



**To the Chair and Members of the
CHILDREN AND YOUNG PEOPLE SCRUTINY PANEL**

**DEVELOPMENTS IN TRUST COMPLAINTS MANAGEMENT SINCE 17TH
SEPTEMBER 2015**

| Relevant Cabinet Member(s) | Wards Affected | Key Decision |
|---|-----------------------|---------------------|
| Councillor Nuala Fennelly Cabinet Member for Education and Skills and Lead Member for Children's Services | All | No |

EXECUTIVE SUMMARY

1. Following on from the Annual Complaints Report presented to this Committee in September 2015, this report sets out the actions taken by the Trust to improve the effectiveness and efficiency of complaints management.

Actions have been taken in 14 out of the 15 areas highlighted in the September report and action is planned to address the outstanding area.

EXEMPT REPORT

2. This is not an exempt report

RECOMMENDATIONS

3. That the Committee notes the content of this report.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

4. Citizens of Doncaster can note that the Trust is taking measures to maximise the potential learning from complaints in order to drive further service improvements as well as working in close partnership with the council to ensure that complainants are responded to fairly and effectively and in line with statutory guidelines.

BACKGROUND

5. The Annual Complaints Report for Doncaster Children's Services Trust was presented to the Committee at its meeting on 17th September 2015. The Committee resolved that an update should be brought back on the fifteen improvements proposed in the report. Appendix A to this report gives the update on each of these proposed improvements.

OPTIONS CONSIDERED

6. Not applicable.

REASONS FOR RECOMMENDED OPTION

7. Not applicable.

IMPACT ON THE COUNCIL'S KEY PRIORITIES

8.

| | Outcomes | Implications |
|--|---|--|
| | <p>All people in Doncaster benefit from a thriving and resilient economy.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Creating Jobs and Housing</i> • <i>Mayoral Priority: Be a strong voice for our veterans</i> • <i>Mayoral Priority: Protecting Doncaster's vital services</i> | <p>The Trust has been established with a mandate to continue delivering improvements in children's social care. The formal contract with DMBC details a requirement for future Ofsted inspection judgements to be:</p> <ul style="list-style-type: none"> - 'Requires improvement' or better by April 2016 - Good or better by October 2017 - And that overall the service should be Outstanding by October 2019. <p>Through establishing robust complaints management the Trust will be better able to understand current service performance and implement change to improve service quality.</p> |
| | <p>People live safe, healthy, active and independent lives.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Safeguarding our Communities</i> • <i>Mayoral Priority: Bringing down the cost of living</i> | |
| | <p>People in Doncaster benefit from a high quality built and natural environment.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Creating Jobs and Housing</i> • <i>Mayoral Priority: Safeguarding our Communities</i> • <i>Mayoral Priority: Bringing down the cost of living</i> | |
| | <p>All families thrive.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Protecting Doncaster's vital services</i> | |
| | <p>Council services are modern and value for money.</p> | |
| | <p>Working with our partners we will provide strong leadership and governance.</p> | |
| | | |

RISKS AND ASSUMPTIONS

9. Should complaints not be managed in line with statutory requirements there are both financial and reputational risks to the council as well as the risk that opportunities to improve practice are missed.

LEGAL IMPLICATIONS

10. Complaints about the provision of Trust services must be managed in line with:
- The Children Act (1989)
 - Representations Procedure (England) Regulations (2006)
 - The Children and Adoption Act (2002)
 - Children (Leaving Care) Act (2000)
 - Getting the Best from Complaints (DfES, 2006)

FINANCIAL IMPLICATIONS

11. The Trust has allocated the following pay budget for the Complaints service:
- 1 x Grade 9 Customer Experience Manager (responsible for complaints)
 - 1 x part time Grade 7 Admin Support

The Trust also has to engage an independent person to review for all stage 2 complaints, this is an additional cost (not reflected in the Contract) to the Trust. The forecast outturn for the year is approximately £21k.

The DMBC system will be assessed to see if it can meet the reporting needs of the Trust either in its current format or with development. If this is not possible then a business case will be prepared to supply a complaints monitoring system for the Trust, estimated costs are £20k. The business case will need to be approved by DMBC IGB. Funding for this project would be met through the Trust's overall budget.

HUMAN RESOURCES IMPLICATIONS

12. None

TECHNOLOGY IMPLICATIONS

13. None

EQUALITY IMPLICATIONS

14. None

CONSULTATION

15. This report has significant implications in terms of the following:

| | | | |
|-------------------------------|--|------------------------------|--|
| Procurement | | Crime & Disorder | |
| Human Resources | | Human Rights & Equalities | |
| Buildings, Land and Occupiers | | Environment & Sustainability | |
| ICT | | Capital Programme | |

BACKGROUND PAPERS

39. Appendix 1 Developments in Trust Complaints Management Since 17th September 2015 – attached

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Developments in Trust Complaints Management since 17th September 2015

Introduction:

Fifteen separate improvements to the management of complaints were proposed in the report to the Children and Young Peoples Overview and Scrutiny Committee on 17th September 2015.

There has been action against fourteen of these proposals and work is planned for the one outstanding proposal.

Details of developments are set out in the remainder of this report.

Issues:

Proposed improvement action:

Training for service areas will be delivered to better inform requirements of the statutory complaints process, enabling us to set standards in respect of dealing with complaints at stage 1. Our hope is that by improving the quality of the responses and early resolution, a far more positive conclusion to the complaint will be achieved.

Developments:

- All Managers and Heads of Service have been provided with training by the Interim Complaints Manager.
- All Team Managers have been written to and offered one to one support to deal with existing complaints.
- Customer Experience Manager provides quality assurance feedback to Team Managers on draft Stage 1 responses.
- Complaint Training is included for all staff at Induction
- Visits are planned to every team meeting over the next 8 weeks to discuss complaints.

Proposed improvement action:

A review of the way in which complaints are 'gathered and monitored' by the council's contact centre, to improve the information available enabling the Trust to have a better 'grip' on progressing complaints.

Developments:

- New scripts and recording formats to be used by contact centre staff have been developed jointly by the council and the Trust. This has resulted in better quality information being gathered by the contact centre which enables complaints to be appropriately prioritised, monitored and addressed by the Trust.

Proposed improvement action:

The provision to teams and managers of 'real time' performance information

that can influence current work and behaviour rather than 'historical' data.

Developments:

- Whilst consideration is given to a new IT complaints management system an interim tracking sheet has been introduced. This contains a breakdown of every element of each complaint, validity of complaint, themes and lessons learnt. This is a live document and updated as each complaint is received. This information is broken down by service area and provided monthly to Heads of Service for dissemination to managers. It should be noted that this level of detail is only available from 1st January 2016 onwards.

Proposed improvement action:

Improved adherence to the required timescales, reducing frustration and possibly avoiding escalation.

Developments:

- Since January 2016 tracking is in place to support complaints being dealt acknowledged and responded to in timescale. This will enable accurate reporting on complaint handling going forward. This will significantly reduce the risk of complaints escalating due to timescales not being adhered to.
- Team Managers are supported by being sent a briefing document on each complaint received detailing actions that have been taken together with a calendar prompt to advise them of deadlines. Quality assurance on draft Stage 1 responses is scheduled into these deadlines. The Customer Experience Manager also speaks to Team Managers directly to advise them that a complaint is being sent to them.
- The Customer Experience Manager monitors adherence to timescales and reminds accountable managers of required actions. To date Team Managers have responded positively to the new processes and are working with the Customer Experience Manager to respond to complaints in timescale. If Team Managers do not respond in timescale the procedure is to escalate the matter to the Head of Service.

Proposed improvement action:

Build on the existing pool of independent investigators to carry out stage 2 investigations, resulting in a greater resource of knowledge and experience that will benefit the quality of independent reports.

Developments:

- Three new investigators have been recruited.
- One more has been appointed subject to required checks being satisfactory.
- Due to the number of Stage 2 complaints and current lack of availability of internal investigators two independent providers are also being used to provide investigators. This will enable statutory timescales to be met. The service of these two providers will be carefully managed to assure quality and value for

money.

- Discussions are being held with Commissioning to plan how to ensure sufficient investigators will always be available to the Trust.
- The aim is to reduce the numbers of investigators that will be required by reducing the proportion of Stage 1 complaints that escalate to Stage 2.

Proposed improvement action:

Training for Advocates in respect of complaints handling will be provided to ensure Advocates better engage with children who have made a complaint.

Developments:

- Two new members of staff have been appointed as advocates. This role includes complaints advocacy. Both have received thorough training in the requirements of the role.

Proposed improvement action:

Recruit the appropriate level of Complaints Handling resource.

Developments:

- The Customer Experience Manager (Complaints Manager) started with DCST on the 11th January 2016 in a full time position. In addition the post is supported with a 0.5 FTE Business Support member of staff who started on the 4th January 2016.

Proposed improvement action:

A review of the governance arrangements with respect to complaints with the Doncaster Children's Services Trust.

Developments:

- A review of how complaints fit within Trust governance arrangement is underway and recommendations will be made by April 2016.

Proposed improvement action:

Review of the processes required to highlight lessons learned and embed service improvements arising from complaints. Review of the electronic means by which children can make complaints to ensure access points to the complaints process are available for children. Work is in development for an App.

Developments:

- The tracking spreadsheet introduced in January 2016 highlights lessons learnt and ensures that these are shared with senior managers, line managers and operational staff. Lessons learned will also be shared with the Practice Improvement and Quality Assurance team and Workforce Development, to

Appendix A

ensure these influence the development of policies and procedures.

- The Trust has commissioned the MOMO app which enables children and young people to make formal complaints and raise other issues via their mobile phone, tablet or PC.

Proposed improvement action:

Review the way in which compliments can be identified. At present very little is done gathering evidence of what the Trust has done well. It is just as vital that this information is gathered and lessons learned.

Developments:

- During the visits to individual teams the importance of gathering evidence of good practice will be discussed and staff will be encouraged to share compliments that they receive. Staff will be asked to seek permission to share thank you cards and letters with their managers so that these can also be anonymised and captured.
- Compliments and themes will be covered in the monthly management report produced by the Customer Experience Manager.
- Good practice will be shared with the Practice Improvement and Quality Assurance team and Workforce Development to ensure lessons learned influence the development of policies and procedures.

Proposed improvement action:

Improve the way in which the complaints function engages with children. In September the complaints manager will meet with children's groups; this will enable children to be reassured that their concerns will be taken seriously and actions taken to rectify problems when they occur.

Developments:

- This has not yet happened.
- It is now a priority for the Customer Experience Manager who will meet with Children in Care Council and Fostering Voices group by April 2016.

Proposed improvement action:

A business case is in development for the implementation of complaints management software.

Developments:

- The Customer Experience Manager is due to be trained on the DMBC system and will then assess whether or not this can meet the reporting needs of the Trust.
- A business case for the implementation of an alternative complaints management system will only be developed if it is clear that the current DMBC system cannot meet the Trust's needs.

Proposed improvement action:

A review of the SLA and Contract with the Council is underway; it is our intention to develop a joint protocol for dealing with historical complaints.

Developments:

- Draft changes to the SLA have been proposed and are under consideration by the council.
- An updated SLA will be agreed and implemented by April 2016.

Proposed improvement action:

Complaints leaflets will be produced and circulated to children and adults to better advise them of our complaints process, and capture concerns and compliments.

Developments:

- Complaints Leaflets have been produced and circulated to teams. These will also be taken to teams during the upcoming visits.
- Leaflets will be brought to all trust children's homes and discussions will be had with the LAC service about how best to ensure they are given to all children in care. Advocates also have complaints leaflets that can be shared with children and young people as necessary.

Proposed improvement action:

Measures have now been undertaken to ensure the inclusion of an Independent Person within Stage 2 investigations, meeting statutory requirements in the future.

Developments:

- All Stage 2 investigations have an Independent Person.

Ombudsman finding

Further to the recent finding by the Ombudsman in relation to a homelessness issue of a 17 year old, intensive work has since taken place to wholly review the arrangements for dealing with homelessness in 16/17 year olds.

Senior officers from the Trust and ST Leger Homes have worked together to review the joint protocol in the light of statutory guidance and recent case law. Advice has been given from St Basil's Trust, a national organisation which delivers a range of homelessness services and which acts in an advisory capacity to government departments. Consultation had taken place with local advocacy agencies to ensure that young people's rights are fully reflected in the protocol and its implementation. The new joint protocol is currently at its final draft stage and will be presented for final sign off in March. The new protocol establishes the roles and responsibilities of different agencies towards homeless and or potentially homeless 16 and 17 year olds. It outlines the respective statutory responsibilities of DCST,

Appendix A

DMBC and SLHD. In addition, it details the practical joint working arrangements between them and other agencies which can assist with the housing and support of homeless 16 and 17 year olds in the Borough. The key areas which have been clarified in the protocol are:

- Clarification of joint and single agency powers and duties under current legislation, guidance and case law,
- A clear referral pathway which ensures a joint assessment response and an assumption of S17 responsibilities upon assessment, and S20 where applicable,
- Clarification over young people with additional needs,
- Clarification over advocacy requirements
- Clarification that the previous requirement for a young person to have been 'Ordinarily resident' in the Borough prior to becoming homeless in order to qualify for an assessment of need **is no longer applicable.**

A series of supporting materials for practitioners is being created, including clarity around the referral pathway. Training events are place for April once the protocol has been formally adopted. However, in the interim, guidance has been given in terms of ongoing cases around the need to disregard the former advice around ordinary residence and the requirement that all assessments must be jointly conducted. This advice is supported by the agreement that a housing options officer will be located in the Early Help Hub.