

NORTH YORKSHIRE COUNTY COUNCIL

STANDARDS COMMITTEE

16 May 2011

Corporate Complaints and Compliments

1.0 PURPOSE OF REPORT

- 1.1 To present to Members, for their information, schedules of the corporate compliments and complaints received during Quarter 2 (July to September 2010) and Quarter 3 (October to December 2010).

2.0 BACKGROUND

- 2.1 The Committee periodically considers statistical information relating to complaints and compliments received by the Council.

3.0 STATISTICAL INFORMATION

- 3.1 Attached at Appendices 1 and 2 respectively are schedules of the corporate compliments and complaints received by the Council during Quarter 2 (July to September 2010) and Quarter 3 (October to December 2010).
- 3.2 There is no separate Quarter 4 (January to March 2011) report, so the Quarter 4 figures will be included in the annual performance report for 2010/11, which will be brought to the Committee's October meeting, along with the Quarter 1 report (April to June 2011) and the wider ethical indicators statistical information. The Quarter 2 report (July to September 2011) will be brought to a later meeting of the Committee, after it has been considered by Management Board.

4.0 RECOMMENDATIONS

- 4.1 That Members note the contents of this report.

CAROLE DUNN

Assistant Chief Executive (Legal and Democratic Services) and Monitoring Officer

Background Documents:

None

County Hall
NORTHALLERTON

4 May 2011

NORTH YORKSHIRE COUNTY COUNCIL**MANAGEMENT BOARD****30 NOVEMBER 2010****COMPLIMENTS AND COMPLAINTS QUARTERLY REPORT****QUARTER 2 – JULY TO SEPTEMBER 2010****Introduction**

1. This is the second quarterly report on compliments and complaints this year and covers the period July to September 2010. It will not be going to Executive (which receives an annual report), but a report will also be presented to the Standards Committee.
2. Figures for the previous quarter and for the same quarter and total for last year have been included for comparison.
3. The percentage of upheld or partly upheld complaints and complaints dealt with over timescale shows us where problem areas may lie (Appendix 1 shows learning that has been identified to address issues arising). However, those complaints that are not upheld can still help us to improve services and should still be monitored.

Compliments Received

Compliments Received	Adult & Community	Business & Environment	Chief Executive	Children & Young People	Finance & Central	Total for year/quarter
Total 2009/10	852	792	62	60	72	1838
Quarter2 2009/10	217	214	16	10	20	477
Quarter1 2010/11	172	143	9	27	9	360
Quarter 2 2010/11	200	195	36	20	15	466

4. There has been some variation in figures this quarter, but no reason for this has been identified.

Complaints Received Stages 1 - 3

Complaints Received	Adult & Community	Business & Environment	Chief Executive	Children & Young People	Finance & Central	Total for year/quarter
Total 2009/10	278	179	21	106	9	593
Quarter 2 2009/10	51	41	7	16	2	117
Quarter 1 2010/11	69	38	5	30	4	146
Quarter 2 2010/11	60	53	9	32	2	156

- No single issue has been identified as having a significant number of complaints made against it. There is an overall increase compared with the same quarter last year.

Timescales

- A total of 124 (88%) complaints were completed within target timescale and 17 (12%) complaints took longer than the deadline set. Of these 12 were handled through the statutory procedure for Social Care complaints, which is noted for being generally of a more complex nature requiring specialist input and the involvement of other agencies and occasionally legal advice. The percentage completed within timescale has increased from 83% in the last quarter.
- It should be noted that under the new regulations for Adult Social Care complaints there is no fixed timescale, although internally target response times are in place. These vary dependent upon complexity and a deadline for full response is negotiated with the complainant in each case.
- Other reasons for delay include staff/complainant availability and complexity of complaint.
- When complaints do go over timescale complainants are kept fully informed in accordance with procedures.

Outcomes of Complaints by Directorate

Outcomes	ACS			BES			CEG			CYPS			FCS			TOTAL		
	U	PU	NU	U	PU	NU	U	PU	NU	U	PU	NU	U	PU	NU	U	PU	NU
Total 2009/10	53	41	175	50	9	120	5	2	13	18	33	36	1	3	5	127	88	349
Quarter 2 2009/10	20	7	22	18	1	23	1	1	2	2	8	4	0	1	1	41	18	52
Quarter 1 2010/11	16	11	42	12	1	24	1	2	4	5	10	25	4	0	0	38	24	95
Quarter 2 2010/11	10	19	30	8	1	38	3	1	3	6	8	12	0	1	1	27	30	84

U = Upheld PU = Partly Upheld NU = Not Upheld

- This quarter 19% of complaints were upheld, 21% were partly upheld and 60% were not upheld. Last quarter 24% were upheld, 15% were partly upheld and 61% were not upheld.
- Some complaints will be upheld, but we seek to learn from these and improve our services as a result. An overview of changes that have been made as a result of upheld or partly upheld complaints during quarter 1 are detailed in Appendix 1 'Overview of Learning Outcomes for Upheld or Partly Upheld Complaints'.

Reason for Complaint

Category	Poor Service			No Service			Delay in Service			Disagree decision/ policy			Staff Attitude		
	U	PU	NU	U	PU	NU	U	PU	NU	U	PU	NU	U	PU	NU
Total 2009/10	31	19	60	12	1	14	13	4	15	16	20	179	16	10	19
Quarter 2 2009/10	9	4	9	6	0	4	0	0	7	4	4	17	9	3	3
Quarter 1 2010/11	11	6	14	3	0	3	3	1	4	4	6	36	5	5	12
Quarter 2 2010/11	6	14	15	0	0	5	2	0	0	2	6	35	7	1	12

Category	Poor Communication			Premises			Service Users			Other			Total		
	U	PU	NU	U	PU	NU	U	PU	NU	U	PU	NU	U	PU	NU
Total 2009/10	30	28	20	2	1	11	3	1	3	4	4	28	127	88	349
Quarter 2 2009/10	9	5	3	0	0	0	3	1	1	1	1	8	41	18	52
Quarter 1 2010/11	4	5	10	4	1	1	1	0	3	3	0	12	38	24	95
Quarter 2 2010/11	4	7	9	2	0	0	2	0	2	2	2	6	27	30	84

U = Upheld PU = Partly Upheld NU = Not Upheld

12. This quarter 141 stage 1 - 3 complaints were completed. 43 (30%) of these fell in the Disagree with Decision/Policy category, 35 (25%) in Poor Service and 20 (14%) in both Staff Attitude and Poor Communications. Again Disagree with Decision/Policy and Poor Service are the top two categories.
13. 81% of those complaints in the Disagree with Decision/Policy category were not upheld. Once more this category received the most complaints, but the majority were not upheld.
14. 17% of 'Poor Service' complaints were upheld, 40% were partly upheld and 43% were not upheld. 35% of 'Staff Attitude' complaints were upheld, 5% were partly upheld and 60% were not upheld.
15. These complaints were spread across several service areas and no particular cause for concern has been identified.

Complaints Process

16. During the quarter 107 complaints (corporate or children's social care) were received at stage one, five at stage two and one at stage three. It can be seen that only a small percentage of complaints move on to stages 2 (formal Investigation) and 3 (review of investigation by Chief Executive). This is a reflection of the aims of the procedure.
17. In addition 38 adult social care complaints were received. The statutory procedure has no fixed stages (for the statistics at paragraph 5 all new complaints have been included as stage 1), but each complaint is evaluated

on an individual basis and a complaint resolution plan is agreed with each complainant outlining how the complaint will be addressed.

Ombudsman's Complaints

18. At 1st July 2010 eight Ombudsman complaints were already in progress and a further 17 were received during the quarter. Five complaints were still in train at the end of the quarter.
19. 20 complaints were decided upon: Five local settlements, five no maladministration, eight Ombudsman's discretion not to pursue the complaint and two outside the Ombudsman's jurisdiction.
20. The five local settlements were:
 - a. Delay in resolving a need for a suitable bath and delay in organising a visit to a mobility centre. £500 compensation for avoidable periods of delay.
 - b. Education admission appeal – incorrect information given to panel. Child's position on waiting list was discussed – a breach of the School Admissions Appeal Code. Rehearing already offered before receipt of Ombudsman complaint.
 - c. Education admission appeal – in process of selling house to move nearer school, offered school place but logistics of transport unmanageable, comments made by appeal panel – since appeal we had received evidence of change of address to within catchment. As this was viewed as a significant change of circumstances a rehearing was offered.
 - d. Education admission appeal – complainants claim application was made in time but not received by Council, issues over distance from home to school (shorter distance not recognised by system), panel requested further information re net capacity which was not received – as the panel did not receive the information they had requested a rehearing was offered.
 - e. Education admission appeal – misleading information from school governor, at appeal was intimated spaces kept spare for admissions throughout the year, head teacher's statement written in previous year – LGO said individual reasons for why child did not get a place was not considered at the panel, no reference in the notes as to how the panel satisfied itself that the oversubscription criteria had been applied correctly and the complainant was not provided with enough information on which to challenge whether the oversubscription criteria had been applied correctly at appeal – rehearing offered.
21. Of the twelve responses required (eight cases did not require a response) ten were made within the timescales set by the Ombudsman and two were overdue (both adult social care: one overdue by one calendar day and one by 15). The average response rate for all twelve responses was 14.8 days under the timescale given.

Learning from Complaints

22. Appendix 1 shows an overview of learning actions and outcomes from complaints that were upheld or partly upheld and for any complaints where the Ombudsman's decision was of Local Settlement.

Directors Involvement

23. At a recent Complaints Officer meeting an issue arose around Directors involvement in cases. **It would be helpful if stage one complaints are responded to by the service involved, not the director, even if the complainant has written to the director.** Otherwise problems can arise when identifying suitable people to respond should the complaint escalate to higher stages. We can be left in a situation where we have to refer it directly to the Chief Executive, which is simply not appropriate.

Conclusion

24. Complaints dealt with within our target of 20 working days have increased to 88% from 83% last quarter.
25. During the quarter 19% of complaints were fully upheld (24% last quarter), 21% were partly upheld (15% last quarter) and 60% were not upheld (61% last quarter).
26. The team of Directorate Complaints Coordinators continue to meet to share best practice.
27. A kick off meeting for the new case handling software specifically for compliments, comments and complaints took place on 22nd November 2010. Full system walkthroughs have been scheduled for early January and the planned go live date is 22nd April, although it is hoped that this may be a little earlier. It is expected that data will be input relating to cases from the beginning of the financial year so that a full year's information will be available.

Amanda Fry
Staff Officer to the Chief Executive
County Hall
NORTHALLERTON

25 November 2010

Overview of Learning Outcomes for Upheld Complaints
Quarter 2: July – September 2010

STAGE 1 COMPLAINTS		
Directorate	Description	Learning Outcome
ACS Community	Library inadvertently being used to promote political view of the green party through save the bus service leaflets	Leaflet withdrawn and councillor contacted to establish how he might like to promote the campaign in a politically 'neutral' way.
	2 complaints re behaviour of teenagers	All members of staff aware of duty to deal appropriately with any unacceptable behaviour
	Pot holes in the car park	This has been reported
	Member of the public continually parking outside premises	A note has been left on the vehicle and the activity has ceased but will be monitored
	Unacceptable behaviour exhibited while registering a birth	General Manager has discussed with parties involved and has been satisfactorily resolved
	Attitude of member of staff to neighbouring business	Conduct of member of staff concerned is being dealt with according to internal procedures
ACS Social Care	Delay in arranging alternate placement	Explanation and further discussion re delay. New worker allocated
	Case management	Re-enforcement of procedures and roles. Improved care planning
	Confidentiality	Apology
	Disagrees with care plan	Explanation and further guidance provided. Apology
	Case management	Assessment agreed. New worker allocated
	Charges and communication	Explanation and waiver of charges
	Staff attitude	New worker allocated
	Invoices for care package	Explanation of charges
	Quality of care	Apology and review
	Delay in invoicing	Apology and payment plan agreed
	Lack of support	Explanation and apology
	Quality of service	Apology and review of arrangements
	Quality of service	Review of arrangements
	Case management	Explanation and apology
	Changes to care arrangements	Explanation and alternative arrangements made
	Disagrees with assessment	Apology for delay an reassessment
	Poor communication	Apology and review of procedures
	Communication re level of service	Apology and explanation of actions
	Delay in funding	Apology and payment made
	Case management	Explanation, apology and meeting to discuss ongoing concerns
Communication with staff	Communication plan agreed	
Case transfer	Apology and explanation	
BES	Road works – lack of communication and attitude of staff	Earlier notification of works. Letter to be sent to local businesses/residents same time as advance notification signs erected. Improvements to letter to be made – nature of planned works, start date, duration, relevant contact, team responsible for works management.
	Defective column – cut down causing footpath hazard for approx 6 months, yet other working columns replaced in meantime. Claims to have sent numerous emails.	Ensure customers are updated on progress of fault repairs more effectively.
	Maintenance of the park & ride bus stop. Sliding door frame damaged – caught on trousers and caused to fall, damaging trousers. Also asked for claim forms.	Reporting mechanism in place for cleaners to inform of any defects

	Work to allow parking restriction enforcement - Police put out cones but little work done – said cones could not be removed. Disruption, loss of passing trade. Allegedly phoned – no one rang back (call not found on Lagan).	Closer monitoring of BBW
BES continued	Contractors damaged front of property, (hedge) and since raising complaint in July has received most appalling customer service. Was advised certain individuals would contact him by certain times - not happened	Communication with public must be through NYCC not sub-contractor
	Traveline’s journey checker informed that there are bus stops in either direction directly outside the railway station on the A59. However, no bus stops there or anywhere before Skipton.	Update information to ensure accuracy.
	Re-tendered home to school contract without giving regular taxi driver (sub contracted from the contract holder, who did not wish to re-tender) for son (diagnosed Autistic Spectrum resulting in complex anxiety issues). Inaccuracies in information given in telephone conversations and inaccessibility of member of staff that was supposed to be dealing with issue.	Review current system already in place, to inform of changes as soon as possible.
	Went to HWRC to dispose of items including tumble dryer. Asked operative where to put it – pointed, said "over there". Site not busy – operative did not offer assistance – pumping up tyres on bicycle near office.	Member of staff in question received a verbal warning and reminded of conduct expected.
	HWRC – workers acting drunk, playing loud music, being stupid, very unhelpful, staggering around, one on top of a skip pretending to play golf, wearing silly big chains around necks and one in office putting different hats on.	This site will be monitored closely and we will explore the possibility of mystery shoppers.
CEG	Application for blue badge not followed up, current badge now expired	Apology. Technical issue with electronic application – being investigated. New badge issued.
	Lack of response to letter of complaint – refused blue badge	Apology. Procedures reviewed.
	Time taken for social care calls to be answered, CSC	Apology. High volume of calls that day. Working to amend procedures to make most of resources.
	Education admissions appeal – incorrect info given to panel (also LGO complaint)	The Admissions and Appeals teams have reviewed these cases and taken learning points from them to better inform future practice.
CYPS Social Care	1. Attitude of DSM - complainant did not feel listened to 2. Unhappy re decision returning foster child to residential special school.	1. Apology. 2. Decision in conjunction with educational colleagues – joint response acknowledges some past confusions. Annual Review started in process of planning foster son's move towards main stream education.
	How SW is managing adoption of niece.	Contact arrangements advised – SW approach to potential family adopters through aunt with hindsight should have been done differently.
	Special needs holiday provision for daughter with severe and complex needs not available this summer holiday. Parent believes eligibility criteria not changed. Parent not given adequate explanation about cessation. No other provision available.	Appropriate provision provided locally along with an induction process for introduction of key worker + transport provided. Apology for late information about summer programme.

	Concerned that young person in a private fostering arrangement is 'at risk' and that she requires help now.	Service manager acknowledged that if child had been designated Child in Need plus the Private Foster Carers being treated as LA Foster Carers (as happens in other counties) would have been better access to relevant support
	Disagrees with SW report alleging son's current problems caused by mum's parenting and mental health problems. Not the case - problems are deeply ingrained from pre-adoption early life experiences and wants report changing.	Advised that court report isn't to be changed yet, however agreement between complainant and YJS that in future, reports to Probation Service will include that son's problems are deeply ingrained from pre-adoption early life experiences and not caused by mum's parenting and mental health problems.
	Request for daughter's social worker not to be changed – strong bond and if changed, will cause her more confusion and distress within her troubled life.	Change of SW postponed but then work on gradual transfer of responsibility of SWs to enable positive transition.
CYPS Other	Decision of placing a young person in a quiet neighbourhood is inappropriate and potentially damaging.	Young person re-housed therefore the issue for the neighbour was removed.
	HR staff and the handling of sensitive issue	Complainant advised issue was a very sensitive case and the handling of it was correct. However lessons to be learnt - appointing investigating officer earlier in the process and training for governing body and staff - is to be looked into and events put into place for the next academic year when governing body and staff will be invited to attend.
	1. Alleges that Ed Psy not prepared report necessary for statement of SEN for her son 2. Ed Psy did not attend meeting or send apologies 3. Not kept informed about what was/wasn't happening	Apologies given and help offered to go forward.
	Unhappy with racist remarks made by School Improvement Partner.	Apologies given and hopefully can be put in the past to help school move forward.
	Conduct of a member of staff during interview	Selection process/interview procedures to be looked into so same situation cannot reoccur.
FCS	Trying to reclaim £150 grant money to mother's estate. Corresponded numerous times – no response. Delays: 2 unsuccessful BACS payments, cheque to previous address.	Urgent cheque raised and sent to address stated on complaint. Lessons learnt – when a person under our care dies, the responsible care worker needs to ensure any monies due to that person are properly accounted for, with particular reference to ensuring any legitimate outstanding debts are made to the estate of the deceased.

STAGE 2 COMPLAINTS

Directorate	Description	Learning Outcome
CYPS Social Care	Difficulties in securing short break respite care	A number of issues investigated – the common theme is need better working together to assess situations.
CYPS Other	Communication issues with member of NYCC staff.	Advised that NYCC member of staff was correct in dealing with issues, however communications could be better.

STAGE 3 COMPLAINTS

Directorate	Description	Learning Outcome
None		

OMBUDSMAN COMPLAINTS

Directorate	Description	Decision	Learning Outcome
ACS Social Care	Delay in resolving a need for a suitable bath and delay in organising a visit to a mobility centre.	Local Settlement	Apology. Issues revisited with team, reminded of necessity of prompt action.
CEG	Four complaints about education admission appeals detailed above	Local Settlement	The Admissions and Appeals teams have reviewed these cases and taken learning points from them to better inform future practice.

NORTH YORKSHIRE COUNTY COUNCIL**MANAGEMENT BOARD****8 FEBRUARY 2011****COMPLIMENTS AND COMPLAINTS QUARTERLY REPORT****QUARTER 3 – OCTOBER TO DECEMBER 2010****Introduction**

1. This is the third quarterly report on compliments and complaints this year, covering the period October to December 2010. A report will also be presented to the Standards Committee.
2. Figures for the previous quarter and for the same quarter and total for last year have been included for comparison.
3. The percentage of upheld or partly upheld complaints and complaints dealt with over timescale shows us where problem areas may lie (Appendix 1 shows learning that has been identified to address issues arising). However, those complaints that are not upheld can still help us to improve services and should still be monitored.

Compliments Received

Compliments Received	Adult & Community	Business & Environment	Chief Executive	Children & Young People	Finance & Central	Total for year/quarter
Total 2009/10	852	792	62	60	72	1838
Quarter3 2009/10	222	154	20	17	32	387
Quarter1 2010/11	172	143	9	27	9	360
Quarter 2 2010/11	200	195	36	20	15	466
Quarter 3 2010/11	114	245	99	7	25	490

4. There has been some delay in recording compliments in ACS due to staff capacity, so numbers appear lower than they should be.
5. There has been a consistent increase in the numbers of compliments received in BES. No particular reason has been identified for this trend. It has been noted however, that a greater number of compliments were received for the Council's winter maintenance work during the recent bad weather than is usual.
6. The Customer Service Centre has recorded an increasing number of compliments over the last two quarters. This is due to a change in procedure; compliments and complaints are now captured on Lagan. At the end of each call the advisor is now prompted to ask for feedback on the call, which has resulted in a greater number of compliments recorded.

Complaints Received Stages 1 - 3

Complaints Received	Adult & Community	Business & Environment	Chief Executive	Children & Young People	Finance & Central	Total for year/quarter
Total 2009/10	278	179	21	106	9	593
Quarter 3 2009/10	86	34	2	23	3	148
Quarter 1 2010/11	69	38	5	30	4	146
Quarter 2 2010/11	60	53	9	32	2	156
Quarter 3 2010/11	57	38	4	44	5	148

7. No single issue has been identified as having a significant number of complaints made against it; there are no areas of particular concern.

Timescales

8. A total of 110 (79%) complaints were completed within target timescale and 29 (21%) complaints took longer than the deadline set. Of these 24 were handled through the statutory procedures for Social Care complaints, which are noted for being generally of a more complex nature requiring specialist input and the involvement of other agencies and occasionally legal advice. The percentage completed within timescale has increased from 88% in the last quarter.
9. It should be noted that under the new regulations for Adult Social Care complaints there is no fixed timescale, although internally target response times are in place. These vary dependent upon complexity and a deadline for full response is negotiated with the complainant in each case.
10. Other reasons for delay include staff/complainant availability and complexity of complaint.
11. When complaints do go over timescale complainants are kept fully informed in accordance with procedures.

Outcomes of Complaints by Directorate

Outcomes	ACS			BES			CEG			CYPS			FCS			TOTAL		
	U	PU	NU	U	PU	NU	U	PU	NU	U	PU	NU	U	PU	NU	U	PU	NU
Total 2009/10	53	41	175	50	9	120	5	2	13	18	33	36	1	3	5	127	88	349
Quarter 3 2009/10	10	6	66	5	3	31	2	0	4	5	6	9	0	1	2	22	16	112
Quarter 1 2010/11	16	11	42	12	1	24	1	2	4	5	10	25	4	0	0	38	24	95
Quarter 2 2010/11	10	19	30	8	1	38	3	1	3	6	8	12	0	1	1	27	30	84
Quarter 3 2010/11	10	14	27	12	0	32	0	2	2	5	12	20	2	1	0	29	29	81

U = Upheld PU = Partly Upheld NU = Not Upheld

12. This quarter 21% of complaints were upheld, 21% were partly upheld and 58% were not upheld. Last quarter 19% were upheld, 21% were partly upheld and 60% were not upheld.
13. Some complaints will be upheld, but we seek to learn from these and improve our services as a result. An overview of changes that have been made as a result of upheld or partly upheld complaints during quarter 1 are detailed in Appendix 1 'Overview of Learning Outcomes for Upheld or Partly Upheld Complaints'.

Reason for Complaint

Category	Poor Service			No Service			Delay in Service			Disagree decision/ policy			Staff Attitude		
	U	PU	NU	U	PU	NU	U	PU	NU	U	PU	NU	U	PU	NU
Total 2009/10	31	19	60	12	1	14	13	4	15	16	20	179	16	10	19
Quarter 3 2009/10	6	2	2	1	0	5	3	1	2	3	3	66	1	1	5
Quarter 1 2010/11	11	6	14	3	0	3	3	1	4	4	6	36	5	5	12
Quarter 2 2010/11	6	14	15	0	0	5	2	0	0	2	6	35	7	1	12
Quarter 2 2010/11	4	8	15	0	1	2	4	1	3	6	9	34	6	5	10

Category	Poor Communication			Premises			Service Users			Other			Total		
	U	PU	NU	U	PU	NU	U	PU	NU	U	PU	NU	U	PU	NU
Total 2009/10	30	28	20	2	1	11	3	1	3	4	4	28	127	88	349
Quarter 3 2009/10	5	8	6	2	1	3	0	0	2	1	0	2	22	16	112
Quarter 1 2010/11	4	5	10	4	1	1	1	0	3	3	0	12	38	24	95
Quarter 2 2010/11	4	7	9	2	0	0	2	0	2	2	2	6	27	30	84
Quarter 3 2010/11	9	4	5	0	1	0	0	0	0	0	0	12	29	29	81

U = Upheld PU = Partly Upheld NU = Not Upheld

14. This quarter 139 stage 1 - 3 complaints were completed. 49 (35%) of these fell in the Disagree with Decision/Policy category, 27 (19%) in Poor Service, 21 (15%) in Staff Attitude and 18 (13%) Poor Communications. Again Disagree with Decision/Policy and Poor Service are the top two categories.
15. 69% of those complaints in the Disagree with Decision/Policy category were not upheld. Once more this category received the most complaints, but the majority were not upheld.
16. 15% of 'Poor Service' complaints were upheld, 30% were partly upheld and 55% were not upheld. 29% of 'Staff Attitude' complaints were upheld, 24% were partly upheld and 48% were not upheld.

17. These complaints were spread across several service areas and no particular cause for concern has been identified.
18. When the new recording system is in place we will be able to analyse the root cause of complaints more effectively and the information available will hopefully become more meaningful.

Complaints Process

19. During the quarter 85 complaints (corporate or children's social care) were received at stage one, thirteen at stage two and seven at stage three. It can be seen that only a small percentage of complaints move on to stages 2 (formal Investigation) and 3 (review of investigation by Chief Executive), which is a reflection of the aims of the procedure.
20. In addition 43 adult social care complaints were received. The statutory procedure has no fixed stages (for the statistics at paragraph 5 all new complaints have been included as stage 1), but each complaint is evaluated on an individual basis and a complaint resolution plan is agreed with each complainant outlining how the complaint will be addressed.

Ombudsman's Complaints

21. At 1st October 2010 five Ombudsman complaints were already in progress and a further ten were received during the quarter. Eight complaints were still in train at the end of the quarter.
22. Seven complaints were decided upon: Three local settlements, two no maladministration, one Ombudsman's discretion not to pursue the complaint and one outside the Ombudsman's jurisdiction.
23. The three local settlements were:
 - a. *Adult Social Care*. Various issues around care of mother including: the Council could have done more to reassure the complainant that, when his mother was ready of discharge, the appropriate care package would be in place; and the length of time taken to deal with the request for direct payments.
Apology given.
 - b. *Adult Social Care*. The way the Council went about investigating alleged financial irregularities in the client's management of his direct payment and the time and trouble/distress experienced as a result of pursuing this complaint.
£2,000 to service user for loss of care
£250 to complainant and £1,000 to service user for time and trouble.
 - c. *Education admission appeal*. Failed to identify, and therefore measure, suitable walking route between home and school (complainant identified a shorter route). Written statement for the appeal hearing should have included adequate details of how distance criteria were applied to appellant's application compared to those offered a place. Absence of head-teacher's report and inadequacies of Clerk's notes. Place at school offered.

24. Of the six responses required (one case did not require a response) four were made within the timescales set by the Ombudsman and two were overdue (both adult social care: both overdue by one calendar day). The average response rate for all six responses was 4.5 days under the timescale given.

Learning from Complaints

25. Appendix 1 shows an overview of learning actions and outcomes from complaints that were upheld or partly upheld and for any complaints where the Ombudsman's decision was of Local Settlement.

Conclusion

26. Complaints dealt with within our target of 20 working days have decreased to 79% from 88% last quarter.
27. During the quarter 21% of complaints were fully upheld (19% last quarter), 21% were partly upheld (21% last quarter) and 58% were not upheld (60% last quarter).
28. The team of Directorate Complaints Coordinators continue to meet to share best practice.
29. Configuration for the new case handling software specifically for compliments, comments and complaints is currently underway. Full system walkthroughs took place in January and work is ongoing to ensure that the system fits our structural, reporting and workflow requirements. The planned go live date is now 13th May, which is a little later than planned due to the complexity of information requested within a very short time period. It is expected that data will be backdated relating to cases from the beginning of the financial year so that a full year's information will be available.

Amanda Fry
Staff Officer to the Chief Executive
County Hall
NORTHALLERTON

3rd February 2011

Overview of Learning Outcomes for Upheld Complaints
Quarter 3: October – December 2010

STAGE 1 COMPLAINTS		
Directorate	Description	Learning Outcome
ACS Community	Staff attitude and actions	Apology. Issues discussed with staff
	Daughter almost locked in library at closing time after staff advised she had left	Apology. Importance of checking building re-iterated with staff. Given contact member of staff for next visit.
	Staff attitude	Apology. Issue raised with staff
	Food odour in library	Apology. Re-inforced to staff that strong smelling foods should not be consumed on the premises
ACS Social Care	Lack of service	Explanation and apology
	Quality of service and communication	Explanation, acknowledgement, assurance of service improvements.
	Unhappy with case management	Review of case. Apology for delay
	Disagrees with assessment	Reassessment and permanent placement agreed
	Disagrees with decision re funding	Review and funding agreed
	Missed calls	Referred to provider for service improvements. Considered under safeguarding
	Quality of care	Action plan and further monitoring
	Unhappy with case management	Apology for delay and poor communication
	Incorrect information	Apology. Correct information sent
	Disagrees with charging arrangements	Review and clarification of charges. Refund
	Delay in carers assessment	Apology. Assessment completed
	Quality of service and charges	Apology. Explanation of policy and re-assessment
	Staff attitude	Apology. Review of actions with worker
	Communication issues	Apology. Review of actions with staff
	Charges for residential placement	Review and new charges agreed
	Unhappy with actions of staff	Apology. Explanation and ongoing support
	Delay in service	Apology. Explanation of process and assessment arranged
	Staff attitude	Apology and review of case
	Quality of service	Apology. Explanation and clarification of practice
Quality of service	Apology for delay and explanation of actions taken	
BES	Lack of weeding	More site visits to ensure contractor has made additions to schedule as promised.
	Ongoing highway repairs. Highways department not sought to contact local residents directly explaining work to be undertaken/length of time road expected to be closed.	Better communication with residents if and when any delays happen.
	Delay in filling Potholes	Delay in initial Package Orders being completed. Situation now improving
	Lack of contact re problem with credit agencies	Ensure complainant fully aware that we think case is closed. Follow up in writing.
	Out of date/inaccurate information to the general public	List had not been updated for considerable time so upheld, however, given present resources the list cannot be updated as regularly as complainant wishes.
	Uncertainty/poor communications re home to school transport	Procedures reviewed to ensure better service in future.
	Compliance Assistant – incident at Primary School – staff attitude	Staff reminded of the need to act professionally when dealing with members of the public.

APPENDIX 1

BES continued	Taxi operators used to access College	Staff reminded of the need to ensure good communications with clients at all times.
	NYCC driver overheard discussing untrue rumours	Staff reminded of the need for discretion.
	Member of staff at HWRC unhelpful and rude	Customer care training planned for January 2011
	2 complaints re member of staff at HWRC rude	Customer care training planned for January 2011
CEG	Calls ignored and cut off twice	Potential technical problem being pursued. Staff reminded of correct use of 'busy' codes
	Failure to identify location and then issue of case, so forwarded to another authority in error twice	Apology.
CYPS Social Care	Unhappy hasn't been allocated a Personal Advisor. Finds it hard to be normal 18 yr old when has to live in a children's home - wants to be able to find other suitable accommodation with help of PA.	1. Allocation of a local PA to assist to find suitable accommodation in the local area. 2. Complainant did have PA allocated to her from another office but due to distance, was more difficult to provide the service the complainant needed.
	Case conference moved to following week - complainant took original date off work and assigned solicitor to accompany her.	Advised had to be rescheduled due to staff development day. However as a gesture of goodwill, complainant asked to make contact with Service Manager in order to discuss any hardship experienced due to loss of earnings on the day in question.
	Disagrees with decision that daughter needs to be reviewed every 6-8 weeks when development is limited and extremely slow. Wishes to keep review at the current - every 6 months. SW's visit questioning and intrusive. SW unprofessional.	Explanation given for visit frequency. Apologies if felt visit intrusive. Alleged unprofessional approach checked during supervision.
	Incorrect information between complainant and SW – issues relating to a risk assessment after incident with child's uncle.	Several errors acknowledged. Apologies and corrections.
	Doesn't want to be in b & b. Does not get same money to live on as another person in same situation in another part of the county. Has no phone	Complainant previously turned down a foster placement but staff working to find secure private rented accommodation for him & brother Amended weekly living costs in line with other person in similar situation No mobile phones provided
	No quality time with parents - middle child with two other siblings, both with profound difficulties and challenging behaviours.	Explanation given that more short breaks to be available for the disabled and further answers given to complainant's questions.
	Contents of initial assessment report by SW – request information retracted.	Some of the views on the initial assessment were reports from other professionals.
	Concerns surrounding incorrect placement	Advised complainant was consulted about placement outside of approval however when approached by Emergency Duty Team in an emergency situation, this was unacceptable.
	Contents of notes of emergency meeting - either incorrect, things noted that are out of context and have important points omitted.	Notes had been sent out before checked and amended. Apologies for any distressed caused.
	Recent contact session, feels FSW is trying to take her children away from her and she cannot work with him any more.	Advised that staff were right to end the recent contact session, however in future staff will try to inform complainant away from the children and not in front of them.
Disagrees with timescales to conclude his first complaint	Conclusion of first complaint cannot be completed as awaiting result of police investigation	
Funding for therapy for son has been cut. Recommendation by S2 report that funding for therapy be allowed.	Apologies for delay in sorting out – funding secured.	

CYPS Other	Recent curriculum review undertaken by officers of CYPS	Apologies for review team not having enough time to read additional information however outcome not a criticism of the school but areas for possible improvement or for re-examination of systems and practices.
FCS	Dissatisfied with procurement process. Asked questions which haven't been answered - not able to participate in tender process.	Progressed to Stage 2 - still ongoing at quarter end.
	Online complaints & commendations form timing out without warning and therefore losing his complaint.	Warning added to form. Ensure points taken into consideration with the functionality of the new complaints system
	Remittance advice emailed out displaying bank account details without permission.	Complainant had opted into email notification process. Future upgrade of system may mean part of the information is replaced by stars – this is being looked into.

STAGE 2 COMPLAINTS

Directorate	Description	Learning Outcome
CYPS Social Care	Lack of contact and consideration of request to increase contact. Lack of communication	Advised complainant's children placed in 'permanent care' - contact would become less frequent with birth family so children didn't get upset or confused when with new family. Apologises given if incorrect information had been received.
CYPS Other	Clarity as to who can be present at contact times. Why cannot clear information be provided? Unhappy that contact sessions reduced which enabled them to see grandchildren.	Apologies given for actions of workers if added to lack of clarity, even if people thought they were clear, there did remain some doubt about whether there was agreement. Contact session dates to be agreed in advance so everyone aware of when going to happen.
	Requested to be part of supervised contact so can do things as family but been denied. Would like to know why.	Information should have been clearer about CSC position towards complainant's request at outset. As no plan for rehabilitation of children to complainant's partner and placement remains permanent, no basis to introduce a new adult to their contact. No proposal to assess complainant to become part of children's contact and would not envisage this changing. Contact is primarily about maintenance of children's family identity and not about widening of birth family network.
	Disagrees with proposal to close down Ingleton Middle School and Settle Middle School.	Was a lack of responses from officers, however with multiple distributions and volume of emails sent by complainant, it was difficult to source who should be replying to which part.

STAGE 3 COMPLAINTS

Directorate	Description	Learning Outcome
None		

OMBUDSMAN COMPLAINTS

Directorate	Description	Decision	Learning Outcome
ACS Social Care	Various issues around care of mother including: reassure appropriate care package in place on discharge; and length of time taken to deal with direct payments request	Local Settlement	Apology
	Way investigated alleged financial irregularities in client's management of direct payment. Time and trouble/distress experienced as a result of pursuing this complaint.	Local Settlement	£2,000 to service user for loss of care £250 to complainant and £1,000 to service user for time and trouble.
CEG	Education admission appeal. Failings in procedure.		Place at school offered