

Independent Complaint Reviewers Annual Report 2016-2017

Introduction by Jodi Berg OBE

Complaints about the YJA are not common, and for the most part those that are made are settled quickly by YJA staff. However, 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 arisen. The ICR office sits at the end of the YJA's internal complaints procedure and aims to resolve all complaints referred to us in an amicable way by agreement. Where this is not possible we will reach a decision on whether or not the complaint was justified and, if it was, what action YJA should take to put things right. This can include giving an apology, an explanation, or making improvements to the way things are done.

In addition, our role is to monitor the operation of YJA's internal complaints procedure. We are able to do this through our visits to YJA's head office, its community-based offices and the Woodlands Juvenile Justice Centre. During visits we are able to meet with the Chief Executive and members of his team, as well as hearing direct from staff and young people about their experience of YJA. This year I visited the YJA Eastern Area Team's Newtownards office and Woodlands JJC.

My meeting with the Chief Executive was again positive and constructive and underlined the YJA's commitment to helping young people avoid coming into contact with the criminal justice system, as well as doing all that can be done to help those who have done so to move forward towards pro-social lives.

The visit to the community-based offices demonstrated how few serious complaints are raised that require the involvement of senior managers. When this happens considerable care and attention is given to settling matters in a satisfactory way. However, it remains a concern that most issues are settled without the information flowing from them reaching the Board.

It is generally the case, as this year, that more complaints arise in the custodial setting than in the community. This is not a surprise when one considers the position of young people in custody and the kinds of day to day problems that can arise regarding their activities and general living arrangements. However, all concerns, no matter how trivial they may seem to be are treated seriously by staff, who take the trouble to talk through any problems with a young person in their charge to try and reach an agreed way forward. It is clear in talking to young people at the JJC that they appreciate the stability and structure that is offered to them at Woodlands, the purposeful activities on offer to them, and the interest that staff take in them. This view is supported by the positive reports received by the YJA from the two unannounced visits to Woodlands by the Criminal Justice Inspectorate this year.

Our recommendations this year are that YJA makes more effort to record and make use of information flowing from complaints and concerns that do not meet the 'complaint' threshold and also develops a way to capture and share some of the positive feedback received in compliments made to YJA staff and managers.

Overall we are satisfied that the complaints process is effectively communicated to young people and that YJA staff deal fully and properly with concerns as they arise.

As always, I record our thanks to the Agency Board, its Head of Communications and senior managers for their support for the ICR role. We look forward to working with the YJA in the coming year.

Jodi Berg OBE

The ICR Office

Jodi Berg OBE and Elizabeth Derrington head the ICR office, the Independent Complaints Review service for the Youth Justice Agency (YJA). With backgrounds as solicitors and mediators, both are experts in dispute resolution and complaint review.

The ICR service is free to people with cause to complain about the service given by the YJA. Once the YJA has had the chance to respond to their concerns, if they remain unhappy then the final step in the Agency's complaints procedure is a referral to the ICR. We respond to all contacts in an efficient and courteous way. Our leaflet *Seeking a Fair Resolution* which says more about our service is available on our website at www.icrev.org.uk or from the YJA.

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.

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.

The reporting year

During the year, the Agency recorded 21 internal complaints. Of these 11 were resolved at stage 1 of the process ("talk to a member of staff") and 9 at stage 2 ("complain to a senior manager") and 1 complaint progressed to the final internal Director stage (step 3) where it is ongoing but no complaints were made to the ICR office (step 4). As always, most complaints (20) were made about Custodial Services, however numbers remain very low. Complaints made included a complaint about the perceived lack of educational opportunities; being refused specific food; being placed on single separation for safeguarding reasons; and feeling others were treated better. All complaints were resolved by conversations between staff and young people explaining why things were dealt with in that way. Of more concern were complaints raised not about YJA itself but about treatment in custody before arrival at Woodlands. These are sensitive issues which the YJA takes forward with the Police or other agencies involved.

Overall, we are satisfied that the Agency has dealt with complaints well during the year. We are pleased to note that consideration is being given to the introduction of a new complaints summary form which will be part of the return given by Directors and will be used to inform senior managers and the Board about issues arising around the Agency. We welcome these changes which we feel are appropriate and will set the Agency on the right path for the future. We will be able to see how well these changes have been incorporated in practice on our next visit to the Agency.

Contact the ICR team

Contact us at: e-mail: enquiries@icrev.org.uk telephone: 020 7930 0749 website: www.icrev.org.uk

Please note: People who remain unhappy 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