



DERBY CITY COUNCIL

## CHILDREN AND YOUNG PEOPLE COMMISSION 16 March 2010

Report of the Corporate Director for Children and Young People

### Annual Children and Young People's Social Care Services Complaints 2008/09

#### RECOMMENDATION

1. Consider and comment on the Annual Children and Young People's Social Care Services complaints during 2008/09.

#### SUPPORTING INFORMATION

- 2.1 Complaints and compliments from the service users provide valuable information to organisations and help them to deliver effective services. Local authorities with social services are required to submit annual reports to Ofsted on the procedure and performance of social services complaints. The Children and Young People's Social Care Complaints Procedure is separate from, but complementary to, the Council's Corporate Complaints Procedures.
- 2.2 This statutory annual report looks at Children and Young People's Social Care Services complaints during 2008/09.

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**Background papers:** None  
**List of appendices:** Appendix 1 – Implications  
Appendix 2 – Complaints and Representations Procedure Annual report

<b>IMPLICATIONS</b>
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**Financial**

1. None arising from this report.

**Legal**

2. The Children Act 1989 and the Local Authority Social Services Act 1970 (as amended by the National Health Service and Community Care Act 1990) requires social services authorities to set up representations or complaints procedures.

**Personnel**

3. None arising from this report.

**Equalities impact**

4. Effective complaints procedures assist in ensuring equality of access to services across communities and for individuals.

**Corporate Priorities**

5. The proposal comes under the Council's Objectives of supporting everyone in learning and achieving and in building healthy and independent communities through improving the standard of social care for children and young people.

**DERBY CITY COUNCIL**  
**Children and Young People's Department**  
**(Social Care complaints)**  
**ANNUAL REPORT for period April 2008 – March 2009**

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## **1. Context**

This report provides information about complaints made during the twelve months between 1 April 2008 and 31 March 2009 under the complaints and representations procedures established through the Local Authority Social Services Complaints (England) Regulations, 2006.

This is the third separate Annual Report since the Council restructured its services. Social Care is divided between the Children and Young People's Department (which comprises the former Education Service and staff dealing with children and young people from the former Social Services department) and the Adult and Social Care Department.

Children and Young People's Services are monitored and inspected by OfSTED. We are also part of the regional care services improvement partnership with other social care and NHS organisations across the East Midlands.

There has been an increased level of activity within our services, from over 2200 children and young people to just over 4,000 in 2008/09. Some of the children and young people require services for only a short period of time and others are likely to require lifelong, round the clock access to services.

Complaints and compliments provide valuable feedback from our service users about the services we provide. By analysing these we can obtain insight into parts of our service where we perform well and those parts that may need attention. The department aims to minimise complaints but values the learning we can derive from them. We want to encourage users to feel confident about raising concerns, and staff to proactively deal with customer issues and strive for quality improvement. Consequently, fluctuations in the numbers of complainants are not, themselves, a measure of performance. Nonetheless, it is important that complaints are acknowledged and responded to promptly.

All timescales contained within this report are in working days.

## **1.1 What is a Complaint?**

We use the following definition as a guide “A complaint is an expressed dissatisfaction or disquiet for an individual child or young person, which requires a response”.

If it is possible to resolve the matter immediately (within 24 hours), there is no need to engage the complaints procedure.

If there is any question about whether a matter is an actual complaint, the Complaints Manager will seek legal advice.

## **1.2 Who can make a Complaint?**

- Any child, young person, their parent or person with parental responsibility for them who is being looked after by the local authority or is in need.
- Any local authority foster carer, including those caring for children placed by independent fostering agencies.
- Any child, young person, their parent or person with parental responsibility for them who is being looked after by the local authority or is in need.
- Children leaving care.
- Special Guardians.
- A child or young person (or their parent) with a Special Guardianship Order.
- Anyone who has applied for an assessment under section 14F (3) or (4).
- Any child or young person who may be adopted, their parents and guardians.
- Anyone wanting to adopt a child.
- Anyone else the adoption services cover.
- People who are adopted, their parents, natural parents and former guardians.
- Anyone the local authority considers has sufficient interest in the child or young person's welfare.
- An adult representing a child or young person, where the young person is happy for this to happen and the representative reflects their views. The local authority – Complaints Manager and operational manager - can decide whether the representative is suitable.

## **2. Stages of the Complaints Procedure**

The complaints procedure has three stages:

- Stage 1 – Local Resolution
- Stage 2 – Investigation
- Stage 3 – Review Panel

Details of the timescales and process involved at each stage are outlined in Appendix 1.

## **3. Stage 1 Complaints - Statistics**

The Complaints Manager recorded 35 complaints at stage 1 of the complaints procedure, during 2008-09, compared with 32 in 2007-08, 24 in 2006-07 and 36 in 2005-06 This figure is the total number of complaints that the department handled.

## Total complaints made:

Between 1 April 2008 and 31 March 2009, we received 35 complaints with 26 closed (at Stage 1) 74.28 % of all Stage 1 complaints are resolved.

Service Area	Referrer	Young Person/ CIC	Complaint Type/Reason	Resolved
Adoption	Other		Quality of Service	Yes
Adoption	Parent		Quality of Service	No
Assessment/Care Planning	Service User	Yes	Conduct/Attitude of Staff	Yes
Disability - Children's	Parent		Refusal of Service	Yes
Disability - Children's	Parent		Quality of Service	Yes
Disability - Children's	Parent		Withdrawal of Service	Yes
Disability Children's	Parent		Withdrawal of Service	Yes
Family Support	Foster Carer		Quality of Service	Yes
Family Support	Parent		Quality of Service	Yes
Family Support	Friend		Quality of Service	No
Family Support	Neighbour		Quality of Service	No
Family Support	Neighbour		Quality of Service	No
Family Support / Locality 3/4/Reception	Parent		Quality of Service	Yes
Foster Care	Neighbour		Other	Withdrawn
Foster Care	Service User	Yes	Quality of Service	Yes
Foster Care/Social Work Services	Service User	Yes	Quality of Service	Withdrawn
Social Work Services	Parent		Quality of Service	No
Social Work Services	Relative		Quality of Service	Yes
Social Work Services	Relative		Quality of Service	No
Social Work Services	Relative		Quality of Service	Yes
Social Work Services	Advocate	Yes	Decision – Children's	Yes
Social Work Services	Parent		Contact	Yes
Social Work Services – Locality 2	Parent		Lack of Information	Yes
Social Work Services Locality 1/5	School		Conduct/Attitude of Staff	Yes
Social Work Services Locality 1/5	Parent		Conduct/Attitude of Staff	Yes
Social Work Services Locality	Parent		Conduct/Attitude of Staff	Yes

2				
Social Work Services Locality 3/4/Reception	Parent		Conduct/Attitude of Staff	No
Social Work Services Locality 3/4/Reception	Relative		Decision – Children’s	Yes
Social Work Services Locality 3/4/Reception	Parent		Contact	Yes
Social Work Services Locality 3/4/Reception	Relative		Decision – Children’s	Yes
Social Work Services Locality 3/4/Reception	Parent		Quality of Service	Yes
Social Work Services Locality 3/4/Reception	Relative		Lack of Communication	Yes
Social Work Services Locality 3/4/Reception	Parent		Quality of Service	No
Social Work Services Locality 3/4/Reception	Relative		Quality of Service	No
Social Work Services Locality 3/4/Reception	Other		Policy Issue	Yes

Of the above complaints, 5 (14.28%) progressed to Stage 2\*\*. 2 were withdrawn.

### On-going complaints from 2007-08

There are no on-going complaints.

### 3.1 Comparison with the preceding year

	2005-06	2006-07	2007-08	2008-09
Stage 1: Local Resolution	36	24	32	35
Stage 2: Investigation	4	2	1	6**
Stage 3: Review	*1	*1	0	1
Ombudsman	0	2	0	5

\*\* Out of these 6 stage 2 complaints, 3 are from one family and relate to the same issues. The LGO advised that we should accept all 3 as separate complaints at Stage 2, but if they progressed to Stage 3, they could be dealt with as one Stage 3 Panel. All 3 are being investigated by the same Investigating Officer and Independent Person. One of the 6 complaints went directly to Stage 2 and didn’t progress from Stage 1 to Stage 2.

This indicates a 9% increase in complaints from last year within the Department at Stage 1 (from 32 in 2007/8 to 35 in 2008/9).

This also sits within the wider context of complaints activity in the Council as a whole. Across the Council there was a 13% increase in the number of complaints recorded in the same period.

However it should also be noted that there has been an increased level of activity within children and young people's services (from 2,200 to 4,000). The increase is not in line with this percentage increase.

It should be noted that a complaint is reborn when it passes to the next stage in the process, thus Stage 3 complaints are also recorded at Stage 2 and Stage 2 complaints are also recorded at Stage 1.

### 3.2 Nature of complaints during 2008/09

Complaint Type	2006-07		2007-08		2008-09	
	Number	%	Number	%	Number	%
Assessment – Children's	6	25	6	18.8	0	0
Conduct/Attitude of Staff	6	25	10	31.2	5	14.2
Contact	0	0	1	3.1	2	5.7
Decision – Children's	1	4.2	4	12.5	3	8.6
Delay in Service	3	15.5	1	3.1	0	0
Lack of Communication	2	8.4	0	0	1	2.8
Lack of Information	1	4.2	0	0	1	2.8
Policy Issue	0	0	0	3.1	1	2.8
Quality of Service	3	12.5	9	28.1	18	51.4
Refusal of Service	1	4.2	1	3.1	1	2.8
Reduction of Service	1	4.2	0	0	0	0
Withdrawal of Service	0	0	0	0	2	5.7
Other	0	0	0	0	1	2.8
<b>Total</b>	<b>24</b>		<b>32</b>		<b>35</b>	

The highest number of complaints received during this year related to Quality of Service, 54.1% (an increase from 28.1%) and Conduct/Attitude of Staff, 14.2%. In 2007/8, Conduct/Attitude of Staff was the most significant and Quality of Service was the second most significant. This was a different pattern to 2006/7 when Assessment and Conduct/Attitude of Staff were equally the most significant.

On the more positive side, complaints about Conduct and Attitude have decreased from 31.2% to 14.2%

### 3.3 Outcomes of Stage 1 complaints

24 were resolved, 9 were not resolved and 2 were withdrawn by the complainant. Of the 9 that were not resolved, 5 went to Stage 2.

A key requirement of the reform of our complaints procedures has been the importance of informing our service users of the outcome of their complaints. The responses have been monitored and some have been edited for Plain English. We aim to do this for all Stage 1 responses in future. We also plan to provide some model letters which include some suggested phrases that could be used to apologise when things have gone wrong.



### 3.4 Response times

The Department responded to 14 Stage 1 complaints within our target of 10 working days, 40% of all complaints received. Stage 1 complaints must be dealt within the statutory deadline of 20 working days.

The average response time in 2008-09 is 19 days. In 2007-08 it was 20.1 days, compared with 17 days in 2006-07 and 10 days in 2005-06. All staff are made aware of the statutory deadlines for dealing with complaints but we believe that managers still do not recognise the importance of responding within the timescales and complaints are not seen as having equal priority with other important tasks. When staff are dealing with court reports, child protection issues etc, these will inevitably take priority. Where complainants are consulting solicitors, this can also cause a delay in their response time.

This figure should be seen against the Council's objective of responding to 87% within its target time of 10 working days. The percentage of Corporate Stage 1 complaints responded to within 10 working days was 75%.

We believe the complexity of social care complaints is the principal reason why our performance is poorer than corporate complaints. However it is important that managers ensure that complainants are kept informed and updated if progress is delayed.

It is essential that all teams delivering services formally capture and record complaints. It is only by doing so that complaints can be tracked and where things have gone wrong managers can ensure that matters are put right. Senior managers therefore regularly encourage teams to recognise and record complaints and report these to the Complaints Officer.

### 3.5 Referrer

Following the guidance produced by the Department of Health and the Department for Children, Schools and Families, we are identifying who is making the complaint to get a greater understanding of our complainants.

#### Complaint made by:

<b>Children's Services – person making the complaint</b>	<b>2006-07</b>	<b>2007-08</b>	<b>2008-09</b>
MP	0	2	0
Councillor	0	0	0
Employee	0	0	0
Doctor	0	0	0
School	1	1	1
Service User	1	5	3
Parent	9	13	16
Relative	10	4	7
Friend	0	0	1
Legal Rep	0	1	0
Partner	0	1	0
Neighbour	1	1	3
Foster Carer	2	3	1
Advocate	0	1	1
Other	0	0	2

We see it as positive that more young people are empowered to make complaints about services which they are dissatisfied with themselves. We believe this is as a result of the advocacy work that has been in place with VOYCE for the past few years which has encouraged them to feel more confident about complaining. This also reflects a more approachable and accessible procedure. We have reviewed our complaints forms over the past year in consultation with children and young people and recently redesigned and reprinted the forms.

### **3.6 Services complained about**

During 2008-09 the largest number of complaints received, 21, were about Social Work Services. 6 complaints were received about Family Support, 4 about Disability, 3 about Foster Care, 2 about Adoption and 1 about Assessment/Care Planning. (Some complaints related to more than one service)

During 2007-08 the largest number of complaints received, 19, were about Social Work Services. 10 complaints were received about Family Support, 2 about Disability and one was about Foster Care.

## **4. Equalities Information**

Complaints often involve all family members. These figures include the equalities information for all the children in a family, when the complaint made was on behalf of the whole family. However, not all complaints are about existing service users, but are about the complainant's belief that there is a need for services. We would not therefore hold equalities information about these children and young people if they are not service users.

### **Gender**

Male	<b>25</b>
Female	<b>27</b>
Unknown	<b>2</b>

### **Ethnic Origin**

White British	45
White Irish	
Other White background	
Dual Heritage/White	3
Mixed White & Black Caribbean	
Mixed White & Black African	
Mixed White & Asian	
Other mixed background	
Asian/Asian British	1
Other Asian background	
Black British	
Other Black background	
Chinese	
Other ethnic group	
Unknown	Five
<b>Total</b>	<b>54</b>

## **Disability (including mental health problems)**

Of the information recorded, four service users have learning disabilities and one has a developmental delay, which is as yet undiagnosed because of the child's age. The details for 15 children were not recorded.

Two complainants, who are adults and whose children are CYP service users are recorded as having a disability themselves.

## **Age**

Under 5 years	<b>6</b>
5-10 years	<b>23</b>
11-18 years	<b>22</b>
Unknown	<b>3</b>

## **5. Stage 2 Complaints**

There were six Stage 2 complaints during the year, five progressed from Stage 1 and one was accepted directly at Stage 2. This compares to one stage 2 complaint in 2007-08 and two in 2006-07

Three of the five were from one family and the complaint related to quality of service

### **Response Times:**

	<b>2006- 07</b>	<b>2007- 08</b>	<b>2008-09</b>
Within 25 days	<b>1</b>		
Within 65 days			<b>1</b>
Over timescale	<b>2</b>	<b>2</b>	<b>2</b>
Withdrawn	<b>1</b>		
Pending	<b>1</b>		<b>3</b>

### **Outcomes:**

	<b>2006- 07</b>	<b>2007- 08</b>	<b>2008-09</b>
Resolved	<b>1</b>	<b>0</b>	<b>1</b>
Withdrawn	<b>1</b>	<b>0</b>	
Pending	<b>1</b>	<b>1</b>	<b>4</b>
Unresolved	<b>0</b>	<b>1</b>	<b>1</b>

## Nature of Complaint:

	2006- 07	2007- 08	2008-09
Assessment – Children’s			
Conduct or Attitude of staff			1
Contact			
Decision – Children’s		1	
Quality of service	2		4
Delay in Service			
Reduction of Service			
Refusal of Service			
Lack of Communication			
Lack of Information			
Policy Issue			1
Failure to carry out other required action			
Other Reason	1	1	
<b>Total</b>	<b>3</b>	<b>2</b>	<b>6</b>

## 6. Stage 3 Complaints

There was one Stage 3 complaint this year. This compares with none in 2007-08 and one in 2006-07. This related to a fostering decision. At Stage 2 there were four complaints and three were not upheld and one was partially upheld.

The outcome of the Stage 3 review was that one of the four complaints at Stage 2 that was not upheld, was partially upheld by the Stage 3 review Panel.

The complainants did not pursue the complaints with the Local Government Ombudsman.

## 7. Ombudsman complaints and enquiries

During the year, 5 complaints were considered by the Local Government Ombudsman:

- the LGO carried out an investigation into one complaint
- one complaint was recommended to be considered at Stage 3 of the complaints procedure
- the LGO felt that the council had not had reasonable opportunity to investigate and respond to three complaints.

## 8. Percentage escalation

The following table indicates how many complaints have escalated from Stage 1 to Stage 2 and how many have progressed from Stage 2 to Stage 3. By measuring these figures as a percentage we are able to gauge customer satisfaction with our responses to their complaints.

Escalation	Number	Percentage
Stage 1 to Stage 2	6 complaints out of 35	17.1%
Stage 2 to Stage 3	1 out of 6	16.6%

The escalation rate for complaints from Stage 2 to Stage 3 is 16.6%%.

## 9. Expenditure

There are on-going costs attached to delivering an effective complaints service for the Department. These costs should be seen against the inherent costs of not providing this service (users will continue to be dissatisfied if there was no complaints procedure or team, but the Department would not have a strategic approach and there would be fewer opportunities for resolution).

### 9.1 Cost of delivering stages:

The Department does not employ Independent Investigators from outside the Department, thus there has been no expenditure on this.

During 2008-09 there were six Stage 2 investigations where Independent People were appointed. We pay Independent People a daily rate plus expenses for travel. However, investigations also involve other staff employed by the department:

- the Complaints Manager and members of the complaints team:
  - in discussing, drafting and agreeing the statement of complaint with the complainant
  - appointing an investigating officer and independent person to carry out the investigation
- the Investigating Officer who carries out the investigation. They have to read the relevant files, meet the independent person, the complainant/s, relevant staff and others involved in the complaint.

These costs are not generally calculated, but for the one Stage 2 investigation the costs have been calculated as:

	£
Complaints Manager (3 days), complaints team (1 day)	840
Investigating Officer (4 days)	1054
Other CYP staff (1 day)	<u>145</u>
<b>TOTAL</b>	<b>£2,039</b>

For the one Stage 3 investigation the costs were:

Chair and IP costs: £272:34

Training costs for Derby and Derbyshire Independent Persons Panel are shared with Derbyshire County Council.

This year we incurred costs of  
In 2007/08 we offered two LGO training courses for Service Managers, Heads of Service and Independent People, places were also offered to Derbyshire.

There was no expenditure on independent investigations.

	£
Investigating Officers	
Independent Persons	£750.84
Review Panellists	
Advocates	
LGO Training x2	£1950.00
Other Eastern Region Complaints Officer Group	£50.00
<b>Total</b>	

## **9.2 Compensation Payments**

The Council provides compensation if, after a complaint has been investigated or as part of an Ombudsman's investigation, it is concluded that:

- the Ombudsman would find that there has been maladministration by the Council causing injustice to the complainant; and
- s/he would recommend that compensation should therefore be paid to the complainant.

During the year no compensation payments were made.

## **10. Alternative Dispute Resolution**

During the year there was no requirement for local initiatives to implement ADR and its success in meeting customer satisfaction thus remains untested.

## **11 Complaints dealt with by the local authority and NHS Bodies**

Sometimes a complaint crosses over boundaries between the Local Authority and the NHS. Where this happens, people who use the services should not have to worry about who to approach with complaints about different aspects of the service they receive. Instead, the complaint can be made in its entirety to any one of the bodies involved. The regulations place a duty on local authorities and NHS bodies to co-operate with each other and to agree which of the two bodies takes the lead in handling complaints against them, to ensure a co-ordinated response.

Ideally, both responses should be completed simultaneously and reports delivered to the complainant together. To facilitate this, the two bodies should aim to work to the shorter of their respective complaints procedure timescales. There is a procedure agreed by Derby City and Derbyshire County councils for investigating joint health/social care complaints.

## **12. Conclusions/Learning Lessons/Practice Improvements**

Over the past year there have been increasing pressures on social workers due to:

- a new ICS system which has created problems and backlog in logging information

- the problems of recruitment
- low morale amongst social workers
- lack of trust/perception of Social Workers by the public following Baby P and other media articles.

It is hard to measure the impact of these on complaints but it is likely that many complaints can be attributable to such pressures on staff.

The increase in the number of complaints categorised as relating to Quality of Service has identified that this is being used as a catch-all for complaints that don't fit comfortably under one of the other categories. Generally this is because the complaint covers a number of areas: staff attitude, delay in response, decision, quality of response, not keeping the complainant informed. All of these contribute to a categorisation of Quality of Service.

Whilst it is reassuring to know that relatively few complaints are made compared to the number of service users we have, it is important that we are not complacent about this. The numbers of complaints which move from Stage 1 to Stage 2 is relatively small, suggesting that the complaints are dealt with efficiently and satisfactorily. However, we need to ensure that complainants are satisfied and aren't prevented from moving to Stage 2 because they find the process too difficult or lack trust in it. We have identified that not all Stage 1 responses include a copy of the complaints leaflet or advise complainants of the complaints procedure. It is important that we provide complainants with this information so they aren't being hindered in progressing their complaint if they aren't happy.

It is also reassuring to know that we have not received many complaints directly from children and young people and we commend the work of VOYCE in Derby who provide an advocacy service to children in care and who we have worked closely with over the year. Complaints from young people have been dealt with swiftly by service managers and none have escalated to Stage 2. The Complaints Officer is conducting Exit Interviews with children moving care placements. These have been useful in identifying service improvements which have been fed back to managers.

We continue to supply our two complaints leaflets – one for children and young people and the other for adults wishing to complain about children's services – to all offices, centres and children's homes. The aim is to make the information about how to make a complaint easily accessible, easy to understand and easy to follow. These are available online. Relatively few forms are completed and most complaints are received in the form of letters, with an increasing number being received by email. Receipt by email has helped to speed up the process of getting the complaint to the service manager.

To support Social Care managers in handling complaints we ran 2 LGO training courses - Good Complaints Handling for Service Managers and Effective Complaints Handling for Heads of Service and Independent People in February and March 2009. These were well attended and we also had attendees from Derbyshire County Council. We hope to share future training opportunities with them. We feel there is further training needed for staff in handling Stage 1 complaints in particular.

## **Learning Lessons/ Practice Improvements**

For 2009/10 we will review the categorisation and identify those that fall under a number of categories.

The department's webpages have been redesigned and restructured over the past year and it is now much easier to find how to complain from the front page of the Children, Schools and Families area of the council website. There is a link from here to the webpage containing the two leaflets.

We have reviewed all the letter templates we use at each Stage of the complaints procedure and make these available to all staff who handle complaints. This ensures consistency and inclusion of information about moving to the next Stage.

We also recommend that a copy of the complaints leaflet is sent with the response so all complainants are aware of the procedure.

### **Action Points**

- To obtain some feedback from complainants at Stage 1 to identify whether they are happy with the outcome of their complaint, we will undertake some research with complainants to check this.
- Review the categorisation of complaints to more accurately reflect their nature.
- To develop further training in-house for staff on handling Stage 1 complaints.

*Complaints Manager: Sian Hoyle*

*Date: 16 December 2009*



## APPENDIX 1

**Stage 1.** This is the most important stage of the complaints procedure. The Department's teams and external contractors providing services on our behalf are expected to resolve as many complaints as possible at this initial point. At the first stage the local managers will normally handle it.

The Council's complaints procedure requires complaints at stage 1 to be responded to within 10 working days (with an automatic extension to a further 10 days where necessary).

**Stage 2.** This stage is usually implemented where the matter is not resolved locally or the complainant is dissatisfied with the findings of Stage 1. The complainant has 20 working days from the expiry of the Stage 1 time limit, or the date the Council sent its response, to request consideration at Stage 2. The complainant has the right to move to Stage 2 if the timescale has elapsed for Stage 1 and the complainant has not received an outcome, although this timescale can be extended with the complainant's agreement.

Stage 2 is a detailed investigation conducted by a manager from outside the originating service of the complaint. The Complaints Manager will appoint an Independent Person (from a Panel of Independent People held by the department for both Adult and Children and Young People's services in both Derby City and Derbyshire) accompanies the Investigating Officer in all complaints. An Assistant Director adjudicates on the findings.

Since September 2006, Stage 2 complaints falling within the Children and Young People's statutory complaints procedures should be dealt with in 25 working days, although in certain cases this can be extended to 65 working days.

**Stage 3.** The third stage of the complaints process is the Review Panel.

**Where complainants wish to proceed with complaints about statutory Children and Young People's Services functions, the Council is required to establish a complaints Review Panel.**

**Where Stage 2 of the complaints procedure has been concluded and the complainant is still dissatisfied, s/he is eligible to request further consideration of the complaint by a Review Panel. As it is not possible to review a complaint that has not yet been fully considered at Stage 2, including providing the report(s) and adjudication to the complainant, it is essential there is no unnecessary delay in concluding Stage 2.**

**Review Panels are designed to consider whether the Council adequately dealt with the complaint in the Stage 2 investigation. They do this by:**

- listening to all parties
- obtaining any further information and advice that may help resolve the complaint to all parties' satisfaction
- focusing on achieving resolution for the complainant by addressing the clearly defined complaints and desired outcomes
- reaching findings on each of the matters being reviewed
- making recommendations that provide practical remedies and creative solutions to complex situations
- supporting local solutions where the opportunity for resolution between the complainant and the Council exists
- identifying any consequent injustice to the complainant, where complaints are upheld, and to recommend appropriate redress and

- **recommend any service improvements for action by the Council.**

**The Review Panel must be alert to the importance of providing a demonstrably fair and accessible process for all participants. Many complainants find this stage to be a stressful experience and it is important that the Panel is customer-focused in its approach to considering the complaint.**

**Complaints Review Panels are made up of three people:**

- **one Elected Member of the Standards Committee**
- **and two Independent Members (one from the Standards Committee and the other from the panel of Independent Persons, who chairs the hearing).**

**There are various timescales relating to stage 3 complaints. These include:**

- **setting up the Panel within 30 working days of the receipt of a request for a Review**
- **producing the Panel's report within a further 5 working days; and**
- **producing the local authority's response from the relevant Director within 15 working days of receiving the Review Panel's report.**

A further option for complainants is the Local Government Ombudsman (LGO) who is empowered to investigate where it appears that a Council's own investigations have not resolved the complaint. Complainants can refer their complaint to the LGO at any time, although the Ombudsman normally refers the complaint back to the Council if it has not been considered under our procedure first.