

AGENDA MANAGEMENT SHEET

Name of Committee **Adult & Community Welfare Overview & Scrutiny Committee**

Date of Committee **22 November 2005**

Report Title **Annual Report on Representations & Complaints April 2004 to March 2005**

Summary This report comments on the operation and effectiveness of Warwickshire Social Services complaints and representations procedures over the last financial year, in compliance with the requirements of the Children Act 1989 and the NHS & Community Care Act 1990. It also outlines plans for improvements.

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No.

Would the recommendation decision be contrary to the Budget and Policy Framework? [please identify relevant plan/budget provision]

Background papers Annual Report 2003-2004

CONSULTATION ALREADY UNDERTAKEN:-

Details to be specified

- | | | |
|-----------------------|-------------------------------------|--|
| Other Committees | <input type="checkbox"/> | |
| Local Member(s) | <input type="checkbox"/> | |
| Other Elected Members | <input type="checkbox"/> | |
| Cabinet Member | <input checked="" type="checkbox"/> | Cllr Colin Hayfield, Adult and Community Services Portfolio Holder |
| Chief Executive | <input type="checkbox"/> | |
| Legal | <input checked="" type="checkbox"/> | Victoria Gould, Legal Services |
| Finance | <input type="checkbox"/> | |

- Other Chief Officers ☐
- District Councils ☐
- Health Authority ☐
- Police ☐
- Other Bodies/Individuals ☐

FINAL DECISION Yes

SUGGESTED NEXT STEPS:

Details to be specified

- Further consideration by this Committee ☐
- To Council ☐
- To Cabinet ☐
- To an O & S Committee ☐
- To an Area Committee ☐
- Further Consultation ☐

**Adult & Community Welfare Overview & Scrutiny
Committee - 22 November 2005**

**Annual Report on Representations & Complaints
April 2004 to March 2005**

Report of the Director of Social Care and Health

Recommendation

Committee Members are asked to note the report.

1. Introduction

Authorities are required to monitor the operation and effectiveness of their complaints procedure, and provide Members and senior officers with regular anonymised information about the numbers and types of complaint received, the time taken to deal with them and their outcome. This information should be used as a measure of performance and a means of quality control.

The management of the procedures is the responsibility of the Designated Complaints Officer as required within the NHS and community care Act 1991, the Children Act 1989, and the Leaving Care (Children) Act 2000.

2. Performance

Details of this Department's performance over the last financial year are attached in the Annual Report 2004-2005. Key points to note are:

- Warwickshire Social Services consistently receive high numbers of compliments (547 this year), and this compares favourably with the reported performance of other local authority Social Services departments, and with other departments within Warwickshire County Council.
- Our customer satisfaction survey with the complaints process shows an improving satisfaction trend in all 5 areas: did people feel kept informed, were staff handling the complaint polite, did the response answer their questions, was it clear, and were they pleased with the outcome. Particularly good performance was achieved in 3 of these areas – complainants feel their complaints are dealt with in a way which is polite and clear, and answers their questions, and that they are kept informed of the progress of their complaint.

- 94% of all complaints are resolved locally at Stage 1 of the procedure. This compares well with other local authorities.
- Based on the number of people receiving services from social services, the number of complaints received indicates a dis-satisfaction rate of 0.8%.
- Whilst we have maintained the number of complaints being registered, we are still reporting relatively low numbers of complaints compared with other local authorities within our Audit Family, and compared with the 5.6% dis-satisfaction rate reported by users of social services in the Public Satisfaction Survey 2004/5. This may indicate that further work needs to be done to ensure service users know how to use the representations and complaints procedure, and are helped to use it.
- Improvement noted last year in timescale compliance has been maintained, and analysis shows that difficulties most often occur in complaints about childrens services, reflecting the complexity of the complaints activity in this area. This will provide a focus for improvement activity over the coming year.

3. The National Complaints Context

As Committee is aware, we have been waiting now for a considerable time for detailed information from the Department of Health regarding the forthcoming changes likely to the complaints procedures, based on the changes in the Health and Social Care (Community Health and Standards) Act 2003. Our latest information suggests that there is likely to be separate guidance in relation to children and adult services complaints procedures from DofH and DFES, and from CSCI re the probable movement of Review Panels across to them. However, we do not have any information about when this is likely to be available, or when changes will be implemented from.

4. Action Plan 2004 - 2005

The key areas we will be focusing on in the coming year are:

- Responding to the new guidelines anticipated from the Department of Health, the Department for Education and Skills, and the Commission for Social Care Inspection, ensuring suitable implementation plans are in place, training advice and support for staff, and new information and advice for complainants.
- Contributing to the broader change agenda, both within the department, within the Council, and within social care.
- Developing and strengthening arrangements for collaborating and co-ordinating responses to complaints with partner agencies, and in particular Education, Health and Commission for Social Care Inspection complaint professionals

- Further developing our conciliation service, promoting a problem solving approach and placing initial focus within childrens services
- Focusing on improving timescale compliance in childrens services
- Reviewing accessibility and use of complaints service for people receiving support with mental health problems
- Ensuring processes, procedures and improvement plans are robust and transportable into new organisational and partner agency structures.

Marion Davis
Director of Social Care & Health

Shire Hall
Warwick
November 2005

CUSTOMER RELATIONS TEAM

**Annual Report
Representations & Complaints
April 2004 to March 2005**

Karen Smith
Customer Relations Manager
September 2005

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Executive Summary

- ♦ Warwickshire Social Services consistently receive high numbers of compliments (547 this year), and this compares favourably with the reported performance of other local authority Social Services departments, and with other departments within Warwickshire County Council.
- ♦ Our customer satisfaction survey with the complaints process shows an improving satisfaction trend in all 5 areas, and particularly good performance in 3 of these areas – complainants feel their complaints are dealt with in a way which is polite and clear, and answers their questions, and that they are kept informed of the progress of their complaint.
- ♦ 94% of all complaints are resolved locally at Stage 1 of the procedure. This compares well with other local authorities.
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- ♦ Improvement noted last year in timescale compliance has been maintained, and analysis shows that difficulties most often occur in complaints about children's services, reflecting the complexity of the complaints activity in this area. This will provide a focus for improvement activity over the coming year.

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- ♦ Developing and strengthening arrangements for collaborating and co-ordinating responses to complaints with partner agencies, and in particular Education, Health and Commission for Social Care Inspection complaint professionals
- ♦ Further developing our conciliation service, promoting a problem solving approach and placing initial focus within children's services
- ♦ Focusing on improving timescale compliance in children's services
- ♦ Reviewing accessibility and use of complaints service for people receiving support with mental health problems
- ♦ Ensuring processes, procedures and improvement plans are robust and transportable into new organisational and partner agency structures.

Introduction

We must, by law, have an effective Representations and Complaints Procedure. The Children Act 1989, Leaving Care (Children) Act 2000 and the National Health and Community Care Act 1991 all say that service users, or those acting on their behalf, should have the right to express a view concerning services offered, provided, or not provided by Social Services. The procedure should be accessible to all sections of the community, robust in meeting timescales and in attempting to solve problems as close to where they happened as possible. We must, by law, produce an annual report to tell Members about how the representations and complaints procedure has been used.

Representations are any comments made about the availability, delivery and nature of services provided by us to individuals or groups. They are not just criticisms. We seek out and welcome this information – it is important to know when customers are pleased with the services they receive, to look at the suggestions for service improvement they put forward, and to try to resolve any problems they experience.

We encourage all staff to respond quickly and clearly to any concerns that are raised by individuals or groups. However, it may not always be possible to sort out problems in this way. Sometimes a more detailed investigation may be required. This report explains the different stages of the representations and complaints procedures and how they are managed. The statistics we have used are based on the information we have been given by teams and units across the department.

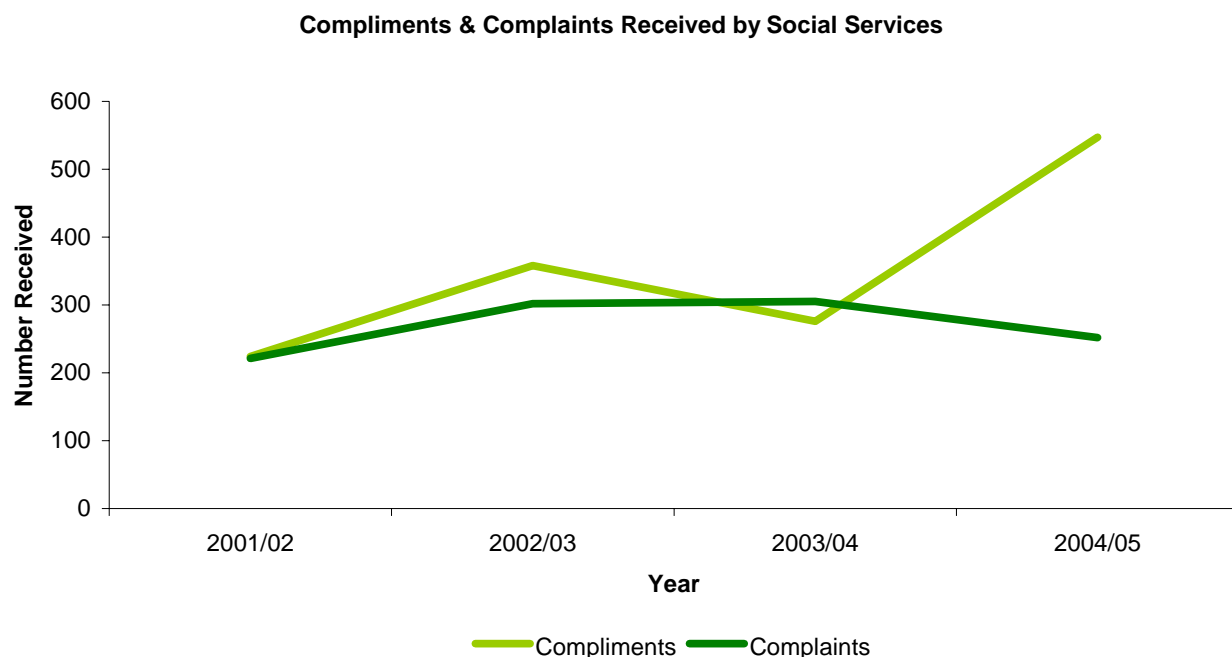
Our annual report includes information about how Warwickshire social services compare with other departments within this local authority, with other local authority social services departments, with reported levels of customer satisfaction with social services in Warwickshire, and the volume and range of services being provided by social services. We have used the following data to provide this: -

- ♦ The Annual Review of Corporate Complaints July 2005
- ♦ Data obtained from Complaints Officers within our Audit Commission Family
- ♦ The Warwickshire Public Satisfaction Survey 2004/5
- ♦ Current volume of social services activity information provided by Adult and Childrens Planning Teams

NB: Our Audit Commission Family are those Authorities who are considered to match us most closely with similar demographic, geographic, and economic profiles. Of these, Worcestershire is commonly considered to be the most similar.

Compliments

Lots of people take the time and trouble to tell us that they are very happy with the services and support they receive. Warwickshire Social Services is rightly proud of its consistent record of receiving high numbers of compliments. This year the number of compliments we were able to register was 547. We encourage staff to tell us when they receive compliments – but staff feel shy about “blowing their own trumpets”. However, unless we capture this information, we are not giving Members and the public a full and fair picture of what the people who use our services really think of us.



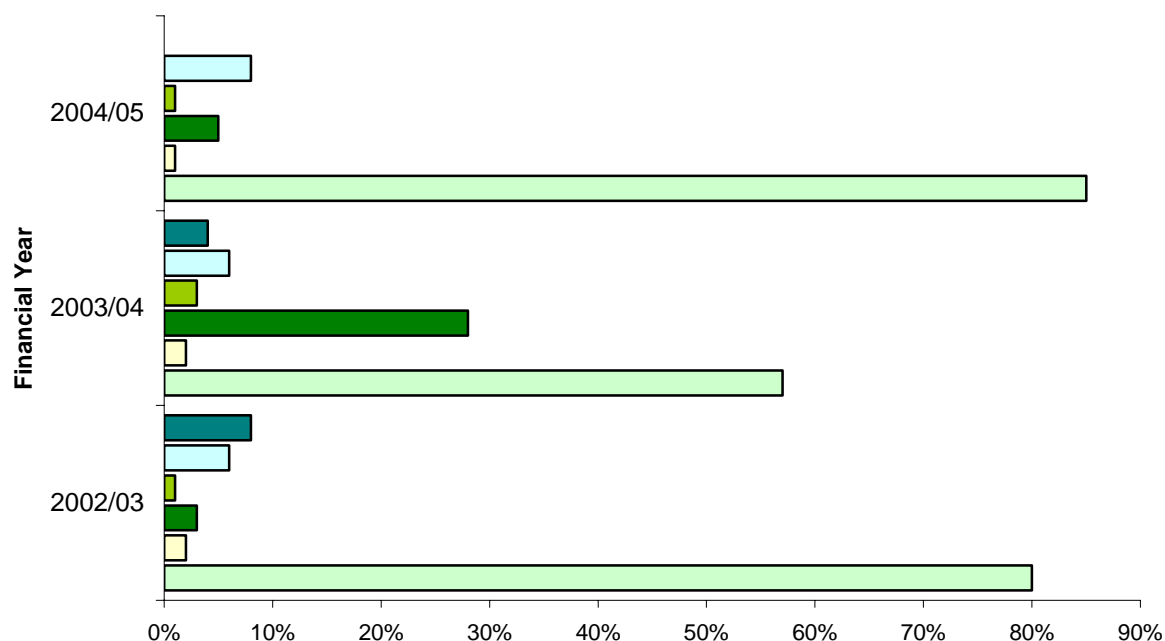
This graph demonstrates that we consistently receive higher levels of compliments than complaints.

Compliments are most common in services where there is a lot of daily contact with service users and their families and friends – 85% of the compliments we received are about services for older people (see graph overleaf). 26% of compliments are about our in house residential care services for older people, 29% about our in house home care services, and 32% about the support from social work teams for older people.

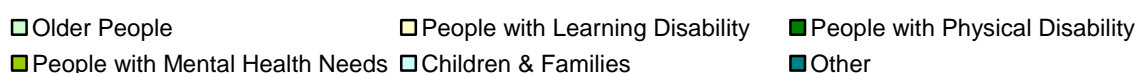
Our data shows there is increasing satisfaction with both the helpfulness of staff and the helpfulness of services. (See graph overleaf)

All staff whom we receive compliments about are told and congratulated by their Line Manager. We have nominated North Warwickshire Home Care Team for a Customer Focus Award in Warwickshire Social Services Diamond Awards for Excellence 2005, because of their consistently high levels of compliments over the last 12 months.

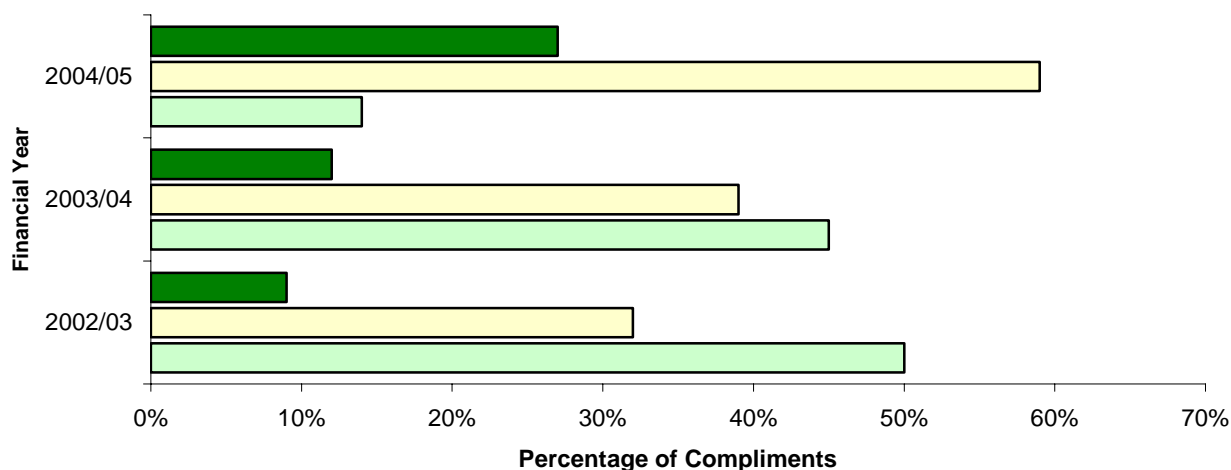
Who the Compliments Came From



Percentage of Compliments



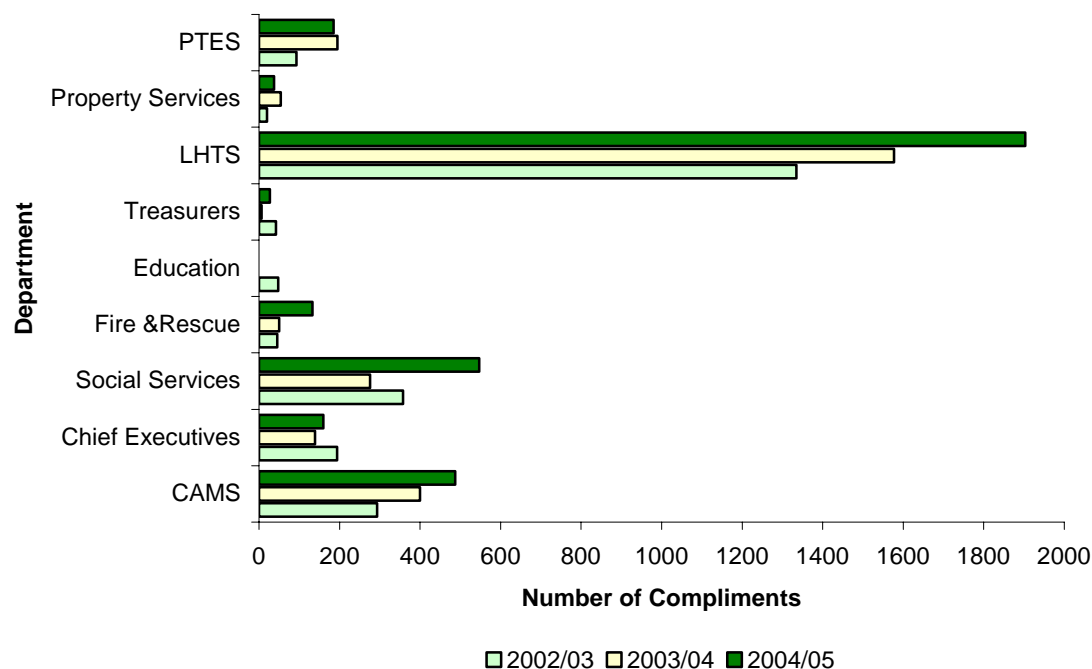
Issues Most Complimented



How do we compare with other departments in the Council?

We have the most direct and intrusive contact with Warwickshire's citizens of all departments. A department which could be considered to have a similar level of direct contact with high levels of the population is Education. The following graph nevertheless demonstrates our strong performance compared with other departments.

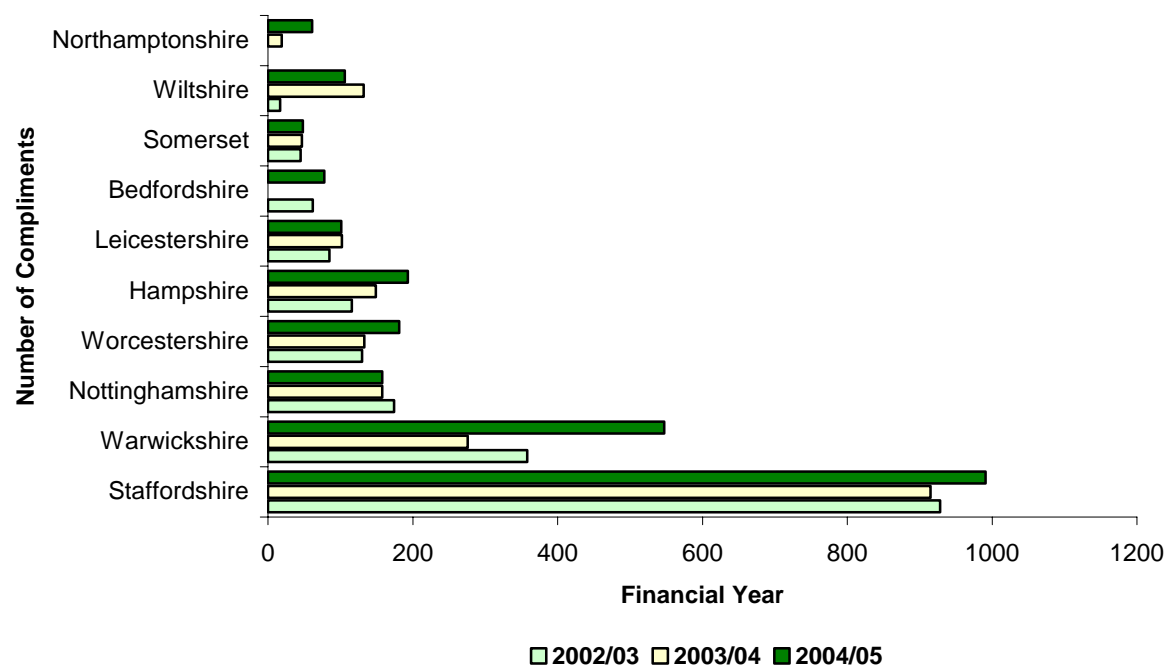
Comparison of Compliments with Other Warwickshire County Council Departments



How do we perform compared with other social services departments?

We have been able to compare our performance with that of some of the other departments within our "Audit Family". Some figures are very low, perhaps reflecting the lack of priority some Authorities place on collecting information about compliments. Nevertheless, we should be rightly proud that we are performing so well by comparison.

Compliments Compared with Authorities in Audit Family



Some examples of the sort of compliments received over the last 12 months:

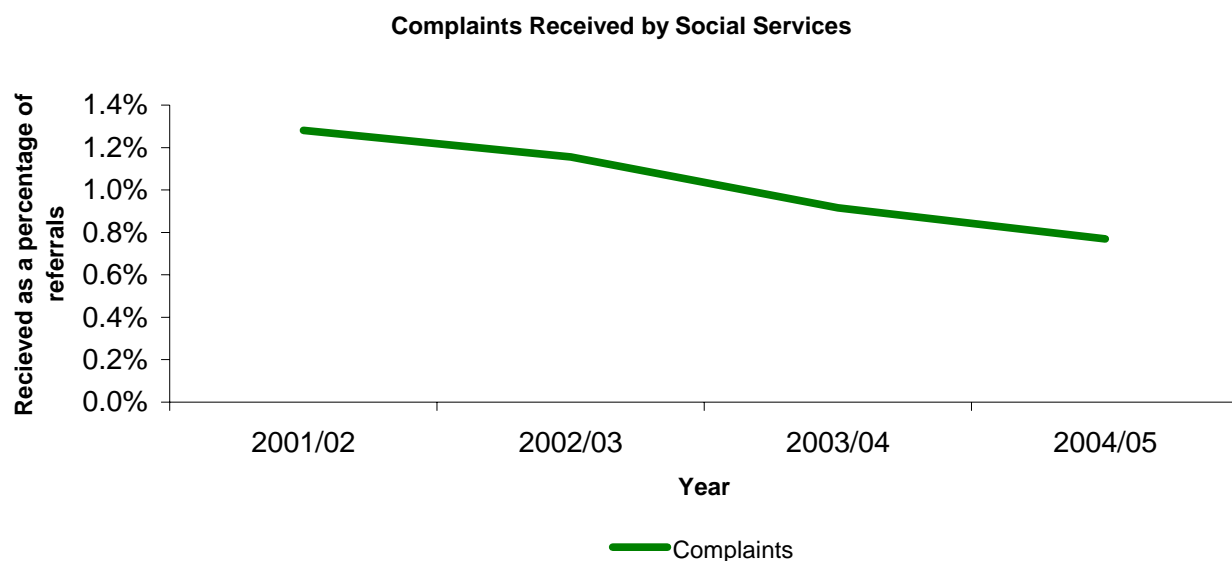
Adult Services

- **Mr B** – Learning Disabilities, North
“The department was helpful and professional in dealing with a difficult situation.”
- **Ms S** – Disabilities Team, North
“During the year, I am now supported in exactly the way I would wish.”
- **Mrs D** – Disabilities Team, South
“What a wonderful difference the lift has made, getting upstairs with no exertion at all and arrives with enough breath to enable her to perform the tasks that are required.”
- **Mrs S** – Mental Health Services
“In the short time you have achieved so much.”
- **Ms G** – Adult Mental Health Team
“Thank you for your help and understanding, it's never too late, BUT I wish this help was available 28 years ago.”
- **Mrs M** – Financial Assessment Visiting Team
Grateful for help to re-assess circumstances and will take her husband out for a meal with reimbursement.
- **Mrs J** – Financial Assessment Visiting Team
The visiting officer was “very, very helpful.”
- **Mrs P** – Promoting Independence, South
“She (social worker) gave me the benefit of the expert knowledge and experience.”
- **Mr & Mrs R** - Day Care – ‘The Limes’
“Day care once a week has released the daily pressures and given us some desperately needed peace of mind.”
- **Ms N & J N** – Older People Community Care, North
“What has mattered the most is the compassion and care with which you have responded to our family's needs. We have always felt listened to and understood, we appreciate the effort you have put in to finding solutions.”
- **Mr S** – Older People's Team, North (Aids & Adaptations)
“I would not have thought it possible for a rail to make such a difference to climbing the stairs.”

Children's Services

- **Mr H** – Nuneaton Children's Services
“Thank you for giving me the opportunity to rebuild my life with my children again and for understanding that we needed this support, and if it weren't for family services I don't know what might have happened.”
- **Miss K** – Stratford Family Support Team (child with disabilities)
“Certificate to carer for helping and caring for her.”
- **Mrs & Mrs N** – Fostering & Adoption Services, Rugby
“We have really appreciated the advice and support of social workers which has made the adoption process for us a really good one.”
- **Judge H** – Fostering & Adoption Services.”
“I shall remember it not only for the characters in it, but also for the quality of the social work and for the expedition with which Warwickshire reached decisions of great moment.”

Complaints



The graph above demonstrates that our complaints activity is consistently at a low level when compared with our overall social care activity.

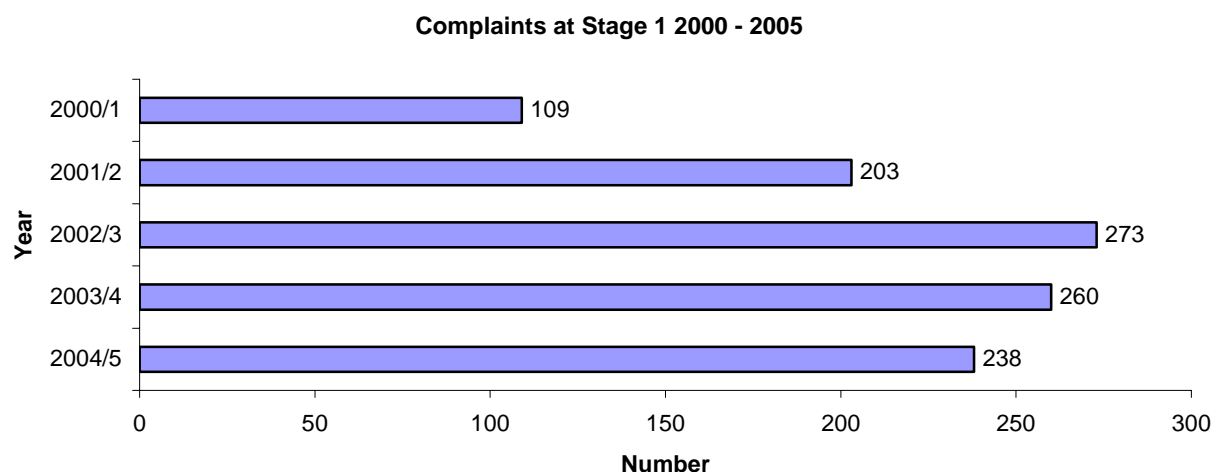
The Three Stage Process

There are three stages within the Representations and Complaints Procedures:

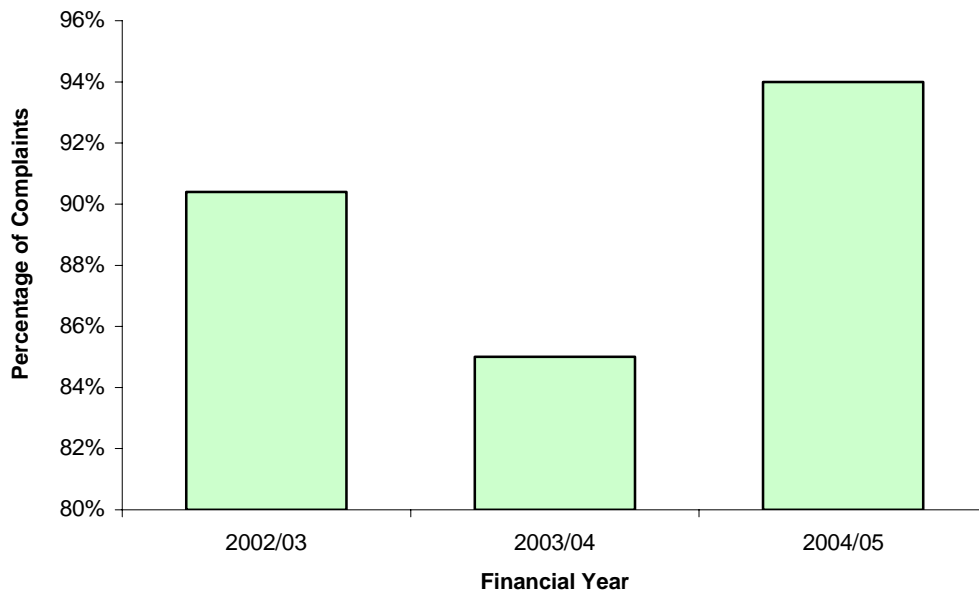
Stage 1:

We aim to resolve most complaints as close as possible to where the problem first arose. Local teams and units are responsible for responding as quickly and clearly as possible to problems. We aim to answer complaints at this stage within 14 calendar days, and to resolve as many complaints as we can at Stage 1 of our process.

The graph below shows the trend information on Stage 1 complaints over the past 5 years.



Proportion of Stage 1 Complaints not moving to Stages 2 and 3



We have been able to resolve a high proportion (94%) of complaints at this local level over the last 12 months. This is a reflection of the proactive mediation approach being taken by the Customer Relations Team when Stage 1 complaints investigations remain unresolved at local team level, but further intervention successfully resolves issues without the need to move to Stage 2.

In 2004/5 159 (67%) of all Stage 1 complaints were about adult services. Of those:

- 74% were from or on behalf of older people
- 40% were about domiciliary care services
- 54% were about service standard issues
- 23% were about staff behaviour

79 (33%) of Stage 1 complaints were about children's services. Of those:

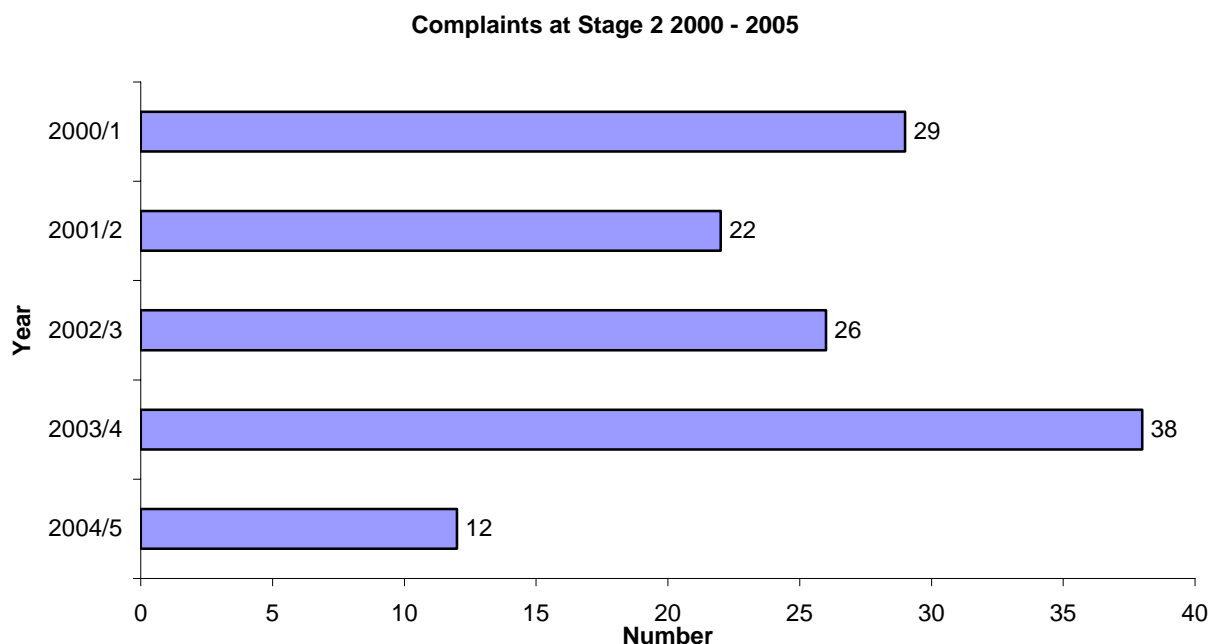
- 7 were from young people themselves
- 53% were in respect of child protection activity
- 34% were about service standard issues
- 32% were about staff behaviour

Stage 2:

If someone is not happy with the outcome at Stage 1 they have the right to ask for their complaint to be formally investigated at Stage 2. People also have the right to request an investigation at Stage 2 without having the matter considered at Stage 1. We might decide that the problems raised are too complex or difficult to deal with at Stage 1, so may recommend that some complaints are progressed to Stage 2 straight away.

Stage 2 complaints are investigated by Investigating Officers independent of the Council. We aim to send a report of the investigation to the complainant within 28 days, or agree a different completion date with them if necessary. The appropriate Service Manager within

the Department is responsible for responding to the complainant, outlining what action, if any, will be taken in relation to the recommendations arising from the investigation.



The graph above illustrates steady volume of Stage 2 “formal” complaints, with a significant increase in 2003/4. 2004/5 data shows a strong reversal of this trend, due to the pro-active approach of the Customer Relations Team in identifying cases likely to move to Stage 2 and intervening with mediation support to enable satisfactory conclusion at Stage 1.

In 2004/5 adult services received 8 Stage 2 complaints: 4 in respect of older people, 2 in respect of people with physical disabilities, and 1 in respect of people with learning disabilities. Issues of complaint included service standards, staff behaviour and service costs in relation to domiciliary care, residential care, aids and adaptations and care planning.

Children’s services received 4 Stage 2 complaints: 3 in respect of children in need at home, and 1 relating to child protection issues, about service standards and staff behaviour.

Stage 3:

If a Complainant remains dissatisfied with the outcome and recommendations at Stage 2 they have the right to request an Independent Review Panel. They will be invited to make a submission to the Panel, which consists of two County Councillors and an Independent Person who is in the Chair. The Panel will consider the complaint, whether it has been properly investigated, and why the complainant is dissatisfied with the outcome. The Panel will then make recommendations for resolution to the Director of Social Services. The Director then has the responsibility of responding to the complainant.

During this reporting period, we received 2 requests for Stage 3 Review Panels. These were both in respect of adult services. The issues raised were about social work support and aids and adaptations, and the concerns were in relation to service standards.

Ombudsman:

When our complaints process has been exhausted, people may ask for their complaint to be looked at by the Local Government Ombudsman. They need to do this within 12 months of receiving our final response.

In this reporting period, of the complaints about our services received by him, the Ombudsman decided that 2 complaints were premature, 2 complaints would not be investigated, and in 4 complaints that there had been no maladministration. However, there were 2 complaints where the Ombudsman identified areas for improvement. Both of these related to complaints about children's services. 1 related to delay in taking agreed actions, and 1 related to incorrect information being held.

How does this compare with other social services departments?

We have been able to compare our performance with that of some other departments within our "Audit Family".

Warwickshire's Audit Family Comparators 2004-5

LOCAL AUTHORITY	Star Rating 2004	POP'N '000s (2001 Census)	Stage 1	% Resolved at Stage 1	Stage 2	Stage 3	Total
Bedfordshire	0	382					
Cambridgeshire	2	552					
Cheshire	2	673	344	96%	11	2	357
Derbyshire	3	734					
Gloucestershire	1	564					
Hampshire	2	1,240					
Leicestershire	3	609	75	86%	9	3	87
Northamptonshire	1	629					
Oxfordshire	1	605	95	83%	17	3	115
Somerset	3	498					
Staffordshire	1	806	412	88%	54	3	469
Suffolk	2	668	148	83%	29	1	178
Warwickshire	2	505	238	94%	12	2	252
Wiltshire	2	432					
Worcestershire	2	542	373	86%	56	3	432

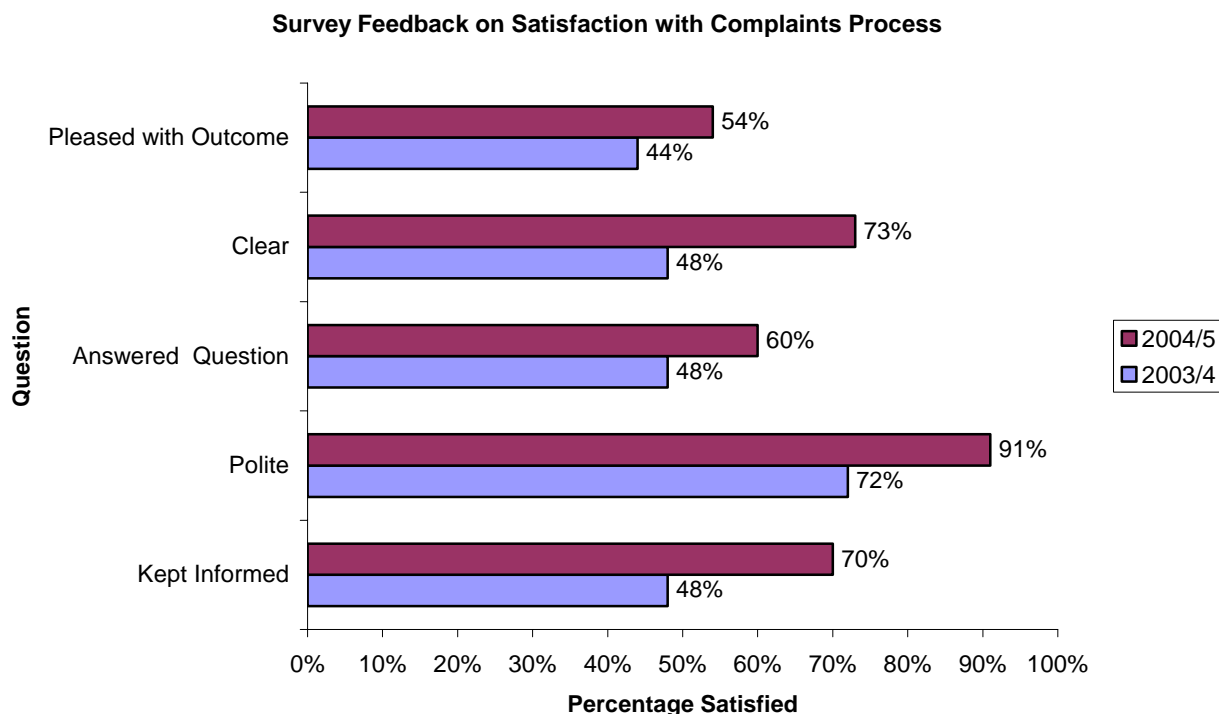
The figures above demonstrate the wide variations in registered complaints, and the proportion of complaints resolved at Stage 1.

How does this compare with the level of services we provide?

This equates to an overall customer dis-satisfaction rate of 0.8%, when compared with the total volume of people receiving services from us during this reporting period (32,743). This needs to be compared with the result of the Warwickshire Public Satisfaction Survey 2005, which reported that 5.6% of respondents expressed dis-satisfaction with our social services overall. This would indicate that a number of people unhappy with the services we provide do not use the complaints process to raise their concerns. This suggests that we need to continue to do more to make sure people are aware they can raise their concerns in this way, and ensure people feel confident and empowered to do this.

What do complainants think of the complaints service we provide?

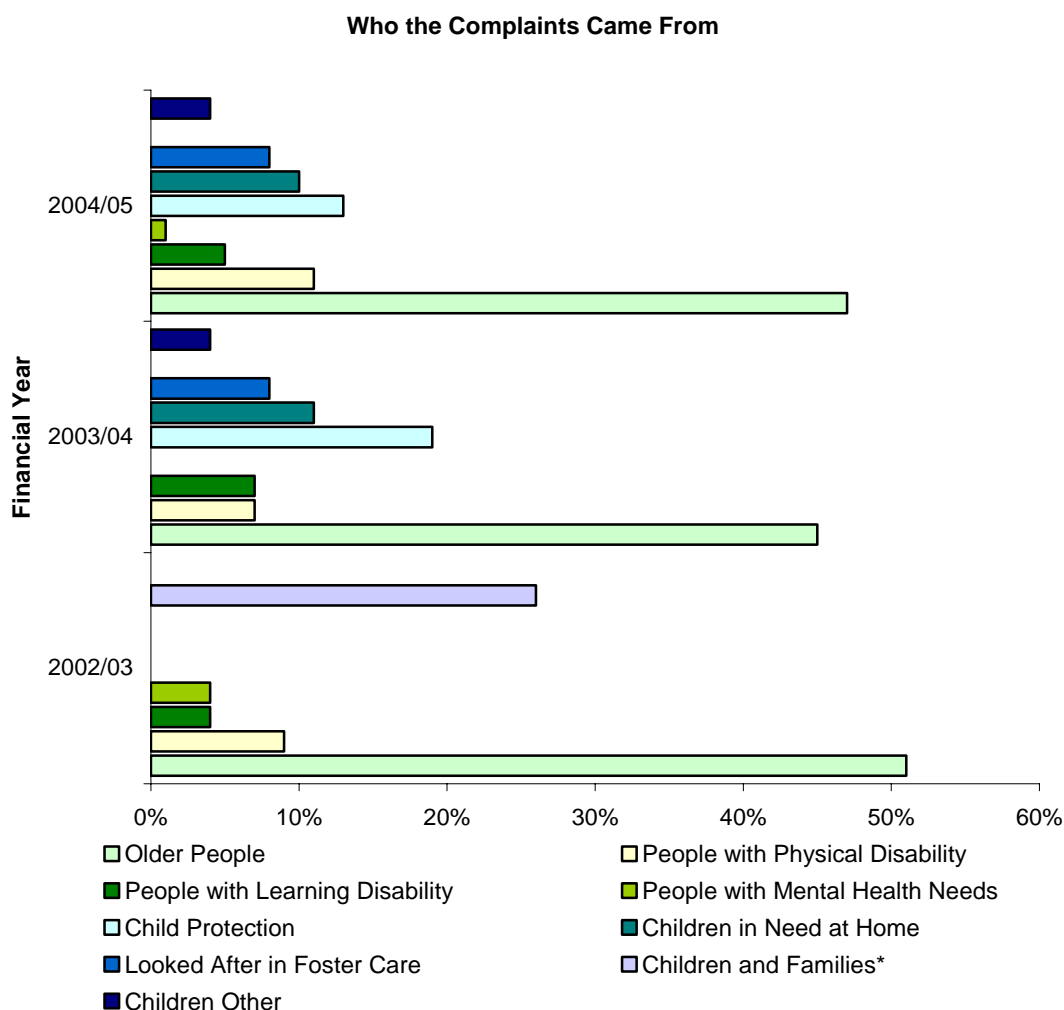
We have asked all those who used our complaints process over the past 12 months to tell us what they think of it. We have had a 19% response rate to our questionnaire, an improvement from last year's 11% response rate.



This shows significant improvements in the level of satisfaction people are reporting about their experience of our complaints process. This is a very encouraging result, demonstrating continuous improvement.

Who do our complaints come from?

The next charts illustrate the proportion of complaints we receive from each of our main client groups.



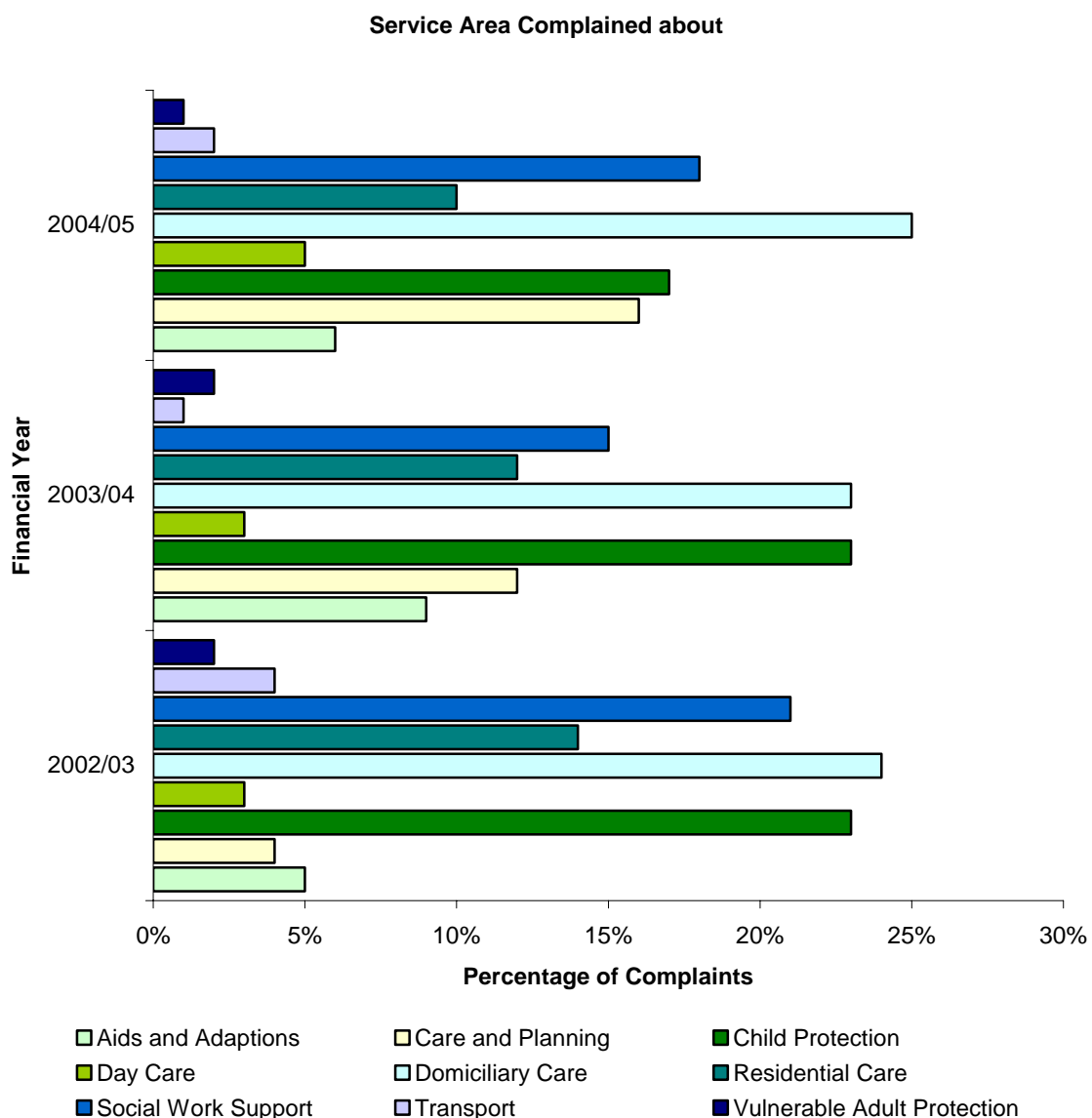
This data, as we would expect, broadly reflects the proportion of most services provided by this department to each of these client groups. Of note is the higher than proportionate complaints relating to children and families. This again is to be expected, given the more interventionist nature of child protection activity, and is actually a healthy sign that people in such difficult situations do feel confident to use the complaints procedure. In particular, it reflects the success Warwickshire is having in empowering young people themselves to use the complaints procedure – 7 young people used the procedures this year. It is well known nationally that it is very hard to make complaints procedures meaningful and accessible to young people – this is a regular topic of discussion within the West Midlands Complaints Officers Group.

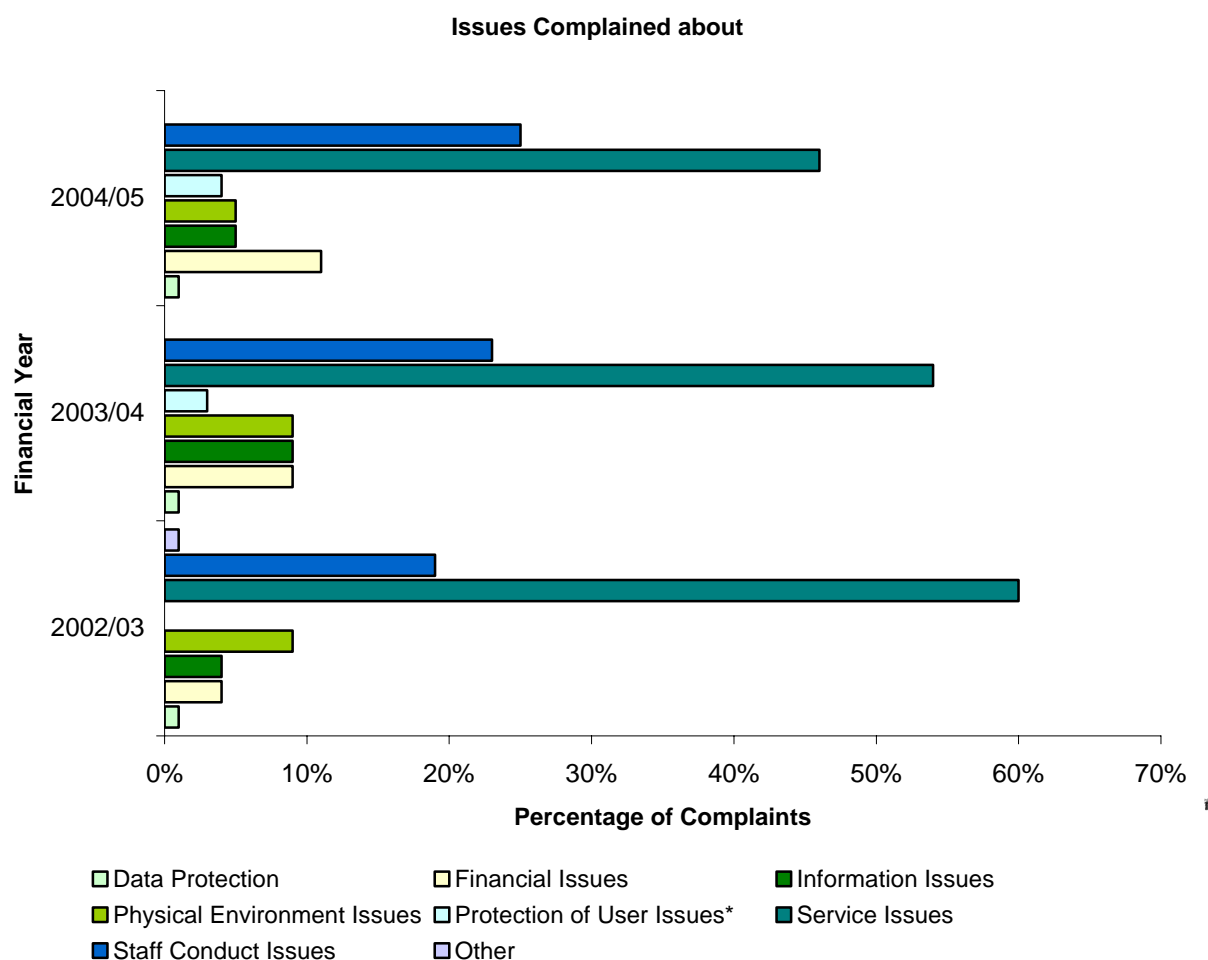
A gap in this overall representation appears to be in relation to people receiving support with mental health problems. Despite forming a significant part of our overall service provision, this area is very under-represented in our complaints activity. We will be placing a particular focus on ensuring people using these services are aware of our complaints procedures in the coming year, and establishing why they are not making use of our complaints procedures.

What do people complain about?

The following charts illustrate the range of issues and type of service areas people complain about. By far the largest category relates to service standards. The bulk of these complaints relate to quality of service, although there are a significant number of concerns also raised about access to and delay in service. The service areas most often complained about are domiciliary care, child protection, and social work support.

It is perhaps understandable that a relatively large category also relates to staff attitude/behaviour, as it is quite often the case that a complaint will be personalised if the message given to the service user is unpalatable, for example if services are reduced, withdrawn, or refused, or in the case of children's services, imposed. It is of concern that such complaints seem to continue to rise. The majority of these types of complaint are not upheld, and it is very rare for a complaint to result in the need for disciplinary investigation into misconduct. What this does illustrate is the importance of good communication with service users at these difficult times.





Ethnicity

The Customer Relations Team has worked hard to make sure we have information about the ethnicity of service users who make complaints, or have complaints made on their behalf. The recording categories are in line with current Department of Health recommendations, and reporting on the ethnic breakdown of complaints activity is reported to the Race, Equalities and Diversity Group on a 6 monthly basis.

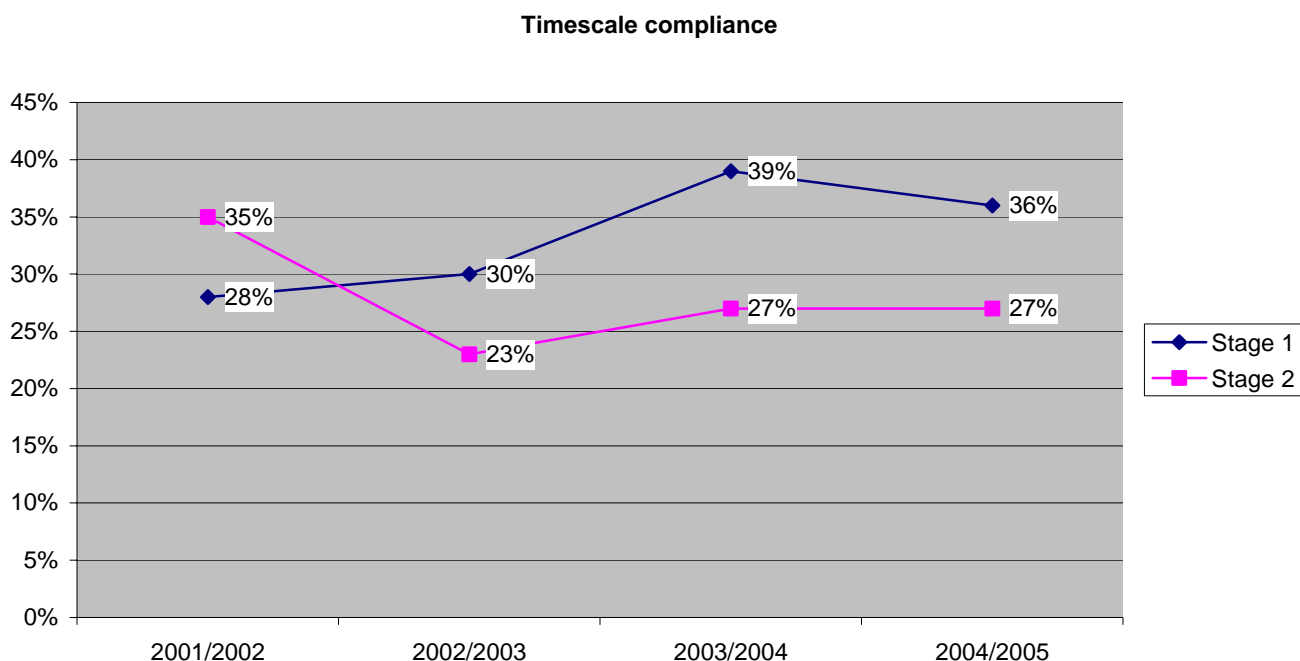
Ethnicity	Number
Indian	2
Pakistani	1
Black Other	1
Mixed Other	1
White/Black Caribbean	1
Other	2
White Irish	2
White Other	3

13 complaints were received from people from Ethnic Minority Groups – 5% of our total complaints. This is broadly in line with the ethnicity profile of Warwickshire, and our service users.

Timescales

There are set statutory timescales for the completion of complaint investigations at Stage 2 – 28 calendar days for Children Act investigations, and a maximum of 3 months for NHS & Community Care Act investigations. Locally, a 14 calendar day timescale has been set for resolving Stage 1 complaints. It is likely that in the forthcoming Department of Health and Department for Education and Skills review of social services complaints procedures local authority discretion to set timescales at Stage 1 will be removed, and it is anticipated that for all complaints at the first stage there will be a 10 working day deadline imposed, as there already has been for complaints from young people leaving care. As we already try to work to this deadline this will not be a significant change for us. It is also expected that there will be some changes to the timescales at the formal investigation stage, now known as Stage 2, which may change to 25 working days, with provision to extend this to no longer than 3 calendar months, with the agreement of the complainant.

At Stage 1, 36% were completed within the target timescale (39% last year), a further 20% were completed within 28 calendar days (20% last year), and our average completion time was 39 calendar days (35 last year). Improvements achieved in the previous year have largely been maintained.



Break down of timescale compliance between adult and children's services demonstrates that the difficulties are arising in children's services. 41% of adult complaints were completed within Stage 1 timescales, and 65% of all their complaints were completed

within 28 days. In contrast, only 26% of children's services complaints were completed within the timescale, and 39% were dealt with within 28 days.

At Stage 2 27% were completed within timescales (27% last year). Unfortunately, our performance in this area was significantly damaged due to 5 complaints being badly delayed when an independent investigator commissioned to undertake these investigations failed to meet our performance standards, and the contract had to be terminated through legal channels, and the investigations re-commissioned.

Extensions to timescales are agreed with service users and their representatives, and often these are necessary to ensure a thorough investigation of a complex or sensitive "bundle" of issues.

How do we compare with other local authorities?

Nationally there continue to be major difficulties in complying with the statutory timescales, and colleagues within the West Midlands Complaints Officers Group are all reporting difficulties in complying with timescales.

The Ombudsman continues to advise complaints officers that they are most concerned to ensure that investigations were thorough and effective, and of high quality. Whilst all authorities must demonstrate prompt response, failure to reach the set targets would not automatically result in a finding of maladministration, providing it could be demonstrated that extensions to timescales were communicated and agreed with complainants, reasons for delay were clearly explained, and all reasonable efforts can be seen to have been made to conduct a timely and thorough investigation.

Warwickshire is committed to continuing to ensure high quality investigation outcomes, and would not wish to jeopardise our success in achieving this by undue emphasis on speed rather than quality of response. However, prompt completion of investigations is a key factor in the satisfaction of complainants in the way their complaint has been managed, and it is recognised that speedy responses are much more likely to effectively resolve concerns before problems become entrenched. A key focus of our activity over the next 12 months must be to identify ways to enable complaints about children's services to be processed in a more timely way.

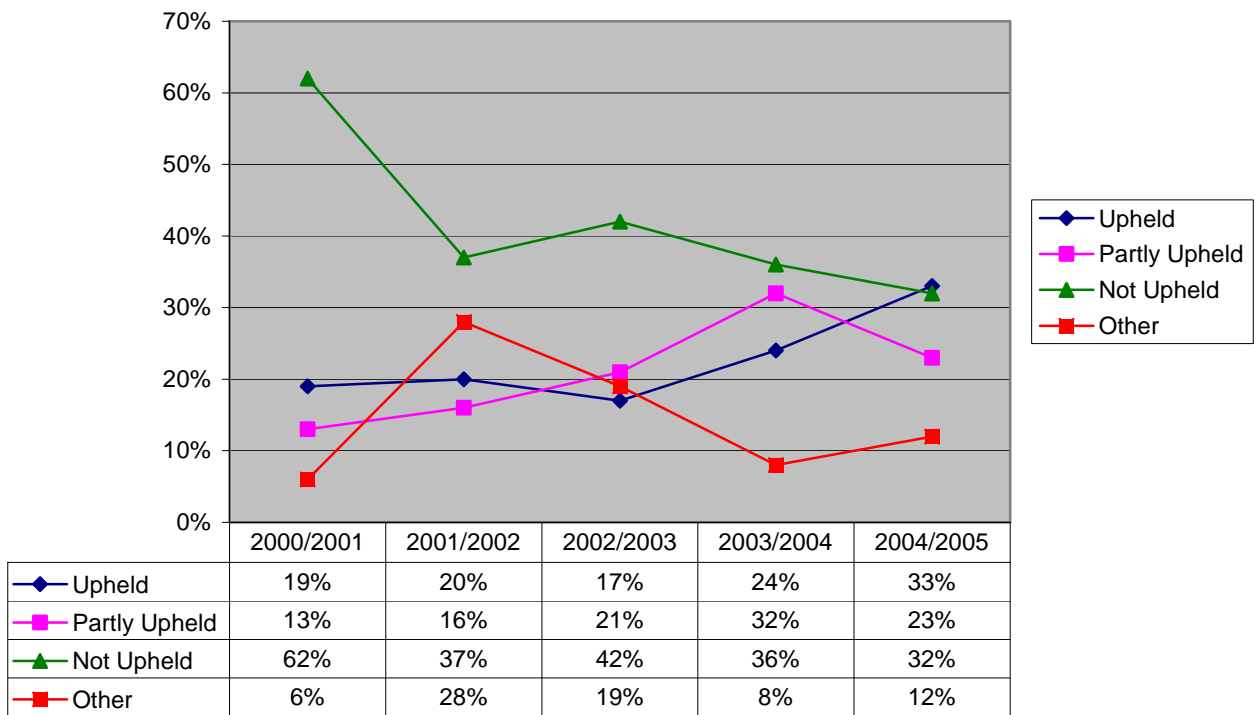
Outcomes

Outcomes are recorded as upheld, partially upheld or not upheld. There are often several aspects to a complaint, some of which may be upheld whilst others are not. This explains the partially upheld category. "Other" includes those complaints that were withdrawn, or resolved in some other way before a final investigation conclusion was reached.

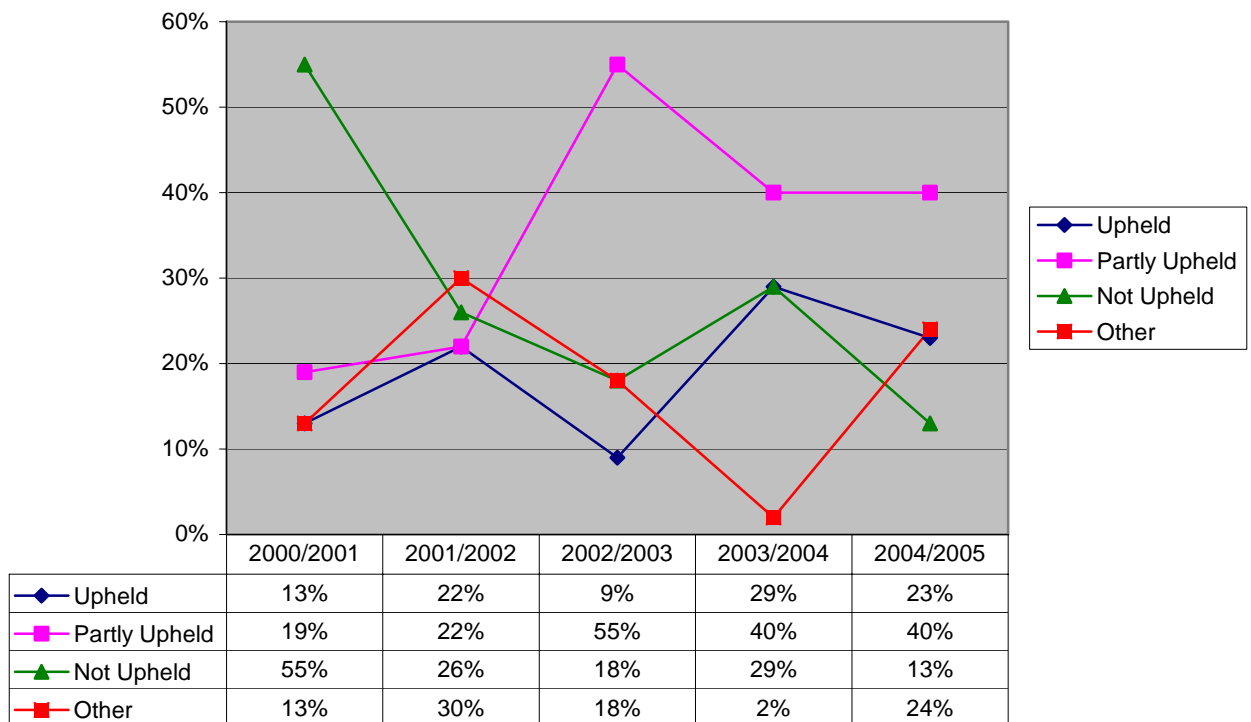
The charts illustrate the trend over the past five years in the proportion of completed complaints within each of these categories.

This trend shows an evening out of outcomes. We feel that a healthy complaints process should reflect a balanced picture, indicating a fair and open approach to recognising mistakes and rectifying them.

Outcome Trend - Stage 1



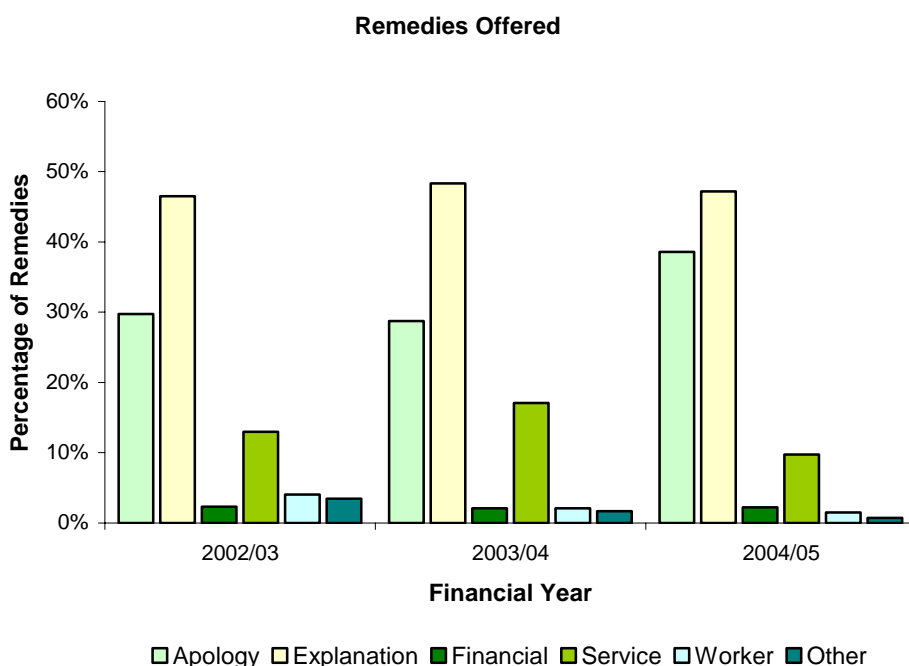
Stage 2 - Outcome Trend Comparison



Action Taken

The next chart illustrates the range of remedies offered to complainants. By far the highest category relates to explanations. This illustrates the fact that many complaints appear to occur because of poor communication or mis-understanding, and an explanation often helps a complainant to understand why certain things have or have not happened. This often resolves the issue for a complainant even when their complaint is not being upheld.

The next highest category was apologies being offered. Service users often feel that at least they have been listened to when an apology is offered for things that might have, ideally, been done differently. The next major category relates to changing service provision for people. A small number of complaints result in a financial remedy, such as waiving charges for a very poor service.



Progress against 2004/2005 action plan

- Meeting the new requirements for advocacy for young people using the complaints service from 1st April 2004. – *A detailed action plan was produced and actioned through 2004/2005.*
- Consultation on changes to our current complaints procedures – *active participation throughout the year in consultation and feedback activity*
- Further improve timescale compliance – *further improvements have not been achieved, and problem area seems to be focused within children's services. Urgent action needs to be taken*
- Develop conciliation service – *a feasibility study has been completed by Mediation at Work to consider potential benefits, and establish a framework for moving this initiative forwards*

Action Plan for 2004/2005

- ♦ Responding to the new guidelines anticipated from the Department of Health, the Department for Education and Skills, and the Commission for Social Care Inspection, ensuring suitable implementation plans are in place, training advice and support for staff, and new information and advice for complainants.
- ♦ Contributing to the broader change agenda, both within the department, within the Council, and within social care.
- ♦ Developing and strengthening arrangements for collaborating and co-ordinating responses to complaints with partner agencies, and in particular Education, Health and Commission for Social Care Inspection complaint professionals
- ♦ Further developing our conciliation service, promoting a problem solving approach and placing initial focus within children's services
- ♦ Focusing on improving timescale compliance in children's services
- ♦ Reviewing accessibility and use of complaints service for people receiving support with mental health problems
- ♦ Ensuring processes, procedures and improvement plans are robust and transportable into new organisational and partner agency structures.

Concluding Comments

Warwickshire has a robust and reliable process for handling representations and complaints from service users and their representatives. It can rely on the accuracy of the statistical information being produced, and has clear mechanisms to ensure this feedback is considered by operational staff at all levels. It produces detailed reports to Members, and provides a range and depth of analysis not found in any of the other local authority reports reviewed for comparison, or produced by other departments within the Council.

We need to focus our efforts on improving the timeliness of our response to complaints, and developing our conciliation processes as a way of enhancing our response to the problems our customers sometimes experience.

We also need to recognise and celebrate the good practice that our high numbers of compliments demonstrate.

APPENDIX 1

NATIONAL COMPARATOR DATA 2002 - 5

Awaiting information from CSCI

People involved in providing Warwickshire's complaints and representations service

The Customer Relations Team

The Team provides a countywide service. It is based in Shire Hall, Warwick, on the second floor. The Monitoring Officer and Administrator provide the focal communication point for external enquiries, general administrative support, and maintenance of the RESPOND complaints management database. The Customer Relations Officers manage the allocation and monitoring of complaints sent for Local Resolution at Stage 1 and Formal Investigation at Stage 2, providing feedback on performance, and ensuring investigation standards are maintained. They have the lead in training and accrediting investigating officers, Independent People, and staff. The Customer Relations Manager is responsible for ensuring effective organisational learning results from the activities of the Team, actively promoting a problem-solving culture within Warwickshire social services, and encouraging the development of quality standards and appropriate quality assurance systems.

Investigating Officers

The Customer Relations Team have a pool of external Investigating Officers. Investigating Officers are required to meet certain competencies before being asked to investigate a complaint. The Customer Relations Team, who will also investigate complaints if appropriate, supports them through the process. Consideration is given to who should investigate a complaint in terms of race, gender and other commitments.

Independent People

There is a pool of independent people who fulfil two major roles within the procedures. Firstly, if the complaint is from a child or young person, the independent person will work alongside the investigating officer. They do not act as an advocate but oversee the process of the investigation, giving an independent point of view, ensuring that the position of the child/young person is not compromised in any way.

An independent person also takes the chair at each Review Panel at Stage 3 of the procedures. The Independent Person is responsible for drafting any recommendations for consideration by the Director. If the complaint is from a child or young person then the Chair of the Panel will need to be a different Independent Person than the individual who has worked alongside the Investigating Officer.

The following people are currently on the list to fulfil one or both of the above tasks:

Mrs Gill Ganner
Mrs Cicely Harley
Mrs Janet Frankl

Mrs Athena Roderick
Ms Alys Woolley
Mr John Eastwood

Advocates

It is considered to be good practice to offer advocacy to anyone who may need this service to be more effective in making their complaint. Within Adult Services, complainants are referred, with their permission, to one of the various independent advocacy services within the County.

Advocates from the Children's Rights Project (NCH) are always offered to children and young people making a complaint. A video and an accompanying leaflet is available to all cared-for young people which outlines their right to make a complaint. The Customer Relations Team works closely with the Children's Rights Project on many of the complaints received from children and young people.

County Councillors

A pool of Councillors who have volunteered to sit on Independent Review Panels has been formed and the Customer Relations Team is grateful for this commitment. Although there continues to be a relatively low number of Review Panels each year, this could increase as people become more empowered.

Councillors currently within the pool:

Labour

Cllr Singh
Cllr Mrs Forwood
Cllr Tooth
Cllr Stanley
Cllr Longden

Conservative

Cllr Mrs Hayward
Cllr Mrs Compton
Cllr Stevens
Cllr Mrs Seccombe
Cllr Fowler
Cllr Mrs McCarthy

Liberal Democrat

Cllr Mrs Dill-Russell
Cllr Dodd
Cllr Shilton

COSTS ASSOCIATED WITH PROVIDING COMPLAINTS AND REPRESENTATIONS SERVICE 2004-2005

Budget for running Customer Relations Team:

£213,669

Notional Cost of Stage 1 investigation activity across department:

Assuming average time to complete investigation for team manager of 5 hours, and mid point scale hourly rate for team manager equivalent in adult and children's services

$250 \times 5 \times £17 = £21,250$

Notional Cost of Stage 2 activity across department:

Assuming average time to complete 40 hours, by independent investigator, at £26 per hour and 3 hours for the service manager to consider and respond to recommendations, £24,596

Notional cost of Stage 3 activity across the department:

Assuming service manager's attendance at Hearing for 3 hours, and 3 hours preparation time, and Director's consideration and response to recommendations for 3 hours.

$2 \times 6 \times £22 = £264$

$2 \times 3 \times £42 = £252$

Other less easily quantifiable costs:

Each complaint is different, and may require more or less preparation time by both the investigators, and those staff involved in responding to the investigation. The above summary does not attempt to quantify the time other staff contribute to the investigation and response process, or associated costs such as travelling expenses, stationary and administrative support, etc. It also does not include time out to undertake training, or "on costs" relating to salaries of staff outside of CRT. It does not include time from senior management in providing advice and guidance on sensitive or contentious investigations, or cost of advice from Legal Services or Insurers.

TOTAL COSTS: £260,031

NB: The intention of this appendix is to give a general sense of costs, rather than a detailed and accurate breakdown.