



Commissioner for Children and Young People
Western Australia

Complaints Monitoring Survey 2015



Complaints Monitoring Survey Report 2015

Background

The functions of the Commissioner as set out in the *Commissioner for Children and Young People Act 2006* include two that are directly related to complaints made by children and young people:

19(d) to monitor the way in which a government agency investigates or otherwise deals with a complaint made by a child or young person and the outcome of the complaint;

19(e) to monitor the trends in complaints made by children and young people to government agencies.

The Commissioner's role also includes a function to promote the participation of children and young people in the making of decision that affect their lives (19(b)).

The Commissioner has published guidelines to assist agencies in developing and maintaining child-friendly complaints systems. These guidelines¹ were reviewed in 2013, following the second iteration of the complaints survey.

The first agency survey was carried out in 2010, to assess the accessibility and responsiveness of agency complaints systems to children and young people, the nature of complaints they received from and on behalf of children and young people, and their awareness of and use of the guidelines. This was combined with data received through a survey of government agency complaints handling practices by the Ombudsman WA.

The 2010 report found that agencies generally had a high standard of complaints handling processes, but few made special provision for children and young people, or could report separately on complaints made by children and young people.

In 2013 the Commissioner undertook the survey again. This was distributed to 28 agencies which provided direct or indirect services to children and young people. The data from this survey showed overall improvement in the number of agencies recognising children and young people as service users and making provision for them in their complaints processes.

The survey was carried out in 2015, once again to determine how agencies were incorporating children and young people into complaints processes and recognising their needs as direct and indirect users of services.

¹ Commissioner for Children and Young People 2013, *Are you listening? Guidelines for making complaints systems accessible and responsive to children and young people*, Commissioner for Children and Young People.

Key Findings

Overall, 32 responses were received. Ninety per cent of agencies reported they had documented complaints policies and procedures. However, only 40 per cent of these policies and procedures explicitly identified children and young people.

Around half of agencies surveyed recorded the number of complaints from children and young people. A total of 170 complaints were received from children and young people by seven agencies; and 834 complaints received on behalf of children and young people from eleven agencies. All but one of the agencies which received complaints from children and young people also received complaints on behalf of children and young people.

Nearly two thirds of agencies have at least some staff trained in working with children and young people, although it was in some cases ambiguous whether these staff were involved in taking complaints from children and young people. Just over 40 per cent of agencies provide some additional steps and support to encourage children and young people to make complaints.

The *Are you listening?* guidelines were known to just under half of the respondents, which was a significant decrease from the 75 per cent of agencies surveyed in 2013. Those agencies that knew of them found them useful in improving complaints systems.

Agencies were most interested in receiving examples of strategies used in other agencies to address complaints. There were also requests for written resources and for staff training.

1. Introduction to the survey

The survey was carried out in September and October 2015, using SurveyMonkey Inc. Thirty two (32) agencies or statutory organisations were contacted and asked to complete the survey.

The survey asked a number of specific (quantitative) and open ended (qualitative) questions where agencies were asked to provide comments.

All agencies that were offered involvement in the survey provide services to children and young people directly, indirectly through adult carers, or both. The agencies were in key service provision areas for children and young people, including health, education, justice, child protection and housing, as well as others with a broader scope, such as culture and the arts, sport and recreation, and planning. Refer to Appendix 1 for a list of these agencies.

The response rate was 96 per cent with 32 surveys completed. One agency did not provide a response and another, the Department of Attorney General, provided two responses, one for the Department as a whole and a separate survey response for the Public Trustee, bringing the sample to 32.

Over one third of respondents (38%) reported that working with children and young people was core business or that there was a specific section of the organisation that worked with children and young people. Just over one fifth (22%) of all respondents did not record the proportion of children and young people who used their service, and just over one third (37.5%) stated that less than 10 per cent of their users were children or young people.

Agencies were asked if children and young people were indirect users of their services through their parents or carers. Three quarters (75%) of respondents said that this was the case, although nearly half (42%) of those responses (10 of 24) could not provide an estimate of the proportion of their clients who were carers.

2. Complaints systems

Overall, 30 agencies (over 90%) reported that they had documented complaints policies and procedures. Twelve of these agencies (41%) specifically identified children and young people as complainants, with one agency reporting that their documents would be revised in 2016 to make specific reference to children and young people as complainants.

This indicates that almost 60 per cent of respondents with complaints policies and procedures did not specifically recognise children and young people in these documents. This is a slight improvement over the previous survey, in which 70 per cent of respondents stated they did not explicitly recognise children and young people.

Respondents were also asked whether their organisation had a customer service charter, with 72 per cent (23) of agencies reporting they had a customer service charter. Of these, just over 30 per cent identified children and young people specifically. Compared with the 2013 survey, this represents a two fold increase in agencies with customer service charters that specifically identify children and young people.

3. Complaints systems in contracted organisations

When asked about external contracting arrangements, 45 per cent of respondents reported contracting arrangements with external agencies for the delivery of services to children and young people. This was a decrease from the 2013 survey results, where 59 per cent of agencies reported contracting to external agencies. Of those that did contract out services, just under half (44%) required the contracting organisation to establish a complaints system, while only three agencies included specific reference to children and young people. Four agencies required contracted organisations to report back on complaints from children and young people, and another agency stated that there was no formal requirement but there was constant dialogue between the agency and the organisation.

Similarly to the survey in 2013, a number of agencies reported that complaints should come directly to them rather than to the contracted organisation.

4. Number and nature of complaints relating to children and young people

Just over half of agencies (55%) reported that they recorded the number of complaints received from, or on behalf of, children and young people. Of these 17 agencies, in the 2014-15 financial year:

- 7 agencies reported they received a total of 170 complaints direct from children and young people. The range of complaints received per agency was 1 to 137 complaints. Seven agencies received no complaints from children and young people over the reporting period. One agency did not respond to the question.
- 11 agencies reported 834 complaints on behalf of children and young people, ranging from 1 to 400 complaints per agency. Three agencies reported that they received no complaints on behalf of children and young people.

There was an increase in complaints directly from children and young people compared to 2013 (47 complaints) but a slight decrease in complaints made by adults acting on behalf of a child (919 in 2013). Much of the increase came from the Department of Child Protection and Family Support, due to a change in their recording system which allowed complaints by children and young people to be separated from complaints on behalf of children and young people.

Most agencies reported that the ages of complainants or subjects ranged up to 18 years, however, did not differentiate further. The youngest complainant specifically recorded was six years old.

The subject matter of complaints varied, as would be expected from the range of agencies involved. Complaints generally related to matters including education, accommodation, health and recreation, reflecting similar concerns to the 2013 survey.

Complaints included:

- Concerns about treatment by police, security personnel or custodial staff
- Disability access
- Age-related access to services and facilities
- Employment conditions, including wages and ages of children
- Updating of products and information

Agencies were asked about how they resolved complaints in their agencies. This question, modified from previous years, asked respondents to indicate complaint resolution strategies employed by the agency chosen from a list of possible responses. Agencies could choose more than one possible response.

Almost all agencies (96%) reported that they included explanation/clarification of the issue to the satisfaction of complainant as a means of resolving a complaint, with 83 per cent providing formal acknowledgement of a mistake or offering an apology, while 70 per cent reported they made recommendations for staff training and/or disciplinary action as well as recommendations for change in service provision. Just over two thirds of agencies reported that the complaint resolution involved changes in decision or service to the complainant.

5. Accessibility and Visibility

Agencies reported a range of methods that could be used by complainants to make a complaint. All agencies who responded to the survey offered the opportunity to make complaints in writing, by email, face-to-face, or by phone. Most (93%) took complaints online, but only 30 per cent took complaints by SMS. However, relatively few agencies tailored their complaint methods for children and young people – only four agencies provided child-friendly written, online, phone or face-to-face methods; two by email and one by SMS.

Agencies also differed in their approaches to encouraging children and young people to make complaints. Information tailored to children and young people in either promotional materials on complaints processes or general information on the organisation including complaints matters were provided by just over one fifth of respondents, while 30 per cent supplied child-friendly information in face-to-face and

outreach activities. Overall 41 per cent of agencies provided some additional steps to encourage children and young people to make complaints, which is comparable to the 2013 figure of 37 per cent.

There did not appear, on the surface, to be a relationship between the numbers of complaints received from children and young people and whether the agency provided tailored material regarding complaints.

Agencies had differing ways to support children and young people making complaints. Two thirds of agencies (67%) had at least one support methodology for children and young people; these included:

- Specially trained staff to receive complaints
- Specially trained staff to investigate complaints
- Tailoring communication to age and development
- Trained staff to support a child making a complaint and
- Provision of an advocate.

This was a considerable increase from just under half of respondents in the 2013 survey.

6. Responsiveness

Nearly two thirds of the agencies (64%) advised that at least some staff were trained in working with children and young people. Two agencies (7%) noted that working with children and young people was core business so all staff had training or experience, while the remainder of agencies who advised that at least some staff were trained stated that specific staff had this training and experience.

Just under half (46%) of all responses stated that children and young people could decide how often and by what method they could be kept informed of progress on a complaint.

Timeframes for initial responses to complaints varied. Between two and five working days was most common, although some agencies tried to respond on the same day, while others took up to ten days to respond.

Time for the resolution of a complaint varied considerably, due to the wide range of complaint types received by agencies. Target times for resolutions varied from three working days up to 12 months.

Less than half of agencies (12) responded to a question on whether they had met their target timeframes in the 2014-15 year. The responses that were received indicated that all but one agency which received complaints had completely met their target timeframe.

7. Confidentiality

Around half of the respondents said that they had clear policies and procedures relating to confidentiality for complaints from children and young people. However, comments received from the agencies indicated that confidentiality policies tended to apply to all people making complaints rather than any specific policy or guidance in relation to children and young people. Two organisations reported that they tailored confidentiality information to individual children or young people, while a further two reported that they used child-friendly material. All others, either used a standard format for all complainants, or did not inform the complainant about confidentiality.

Respondents were asked about their procedures where an adult was acting on behalf of a child. Two respondents stated that they required verbal or written consent from the child to allow an adult to act for them, while seven others stated that while there were no special provisions, consent from the child or young person was recorded. The remainder had no specific policies or procedures in place. Several comments indicated that, due to the nature of the agency, most complaints came through adults on behalf of the child.

8. Accountability and improvement

Most of the agencies (81%) recorded the actions and decisions relating to complaints. However, just over half of agencies surveyed (55%) indicated they were able to differentiate complaints made by or on behalf of children and young people from those made by adults.

Almost all agencies (90%) stated that complaints information was reported to, discussed at and/or reviewed by senior management. The frequency of reporting to senior management depended on the agency and the level of involvement by senior management in the complaints process – some indicated that all complaints were referred to senior management, as they were integral to the complaints management process. Quarterly reporting was the most common reporting frequency. Most agencies (71%) reported that complaints information was collated and analysed collectively regardless of the age of the complainant. These were similar to the results of the previous survey.

Advice on rights of review was given by most agencies. However, just under one fifth of agencies tailored this information to children and young people.

Half of the agencies surveyed reported they sought information from children and young people in their continuous improvement activities, both for complaint procedures and in general customer satisfaction areas. Comments indicated that user surveys were a preferred methodology for obtaining customer feedback.

9. Training needs and resources

Just under half the agencies surveyed (45%) said they were aware of the *Are you listening?* guidelines prior to the survey, a decrease from over three quarters (75%) of agencies surveyed in 2013. Almost all of those agencies which were aware of the guidelines had found them useful in improving their complaints systems (11 of 13).

A number of positive comments were received regarding the usefulness of the guidelines. In addition there were proposals to use the guidelines in future developments of complaints procedures.

In terms of development of complaints procedures, half of the agencies that responded requested examples of strategies used in other agencies. Just under one quarter of these asked for other written resources such as policy documents, and slightly less asked for staff training. Suggestions for other activities included workshops for complaints managers, and continued access to feedback from children and young people on their experiences.

Three agencies provided information on strategies which had been adopted to improve complaints accessibility for children and young people – a website dedicated to legal resources for children and young people; a video designed for children and young people in Aboriginal communities; and a brochure on making complaints or offering compliments or suggestions to the organisation.

10. Issues raised and discussion

The recognition of children and young people as customers in their own right and in complaints systems continues to increase. In the 2013 survey, only 31 per cent of agencies identified children and young people as complainants. By 2015, this had increased to 41 per cent, suggesting that the message of the importance of children and young people being treated as a specific user group is becoming more prevalent.

In the 2013 survey, several agencies stated they were revising their complaints systems to include the consideration of children and young people, and these revisions to complaints systems were evident in the 2015 survey. In addition, the latest survey saw two agencies noting that they are revising their practices to better accommodate the needs of children and young people.

Monitoring trends in complaints

There has been an improvement in the number of agencies recording separate data for complaints by children and young people (43 per cent in 2013 to 55 per cent in 2015). Numbers of complaints overall increased slightly (966 in 2013, 1004 in 2015), however, there was a significant shift in the proportions of complaints directly from children and young people compared to those on behalf of children and young

people. This is suggested to be a result of the change in recording practices by the Department of Child Protection and Family Support that was implemented after the 2013 survey allowing this agency to differentiate complaints made by children and young people directly.

The main focus areas of complaints continued to be the same as in the previous years – treatment by agency staff, access, and communication being the most common complaints. The most recent survey expanded the question related to types of complaint resolution; despite this, the data showed that the most common resolutions available were similar to 2013 which included an explanation or clarification, and an apology or formal acknowledgement.

Visibility and accessibility

Agencies had increased the availability of methods for lodging complaints since the 2013 survey. All agencies that responded to the most recent survey offered opportunities to lodge complaints by letter, email, phone or face-to-face, with almost all offering an online complaints facility. This increase is likely to reflect an overall increase in reliance on technology and recognition of overall customer needs.

There was relatively little increase in the percentage of agencies that undertook specific activities to encourage children and young people to make complaints over the years 2013 to 2015. Overall 43 per cent of agencies took at least one additional action, compared to 37 per cent in 2013. On the other hand, there was a considerable increase in the number of agencies that provide special assistance to a child or young person making a complaint, up to 67 per cent in 2015 from 48 per cent in 2013.

Responsiveness

There was little change from the previous survey in the time taken by agencies to address complaints. This is not surprising, as resolution times are often set out in specific legislation governing the operation of specific agencies, or are dictated by the nature or complexity of the complaint. The wide variance in time taken to resolve complaints is not merely an arbitrary decision on the part of an agency, but rather acknowledges the wide scope of possible complaints, from relatively simple complaints regarding educational materials to complex disputes on labour laws or discrimination.

Confidentiality

As in the previous survey, most agencies treated complaints by children and young people with the same confidentiality arrangements as for all complaints. Again, as raised in the previous survey report, agencies did not appear to consider the implications of confidentiality principles specific to children and young people, and

for the most part, did not communicate these appropriately so that children and young people feel less disadvantaged or distrustful of the complaints system.

Accountability and continuous improvement

There was no change between surveys in the percentage of agencies that record complaints data. There was a notable increase, though, in the number that could differentiate complaints by or on behalf of children and young people, which suggests that agencies are retaining more comprehensive data on complaints.

The percentage of agencies reviewing information at senior management level increased from 80 per cent to 90 per cent. Most agencies reported quarterly on complaints.

As noted in the previous survey, agencies use client satisfaction surveys to assist their continuous improvement activities. There was relatively little change between surveys in the numbers of agencies doing so.

Training needs and resources

The decrease in awareness of the *Are you listening?* guidelines over the years between 2013 to 2015 is both concerning and suggestive of a need to adopt a continuous promotion cycle to reflect changes in management and staffing within agencies that impact the visibility of the guidelines.

These results certainly suggest that it may be timely to promote the publication more strongly. General awareness among agencies decreased from over 75 per cent in 2013 to 45 per cent in 2015. That being said, of all the agencies that had used the guidelines, all found them useful in improving their complaints processes. The numerous requests for examples and other resources suggest that, overall, agencies are interested in improving their complaints systems to better accommodate the needs of children and young people, but need some guidance on how to undertake this.

Agencies involved in the Survey

Art Gallery of Western Australia
Botanic Gardens and Parks Authority
Children's Court
Corruption and Crime Commission
Department of Aboriginal Affairs
Department of the Attorney General
Department for Child Protection and Family Support
Department of Commerce
Department of Corrective Services
Department of Culture and the Arts
Department of Education
Department of Education Services
Department of Health
Department of Housing
Department of Local Government and Communities
Department of Parks and Wildlife
Department of Planning
Department of Sport and Recreation
Department of Training and Workforce Development
Department of Transport
Disability Services Commission
Equal Opportunity Commission
Health and Disability Services Complaints Office
Legal Aid Commission of Western Australia
Mental Health Commission
Office of the Information Commissioner
Office of the Inspector of Custodial Services
Ombudsman of Western Australia
State Library of Western Australia
Western Australia Police
Western Australian Museum
Zoological Parks Authority

The Department of Parks and Wildlife did not respond to the survey. The Public Trustee lodged a separate response to the Department of the Attorney General.