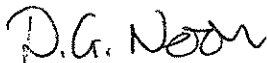


Memo

My ref: DN
Your ref:
Email: david.noon@sunderland.gov.uk

From	E. Waugh	Date	13/01/2014
Title	Head of Law and Governance	Ext	561 1008
Service	Commercial & Corporate Services		
Subject	MEETING OF THE SCRUTINY COMMITTEE – THURSDAY 16th JANUARY 2014 – ADDITIONAL PAPERS		
To	All Members of the Scrutiny Committee		
Copied to			

Please find attached a copy of the Annual Report from the Law and Governance Complaints and Feedback Team which relates to item 6 on the agenda for the Scrutiny Committee to be held on Thursday 16th January, 2014.



for Head of Law and Governance

COMMERCIAL AND CORPORATE SERVICES

LAW & GOVERNANCE

Annual Report

Complaints & Feedback Team

For the period 2012 - 2013

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Introduction

Just prior to the period covered by this report, the complaints functions for the council merged into a single team based within Commercial & Corporate Services. The Complaint & Feedback Team, made up of six permanent staff, sits within the Law & Governance function of the council

This report is the first joint report of the Team and covers all complaints and representations made to the council under the three processes: Health and Social Care Complaints Procedure, the Children's Services Complaints Procedure and the Corporate Complaints Procedure. It covers the period April 2012 – March 2013.

We publish this report to keep people informed about the procedures and the sort of complaints and compliments we receive. We also publish the report to inform people about how the process works and to report on how we use the information we get from complaints and other comments to make improvements to services.

Our aim is to resolve complaints as quickly as possible, and to peoples' satisfaction wherever this is possible. However, council staff are increasingly involved in difficult areas of work and at times people do not welcome our involvement in their lives. There are also situations in which we cannot provide people with the resolution they want. There are also times the council may simply get things wrong. In light of this it is therefore inevitable that we receive complaints. Like all other organisations, we would always want to get things 'right first time'. When this does not happen we want to feel that we have an accessible, open and fair way of dealing with peoples' concerns.

One important aspect of complaints is making sure that any lessons learned are transferred into service planning and from there into service improvements. Increasingly, we are able to identify where improvements have occurred entirely or partly as a result of complaints. The report also includes details of how we have used our complaints to identify and implement service improvements across a range of our activities.

We also provide information on the compliments that have been received by the council. Complimentary comments are not only good for staff morale and motivation, they also tell us a lot about what people like best about the service they get and what works well for them. We can use this information to build those features into our services where possible and so improve the levels of satisfaction of our customers.

We are always pleased to hear comments about any aspect of our work, including the format and presentation of this report. We hope it is interesting and informative and thank you for taking the time to read it.

PART ONE

THE COMPLAINTS AND FEEDBACK TEAM

Management and Operation of the System

The Complaints & Feedback Team is responsible for the co-ordination and management of the three main complaints processes within the council. The team maintain the council's log, recording all investigations, monitor quality and speed of performance in responding to complaints, and make sure that, lessons learned from feedback and complaints investigations are systematically captured, analysed and the findings reported to Directorates and the Chief Executive.

The Complaints and Feedback Team Manager has overall responsibility for the progressing of any complaint and can intervene at any stage including determining in exceptional cases that the complaint be referred immediately to her for investigation.

Local Authorities are required to designate an officer to assist in the co-ordination of all aspects of statutory social care complaints. The Complaints Manager – Adult Services and the Complaints Manager – Children's Services undertake these roles in Sunderland. These managers have responsibility for the implementation and operation of the statutory complaints procedure on a day to day basis.

Whilst officers within the team have traditionally dealt with complaints within a single area of expertise, the new arrangements give us the ability to expand officers' knowledge base and deal with complaints for all service areas. Not only does this enhance officers' capability, the coming together into a single team also allows us to provide a better service ensuring someone is always available to speak to complainants in person or on the telephone.

Training & Development

In respect of **Adult Services** we ensure our investigators have attended the "Effective Complaint Handling" course facilitated by the Local Government Ombudsman's Office. This training was last provided in July 2012 and we hope to hold the course annually to ensure officers are appropriately trained and have opportunity to attend refresher training every five years.

For **Children's Services**, plans are in place to ensure that the topic of Good Complaint Handling is included in the Children's Services staff induction programme. This provides staff with a brief overview of what constitutes a complaint, how to keep on the right track in dealing with them and early resolution. We have provided training for staff within children's homes on good complaint handling, the statutory complaints procedure and the more specific children's homes complaints procedure.

Total Respect training is available to all practitioners. This course is run in conjunction with young people from the Change Council and highlights what young people expect from a complaint procedure and making a complaint.

For **Corporate Complaints**, we have provided extensive investigation training from the Local Government Ombudsman to 75 staff who routinely deal with corporate complaints within their service area.

An e-learning package in respect of complaint handling has also been developed and is available to council staff via the learning lounge facility.

Working with Partners

Northern Regional Complaint Managers Group

Sunderland Council is an active member of the Northern Regional Complaints Officers Group. The aim of the regional group, which meets quarterly, is to provide a forum, where peer professionals can discuss and learn about regional and national issues in respect of statutory adult and children's complaints.

Joint Health and Social Care Networking Group

Links have also been made between Adult Services and Health colleagues to ensure that joint working can be readily progressed. A joint protocol has been drawn up to formalise this arrangement. This protocol covers the handling of complaints that impact on more than one Health and Social Care organisation in the South of Tyne area. The group meets on an ad hoc basis to help support the protocol, develop working relations and to share good practice in respect of complaints made about adult health and social care.

Safeguarding Boards

The Adult Services and Childrens Services Complaint Managers also work in close liaison with the Sunderland Safeguarding Adults and Childrens Boards which involves multi-agency partnership working with colleagues in Police, Probation, Health, Education, and voluntary bodies.

Publicity

The Health and Social Care Complaints Procedure is publicised in all adult services information for service users. Our leaflet "*Something to say about Adult Social Care*" asks our customers to give their views; let us know when they are pleased with what we have done and also who to contact if they are unhappy and want to make a complaint.

In respect of the statutory Children's Complaints Procedure, leaflets are provided to all carers, providers and service users. They are also displayed in all Children's Services (Social Care) reception areas. All Looked After children and children classed as being in need are informed of their right to make a complaint and are given a copy of the recently updated age specific young person's complaints leaflet at the onset of service provision.

Leaflets about the Corporate Complaints Procedure are displayed in local authority public areas. As part of an ongoing review of complaints information available and following the centralisation of all complaints personnel, updated information, including copies of all leaflets and links to relevant procedures, has been included on the newly designed complaints web page on the www.sunderland.gov.uk web site.

The Corporate Complaints Procedure is publicised on the council's website with appropriate links, including contact information such as email and telephone numbers and a freepost address for complaints and enquiries. Leaflets are also made available through all council offices. Customer Service Network Staff are also fully briefed on how to identify and deal with straightforward complaints and otherwise where and how to forward complaints to appropriate staff.

Accessibility

We promote accessibility to our complaint procedures by ensuring that complaints can be received in a number of ways, including:-

- By approaching staff responsible for the provision of a service
- By contacting the Complaint and Feedback Team by telephone, letter or email
- By completing a web form on the Sunderland.gov.uk web site
- Via councillors
- Via customer services advocates working in the Customer Services Network
- Children and young people in need or those who are being Looked After can complete a young person's complaint form
- Through Independent Reviewing Officers as part of the statutory review process
- Through an independent advocacy service
- Freepost service
- SMS text requesting call back
- An accessible pictorial complaint form is available for those with a learning disability.

In line with the council's Customer Services Strategy, we are currently working to ensure that all incoming complaints are captured, managed and monitored through the customer services network software.system.

Advocacy and Special Needs

Whilst advocacy support is not a statutory requirement of the Adults Health and Social Care Procedure, we do support vulnerable complainants to have advocacy support if they wish. Where appropriate, Adult Services will meet the financial costs of an advocate.

Rethink Sunderland Advocacy Service [www.rethink.org] is contracted by the council to provide independent, individual advocacy support and representation to service users from all client groups.

Mental Health Matters [www.mentalhealthmatters.com] is contracted by the council to provide independent, individual advocacy support and representation to service users subject to detention and related clauses of the Mental Health Act.

The take up of official advocacy help is not high in respect of adult services complaints with only 1% being made by an Independent Mental Health Advocate or a solicitor. However it is significant that 72% of complaints were made by someone other than the service user, usually by a family member or close friend.

Children and young people, who are looked after, or classed as children in need have a statutory right to advocacy. We inform children and young people of their right to independent advocacy support to help them make a complaint or representation.

Advocacy is commissioned by tender at a cost of £2,300 per annum for promotion and awareness raising and £38.14 per hour for advocacy provision. This service is currently provided by Action for Children.

In 2012/13 there were six requests for advocacy support from Action for Children. This compares to 11 requests in 2011-12

It should be noted that not all advocacy referrals result in formal complaints being submitted as the advocacy service will often aim for informal resolution with the relevant service area in the first instance.

Information concerning the advocacy service is presented to the Corporate Parenting Board on a quarterly basis.

Learning from Complaints

We use information from complaints in a number of ways;

- It helps us provide feedback about the services we commission
- It can influence services and help shape how they are formed in the future
- Intelligence acquired by the council in its work with service providers is collated to identify themes and trends.
- The Complaint & Feedback Team uses this information to promote improvements relating to key issues identified

Examples of service improvements from each service area are highlighted in the report.

Contacts:

For all queries relating to the Adult's health and social care complaint procedure

Marie Johnston, Complaints Manager – Adult Services

Complaints & Feedback Team, Civic Centre, Burdon Road, Sunderland, SR2 7DN

Tel: 0191 561 1078

Marie.johnston@sunderland.gov.uk

For all queries relating to the children's statutory complaints procedure

Beverley Boal, Complaints Manager – Children's Services

Complaints & Feedback Team, Civic Centre, Burdon Road, Sunderland, SR2 7DN

Tel: 0191 5611276

beverley.boal@sunderland.gov.uk

For all queries relating to operation of the team, the corporate complaints procedure, any issue in respect of complaints made to the Ombudsman

Margaret Douglas, Complaint & Feedback Team Manager

Complaints & Feedback Team, Civic Centre, Burdon Road, Sunderland, SR2 7DN

Tel: 0191 561 1065

Margaret.douglas@sunderland.gv.uk

PART TWO

THE HEALTH AND SOCIAL CARE COMPLAINT PROCEDURE

Legislation & Regulations

The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 provides for a single complaints process for all health and local authority **adult social care services** in England. From 1 April 2009 a single complaints system was introduced for all health and local authority adult social care services in England.

How the Procedure works

i Stage One - Local Resolution by the council

The local resolution stage is about the council trying to resolve complaints quickly and as close to the source of the complaint as possible. We will contact the complainant within three working days, to acknowledge the complaint and clarify the issues of dissatisfaction. We will discuss how the complaint will be investigated and where possible come to an agreement on an initial timescale for investigating and responding to the complaint.

ii Stage Two - Local Government Ombudsman

Most complaints can be dealt with and resolved satisfactorily at local resolution. However, if this is not the case, any unresolved concerns can be referred to the Local Government Ombudsman.

Complaints about a Commissioned Service

The council recognises its responsibility as a commissioner of services to the public and we want to hear people's comments and feedback about the service they receive, whether it is positive or negative. The regulations effectively allow for the council to investigate complaints about the services it has commissioned.

Safeguarding Adults Concerns

When dealing with complaints, situations often arise that may indicate issues of potential harm or neglect. These issues are shared with colleagues from the Safeguarding Adults Team. Once the elements relating to safeguarding are concluded, any outstanding issues of complaint can then be addressed through the complaints process.

General Issues – Adult Services

The complaints process is not simply about numbers received; it is about effectively resolving concerns; learning lessons from those concerns and taking action to ensure the same complaints do not re-occur.

During 2012-13 there were 13,578 new referrals to adult services. This number does not include those already in receipt of a service and so does not truly reflect the number of contacts undertaken on a daily basis with service users.

Given the high number of contacts, adult services received a total of 176 statutory complaints. The figure remains steady compared to 171 the previous year. Complaints in respect of financial issues significantly rose in this period and equate to 16% of all complaints received. We have identified that this is directly related to the council's introduction of a new contributions policy in April 2012.

The contributions policy brought about a significant change to the way we ask customers to contribute towards their social care. Our customers are now financially assessed to determine how much they can afford to contribute towards their care – if they need more money to meet their needs; the council tops this up through a personal budget. The policy is compliant with the Department of Health's guidance on Fairer Charging and Fairer Contributions and was approved by Cabinet.

Learning outcomes from complaints made about the contribution policy in its first year of operation have been used to help review and revise the policy. Given this we do not expect the same level of complaints about this issue to be made to the council in the coming year.

We received 13 complaints about externally commissioned services which equates to 7% of all statutory complaints received.

Timescales/Performance Measures

We aim to acknowledge complaints within three working days of receipt. However, there will be some times where this is not possible and for the period 2012-13 we achieved a rate of 90%.

The regulations do not have prescriptive timescales; however we have set our own internal performance measures for adult statutory complaints. We aim to resolve complaints quickly and as close to the source of the complaint as possible. This is supported by regulations which highlight that complaints can be considered to be immediately resolved if they are done so within two working days.

For the period 2012-13 we recorded 15% of complaints as instantly resolved, a significant drop from last year's 33%. We expect to achieve a rate of at least a third of all complaints being immediately resolved and we are disappointed that this has not happened this year.

49% of all complaints received were responded to within 15 working days, significantly short of our performance target of 80%. The previous year saw us achieve 74%.

During this period Sunderland Council, as other councils, has faced considerable financial challenges. In 2012 a significant number of employees left the council following an offer of severance. Whilst remaining committed to improving the services we deliver to our customers, it is clear that this had an impact on the way the council operates. In respect of complaints this impact has been felt in our ability to offer a response to complaints in a timely manner, during this period of change and transition across all council services.

The council continues to look at new and innovative ways to achieve more with less as it continues to face significant financial challenges over the coming years and we are committed to re-establishing our timescale targets in the coming year. The Complaints Manager – Adult Services will be working with Team Managers to look at ways of how we can best achieve this.

Sometimes it is not possible to offer a response to a complaint within 15 working days for a number of reasons, for example: the complaint involves several agencies; some matters are the subject of a concurrent investigation; the complaint is particularly complicated or a key witness is unavailable for part of the time. In these cases we aim to offer a response within 30 working days or in exceptional cases within 90 working days.

In all cases the investigation into the complaint will be proportionate to the circumstances of the case, taking into account the risk, seriousness, complexity or sensitivity of events and cost efficiency.

Formal Investigations

Whilst under the new procedure there are no defined stages, there are still those complaints that are more serious or complex, which warrant more formal investigation. 11 formal investigations were undertaken in 2012-13 which equates to 6% of all complaints received during this period.

The council operates an internal investigation procedure in respect of adult social care complaints. It is therefore important that we do all that we can to reassure people that their complaints are looked into openly, fairly and as independently as possible. Our aim is to ensure that we have demonstrated a reasonable level of independence. We try to do this in a number of ways; experienced managers who have had no previous involvement with the case undertake the formal investigations. They are appropriately trained in complaint investigations. Consideration is given to appointing an advocate for complainants where there are significant concerns about the vulnerability of the complainant and/or the seriousness of the complaint; if necessary, we can appoint an independent investigator from outside the Local Authority.

More detailed information about complaints which were formally investigated is contained in the appendices at the back of this report.

Learning Outcomes

There are learning outcomes from many complaints and below is just one example.

A complaint was received from a customer with learning disabilities who had been suspended from attending evening functions at a council run day centre. The complainant felt that their suspension had been unfairly handled. The investigation found that there was enough evidence to suggest that some sort of incident had taken place which resulted in the suspension and that the Activities Co-ordinator was entitled to take action against any person exhibiting disorderly conduct on the premises. However, the investigation found that the process that then followed the suspension was seriously flawed. The complaint was partly upheld.

Following the complaint the council reviewed the process and ensured a consistent and transparent process was put into place for dealing with such incidents, which also adhered to the requirements placed upon the council by the Licensing Act 2003. Following the review clearer information and advice was made available to customers to ensure they knew what was expected regarding behaviour whilst attending evening functions, together with the potential consequences of behaving in an inappropriate manner. Information has also been provided to customers about the process of suspension and what action a customer can take when there is disagreement about a decision made against them. The information is provided in an 'easy read' version.

PART THREE

CHILDREN'S SERVICES STATUTORY COMPLAINTS PROCEDURE

Legislation & Regulations

In September 2006 new statutory regulations were introduced by the then Department for Education & Skills (now the Department for Education) entitled 'Getting the Best from Complaints – Social Care Complaints and Representations Procedure for Children and Young People' to deal with complaints and representations made to Children's Services by children and young people.

These regulations revoked and replaced the 1991 Representations Procedure (Children) in order to reflect the changes made by the Adoption and Children Act 2002 and the Health and Social Care Act 2003.

The regulations and guidance introduced in September 2006 covers complaints and representations made by children and young people. They also apply to parents, foster carers and other adults making a complaint. These regulations aim to ensure that, regardless of the complexity of their complaint, vulnerable children and young people get the help they need at the right time and that lessons learned from such complaints lead to an improvement in service delivery. These complaints are usually referred to as 'statutory complaints'.

Separate procedures exist in relation to some school and education complaints. This includes complaints concerning school curriculum, school admissions, pupil exclusions and Special Educational Needs.

Parents/carers must pursue all other school complaints through the school's published complaints procedure which is available on request from the relevant school. At present this process involves informal resolution by a teacher, followed by formal resolution by a head teacher then progression to investigation by the governing body of the school. If a parent/carer should still remain dissatisfied after consideration of the complaint by the Governing Body they are advised of their right to contact the Secretary of State for Education.

How the Procedure works

In accordance with DfE statutory requirements, Children's Services has adopted a three stage statutory complaints procedure that seeks to resolve dissatisfaction in respect of Social Care complaints. Any other non Social Care but Children's Services related complaint is dealt with in accordance with the two stage Corporate Complaints procedure.

Stage One

The emphasis of the first stage of the procedure is on local problem solving. Most complaints should be resolved at this stage and are usually addressed by operational managers who hold direct responsibility for the service about which the complaint has been made.

At this stage complaints are acknowledged within three working days and resolved and responded to within 10 working days. Where necessary, and with the agreement of the complainant, this period can be extended by a further 10 working days. If the local authority fails to achieve this timescale the complainant has the right to request immediate progression to Stage Two of the complaints procedure.

Stage Two

If a complainant remains dissatisfied with the response made at stage one, or if there has been a delay, they can request progression to stage two of the complaints procedure. A stage two complaint investigation can be undertaken by a service manager who has had no prior involvement with the case or the complaint.

If it is considered that a greater element of independence is required (for example if a complaint covers a number of service areas) or a complaint is considered to be particularly sensitive, an Investigating Officer from an independent agency is commissioned to carry out the investigation.

This is also the case when workload and resource issues dictate that service managers do not have the capacity to carry out these investigations. For this reason external Investigating Officers were appointed for all Stage two complaints up until October 2010 when it was decided to trial the use of internal Investigating Officers as part of the council's drive to achieve efficiency savings.

Due to workload capacity issues of staff able to carry out this duty and the complex time intensive nature of the complaints however it remains necessary to allocate some investigations to external investigators.

There is a requirement to provide an Independent Person to oversee all stage two complaint investigations. A consortium arrangement is in operation with other regional local authorities to provide this service for a nominal fee.

Stage two complaint investigations must be completed within 25 working days of an Investigating Officer agreeing the elements of complaint to be investigated with the complainant, although an extension of up to 65 working days can be requested if necessary. The Head of Safeguarding adjudicates and responds to the outcome and recommendations of the Stage 2 investigation, which may include the offer of redress or compensation, in conjunction with the Complaints Manager.

Stage Three

The final stage of the complaints procedure is an Independent Review Panel. This is an opportunity for the complainant to have any areas of the complaint that remain unresolved heard before an Independent Panel, which comprises an independent chair and two independent persons with knowledge of Social Care policies and procedure. Also present will be the Stage two Investigating Officer and Independent Person, the Head of Safeguarding, the Complaints Manager along with the complainant(s) and chosen representatives. A panel must take place within 30 working days of receiving the request from the complainant.

After hearing the complaint and representations from panel attendees, the Panel will make their recommendations and, together with the Complaints Manager, will produce a panel report with their recommendations which again may include redress or compensation. The panel findings are then responded to by the Executive Director of People Services, in consultation with the Head of Safeguarding and the Complaints Manager.

If a complainant still remains dissatisfied following a Stage Three Review Panel hearing they can request a further investigation by the Local Government Ombudsman.

Complaint outcomes

Stage One

In 2012-13 there were 117 stage one complaints, of which 112 were resolved at stage one (96%). Of these 117 complaints 8 (6.8%) were made by children or young people. The table below shows how this compares to previous years:

An average of 50% of the stage one complaints received were responded to within the statutory timescale of 10 working days. This ranged from an 83% response within timescale rate in April 2012 to only 29% in May 2012.

Stage Two

In 2012-13 there were five requests for a Stage Two complaint investigation. This compares to 14 requests in 2011-12 and 19 requests in 2010-11.

Of these five complaints there were 44 separate elements of complaint. Of these, 15 were upheld (34%), 5 not upheld (11%), 17 partially upheld (39%) and 7 unsubstantiated/inconclusive/unable to investigate (16%)

The cost of commissioning independent Investigating Officers and Independent Persons for Stage Two complaints in 2012-13 was £35,705.91. This compares to £5,740.89 in 2011-12, £41,912.41 for 2010-11 and £36,870.38 for 2009-10. The reason for the decrease in 2011-12 was due to a push to use internal investigating officers rather than those appointed externally on a spot purchase basis. Unfortunately this was not sustainable due to workload capacity issues of the managers tasked to carry out investigations, concerns regarding the quality of some of the reports produced and concerns voiced by complainants alleging bias.

Compensation/redress payments made in 2012-13 (the majority of which relate to complaints made in 2011-12) amounted to £25,173.50. This covered nine separate complaints and ranged from £4.10 to £8,000.00 (please see appendix for further details).

This compares to £7,717.95 spread over five complaints in 2011-12 ranging from £300.00 to £3617.95 and £11,950.00 spread over five complaints for 2010-11 ranging from £25.00 to £16,962.49

Stage Three

In 2012-13 there were three complaints which progressed to a Stage Three Review Panel which cost a total of £4,430.80 to administer (costs of Panel members and other attendance fees etc).

This compares to three complaints in 2011-12; three complaints in 2010-11 and two in 2009-10.

Complaints about a Commissioned Service

Stage one complaints concerning independent service providers commissioned by Children's Services are investigated by the relevant independent provider. Stage Two and Stage Three complaints are managed by the Children's Services Complaints Manager.

The Complaints Manager informs the relevant Head of Service if any complaint about a commissioned service is received and consideration is given to sharing information with other appropriate bodies, such as Ofsted for concerns relating to registration issues and so on.

The Complaints Manager will decide if information received through a complaint may more appropriately be investigated by the Sunderland Safeguarding Children Board; or if a complaint should actually be part of a service area appeals process – for example the fostering service.

Learning from complaints to shape service improvement – identifying trends and themes

Processes are in place to ensure that lessons learned from all complaints are used to identify gaps in services, highlight poor practice/procedure or recurrent problems and identify staff training requirements. Complaints data is presented to the People Services Leadership Team on a quarterly basis as part of their regular performance meetings. More detailed information is also presented to the Safeguarding Senior Management Team meeting on a monthly basis. This includes discussions concerning the implementation of recommendations from Stage Two Complaint Investigations and Stage Three Review Panels.

As a result of the Ofsted Inspection of safeguarding and looked after children services in March 2012 more focus is now placed on:

- Ensuring trends and themes from last three months complaints are presented at quarterly Safeguarding management Team Performance meetings for a decision on what themed audits, if necessary, are required
- Ensuring that in addition to issuing action plans following Stage Two and Stage Three complaint outcomes and recommendations, the Complaints Manager will attend monthly team manager meetings to ensure learning outcomes are embedded with staff
- Ensuring that complaint investigation outcomes are shared with members of staff who were involved to enable them to reflect on their involvement, impact on families and what could have been done better.

Learning outcomes

As with many complaints, the service is able to identify learning outcomes and improve services. The following is just one example of a positive outcome from a complaint. A young person residing in a Childrens Home in Sunderland repeatedly absconded from it. As a result the decision was taken to arrange a placement outside of the area. The placement was initially for period of one week to see if this negated the habit for absconding. At the time of the complaint the young person had been at the out of area placement for a month and stated that she felt settled & supported, had built positive relationships with staff and other residents and no longer felt the need to run away. In addition she had been encouraged to recommence her studies and had started to participate in home schooling. The young person wished to remain at the out of area placement. Following discussion with the Operational Manager and Independent Reviewing Officer it was agreed the young person could remain in the out of area placement for a further three months, despite the additional costs to the local authority, before a decision was made whether a move would be appropriate.

PART FOUR

CORPORATE SERVICES COMPLAINT PROCEDURE

We try to make sure that all of the complaints we get are looked into under recognised and published procedures. The Corporate Complaints Procedure covers all other eligible complaints made to the council that fall outside the statutory Adults or Children's social care procedures.

Experience indicates that we should adopt a flexible approach based on the scale and complexity of the complaint, and aim to settle all areas of dissatisfaction quickly, comprehensively and smoothly. This is also the approach the Ombudsman wishes local authorities to take.

How the Corporate Procedure works

Stage One – *without investigation*

Not all complaints require a formal investigation. Wherever possible less serious or straightforward matters are resolved informally by the service. We record these complaints as: *stage one – without investigation*. The timescale for resolution is five working days but many are resolved much sooner.

During the year 2012-13 there were 789 new stage one complaints without investigation.

Stage One – *with investigation*

Where the complexity of the matter dictates an investigation is required, our aim is to address the complaint comprehensively at this stage through investigation by a trained complaints investigator within the service, whose role is to investigate and prepare a response. We record these as: *stage one – with investigation*.

Any investigation should be completed within 15 working days. If further time is required to prepare a satisfactory reply, the customer will be kept informed. All responses will advise the complainant that if he or she remains dissatisfied or that they consider that more important issues are involved, they can refer it back to the Complaints and Feedback Team for review.

In exceptional circumstances the Complaints and Feedback Team Manager may decide to remove the complaint investigation from the directorate and arrange for it to be undertaken by a member of the Complaints and Feedback team. Generally however if the complaint relates to more than one service area a suitable lead complaints investigator will be appointed to allow for a coordinated and comprehensive response. Lead responsibility will be allocated by the Complaints and Feedback Team.

The timescale for investigation and response is 15 working days.

During the year 2012-13 there were 65 new stage one complaints that required investigation.

Stage Two - Review

Where customers remain dissatisfied with the response to their stage one complaint they can request a **review** be undertaken by the Complaint and Feedback Team. On referral the Complaints and Feedback Team Manager will consider what further action is to be taken. In most cases a review of the complaint will be required and the Complaints and Feedback Team will carry this out.

The aim is to finalise the review within 15 working days. If further time is required to prepare a satisfactory reply, the customer is kept informed. Complainants are advised in the final response that should they remain dissatisfied, they can ask the Ombudsman to look into their complaint

During 2012-13 there were 33 complaints escalated to the review stage. Of these nine were upheld and four were partly upheld.

Themes & Trends

This is the first year of the new two stage process, and the first year comprehensive data has been collected on stage one complaints. Therefore it is not possible to identify trends.

In terms of themes, as expected the highest volumes of complaints are received for Streetscene, who also receive the highest volume of compliments. These complaints tend to be straightforward in nature and resolved informally without an investigation. Rarely will such a complaint escalate to the review stage and even less often to the Ombudsman. The service is pro-active in its approach and responds positively to complaints as a means of improving the service it offers. Given the number of contacts with the public on a daily basis, the overall number of complaints received is very small and not a reason for concern.

Complaints involving the planning service on the other hand are infrequent but generally complex and not suited to informal resolution. These complaints generally escalate to the Ombudsman. An external investigator with a planning background is used on occasions to assist with these complaints as they are often technical in nature.

Complaints involving more than one service area are becoming more common. Careful work as to which service area should retain responsibility for the complaint is required at the outset or confusion can set in resulting in lack of contact with the customer.

Learning Outcomes

Learning from complaints is a vital part of the complaints process. Below is just one of the many examples from 2012 -13.

A tenant complained that a Housing Benefit payment had been sent incorrectly to his landlord rather than the agent as agreed. This resulted in a number of difficulties and arrears when the landlord ceased trading. It was further compounded by the tenant being advised on more than one occasion that the payment had been made correctly to the agent and led to a deterioration in relations and considerable frustration for both parties. Additionally the tenant had long waits to attempt to resolve matters both over the phone and face to face.

The issues were highlighted with the service areas and resulted in training sessions. To date there has been no repeat of the problem. New systems were trialled to reduce waiting times

PART FIVE COMPLAINTS MADE TO THE OMBUDSMAN

Introduction

The Local Government Ombudsman has a statutory responsibility for investigating complaints of maladministration about local councils. The Ombudsman will usually only consider a complaint after it has been through the council's complaints procedure and the customer remains unhappy.

Dissatisfied complainants can ask the Ombudsman to investigate further, and the Ombudsman's procedures will apply. While an Ombudsman can investigate complaints about how the council has done something, they cannot normally question what a council has done simply because someone does not agree with it.

The Picture in 2012-13

During the last year the Ombudsman has made significant changes to their business processes. This has affected their ability to produce a detailed and comparable set of statistics as they have previously. For 2012-13 the Ombudsman has simply sent councils one figure - the number of complaints they have **received** during the year 2012-13. This is not the same as the number of complaints the Ombudsman has made decisions on or indeed complaints they have sent on to the council.

The received figure for Sunderland City Council is 39; the average for Metropolitan councils is 49.

Ombudsman Decisions

The council's own records show that the Ombudsman **decided** 32 cases during this year. During the previous year they decided 25 cases.

Adult Services	Children's Services	Corporate	Multi HH&AS & City Services
6	11	14	1

Of all the complaints considered, in only one did the Ombudsman recommend the council do something differently. The complaint was a Children's Services statutory complaint and concerned the delay in carrying out a Core Assessment as part of a Child Protection enquiry. As a consequence the complainant did not see his child for six months. Whilst the council had upheld the complaint, the Ombudsman felt the compensation offered was too low and recommended an increase.

In all other complaints the Ombudsman made no proposals for alternative outcomes or compensation to that made by the council during its own consideration of the complaints. This demonstrates an in-house procedure that is robust and largely in tune with the Ombudsman's own decision making.

PART SIX - COMPLIMENTS

Compliments tell us what people like best about the services they receive. They also allow us to use this information to build those features into our services where possible and this helps us to continually improve levels of customer satisfaction. Receiving compliments is also good for staff morale and motivation. Compliments are now logged centrally through the Complaints and Feedback Team.

Statutory Adult Services

106 compliments were made about statutory Adult Services in 2012-13 a significant rise from last year's 83.

"I was really worried about what would happen to my disabled daughter when I knew I was going into hospital for an operation. I contacted Social Services and I could not believe it when they called the next day to say respite and day care was all arranged – so quick and professional".

Initial Advice & Assessment Team – Adult Services

"Our relative has received care from your department and we could not have been happier with the quality of the service. Every single worker has shown the utmost respect and care for her. Much criticism is levelled at Social Services in the media today but we would like to put on record our grateful thanks and appreciation for the wonderful help and attention which she and ourselves have received"

Older Persons Team – Adult Services

Statutory Children's Services

33 compliments were made about statutory Children's Services in 2012-13. This compares to 42 compliments being made the previous year.

"Thank you for working with us to enable us to retain care of our grandchildren and for listening to the grandchildren's views".

Assessment Team – Children's Services

"You have made my life hard but worth it, just want this card to show you how grateful I am. If I didn't have you as a Social Worker I would never be back at school and probably a no one - so thank you for all the help and support you're giving me"

Permanence Team – Children's Services

Corporate Services

395 compliments were made about the non-statutory services during 2012-13, the majority for Streetscene. There was no central collation until this year.

"Must say the binmen of @sunderland have been fantastic taking all the extra Christmas rubbish! Thank you."

Streetscene

"Thank you ever so much for all your work with this matter. I am most grateful for the responses I have received. I am also very pleased at the outcome of this matter. Many thanks again for all your work, Sunderland do have a fantastic council and a fantastic team working within."

Planning Enforcement – Office of the Chief Executive

"Thank you for your patience and kindness in the processing of my Council Tax Benefit claim"

Housing & Council Tax Benefit – Commercial & Corporate Services

PART SEVEN - STATISTICAL INFORMATION

Table 1 – All complaints received by monthly breakdown

Month	Statutory Adult	Statutory Children (all stages)	Corporate	Total
Apr	14	8	67	89
May	16	19	70	105
Jun	13	11	46	70
Jul	20	9	94	123
Aug	17	10	81	108
Sep	12	10	71	93
Oct	27	11	74	112
Nov	10	9	56	75
Dec	9	9	63	81
Jan	18	10	94	122
Feb	11	9	75	95
Mar	9	9	96	114
Total	176	124	887	1187

Table 2 – How we received complaints

	Statutory Adult	Statutory Children (St 1 only)	Corporate	Total
Email	30	13	113	156
Face to Face	9	11	27	47
Letter / Complaints Form	28	20	97	145
Telephone	92	76	88	256
Accessible Form	10	3	0	13
Customer Service Network	7	1	460	468
Online Form	0	0	102	102
	176	124	887	1187

Table 3 – Outcome of complaints

	Statutory Adult	Statutory Children (St 2's only – of 44 elements of complaint)	Corporate	Total
Upheld	62	15	453	530
Partially Upheld	33	17	123	173
Not Upheld	51	5	311	367
Not Eligible	1	0	356	357
Other	25	0	0	25
Unsubstantiated	0	7	0	7
Withdrawn	4	0	0	4
	176	44	1243	1463

Compensation Payments made during the period 2012/13

Date of Payment	Service Area	Costs	Reason for payment
Nov-12	Adult Services	£250.00	Time, trouble and delay payment
May-12	Adult Services	£403.63	Agreement to waive care charges for a six week period
Sep-12	Adult Services	£225.00	Reimburse lost wages following delay to stairlift repair
Jan-13	Adult Services	£2,429.00	Settlement of the account with a funeral director
Jan-13	Adult Services	£964.24	Charging incorrectly applied - arrears written off
Mar-13	Adult Services	£5,000	Compensation for delay in providing a placement
Mar-13	Adult Services	£189	Time, trouble and delay payment - arrears write off
Mar-13	Adult Services	£777.11	Reimbursement in respect of financial arrears
Mar-13	Adult Services	£346.24	Arrears reduced to take into account considerable delay
Total Adult Services		£10,584.22	
June-12	Children's Services	£1,500.00	Contribution to legal fees incurred as a result fees incurred as result of Children's Services involvement
June-12	Children's Services	£1,100.00	Reimbursement of travel expenses incurred in respect of supervised contact
June-12	Children's Services	£4,300.00	Compensation for emotional distress suffered as a result of lack of intervention by Children's Services and inappropriate looked after placement
July-12	Children's Services	£150.00	Replacement of child's personal belongings lost during transfer between looked after placements
July-12	Children's Services	£619.40	Reimbursement of travel expenses incurred in respect of supervised contact
Sept-12	Children's Services	£8,000.00	Compensation for emotional distress suffered and reimbursement of costs incurred as a result of lack of post adoption support for child with mental health issues
Sept-12	Children's Services	£4.10	Reimbursement of postage fees
Jan-13	Children's Services	£2,000.00	Compensation for emotional distress caused by delay in terminating need for supervised contact with child
Jan-13	Children's Services	£7,500.00	Compensation for emotional distress suffered by child historically as a result of lack of support or intervention by Children's Services
Total Children's Services		£25,173.50	
Nov-12	Corporate	£181	Housing Benefit overpayment written off as customer had been told more than once his account was clear
Nov-12	Corporate	£100	CSN & Housing Benefits – payment made in error, difficulties resolving matter and delays.
Total Corporate Complaints		£281	

Statistics – Adults Statutory Health & Social Care Procedure

Adults Table 1.			
How statutory adult complaints were handled			
	Stage 1		
	Informal Resolution	Formal Investigation	
Apr-12	9	5	14
May-12	15	1	16
Jun-12	12	1	13
Jul-12	20	0	20
Aug-12	15	2	17
Sep-12	12	0	12
Oct-12	25	2	27
Nov-12	10	0	10
Dec-12	9	0	9
Jan-13	18	0	18
Feb-13	11	0	11
Mar-13	9	0	9
	165	11	176

Adults Table 2.		
Distribution of complaints by Service Area		
Benefits & Assessments	5	2.84%
Commissioned Services	13	7.38%
Community Equipment Service	6	3.40%
Core & Cluster		
Customer Property & Affairs Team	2	1.13%
Day Centres	3	1.70%
Farnborough Court	1	0.56%
Hospital SW Team	5	2.84%
Learning Disabilities Teams	21	11.93%
Mental Health Teams	7	3.97%
Misc		
Occupational Therapy Service	23	13.06%
Older Person Teams	55	31.25%
Palliative Care		
Physical Disabilities Team	7	3.98%
Residential Establishments	19	10.80%
Safeguarding Adults	2	1.13%
Sensory Team		
Strategic Commissioning		
Telecare	7	3.97%
Welfare Benefits		
Welfare Rights		
Total	176	99.94%

Adults Table 3. Targets for resolving complaints				
	Target	No of complaints	Actual % for 2012-13	Actual % for 2011-12
Immediately Resolved	35%	27	15%	33%
< 15 days	45%	59	34%	41%
< 30 days	15%	41	23%	9%
< 90 days	5%	35	20%	11%
Outside of timescale	0%	14	8%	6%
		176		

Statistics – Children’s Services Statutory Complaints Procedure

Childrens Table 1. How statutory children’s complaints were handled				
	Stage 1	Responded to within timescale	Stage 2	Stage 3
Apr-12	6	83%	2	1
May-12	17	29%	2	0
Jun-12	11	64%	0	0
Jul-12	9	44%	0	1
Aug-12	10	60%	0	0
Sep-12	10	30%	0	0
Oct-12	10	60%	1	1
Nov-12	9	78%	0	1
Dec-12	9	44%	0	0
Jan-13	10	60%	0	0
Feb-13	8	37.5%	1	0
Mar-13	8	37.5%	1	0
	117	Average 50%	7	4

Statistics - Corporate Services Complaint Procedure

Corporate Table 1. How corporate complaints were handled						
	Stage 1 Without Investigation	Responded to within timescale	Stage 1 With Investigation	Responded to within timescale	Stage 2 Review	Total
Apr-12	51	67%	13	85%	3	67
May-12	63	67%	4	50%	3	70
Jun-12	43	70%	3	33%	0	46
Jul-12	84	63%	10	40%	0	94
Aug-12	73	66%	5	100%	3	81
Sep-12	64	72%	0	0%	7	71
Oct-12	55	58%	9	78%	10	74
Nov-12	51	53%	3	67%	2	56
Dec-12	58	67%	4	100%	1	63
Jan-13	87	69%	7	71%	0	94
Feb-13	71	73%	2	100%	2	75
Mar-13	89	66%	5	100%	2	96
	789	66%	65	74%	33	887

Corporate Table 2. Distribution of corporate complaints by Directorate				
Directorate	Stage 1 Without Investigation	Stage 1 With Investigation	Stage 2 Review	Total
City Services	671	22	8	701
Health, Housing & Adult Services	17	9	3	29
Commercial & Corporate	72	14	10	96
Children's Services	10	11	1	22
Office of the Chief Executive	10	9	11	30
Multi-Directorate	9	0	0	9
Total	789	65	33	887

Appendix 1 Statutory Adult Complaints

Details of complaints formally investigated

WR/1211/Formal	
A complaint about the services provided by the council to a relative. In particular the manner in which the complainant felt the care plan had been determined and assessment by staff of HHAS. The complainant was also aggrieved to receive a zero tolerance letter from HHAS. The complaint had five elements outlined below:	
1	That recommendations made following a previous complaint had not been actioned
2	Issues in respect of provision of a chair to a relative
3	Issues in respect of hoisting/lifting equipment for relative
4	Issues in respect of the zero tolerance letter sent to complainant
5	The delay in appointing an investigating officer to look into the complaint
WR/0212/Formal	
A complaint about how the Safeguarding Adults Process had been carried out. The complaint had three elements outlined below:	
1	Not happy that certain officers had been in attendance at the safeguarding adults meeting
2	That the safeguarding adults meeting had been called to allow time for equipment to be removed from relatives home.
3	The delay between raising the complaint to the appointment of an investigating officer was such that it gave unfair advantage to the council and therefore strengthened the allegations made about the complainant.
AD/0312/Formal	
1	The complainant argued that delay and administrative failures on the part of the council had lost her relative his residential placement, with the outcome that he had to return to his parents' home to be looked after, placing a great level of stress on the family.
JS/0312/Formal	
1	A customer who was unhappy with the way the council had handled their suspension from a regular disco night held at a council run day centre. The customer felt that the suspension had been based on 'hear-say' evidence of others and their side of the story had not been listened to.
GS/0412/Formal	
A complaint about the initial delay in agreeing a relative required 24 hour care. The complainant felt that her relative should have been able to remain in the care home where she had been receiving some respite care as she was happy and another relative already resided there. However, she was moved to another home following further hospital admissions. The complainant felt the number of moves had been partly to blame for her deterioration. There were seven elements of complaint outlined below:	
1	The family complained that HHAS would not send in carers to only help with food and medication as this was not considered to be personal care. This resulted in the complainant having to visit the relative at least twice daily which placed a lot of stress on the complainant.
	Not upheld

2	Not kept informed about the entitlement and level of respite care available and that the worker had placed limitations on how much respite could be taken at any one time.	Partly upheld
3	The family felt that the process was too rigid resulting in what they felt to be a lack of compassion on the part of the council resulting in the family's wishes not being considered	Not upheld
4	The family questioned the appropriateness of the involvement of the Rehabilitation Team feeling that the team should have provided more intensive support than it had provided	Not upheld
5	The delay in discharge from hospital	Not upheld
6	The complainant felt that the decision for relative to go to the assessment centre was not the correct one	Not upheld
7	The procedure for dealing with falls at the Care Home was either inappropriate or was not followed	Not upheld
RD/0512/Formal		
The complainant is the main carer for his relative and the complaint was about the delay in the council coming to a decision about the level of service provision to his relative and support to the complainant. There were seven elements of complaint outlined below:		
1	Not being kept informed by the worker. The complainant also felt the worker was keeping back information respect of what he was entitled to.	Not upheld
2	Delay in coming to a decision about the level of care package and direct payments	Upheld
3	The complainant complained about the attitude and actions of the worker feeling the worker had used tactics to prevent a resolution being achieved.	Unsubstantiated
4	The complainant had asked for a change of Social Worker a number of times but HHAS would not do so	Upheld
5	That care needs were incorrectly assessed resulting in the wrong monetary calculation being made	Upheld
6	The complainant felt that the worker had made an issue out of him not having a hoist an issue and had been informed that if HHAS was going to arrange carers to come in the home then a hoist would need to be in place. The complainant feels that this contributed to the delay in the process	Partly upheld
7	The complainant felt that when the worker went on sick leave things were just left and this contributed to further delay as no one else picked the case up.	Partly upheld
CS/0512/Formal		
A complaint about the quality of service provision to her relative. There were six elements of complaint outlined below:		
1	The complainant challenged the ability and experience of the worker to manage the case and felt there had been inadequate supervision on the part of the Team Manager.	Not upheld
2	That the Personal Plan had discrepancies and omissions and that there had been delay in its development.	Not upheld
3	The complaint felt that the worker had displayed an inappropriate attitude.	Unsubstantiated
4	There had been problems in accessing emergency respite care	Not upheld
5	The worker had not kept the complainant up to date about extra care provision.	Not upheld
6	The complainant felt that there were discrepancies in relation to Independent Living Fund provision.	No Finding

FH/0812/Formal

Initially a complaint about the lack of involvement on the part of the council when the complainant's relative had their telephone line disconnected by BT. As a consequence of the disconnection the Telecare Service was not available, an issue the complainant had not been aware of. Following the death of her relative the complainant had approached the council for information in respect of help with the funeral and had been provided with incorrect information leading to considerable financial hardship on the complainant's part. The complainant also argued that the council has failed to help with her relative's children. There were five elements of complaint outlined below:

1	Failure by HHAS to become a nominated person on behalf of the service user in relation to the BT telephone line	Not upheld
2	A lack of feedback from the Council following a complaint made to it about care providers	Upheld
3	When approached for assistance with the funeral arrangements, the council provided incorrect information and no support was made available causing distress and financial hardship	Upheld
4	Inappropriate language used in the description of assisted funerals by officers of the council had caused distress to the complainant	Unsubstantiated
5	That there had been a lack of support from Children's Services who had not returned contact as promised and when the complainant did speak to someone she considered the advice provided unsympathetic and lacking in care and support. Also the complaint felt that the council had failed to show a duty of care to a vulnerable child nor had appropriate measure being taken to ensure the child was being supported.	Upheld

VR/0912/Formal

The complaint about the actions and decisions in respect of the care plan for her relative. Initially considered by a Manager who met with the complainant but then left the service the following day, without satisfactorily resolving the issues. A second Manager then took over the case and wrote in response, but then also left the service. The complainant remained dissatisfied with the response she received from the council and at this point it was decided to put the issues to a formal investigation. There were six elements of complaint outlined below:

1	The complainant felt that the number of workers involved in the case had led to some inconsistency.	Upheld
2	The assessment carried out prior to the service user's discharge had not been accurate and did not reflect fully the service user's needs.	Upheld
3	The complainant felt that the Reablement team could not adequately support her relative's needs around personal care and mobility and that the care package was not sufficient.	Not upheld
4	The complainant felt that she had not been consulted in decisions in relation to her relative's care and that her views had not been taken seriously and therefore an appropriate care package had not provided.	Not upheld
5	Dissatisfaction with the response from the previous investigating officer	Upheld
6	That the social worker did not follow up the suggestion for residential care/nursing home that had been agreed by a social worker previously involved in the case.	Not upheld

SJ/1012/Formal	
A complaint regarding the Panel Process that was in operation during the period the complainant's mother was awaiting a decision to confirm whether the council were going to support an admission to Residential Care. There were four elements of complaint outlined below:	
1	Delay in complainant's relative being accepted into permanent care. Upheld
2	Dissatisfaction with the Panel Process and how the decision to accept someone into permanent care was being made by HHAS. Not upheld
3	The complainant felt that the financial assessment should not have been instigated until the decision for the council to fund the care had been agreed. Not upheld
4	That the Panel process was not the best service for his relative. Upheld
JL/1012/Formal	
A complaint about delay and a lack of support from the council. There were five elements of complaint outlined below:	
1	Lack of support from HHAS following a relative's discharge from hospital. Partly upheld
2	Unhappy with the actions of the Telecare Service and delays in installing the service had also caused concern. Partly upheld
3	That due to the delay the service user's physical and mental wellbeing had deteriorated in the period between hospital discharge and commencement of support. Not upheld
4	That the paperwork involved was difficult for the complainant to understand and complete Upheld
5	That there had been un-necessary delays in organising a benefits assessment and direct payments. Upheld

Appendix 2 Statutory Childrens Complaints

Additional information to support Annual Report 2012-13 – for Scrutiny Committee members ONLY

Breakdown of Stage 1 complaints received 2012-13

Table to show comparison with previous years complaints

Year	Number of Stage One Complaints	Number resolved at Stage One	Number made by children or young people
2012-13	117	112 (96%)	7 (6.8%)
2011-12	133	119 (89%)	19 (14%)
2010-11	127	118 (93%)	12 (9%)
2009-10	122	101 (83%)	22 (18%)
2008-09	66	53 (82%)	Not known

Details of all stage one complaints received

Service Area key:

CP Sth & East – Child Protection South & East
 CP Nth – Child Protection North
 CP West – Child Protection West
 CP W/ton – Child Protection Washington
 CP Coalfields – Child Protection Coalfields

IAT – Initial Assessment Team
 FOST – Fostering (Temporary & Permanent)
 OT – Occupational Therapy
 SDC – Services for Disabled Children
 PERM – Permanence Teams 1 & 2

FCS – Family Contact Service
 LC – Leaving Care
 CST – Community Support Team

Complaints shown in red type are those received directly from children or young people. This accounted for 8 (6.8%) of the 117 Stage 1 complaints received

STAGE 1 STATUTORY COMPLAINTS 1.4.12 – 31.3.13			Escalated to St 2 & 3
Ref	Service Area	Brief details	
MG04	CP West	Cancellation of supervised contact session due to workers being unable to provide transport	
AE04	IAT	Failure to share Section 7 (of Children Act 1989) court report prior to court hearing	
JM04	FOST	Lack of support, including financial support, for relative foster carer	
AJ04	CP West	Actions and attitude of Social Worker; factual inaccuracies in court report	
CS04	CP West	Plans for placement move back to Children's Home in Sunderland against young person's wishes	
MA04	OT	Delay in providing wheelchair for disabled child	
		TOTAL APRIL 2012 = 6 (5 or 83% responded to within statutory timescale)	
DV05	CP W/ton	Lack of financial support re residency/special guardianship order	St 2 & 3 - with DV07
HC05	SDC	Lack of support or advice from Children's Services	

MS05	CP W/ton	Lack of support; delay in assessment work; handling of Child Protection enquiry; delay in arranging contact	
ED05	PERM	Plans to remove unborn baby at birth despite contrary opinion of other professionals	
GA05	CP W/ton	Failure to pay backdated financial support; failure to return telephone calls or respond to messages	
AA05	IAT	Lack of intervention by Children's Services re sexualised behaviour displayed by granddaughter	
MW05	IAT	Social Worker interviewing daughter at school without parental permission when not under Section 47 (of the Children Act 1989)	St 2 & 3
AJ05	CP West	Lack of communication; removal of children; failure to place siblings together in foster care; Social Worker using mobile phone whilst transporting children in car	
CC05	CP West	Lack of support, communication or explanation from Children's Services	
LW05	CP North	Sharing of complainants psychiatric report with children's guardian	
JB05	IAT	Attitude of and lack of contact or communication from Social Worker	
KF05	SDC	Breach of confidentiality by Social Worker – revealed details of police check information	
KD05	CP Sth & East	Actions and attitude of, and failure to attend meetings by Social Worker	
DH05	SDC	Complainant asked to provide emergency care for relatives children then told she could not due to ex partners police check information	
LH05	PERM	Young person wishing to stay in foster care rather than return home to mother	
SS05	CH	Failure to return personal belongings to complainant	
AM05	CP W/ton	Failure to make allowances for complainants illness/disability and non notification of cancellation of meetings	
		TOTAL MAY 2012 = 17 (5 or 29% responded to within statutory timescale)	
MA06	CP Coalfields	Removal of children; actions of Social Worker involved in removal of children; lack of contact	St 2 & 3
PA06	CP W/ton	Social Worker refusing to meet with complainant after 5 pm despite complainant working full time	
LW06	CP Nth	Actions and attitude of Team Manager	
SB06	PERM	Assistant Child Care Workers refusal to rearrange contact times stating that not enough notice had been given	
CG06	CP West	Lack of communication from Social Worker; Social Worker sharing sensitive information with hospital staff	
SJ06	FCS	Attitude and actions of contact session supervising worker	
JA06	CP Coalfields	Actions of Social Worker; factual inaccuracies in assessment reports	
JP06	PERM	Lack of multi agency support for daughter in foster care; general standard of care	
EM06	PERM	Lack of contact with grandchildren and attitude of Social Worker when complainant had to cancel meeting due to hospital appointment	
DH06	IAT	Lack of communication and delay re contact/referral process; failure to inform complainant of case closure	
SK06	CP West	Non notification of reallocation of case; decision not to allow children to return home to care of mother; failure to provide minutes of meetings; failure to return personal belongings	
		TOTAL JUNE 2012 = 11 (7 or 64% responded to within statutory timescale)	
DV07	CP W/ton	Lack of financial report to grandmother seeking special guardianship order in respect of grandchildren	St 2 & 3 joint with DV05
LC07	IAT	Lack of communication or information from Social Worker	
AL07	CP North	Removal of child from complainants care following proven malicious allegation; delay in assessment work; bias content in assessment reports	
MN07	IAT	Quality of unborn baby planning; lack of financial support; numerous changes in Social Worker; delay	
WG07	CP W/ton	Non contact with son for 6 weeks; cancellation of Child Protection Conference; attitude of Social Worker & Team Manager	
LO07	IAT	Factual inaccuracies in court report; actions of Social Worker	

FB07	CP Sth & East	Cancellation of Child Protection Conference; failure to provide copies of parenting assessments and minutes of meetings
BL07	CP West	Lack of support, visits or communication from Social Worker; lack of progress in general
AS07	IAT	Lack of contact from Social Worker or Team Manager
		TOTAL JULY 2012 = 9 (4 or 44% responded to within statutory timescale)
GR08	CP W/ton	Lack of support during transition to Leaving Care service; delay in finalising assessments and plans; delay in processing passport application
SD08	IAT	Plans to move complainant from Children's Home in Newcastle to Children's Home in Sunderland
AP08	CP Nth	Medicals for complainants child in foster care and her other children placed for adoption (with whom complainant can have no contact) arranged for same time, date and venue medical
DR08	IAT	Delay in assessment work; reasons why unable to be considered as carer; children's current foster care placement
KD08	CP W/ton	Lack of support or intervention from Community Support Team
TJ08	IAT	Supervision of contact; breach of confidentiality; query regarding police check information
BB08	CP Sth & East	Lack of Social Worker visits; failure to undertake police checks
DM08		Lack of action & support/information; failure to progress referral; missing items
WM08	CP West	Lack of explanation regarding case closure
WC08	IAT	Decision to place child with inappropriate person (elderly grandmother)
		TOTAL AUG 2012 = 10 (6 or 60% responded to within statutory timescale)
TR09	LC	Actions and attitude of Social Worker during home visit
JP09	CP Sth & East	Biased content of reports for Child Protection Conference; lack of contact with son
KL09	PERM	Lack of support of intervention from Services for Disabled Children or re Special Educational Need provision
AS09	PERM	Lack of contact or communication from Social Worker and Team Manager
JH09	CST	Lack of support or intervention from Children's Services despite previous assurance that Child In Need planning/core assessment would commence immediately
AG09	CP Sth & East	Numerous changes in Social Worker; failure to arrange Special Guardianship Order; lack of support; cancellation of Core Group meetings
CJ09	CP West	Social Worker failing to attend Child protection Review due to sick leave resulting in conference being stood down
LM09	IAT	Attitude of Social Worker; lack of support in gaining suitable housing; inappropriate advice given by Social Worker
DG09	IAT	Premature case closure; delay in commencing assessment process
GS09	IAT	Insistence on supervised contact only with grandchildren and length of notice required for contact to take place
		TOTAL SEPT 2012 = 10 (3 or 30% responded to within statutory timescale)
LM10	IAT	Not being allowed unsupervised contact with children
CM10	CP W/ton	Lack of support from Children's Services
KB10	SDC	Inappropriate advice given; failure to implement safeguarding measures
KA10	IAT	Lack of contact or communication from Social Worker; failure to share information about child despite complainant having parental responsibility; failure to carry out unannounced visits
TB10	IAT	Claim for financial reimbursement for partner who had to leave home share together
MH10	CP Sth & East	Lack of contact with grandson; failure to return calls; attitude of Social Worker and Team Manager
SK10	CP W/ton	Attitude of, and lack of contact from Social Worker
AH10	CP Coalfields	Lack of explanation re action taken from Children's Services; failure to safeguard children
MS10	IAT	Suspension of contact arrangements

KA10	CP Sth & East	Complainant stopped form having overnight contact with child following discussion between Social Worker and child's father	
		TOTAL OCT 2012 = 10 (6 or 60% responded to within statutory timescale)	
CW11	CP W/ton	Decision to place child in foster care	
CS11	PERM	Objection to plans for complainant to stay on care plan until 18 – wishes to move into supported accommodation prior to that	
LM11	CP Coalfields	Attitude of Team Manager – hung up on complainant	
JB11	SDC	Concerns around lack of intervention from Services for Disabled Children regarding son (with Special Educational Needs) being bullied at school	
KL11	SDC	Lack of support from Special Educational Needs and Services for Disabled Children	
AS11	SDC	Lack of consistent arrangements from Leisure Link support worker – change in worker requested	
DH11	IAT	Protection arrangements for daughter and grandchildren following their fathers release from prison	
JJ11	PERM	Lack of communication or information from Social Worker	
MC11	CP Sth & East	Lack of contact with daughter and concerns for her welfare	
		TOTAL NOV 2012 = 9 (7 or 78% responded to within statutory timescale)	
KP12	CP West	Lack of support or intervention following allegation of historic abuse by complainants daughter	
CL12	CP Nth	Lack of support from Social Worker regarding request to be allowed to move back to North East	
LB12	SDC	Lack of communication or information from Social Worker	
EW12	PERM	Inappropriate comments made by Social Worker regarding complainants parenting abilities	
MM12	CP W/ton	Delay in returning child to care of mother and lack of explanation as to why	
SJ12	PERM	Lack of contact with children (6 times per year) plus failure to allow Christmas contact	
EC12	IAT	Lack of support from previous Social Worker; lack of communication from current Social Worker	
AA12	IAT	Lack of contact from Social Worker	
AM12	CP W/ton	Actions of Social Worker; failure to take disability into consideration; failure to send meeting minutes	
		TOTAL DEC 2012 = 9 (4 or 44% responded to within statutory timescale)	
KB01	FOST	Concerns about daughters foster carer	
WM01	IAT	Lack of support, including financial support from Children's Services	
PW01	IAT	Actions and attitude of Social Workers and Team Managers regarding refusal to accept proof of innocence	St 2
JM01	PERM	Concerns about children's current foster carer; loss of children's personal belongings during placement move	
TE01	IAT	Failure to notify complainant of cancellation of meeting; information shared by Social Worker	
AM01	CH	Actions and attitude of ex Williamson Tce staff now employed at Revelstoke Rd Children's Home	St 2
AR01	IAT	Failure to take appropriate action	
KK01	IAT	Failure to share reports in advance of Initial Child Protection Conference; lack of professionals in attendance at Initial Child Protection Conference	
KA01	IAT	Lack of intervention by Children's Services resulting in teenage daughter now being pregnant and non attendance at school	
RW01	PERM	Plans for adoption; lack of communication/information/action from Social Worker	
		TOTAL JAN 2013 = 10 (6 or 60% responded to within statutory timescale)	
MT02	CP Coalfields	Attitude and lack of knowledge of case of Social Worker covering core group meeting	
LG02	CP Sth & East	Decisions being made without parental consent prior to interim care order being granted by court	
AL02	PERM	Lack of financial support re school travel expenses	
KA02	IAT	Content of chronology report	

JM02	CP Nth	Lack of communication from Social Worker; failure to act on complainants concerns; failure to recommend contact for contested contact hearing
DH02	CP Sth & East	Comments made by Social Worker & Assistant Child Care Worker; removal of younger children from complainants care; content of assessment reports
KA02	CP West	Lack of information sharing regarding teenage daughter for whom complainant holds parental responsibility
AJ02	CP Sth & East	Lack of support from Children's Services
		TOTAL FEB 2013 = 8 (3 or 37.5% responded to within statutory timescale)
GG03	IAT	Social Workers failure to comply with court directions and forward parents letter to son; contents of various reports inc Child Protection and Section 7 (of Children Act 1989) reports
LN03	CP Coalfields	Delay in organising unborn baby Child Protection Conference and cancellation of then organised Child Protection Conference
AR03	CP West	Cancellation of assessment meetings; recommendation that complainant is not allowed contact with partners children
AS03	IAT	Lack of support or information from Social Worker; actions of Independent Reviewing Officer; invitation letters re Initial Child Protection Conference
JH03	CP West	Attitude of and lack of contact from Social Worker; changes to contact arrangements
NS03	IAT	Breach of confidentiality following anonymous referral
AB03	CP Sth & East	Lack of financial support under Regulation 24; failure to act on request for damaged items to be replaced
SH03	IAT	Attitude and actions of Social Worker
		TOTAL MAR 2013 = 8 (3 or 37.5% responded to within statutory timescale)
		TOTAL 1.4.12 – 31.3.13 = 117 (59 or 50% responded to within statutory timescale)
		5

Trends & themes identified from above data

- 29% (34) of complaints received for 2012-13 relate to the Initial Assessment Team.
- Common themes include attitude of Social Worker, lack of contact or communication from Social Worker and lack of support or intervention from Children's Services
- Only 5 of the 117 stage 1 complaints received escalated to stage 2 (4%)
- 3 of the 5 (60%) stage 2 complaints escalated to a Stage 3 Review Panel hearing (1 possibly pending)

Stage 2 Complaints investigated 2012-13 and outcomes

DV05/St2

1 Failure to pay appropriate financial allowance re Special Guardianship Order allowance

Upheld

MW05/St2

1 Failure to verify anonymous allegation of physical abuse on child

Not upheld

2 Delay in taking action following receipt of anonymous allegation

Not upheld

3 Social Worker acting without authority of Section 47 of the Children's Act 1989 when interviewing child

Not upheld

4 Social Workers lying to child's school about powers under which they were acting

Not upheld

5 Interviewing child without parental consent

Not upheld

6 Social Worker making false record on social care database

Partially upheld

7 Failure to inform complainant of outcome of interview with child

Upheld

8a Failure to respond to letter from complainants solicitor dated 19.12.11

Upheld

8b Failure to respond to letter from complainants solicitor dated 14.2.12

Not upheld

9 Failure to supply information requested as subject access request

Not upheld

10a Failure to respond to all elements of complaint at stage 1 of the statutory complaints procedure

Upheld

10b Inadequate Stage 1 response provided by Operational Manager

Upheld

11 Social Workers failure to carry out adequate multi agency checks

Not upheld

12 Reason stated by Operational Manager for not carrying out an Initial Assessment

Partially upheld

Please note that this complaint subsequently escalated to Stage 3 of the Statutory Complaints Procedure which resulted in the following amendments to findings: Complaint element 5 – changed to Unable to Substantiate Complaint element 6 – changed to Not Upheld
Complaint element 11 – changed to Upheld Complaint element 12 – changed to Unable to Substantiate

MA06/St2

1 Failure to show identification or leave full contact details & written information etc during visit to remove children from complainants care

Partially upheld

2 Social Workers failure to return to see complainants within 48 hours to seek signature on written agreement

Not upheld

3 Decision to use historical health information relating to complainants children

Unable to investigate

4 Use of information contained in Educational Psychologists report dated 2009 in respect of child when parents had not seen or been given opportunity to comment on contents of report

Unable to substantiate

5 Request that complainants sign a blank agreement giving consent to access children's medical records

Not upheld

6 Instigation of care proceedings prior to a Child Protection Conference and before any work with family was undertaken

Not upheld

7 Failure to arrange supervised contact without delay

Upheld

8 Failure to respond to dietary and medical needs of child in care as instructed by parents

Not upheld

9 Failure to arrange supervised contact between complainants and son for a period of 2.5 weeks

Not upheld

Please note that this complaint subsequently escalated to Stage 3 of the Statutory Complaints Procedure which resulted in the following amendments to findings: Complaint element 6 – changed to Upheld Complaint element 9 – changed to Upheld

PW01/ST2

- 1 Failure to adequately investigate ex partners alcohol misuse or attempted overdose as part of Initial Assessment
- 2 Failure to take into consideration evidence produced by complainant in relation to point 1 above
- 3 Decision to treat complainant as if he posed a risk to child and incorrect completion of assessment
- 4a Failure to deal appropriately with arrangements for contact with child
- 4b Operational Managers insistence that complainant should leave hospital following child's admittance
- 5 Breach of confidentiality by Social Worker
- 6a Operational Managers failure to act sufficiently on concerns raised by complainant during meeting on 26.1.12
- 6b Operational Managers failure to meet own deadline of 3 weeks following meeting held on 26.1.12
- 6c Operational manager destroying notes of meeting held on 26.1.12
- 7 Social Worker failing to act on information that ex partner and children were living in unsuitable and inadequate circumstances following a flood to their home
- 8a Social Worker persisting in questioning complainant about alleged assault which was inappropriate as case was going to trial
- 8b Social Workers refusal to provide a copy of initial assessment carried out in July 2011
- 9 Social Workers failure to update Social Care database with outcome of trial regarding alleged assault despite promising to do so
- 10 Inadequate stage 1 complaint response provided by Strategic Manager
- 11 Social Workers unprofessional attitude towards complainant

Upheld
 Not upheld
 Upheld
 Partially upheld
 Not substantiated
 Not upheld
 Partially upheld
 Upheld
 Upheld
 Upheld

Not substantiated
 Not substantiated
 Upheld
 Upheld
 Not substantiated

AM01/ST2

- 1 Allegation that Children's Home Manager had changed statement of a Children's Home worker regarding alleged assault on resident by another worker
- 2 Complainant unfairly losing placement at Children's Home due to lack of support from staff

Not substantiated

Upheld:	Partially Upheld:	Not upheld:	Unable to investigate/Not substantiated:
15 (34%)	17 (39%)	5 (11%)	7 (16%)

Identifying trends & themes, consideration of recommendations & lessons learned from Stage 2 investigations & Stage 3 Review Panels

Ref	No. recommendations made	No. considered/ implemented to date	Brief details of salient recommendations/implementation
DV05	6	6	Backdating of Special Guardianship allowance; apology
MW05	14	14	Face to face meeting between complainant and senior managers to discuss impact of involvement of Children's Services on complainants family; part reimbursement of legal fees and compensation for emotional distress
MA06	4	4	Reminding staff of roles and responsibilities and need to ensure arrangements for contact with children are implemented without delay
PW01	13	0 – implementation pending	Issuing written agreements/schedules re supervised contact, apology to complainant for upheld elements of complaint, need to ensure minutes or notes of all meetings held are retained
AM01	2	2	Further investigation of allegation against staff member & allowing the complainant to return back to home

Appendix 3 – Corporate Complaint Information

Completed complaints – Stage Two Reviews – 2012-2013

1	<p>Planning/Enforcement Conversion of a property into six flats. Complainant states that the planning department failed to explain procedures, did not act in a timely manner and did not carry out duties.</p> <ul style="list-style-type: none"> ▪ It was recognised that there had been faults by the council and the complainant was offered £1000 but did not accept it. 	Upheld
2	<p>Land & Property/Highways The complaint concerns the council's alleged failure to take action about a neighbour's development and the use of land along with its decision to abandon a proposed scheme.</p> <ul style="list-style-type: none"> ▪ The council attempted, but were unable to reach a suitable agreement with all parties concerned in relation to the proposed scheme. 	Not upheld
3	<p>Taxi Licensing Issues re taxi driver (alleged inappropriate behaviour) and dissatisfaction that his licence had not been revoked.</p> <ul style="list-style-type: none"> ▪ Partly a matter for police – no evidence of wrongdoing by not revoking. 	Not upheld
4	<p>Housing Benefit Overpayment A customer was advised in error that overpayment had been written off on two occasions. Also unhappy with attitude of staff.</p> <ul style="list-style-type: none"> ▪ £181.80 not to be recovered as incorrect advice given. Identified flaws in process –recommend changes in procedures 	Upheld
5	<p>Housing Benefit Issues Lack of response to initial letter – unacceptable correspondence and visits to the Customer Service Centre. Incorrect calculation of HB – stress because of ongoing issues and tone of council tax reminder notice.</p> <ul style="list-style-type: none"> ▪ Identified flaws in process –recommend changes in procedure 	Upheld
6	<p>Allotment Termination Customer unhappy with letter advising tenancy to be terminated as a result of the condition of his allotment.</p> <ul style="list-style-type: none"> ▪ Reviewed termination agreement and tenancy unaffected. 	Upheld
7	<p>Park – RLS/Events Lack of sufficient first aid provision within Park at the display following an accident. Poor conditions of footpaths on a main route in Park.</p> <ul style="list-style-type: none"> ▪ First aid will be provided in future displays/events – agreed to look at the condition of the footpaths in Park. 	Upheld
8	<p>Attitude of Highway Engineer – OCX Mother fallen on broken pavement and taken to hospital – unhappy at attitude of Highways officer.</p> <ul style="list-style-type: none"> ▪ Officer interviewed – denied being brusque, apology given for any misunderstanding 	Not upheld

9	<p>Planning enforcement Complainant unhappy that council has refused to take enforcement action to remove an advert he considers unlawful.</p> <ul style="list-style-type: none"> ▪ Not expedient to take enforcement action. Sign not considered to have an effect on the amenity and has been present for many years. 	Not upheld
10	<p>Housing Benefit /CSN Son's HB payment was paid to landlord rather than agent – confusion with staff when trying to sort this. Unhappy with waiting times both over telephone and face to face.</p> <ul style="list-style-type: none"> ▪ £100 - staff training to highlight the issues and new systems introduced to help reduce waiting times. 	Upheld
11	<p>Planning Customer considers report to Committee was inadequate & also minutes were flawed</p> <ul style="list-style-type: none"> ▪ No evidence to suggest report was anything other than balanced and minutes never intended to be a verbatim record. 	Not upheld
12	<p>CSN/RLS/Highways Customer unhappy that CSN did not put him through to correct officers when asked. Also no action over indiscriminate allotment parking, poor quality grass cutting and verge reinstatement.</p> <ul style="list-style-type: none"> ▪ Apology given with regarding CSN issues and customer issued with unique reference number. Explanation given to why no enforcement possible with parking issues and reasons explained why grass cutting had reduced and reasons behind difficulties in restoring verge. 	Partly upheld
13	<p>Housing Benefit /CSN Customer unhappy at length of time to process HB claim and lack of service from both HB and Customer Service Centre staff. Unhappy with disclosing information to landlord when no box had been ticked. Unanswered emails that were sent to HB email address</p> <ul style="list-style-type: none"> ▪ Explanation given to why HB claim took the time it did to process, this was due to a backlog of claims. Apology given with regard to alleged staff attitude. No information had been disclosed to landlord. Emails had been quarantined, ICT could not explain reason. ICT asked to review quarantine procedures. 	Upheld
14	<p>Planning Six complaints were received about planning permission for religious building – they were unhappy that this was granted and felt views of residents not properly taken into account</p> <ul style="list-style-type: none"> ▪ Report found views fully considered and decision sound 	Not upheld

20	<p>Taxi Marshal Complainant unhappy at the attitude of the taxi marshal and that he allowed the public to queue jump</p> <ul style="list-style-type: none"> ▪ No evidence to substantiate complaint. Reminder given to Taxi Marshal Company about the expected behaviour and conduct of employees. 	Not upheld
21	<p>Housing Benefit Letter from HB stating a payment of £3636.50 was awarded, which was incorrect. Complainant made several phone calls to the council and was told she would receive this amount. Complainant allegedly spent the money and is now suffering stress and in debt re payday loan.</p> <ul style="list-style-type: none"> ▪ Payment offered of £334.32 - This was the amount the complainant could evidence she had spent. Not accepted 	Upheld
22	<p>Council Tax Incorrect bill sent also did not have name of partner. Complainant felt inaccurate and unfair</p> <ul style="list-style-type: none"> ▪ Council Tax legislation was followed and legal advice sought. 	Not upheld
23	<p>Housing and Neighbourhood Renewal Customer considers she had a negative experience and communications with the council - no-one turned up for an appointment which was made by the CSN. Meeting with officer and landlord was arranged, however complainant unable to attend-no contact received from Housing and Renewal team. Member of staff's attitude.</p> <ul style="list-style-type: none"> ▪ Customer happy with processes and actions already taken by council. Staff attitude unable to be substantiated as calls not recorded 	Not upheld
24	<p>Planning enforcement Council's failure to ensure that a factory operates within the 2004 planning conditions.</p> <ul style="list-style-type: none"> ▪ No evidence of council wrongdoing 	Not upheld
25	<p>Port Customer unhappy that he is now unable to fish anywhere within the Port of Sunderland/Access to port.</p> <ul style="list-style-type: none"> ▪ Explained previously that the port is not a public area – also byelaws very clear 	Not upheld
26	<p>Registrars Tell us once service – complainant's deceased husband's Blue Badge was handed over to the registrar.</p> <ul style="list-style-type: none"> ▪ Apology given and explanation given as to why the officer acted as they did 	Upheld
27	<p>Housing Benefit Complainant is unhappy about allegedly being misinformed by the council several years ago about his mother's eligibility for HB. However it was established that it was another agency he spoke to rather than the council.</p> <ul style="list-style-type: none"> ▪ Complaint not upheld as incorrect HB advice was not given by the council 	Not upheld

28	<p>Planning Complainant states that the council has failed for six years to discharge conditions of a planning permission and that the council has failed to provide him with clear guidance about what information he needs to provide in order for it to discharge the conditions.</p> <ul style="list-style-type: none"> ▪ Certain delays were recognised (but nothing like six years) however these did not cause any injustice. 	Partly upheld
29	<p>Bus stop – Highways Complainant unhappy that the council will not compensate him for damage to his fence which he states had been caused by people waiting for the bus which stops outside of his home</p> <ul style="list-style-type: none"> ▪ Council are not liable to repair or replace the fence 	Not upheld
30	<p>Council Tax Complainant moved out of the marital home. Because of an admin error regarding bank account details two council tax payments were taken from her ex spouse's bank account. This led to arrears on the complainant's Council Tax.</p> <ul style="list-style-type: none"> ▪ It was recognised that there were errors made by Council Tax, however it is also the responsibility of the customer to inform council of errors. Extended payment terms of council tax offered 	Partly upheld
31	<p>Waste Collection Complainant unhappy that recycling bins in communal area had not been emptied despite previous complaints</p> <ul style="list-style-type: none"> ▪ Not emptied as residents were unaware of their responsibilities to present them. 	Partly upheld
32	<p>School Transport Customer unhappy at refusal of free school transport for his grandchild.</p> <ul style="list-style-type: none"> ▪ Route checked & confirmed as correct. No particular extenuating circumstances 	Not upheld
33	<p>Anti-Social Behaviour Team Complaint that anti-social behaviour team failed to deal with issue between neighbours.</p> <ul style="list-style-type: none"> ▪ Longstanding dispute & ASB team's options were limited 	Not upheld
Nine complaints upheld, four partly upheld, 20 not upheld		

Completed complaints – Ombudsman 2012-2013

1	<p>School Admissions Appeal Complainant unhappy with outcome of school admissions appeal after child did not gain a place in the school. However place subsequently became available.</p> <ul style="list-style-type: none"> ▪ Ombudsman decided not to initiate an investigation
2	<p>School Exclusion Complainant unhappy with decision of school to permanently exclude son.</p> <ul style="list-style-type: none"> ▪ Ombudsman unable to initiate investigation as outside of their jurisdiction - unable to investigate actions of the school.
3	<p>School Transport Complainant unhappy that child did not obtain a free bus pass, to allow school travel. Council in the interim allowed appeal.</p> <ul style="list-style-type: none"> ▪ Ombudsman decision not to initiate an investigation.
4	<p>School Admissions Appeal In-year admissions appeal for complainant's children was refused.</p> <ul style="list-style-type: none"> ▪ Ombudsman found no evidence of wrongdoing.
5	<p>Child Protection Complainant's young relatives taken into care. He was unhappy that he was not considered as a long term carer for children.</p> <ul style="list-style-type: none"> ▪ Decision had been made by court so outside of Ombudsman's jurisdiction.
6	<p>Children's Social Care Complainant unhappy at council delays, inaccurate information and inconsistent contact arrangements in relation to his child.</p> <ul style="list-style-type: none"> ▪ Ombudsman found the council had provided complainant with a reasonable remedy and concluded there is nothing else the Ombudsman could achieve for him.
7	<p>School Admissions Appeal Complainants unhappy that school admissions appeal panel refused a place for their son.</p> <ul style="list-style-type: none"> ▪ Ombudsman discontinued investigation when a place became available.
8	<p>School Admission Appeal Complainant unhappy that school admissions appeal panel did not properly consider appeal for place at school for her son.</p> <ul style="list-style-type: none"> ▪ Ombudsman discontinued investigation as place became available at that school.
9	<p>School Complaint Complaint regarding the election of school governors.</p> <ul style="list-style-type: none"> ▪ Outside of Ombudsman jurisdiction.
10	<p>School Complaint Complainant unhappy with primary school that complaint was dismissed by the governors. He was subsequently sent a letter stating he could contact the Ombudsman should he remain unhappy. That advice was incorrect.</p> <ul style="list-style-type: none"> ▪ Ombudsman did not initiate an investigation.

11	<p>Child Protection Council unacceptably delayed the assessment process to determine if the complainant was a risk to his child. Also sent a letter containing personal information to his ex-wife and failed to communicate clearly or promptly.</p> <ul style="list-style-type: none"> ▪ The council offered £500 compensation for emotional distress caused by delay in terminating need for supervised contact with child. The Ombudsman recommended increasing this to £2000.
12	<p>Highways Complainant unhappy that council refused to install a dropped kerb in granite and block paving to match driveway.</p> <ul style="list-style-type: none"> ▪ Ombudsman found no evidence of fault on behalf of the council.
13	<p>Bus stop – Highways Complainant unhappy that council would not compensate him for damage to fence that he stated was caused by people waiting to catch the bus that stops outside his home.</p> <ul style="list-style-type: none"> ▪ Ombudsman decided to discontinue the investigation.
14	<p>Housing Benefits Complainant unhappy that council has refused to make Discretionary Housing Payment to help his daughter with rent payments.</p> <ul style="list-style-type: none"> ▪ The Ombudsman found the council was entitled to refuse the Discretionary Housing Payment and discontinued the investigation.
15	<p>Council tax Incorrect bill sent also did not have name of partner. Complainant felt inaccurate and unfair</p> <ul style="list-style-type: none"> ▪ Ombudsman chose not to investigate because no evidence of fault by the council was seen.
16	<p>Planning Complainant unhappy that the council is allowing an educational establishment to sell one of its properties.</p> <ul style="list-style-type: none"> ▪ The Ombudsman chose not to investigate as the council has no role in the sale.
17	<p>Housing Benefits Complainant is unhappy about allegedly being misinformed by the council in respect of his mother's eligibility for HB. However it was established that it was another agency that was actually approached and gave the advice in respect of the claim.</p> <ul style="list-style-type: none"> ▪ The Ombudsman chose not to investigate given the passage of time.
18	<p>Selective Licensing - Housing Renewal Customer unhappy that council did not inform him early enough re discounts for accredited landlords when introducing new scheme.</p> <ul style="list-style-type: none"> ▪ The Ombudsman found no evidence of maladministration and did not initiate an investigation.
19	<p>Access to Housing Complainant states that she has been waiting five months for the council to offer her suitable accommodation following domestic violence.</p> <ul style="list-style-type: none"> ▪ The Ombudsman established that it took the council two months and does not consider that unreasonable.
20	<p>Older Persons - Adult Services Complainant states that the council failed to properly investigate concerns that she raised about services provided to her father following his discharge from hospital.</p> <ul style="list-style-type: none"> ▪ The Ombudsman found no evidence that services should have been in place and did not initiate an investigation.

21	<p>Older Persons - Adult Services</p> <p>Complainant in disagreement with decision in respect of 24 hour care provision.</p> <ul style="list-style-type: none"> ▪ Ombudsman decided not to initiate an investigation
22	<p>Initial Advice and Assessment - Adult Services</p> <p>Complainant unhappy with the way the council dealt with a request for counselling.</p> <ul style="list-style-type: none"> ▪ Ombudsman decided not to investigate as council had apologised and Ombudsman thought this to be a satisfactory remedy.
23	<p>Home Improvement Agency - Adult Services</p> <p>Complainant unhappy about working completed under a Disabled Facilities Grant.</p> <ul style="list-style-type: none"> ▪ Ombudsman decided not to investigate as the council has already offered a remedy the Ombudsman feels is appropriate.
24	<p>Multi Services – Anti Social Behaviour and Street Scene</p> <p>Complainant unhappy at council's failure to deal with Anti Social Behaviour near to his home and it's refusal to remove a multi use games area in a park near to his property.</p> <ul style="list-style-type: none"> ▪ The Ombudsman found no evidence of fault and discontinued investigation.
25	<p>Planning Enforcement</p> <p>The complaint concerns the council's alleged failure to take action about a neighbour's development and the use of land and its decision to abandon a proposed safer walking scheme.</p> <ul style="list-style-type: none"> ▪ The Ombudsman found no evidence that the council acted with fault and did not initiate an investigation.
26	<p>Funeral Director's signage – Planning Enforcement</p> <p>Complainant unhappy that council has refused to take enforcement action to remove an advert he considers unlawful.</p> <ul style="list-style-type: none"> ▪ The Ombudsman found no evidence of maladministration and did not initiate an investigation.
27	<p>Planning</p> <p>Complainant alleges that the council failed to properly consider a planning application for a development near to his house.</p> <ul style="list-style-type: none"> ▪ The Ombudsman considered that his dissatisfaction lies with the merits of the decision but states in the absence of maladministration it is not for the Ombudsman to question.
28	<p>Planning</p> <p>Planning permission for religious building – unhappy that this was granted. Feel views of residents not properly taken into account</p> <ul style="list-style-type: none"> ▪ The Ombudsman chose not to investigate.
29	<p>Planning</p> <p>Complainant unhappy with the way the council dealt with a planning application for a development in the city centre and also how it dealt with its own application for a nearby site.</p> <ul style="list-style-type: none"> ▪ The Ombudsman declined to investigate as one matter was outside of their jurisdiction and there was insufficient evidence of maladministration on the other.
30	<p>Land and Property</p> <p>Complainant alleges his shop lease breaks anti competition legislation.</p> <ul style="list-style-type: none"> ▪ The Ombudsman considered the matter was outside of its jurisdiction.

31	<p>Highways Drainage Complainants believe their property floods as a result of inadequate highways drainage.</p> <ul style="list-style-type: none"> ▪ The Ombudsman found insufficient evidence of fault on the part of the council.
32	<p>Bus stop - Highways</p> <ul style="list-style-type: none"> ▪ See complaint 13, the issues were raised in a slightly different way but again closed by the Ombudsman.