

# Families Customer Relations Service

**Schools & Learning and Services for Young People  
Complaints Report 2010 - 2011**

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## 1 PURPOSE AND SUMMARY OF REPORT

- 1.1 To report statistical information to Members and Officers detailing Surrey County Council's (SCC) Schools & Learning and Services for Young People complaints activity from 01/04/10 – 31/03/11 including developments and planned improvements.

## 2 BACKGROUND PAPERS

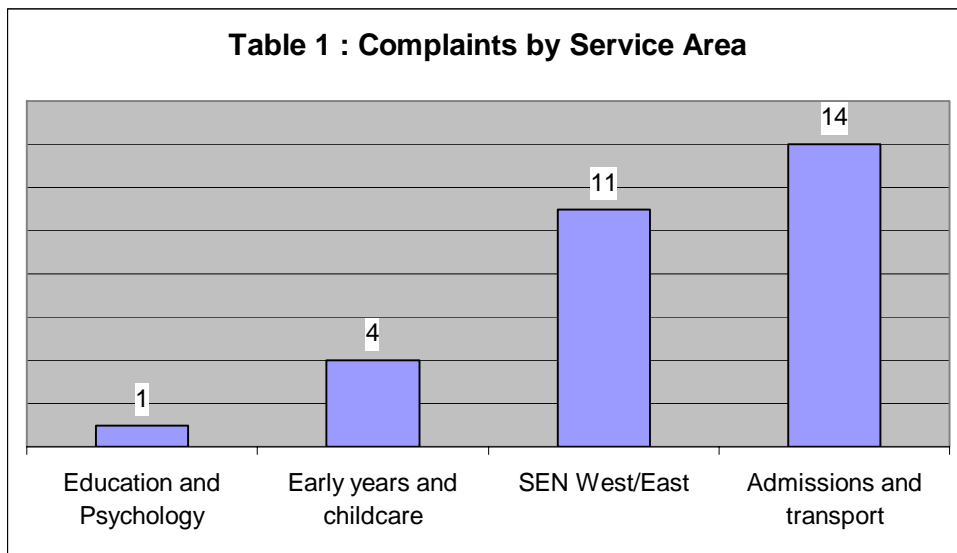
- 2.1 Much of the information for this report is gleaned from individual complaint files, Surrey County Council customer feedback database, previous years complaint reports and Families Customer Relations Team (FCRT) records. The data is also taken from monthly and quarterly performance monitoring reports held by FCRT. Complaint files remain confidential, while as in previous years this report is anonymised and in the public domain.

## 3 SCHOOLS & LEARNING COMPLAINTS ANALYSIS 2010 – 2011

### 3.1 VOLUME OF COMPLAINTS RECORDED

- 3.1.1 Complaints about council services are usually considered via the council's internal procedures before the Local Government Ombudsman will investigate. This is however at the Ombudsman's discretion and where complaints are time pressured the Ombudsman may well elect to investigate rather than referring the matter back to the council. This is the case, for example, with complaints about school admissions.

- 3.1.2 Table 1 below shows the total numbers of complaints recorded in 2010-2011 by Service Area at Stage 1 of the process



<b>Table 1</b>		
Service Area	Total complaints	
Education and Psychology	1	3%
Early years and childcare	4	13%
SEN West/East	11	37%
Admissions and transport	14	47%
<b>S&amp;L Total</b>	<b>30</b>	<b>100%</b>

3.1.3 The total number of complaints recorded this year for Surrey Schools and Learning Service is 30 compared to last year's 36.

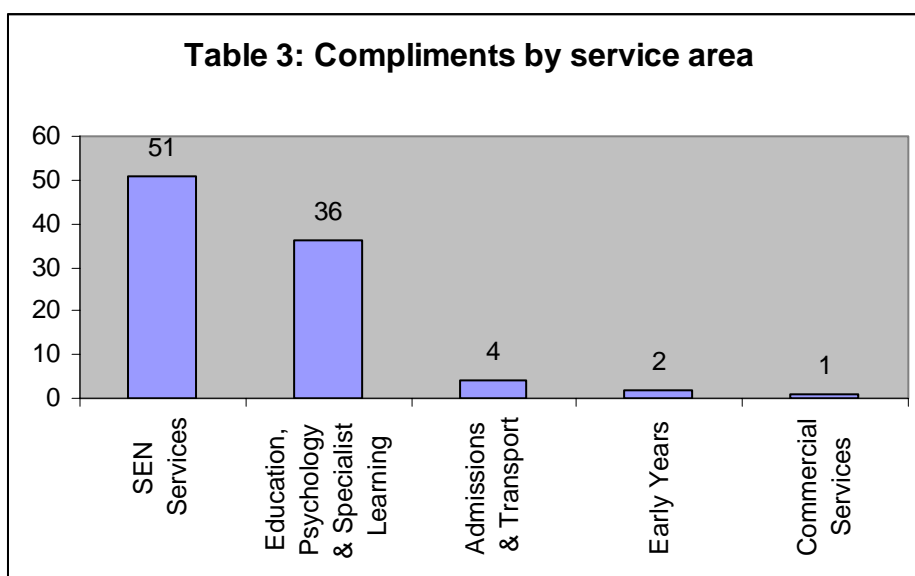
3.1.4 Table 2 below details percentage of complaints received by complaint category.

	Total complaints	
Policy & Procedure	10	33%
Decision Making	9	30%
Service Quality	6	20%
Fair Treatment/Discrimination	3	10%
Communication & Consultation	2	7%
	<b>30</b>	<b>100%</b>

3.1.5 It is to be noted that 70% of complaints about 'Policy & Procedures' relate to Admissions & Transport (A&T). 56% of complaints about 'Decision Making' relate to SEN services.

### 3.2 VOLUME OF COMPLIMENTS RECORDED

3.2.1 Table 3: Schools & Learning Compliments received 2010-2011 by Service area



### 3.3 PERFORMANCE AGAINST TIMESCALES

#### 3.3.1 Table 4 : Schools & Learning Performance at stage 1

Area	Total complaints	Responded to on time	Out of time
SEN N East	8	6 [75%]	2 [25%]
SEN N West	3	3 [100%]	0 [0%]
Early years and childcare	4	2 [50%]	2 [50%]
Education and Psychology	1	1 [100%]	0 [0%]
Admissions and transport	14	9 [64%]	5 [36%]
<b>S&amp;L Total</b>	<b>30</b>	<b>21 [70%]</b>	<b>9 [30%]</b>

3.3.2 Table 4 above shows the detail by service area of time taken to respond to complaints at stage 1 for complaints due a response during this reporting period. Overall the service achieved 70% compliance to the 10 day timescale which is an increase on last year's 64%.

3.3.3 Although performance does not achieve the 80% directorate target, it is to be noted that only 10% of complaints (3 out of 30) remained unresolved at this initial stage. In addition, FCRT has already started work with the Service to identify and address barriers to meeting the Directorate performance target.

3.3.4 FCRT staff have continued to spend a significant amount of time interrogating the data and chasing responses. Operational teams are routinely reminded of their responsibilities to log complaints and update records. Monitoring the quality of the complaints data remains a priority for FCRT.

### 3.4 COMPLAINTS RESOLUTION

#### 3.4.1 Table 5 below details the complaints recorded by 'resolution' category

	Total complaints	
Explanation	19	64%
Unknown	6	20%
Apology	2	7%
Alternative resolution	1	3%
New Decision	1	3%
Reassessment	1	3%
	<b>30</b>	<b>100%</b>

Given that 64% of complaints recorded were resolved by 'explanation', it appears that underlying themes of complaints are 'poor communication' or lack of proper explanation in the first place. FCRT will be focusing on learning from these

complaints which result from misunderstandings or a failure to manage expectations. It is interesting to note that FCRT routinely receives requests from both the Service and service users asking for support in managing communication and resolving issues.

### 3.5 ESCALATION OF COMPLAINTS

3.5.1 10% of complaints (3 out of 30) escalated to Stage 2 of the County Council process. This low number of complaints remaining unresolved at stage 1 is a good indicator of successful local resolution and a slight improvement on last year's 11% escalation to Stage 2. All of this year's escalated complaints relate to A&T and only 1 of these progressed to the Local Government Ombudsman. This is consistent with escalation rates for other areas within the directorate, with Children's Services seeing a reduction from 17% to 9% of complaints escalating through the process for the same period.

### 3.6 LOCAL GOVERNMENT OMBUDSMAN (LGO) ENQUIRIES

3.6.1 The total number of enquires received from the LGO for this reporting period is 36 with following breakdown by service area :

- School Admissions 17
- SEN services 12
- Education other 05
- School Transport 02

3.6.2 Of the 17 relating to Admissions it must be noted that in the main these were cases that had been through the Admissions appeal process where the complainant remained dissatisfied with the outcome of the appeal.

3.6.3 Not all enquiries from the LGO progress to full investigations and Table 6 below details the decisions made by the LGO in this reporting period:

<b>Table 6</b>	
LGO Decisions	
Maladministration with Injustice	1
Local Settlement	9
No Maladministration	11
Ombudsman's discretion	6
Outside jurisdiction	5
Awaiting decisions	3
<i>TOTAL enquiries from LGO</i>	<i>36</i>

3.6.4 The figures above show that 5 complaints were not for the LGO to consider, that in the case of 6 complaints the LGO found no reasons to proceed with their enquiries, and in 11 cases the LGO found no evidence of maladministration. This means that in 67% (22 out of 33) of complaints brought to the LGO, there was no fault found with the Local Authority.

3.6.5 Table 6 above also shows that in 9 cases the LGO discontinued investigation on the basis that an agreement had been reached that resolved the complaint and in 1

case relating to home to school transport, the LGO found maladministration causing injustice, for which the LGO issued a public report.

- 3.6.6 The average time taken to respond to enquiries from the LGO was 26.3 days, which is within the LGO target time of 28 days. In their Annual Report the LGO commends the Council saying that the 'Council's speed of response in school admissions cases was commendably quick.' The LGO adds that this 'is particularly important due to the priority we give these cases because of complainants' need to resolve any issues about school placements as soon as possible ahead of the new academic year'.
- 3.6.7 The LGO also acknowledges 'the Council's generally positive attitude to acknowledging fault where matters have gone wrong, and its readiness to take remedial action and make service improvements where this is considered appropriate.'

### 3.7 LEARNING FROM COMPLAINTS

- 3.7.1 Of the 30 stage 1 complaints, only 5 (17%) resulted in specific corrective actions being taken by the Service. This is a very low level of learning identified at stage 1 and the FCRT aims to increase the identification of learning at this early stage.
- 3.7.2 At the close of a Stage 2 or LGO complaint FCRT develops and circulates corrective action plans (CAPs) to managers who are responsible for carrying out the actions and sharing these within their service area.
- 3.7.3 During this reporting period, 7 individual corrective action plans (CAPs) were drawn up and circulated across the service. These CAPs list, between them, a total of 19 separate corrective actions identified and to be completed by the Service in order to improve services and/or put matters right.
- 3.7.4 Table 7 below shows that 63 % (12 of 19) of these identified actions were reported as completed by the Service. It is possible that some or all of the remaining 37 % are completed but as the information is missing, these are reported as 'unknown' and therefore presumed incomplete. FCRT aims to agree a formal monitoring mechanism with the Services to ensure a 100% completion rate and sharing of learning across all service areas.
- 3.7.5 Table 7 below shows the breakdown of corrective actions by type

Corrective actions by type		
Apology	1	
Redress Payments	3	£3,300
Time & Trouble payments	1	£250
Policy or Practice Review	13	
Operational	1	
<i>Total individual corrective actions</i>	<i>19</i>	

- 3.7.6 Table 7 above shows that a large majority of corrective actions resulted in the Service either changing procedure or revising its practice. All these related to Home to School transport. The table above also shows redress payments being made and

the breakdown for these are : £800 paid out by SEN as local settlement in one case and £2500 paid out by Transport services as redress for maladministration causing injustice.

3.7.7 Below are some examples of actions identified by the local authority to improve services:

- Revising the 'Home to School Transport' guidance to ensure it properly reflects the legislative requirements and that it states that factors other than distance need to be considered
- ensuring that consideration is given at the initial stage as to whether an applicant living within statutory walking distance might be eligible for home to school transport
- changing the phrasing of its documents so these do not suggest a higher test needs to be met for transport to be awarded that is in fact the case
- Procedural changes to home to school transport appeals process : e.g. proper minuting of panel meetings and a pro-forma document to show how key legislative requirements have been considered; training for members in the law, particularly in disability issues; stressing the need to focus on exceptional circumstances rather than simply considering whether the policy has been complied with; and using a different panel when a case is heard again
- Lack of admissions policy for SEN schools admissions that sets out clear guidance in terms of establishing residency in Surrey and thus access to services led to Policy and Guidance revision
- Review of SCC terms and conditions of contract for suppliers providing transport .
- Strengthening of SCC contract management and enforcement work to apply SCC conditions of contract, inclusive of working with suppliers on their pro-active management of drivers and escorts and the reporting of performance and operational delivery to SCC (in accordance with the terms and conditions of contract)
- Review of SCC Code of Conduct for Drivers and Escorts and Blue Badge process – as part of SCC business continuity process.

### **3.8 SUMMARY : WHAT HAVE WE DONE WELL AND WHERE CAN WE IMPROVE?**

3.8.1 What we are doing well?

- Increase in complaint recording at stage 1 across the Directorate.
- Decrease in escalation to stage 2 and 3 of the process
- Improved learning at stage2 and from LGO cases
- Speedy response to LGO enquiries particularly relating to school admissions

3.8.2 What do we need to improve?

- Below target performance in terms of Response timescales at Stage 1
- Poor learning from complaints at Stage 1
- Implementation of corrective actions and effective dissemination of learning.

## **4 SERVICES FOR YOUNG PEOPLE COMPLAINTS ANALYSIS 2010 – 2011**

### **4.1 VOLUME OF COMPLAINTS RECORDED**

4.1.1 There were four complaints recorded during 2010-2011. This is less than in the previous 12 months when 11 complaints were recorded however it should be noted



that of the 11 complaints recorded in 2009-2010, 4 were from the same individual and related to the same service.

- 4.1.2 Of the four complaints recorded in 2010-2011 two were about Youth Justice, one in regard to Youth Development and the remaining complaint was about Outdoor learning development.
- 4.1.3 The Families Customer Relations team continuously monitors the volume of complaints recorded and will be considering strategies to assess current levels over the next 12 months.

## **4.2 ESCALATION OF COMPLAINTS**

- 4.2.1 One complaint about Services for Young People escalated to stage 2 of the process. At stage 2 of the process the complaint was closed without resolution and the outcome was inconclusive as there was no evidence to support either view. The complaint was recorded as 'unable to reach a finding'.
- 4.2.2 The Local Government Ombudsman did not make any enquiries or investigate any concerns in regard to Services for Young People.

## **4.3 LEARNING FROM COMPLAINTS**

- 4.3.1 Of the four complaints recorded three required no corrective actions on the part of the Service. A new decision was reached in regard to the remaining complaint.

## **5 MONITORING THE PROCESS**

- 5.1 FCRT support services to manage and learn from complaints. The key services offered are: complaints advice and support, quality assuring of responses, mediation, complaint case debrief sessions, production of performance reports, Complaints Visiting Workshops, 1-2-1 complaints handling coaching for operational managers, and development and monitoring of corrective action plans (CAPs).
- 5.2 FCRT staff also act as link officer between the services and the LGO in relation to enquiries and complaints investigations.
- 5.3 FCRT continue to issue monthly and quarterly reports to services. These detail numbers of recorded complaints, response to timescale, areas of missing data and highlights low or no reporting. From 2011 reports will also highlight learning and feedback from staff in relation to the services FCRT provides.
- 5.4 FCRT continues to draw up corrective action plans following the outcome of complaints at stages 2 and 3 of the process. Plans are agreed and signed off by the senior operational manager who is responsible for taking actions forward.
- 5.5 During 2011- 2012 FCRT will focus on :
  - *Improving services planning and delivery through identifying learning from complaints and with the service, develop actions in response.* The FCRT will assist Team Managers to consider what learning has arisen out of a complaint

and prepare plans/targets to ensure that the lessons are learnt and similar pitfalls are avoided in the future. This will be achieved through additional detailed analysis of complaint responses and the development of relevant operational complaints handling tools.

- *Increasing numbers of complaints recorded at Stage 1*
- *Improving response timescale for S1 responses with aim to achieve the Directorate target of 80% at Stage 1.*

## **6 FINAL COMMENTS**

- 6.1 Overall this has been another positive year for complaints management across the services. Stronger working relations continue to be developed between services and the FCRT resulting in effective resolution of complaints at the earliest stage.
- 6.2 The LGO have commended the Council for the speed in responding to enquiries, in particular in relation to School Admissions complaints and for the positive working relationship established between the LGO and the Council.
- 6.3 The FCRT will continue to work with services on improving recording and updating complaints information as well as focusing on learning as a priority in the coming year.

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