

# Independent Complaint Reviewers Annual Report 2014-2015

Jodi Berg OBE and Elizabeth Derrington lead the ICR office, the Independent Complaints Review service for the Youth Justice Agency. Both hold similar roles for other public bodies.

The ICR service is free to people unhappy with the answers they have received to their complaints from the Youth Justice Agency. The ICR office responds to all enquiries in an efficient and courteous way. Our leaflet *Seeking a Fair Resolution* is available on our website at [www.icrev.org.uk](http://www.icrev.org.uk) or from the Youth Justice Agency.

## Introduction by Jodi Berg OBE

I am pleased to present our annual report. Our role is to deal with complaints escalated to independent review if people are unhappy with the response given by the Agency itself, and to monitor the operation of the internal complaint process. Although complaints about the Agency are not common, when they do arise they need to be dealt with in an open and transparent way with the intention of giving a fair response to the complainant and, where necessary, learning from problems that have occurred. If the Agency cannot settle the complaint itself, it is essential that people have somewhere to turn that is independent and impartial. The ICR office takes pride in the quality of the service we provide to those people who need our help.

ICR review will consider what people can reasonably expect from the Agency and whether standards were met in their case. We can give advice and help to people who wish to raise complaints with the Agency; we can negotiate an agreement as to how complaints should be resolved; or we can carry out an investigation to decide whether a complaint is justified. If we uphold a complaint, we can recommend redress for the complainant, such as an apology, or improvements to the Agency's service. Complainants who are not happy with an ICR decision have the right to refer their concerns to the Northern Ireland Ombudsman. More information about the Ombudsman can be found at: [www.ni-ombudsman.org.uk](http://www.ni-ombudsman.org.uk)

As part of our role, I visit the Agency to check on the quality of its internal complaints procedures. My last visit was in March 2015 when I was able to visit the Woodlands Juvenile Justice Centre, the Agency's custodial facility, and the Lisburn Area Office. I was pleased to meet young people and staff and learn about how the complaints procedures are working and whether things can be improved. I can report that whether going into custody or being seen in the community, all young people are told about complaint processes during their induction and there are no barriers placed in the way of them raising issues or formal complaints. I was also able to meet with the Agency's new Chief Executive, Declan McGeown, to exchange views and reassure him about the health of the Agency's complaints practice.

**This year I was asked to benchmark the Agency's complaints procedures and handling, against other public bodies I have worked with, as part of the Agency's response to the Criminal Justice Northern Ireland Inspection Report – The handling of complaints by the criminal justice system.** I have done so based on my experience of working with a range of organizations in health, social security, administrative justice, and criminal justice. In addition, as Chair the Administrative Justice Forum I have a broad overview of dispute resolution practice and procedures. I am pleased to report that in my opinion the Agency measures up well against other public bodies. It has a clear and straightforward procedure for handling complaints, which is revisited and updated as necessary. Information leaflets for young people are colourful, easy to read and simple to follow. The Management Board takes a keen interest in complaints and receives quarterly reports which include statistical and qualitative information on complaints. Staff follow this example and are keen to ensure that all complaints are dealt with quickly and appropriately with lessons learned wherever possible. As a result most complaints are settled at step 1 ("talk to a member of staff") or step 2 ("complain to a senior manager"). Complaints are rarely referred to a Director (step 3) or to the ICR office (step 4). My experience is that complaints are valued for the light they shed on the quality of the Agency's service to young people. I note that the Youth Justice Agency is one of the few public bodies in the UK to introduce its own independent tier of complaint handling which ensures through regular review that its processes are up to speed. This demonstrates the Agency's ongoing commitment to best practice in this important area of its work.

## The reporting year

Based on past experience, we expect the Agency to resolve complaints internally and I can report that this year we received no complaint referrals. During the year, the Agency recorded 19 internal complaints. Of these 6 were resolved at step 1 of the process and 11 at step 2 (1 remains open). 1 further complaint remains to be finalised. Most complaints were made about Custodial Services, however numbers remain very low in light of the difficult circumstances in which young people find themselves. Complaints made included one from a young person who felt his education was not being taken seriously, and this was resolved by a meeting with the Head of Education. Another concerned the availability of mental health services at Woodlands, and this was resolved by a discussion with the Deputy Director and a Psychologist. Complaints made about other services provided by the Agency included a complaint from a parent of a young person concerned about the lack of continuity in care as a result of staff changes, and this was resolved by recognition of the value of building relationships between staff and young people and agreement that the previous case officer should retain the young person's case. Most complaints were resolved quickly to the satisfaction of the complainants involved. However there were two particularly serious issues that arose which await resolution. In one, as appropriate to the circumstances, the complaint is suspended until the outcome of criminal proceedings is known, and in the other, an independent expert report was commissioned by the Agency. I will follow up on these complaints during the coming year to see if there are lessons that can be learned.

Overall, I am satisfied that the Agency has dealt with complaints well during the year. However, I am pleased to note that, following recommendations made in earlier ICR reports, it has carried out a thorough review of its procedures. These have been updated and new information and leaflets have been prepared and designed and will be introduced as soon as possible. In terms of informal concerns raised by young people, I noted that a youth Forum has been introduced at Woodlands, chaired by a member of the Start 360 team, to enable young people to raise issues of concern in an informal way and to propose changes they would like to see introduced. I was fortunate to attend a Youth Forum meeting and was impressed by the way in which the young people presented their concerns and the serious way in which they were treated. In addition, members of the Start 360 team visit Woodlands 3 times a week to offer an independent person with whom young people can talk through issues. This service is clearly valued by young people and staff alike, however I noted that the concerns raised are not fed through to the Management Board, which does not afford the Board a realistic picture of young people's complaints about Agency services.

**Recommendation** The Monthly Monitoring Report prepared by Start 360 should be submitted to the Complaints Officer for collation with his quarterly Board reports.

Within the Youth Justice Services teams the methodology for capturing issues raised is not so clear cut. However, it is important that this valuable information is not lost.

**Recommendation** Time should be set aside in managers' team meetings for staff to share issues of concern raised informally by young people, and to explain how they were resolved or get advice from colleagues on how to respond. Issues raised should be recorded and submitted to the Complaints Officer for collation with his quarterly Board reports in order to identify trends and learning points.

Finally, I record our thanks to the Agency Board, the Complaints Officer and senior managers for their support for the ICR role. We look forward to working with the Agency in the coming year.

## Contact the ICR team

We treat everyone with fairness and sensitivity, understanding how difficult it can be to complain about people in positions of authority. We work to high standards recommended by the Ombudsman Association and have been awarded the BSI complaints management standard.

We respect the privacy of complainants and do not publish information about them or their case, or discuss individual complaints with any third party. We are able to see all of the Agency's files and information in order to investigate a complaint but have no authority to release any of this to anyone else, including the person making the complaint. Requests for data or information must be made direct to the Agency.

Contact us at:

correspondence address: Dover House, 66 Whitehall, London SW1A 2AU

e-mail: [enquiries@icr.gsi.gov.uk](mailto:enquiries@icr.gsi.gov.uk) telephone: 020 7930 0749