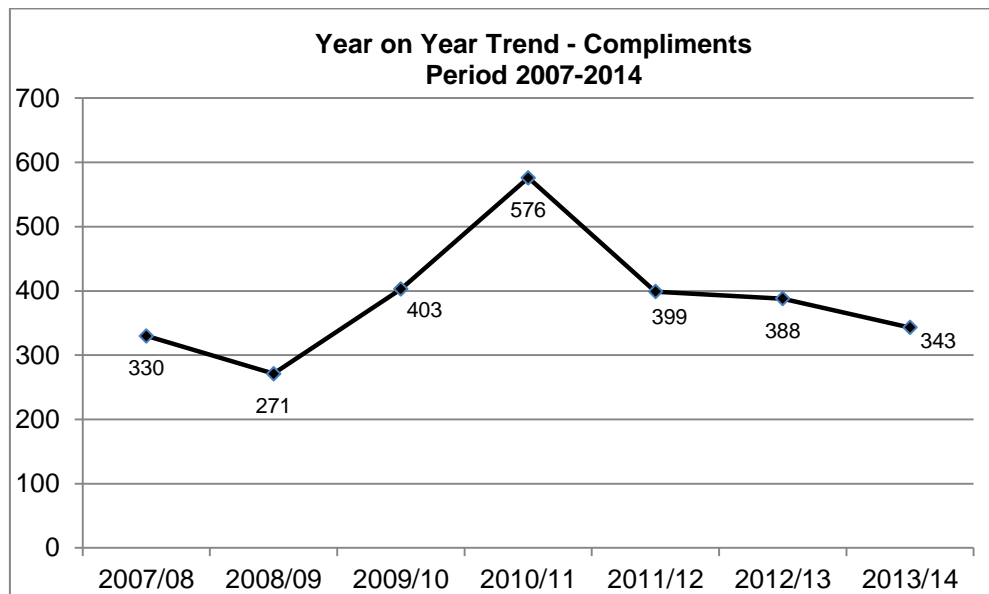
During the year, 9 complaints were declined. Three of the complaints were declined on the grounds that the issues complained about were significantly outside of the 12 month time limit for bringing a complaint; 2 were declined as the issues did not fall within DCC's jurisdiction; 2 of the complaints had previously been investigated and responded to and the complaints procedure exhausted; and 2 of the complaints were

declined as the service user declined to give their consent to the complaint being made. Declined complaints are *not* included in the figure total of 90 complaints received.

### Number of Compliments Received

In the reporting year, a total of 343 compliments were received. This represents a decrease of 11.6% from the 388 received during 2012/13.

**Graph 10: Year on Year Trend Compliments – 2007-2014**



### Ratio of Compliments to Complaints

The ratio of compliments to complaints in 2013/14 was 3.8:1 compared to 4.2:1 in the previous reporting year.

### Compliments by Service Area

County Durham Care and Support (CDCS), the in-house provider received 233 (67.9%) of the total number of compliments. The Older People's/Older People's Mental Health/Physical Disabilities/Sensory Support Service area received 99 (28.9%) of compliments.

**Table 16: Total Number of Compliments by Service Area 2013/14**

Service	Learning Disabilities	Older People	Physical Disabilities	Sensory Impairment	Total Compliments 2013/14	Total Compliments 2012/13	Direction of Travel	% of Total Compliments 2013/14	% of Total Compliments 2012/13
Adult Care - LD/MH/ Carers	3	1	-	-	4	3	↑	1.2%	0.8%
Adult Care – OP/ MHSOP/PDSI/SS	-	89	3	7	99	135	↓	28.9%	34.8%
County Durham Care and Support	4	227	2	-	233	245	↓	67.9%	63.1%
Commissioning	-	5	1	-	6	0	↑	1.7%	0
Planning And Service Strategy	-	1	-	-	1	5	↓	0.3%	1.3%
<b>Total</b>	<b>7</b>	<b>323</b>	<b>6</b>	<b>7</b>	<b>343</b>	<b>388</b>	<b>-</b>	<b>100%</b>	<b>100%</b>

### Key Areas Highlighted within Compliments Received

Compliments highlight that Service Users have appreciated:

- being treated with dignity by staff providing care;
- being helped to regain their independence and confidence with the support of carers;
- being provided with aids and equipment that assists with their daily living;
- the high quality of care and support provided by the staff in residential and domiciliary care services;
- staff's sensitivity and support when dealing with family bereavement;
- being given information in a way that is easy to understand; and
- the quick responses they have received when requesting assistance.

### Examples of Compliments Received

Some examples of compliments received include:

- *Thank you for your care and kindness. Your help and advice has lifted the stress from me and my family and I always look forward to the carers coming.*
- *We feel very lucky to have had you as the Social Worker for our Mum. You have made things happen and our parents trust you.*
- *When Mam died I was unsure how to tell [my sister] (a learning disabilities client). The staff were brilliant – they talked to her at her level in a very sensitive and thoughtful way so that she could understand. It was a great comfort to have such invaluable help at such a sad and difficult time.*
- *A massive thank you – if it wasn't for you and the caring support I received I wouldn't have got to the point I am today.*
- *Thank you for the help you have given me and my family during the stressful time placing my wife in residential care. I was helped through the various steps and without your calmness and reassurance this would have been so much more upsetting.*



## 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:

- 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.
- Social Workers were changed in some cases, even where complaints were not upheld, in order to improve working relationships with parents.
- Meetings with managers have continued to be an extremely effective method in satisfactorily concluding complaints. Complainants appreciate the time that managers give to addressing their concerns in an open and informal way.
- Addendums were added to reports to ensure that discrepancies were recorded in line with parent's wishes.
- Compensatory payments were made where the failures constituted maladministration as defined by the Local Government Ombudsman.

#### Adult Complaints:

- Occupational Therapy and Needs assessments were conducted under second opinion conditions where disputes arose following the original assessments for adaptations or care services.
- Reimbursement action was taken where there was no evidence on the case record that charging policies and the financial assessment process had been discussed or explained.
- Meetings with managers have continued to be an extremely effective method in satisfactorily concluding complaints. Complainants appreciate the time that managers give to addressing their concerns in an open and informal way.
- Explanations were provided or reiterated where communication had previously taken place but the client's understanding had not been checked.
- Where the client expressed a loss of trust and confidence in an individual worker a different worker was allocated to restore the relationship.

- Compensatory payments were made where the failures constituted maladministration as defined by the Local Government Ombudsman.

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 (and agreed in line with Scheme of Delegation) 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 in Children's and Adults Complaints**

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:**

- Workers who supervise contact sessions have been reminded to be vigilant about photographs and videos being taken of children.
- Where service users ask to remain anonymous in referrals, this will be noted and adhered to.
- Where Social Workers are asked to return service users calls, they will do so as soon as reasonably possible and if unable to, will note why not with reasons.
- Social Workers and Team Managers who quality assure and sign-off reports have been reminded that they must meet the required standards and include times, dates and a signature.
- Staff have been reminded that great care should be taken in regard to recording case notes to capture all incidents and ensure entries are complete and accurate.

#### **Adult Complaints:**

- Staff in the Learning Disabilities Service were reminded that they must ensure support/representation at complaint meetings is available for complainants with learning disabilities.
- A memorandum was issued to all social work staff in the Older Person's/Mental Health Services for Older Person's/Physical Disability/Sensory Support teams instructing that where a Continuing Health Care Decision Support Tool assessment results in funded nursing care, clear explanations should be given that charges for residential care to the client remain. Whilst it is the responsibility of the NHS staff to communicate both verbally and in writing it is expected that social work staff provide clear and explicit explanations.
- Learning Disabilities social work teams were reminded that there should be regular and effective communication with colleagues where a client's behaviour was impacting upon another client.

- Reminders were provided to all staff that information on the recording systems must be kept up to date at all times and that the worker commissioning the care package must record accurate provisions.
- Staff have been reminded that no service provision can be ended without consultation and discussion with the service user and their relatives (if the latter is appropriate) and that this should be fully and openly discussed in a review or re-assessment setting.

## Part Six – Developments

A number of developments have been undertaken in 2013/14. These include:

- Information about how to complain has been streamlined and made easier to understand.
- The policies and procedures for children and young people's statutory complaints have been reviewed and revised and will be available for staff on DCC's intranet in July 2014.
- Heads of Service are now receiving details of upheld complaints in their service area to improve communications and aid learning from complaints and service improvement.
- Examples of compliments are shared through the quarterly reports and internal staff publications.
- Staff have been reminded of the importance of valuing and recording compliments.
- The Service has taken a proactive approach to the early resolution of complaints, focusing on talking to service users and resolving issues at a local level.
- Improvements to recording and logging systems has been put in place.

There are a number of key areas that are in development for 2014/15. These include:

- Introducing monitoring systems to ensure actions and learning outcomes arising from complaints are implemented in a timely and effective way and embedded.
- Building a culture of 'valuing the apology' through a series of manager briefings and training events for staff dealing with concerns and complaints at a local level.
- Disseminating information to relevant senior managers whenever a complaint or compliment is received about their service.
- Undertaking a full review of the children's complaints process to ensure accessibility and transparency in line with best practice from the LGO. This will include accessibility for children and young people to the complaints process.
- Improving communications regarding the capturing and sharing of compliments with the QIT for reporting purposes.

## Part Seven – 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 period 2007-2012, there has generally been an overall upward trend for complaints and compliments, with a reduction witnessed in both of these areas in 2013/14. Although the number of compliments has decreased this year, it is reassuring to note that for every complaint received, twice as many compliments were received. Interestingly, the number of complaints about children's services has also decreased; whilst those about adult's services have remained static with the previous year.

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. Developments for the future focus on learning from our complaints to improve our service.

The highest number of complaints received relates to a lack of communication/information, staff conduct and disputed decisions. Whilst remembering that complaints are often about perception and the majority of complaints received could not be substantiated, the service must monitor these areas in particular in the future.

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](http://www.durham.gov.uk)) and public information is in key locations throughout the County.

Contact the CAS Complaints Team in writing at CAS Complaints Team, Room 3/48, 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](mailto:CASComplaints@durham.gov.uk) .

## Glossary of Abbreviations

<b>CAS</b>	Children and Adults Services
<b>CDCS</b>	County Durham Care and Support
<b>CRP</b>	Complaints Resolution Plan
<b>DCC</b>	Durham County Council
<b>LA</b>	Local Authority
<b>LD</b>	Learning Disabilities
<b>LGO</b>	Local Government Ombudsman
<b>MH</b>	Mental Health
<b>MHSOP</b>	Mental Health Services for Older people
<b>NHS</b>	National Health Service
<b>NYAS</b>	National Youth Advocacy Service
<b>ONS</b>	Office for National Statistics
<b>OP</b>	Older People
<b>PDSI</b>	Physical Disability & Sensory Impairment
<b>QIT</b>	Quality and Improvement Team
<b>SS</b>	Sensory Support

# 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**

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