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CHANGING FEEDBACK AND COMPLAINTS

An evaluation report informing the
Oranga Tamariki feedback and
complaints system

Published October 2018



**ORANGA
TAMARIKI**
Ministry for Children

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The Oranga Tamariki Evidence Team works to build the evidence base that helps us better understand wellbeing and what works to improve outcomes for New Zealand's children, young people, and their whānau.

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Published: October 2018

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Acknowledgments

We would like to thank evaluation participants and evaluation team members.

ISBN: 978-0-9951119-0-5

If you need this material in a different version, please email us at research@ot.govt.nz and we will provide it for you.

Citation guidance:

This report can be referenced as Oranga Tamariki Evidence Centre. (2018). *Changing Feedback and Complaints: An evaluation report informing the Oranga Tamariki feedback and complaints system*. Wellington, New Zealand: Oranga Tamariki—Ministry for Children.

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CONTENTS

EXECUTIVE SUMMARY	4
Evaluation findings	4
INTRODUCTION	7
Evaluation purpose.....	7
Feedback and complaints system	7
Evaluation method.....	8
Report overview	8
EVALUATION FINDINGS.....	9
The feedback and complaints system	9
Encouraging child-centeredness	10
Developing a learning culture	13
Improving capability and capacity.....	15
Enhancing technology and complaints management.....	20
Increasing support for caregivers.....	21
Building on residences success.....	21
REFERENCES.....	23
APPENDIX 1: EVALUATION DESIGN	24
APPENDIX 2: GOOD PRACTICE FACTORS	25

EXECUTIVE SUMMARY

This report presents evaluation findings into the Child, Youth, and Family (CYF) feedback and complaints system.¹ The evaluation's purpose is to identify any difficulties posed by the CYF feedback and complaints system and to provide recommendations for a good practice feedback and complaints system.

The evaluation findings are intended to help inform the phased design and delivery of the Oranga Tamariki—Ministry for Children feedback and complaints system. The changes to Oranga Tamariki present an opportunity to ensure that good principles and practices are implemented in the new Ministry.

The evaluation team conducted 18 interviews with 25 stakeholders which were then analysed into thematic groups for narrative reporting. The evaluation findings address a number of key topic areas for future consideration.

Evaluation findings

Establishing a feedback and complaints system

Stakeholders felt the CYF feedback and complaints system had functional elements, including good site, regional, and national practice, allowing much to be transferred to Oranga Tamariki. There were mixed views about the accessibility of the feedback and complaints system. Some stakeholders described it as difficult to access and navigate, while others felt that the system is clearly accessible and visible.

The CYF system concentrates almost exclusively on complaints. A clear organisation definition of 'feedback' and 'complaint' needs to be developed to ensure good practice and consistency of understanding within Oranga Tamariki.

Stakeholders noted social workers and CYF do not have a 'customer service' focus. The new system needs to ensure there is clear action in response to feedback or a complaint, in pursuit of a resolution. Stakeholders also spoke of the need for greater cultural responsiveness.

Encouraging child-centeredness

A challenge faced by the CYF system is that it is adult-centred and children rarely make complaints to CYF. Recommendations for encouraging child-centeredness included:

- Children's views need to be encouraged and respected. This will require culture change for social workers to move to more inclusive practice, which actively empowers children and their families/whānau.
- Oranga Tamariki needs to develop and support relationships that strengthen children's voices. Young people need a supportive relationship, someone to speak with and foster confidence around providing feedback or making a complaint.

¹ Research for this report was carried out around the change over time from CYF to Oranga Tamariki in April 2017. This report refers to both CYF and Oranga Tamariki where appropriate.

- Relationships with children and their families/whānau should focus on clear conversations and constructive listening by social workers and Oranga Tamariki; an approach that centres on the notion of 'being heard'.
- Clear child-friendly communication empowers children and young people. It needs to be tailored to the age and developmental status of the young person.
- To improve communication and relationships, social workers and Oranga Tamariki need to be aware of, and address, the power imbalance and lack of trust complainants can feel in relation to being involved with the organisation and bringing up concerns.
- Providing advocacy is one way to support the participation of children in feedback and complaints. The new system will need to address barriers to accessing advocacy services, which includes a lack of awareness, availability, and coverage.
- A 'separate' children and adult feedback and complaints process/system may be warranted given the divergent manner in which children become aware of and process information on feedback and complaints when compared to adults.
- Children's access and engagement with the complaints system could also be improved by technology.

Developing a learning culture

CYF has sometimes struggled to learn from complaints. In order for Oranga Tamariki to develop a learning culture, the organisation needs to see mistakes as opportunities. Good practice feedback and complaints systems should incorporate continuous learning; providing positive learning opportunities and experiences for social workers and the organisation. Strong leadership commitment and oversight is needed to drive change. Clear accountabilities and expectations will need to be developed to support a learning culture.

Improving capability and capacity

Stakeholders agreed the capability and capacity of the feedback and complaints system needed to be improved. Recommendations included:

- Provide information early to children and their families/whānau, to empower those involved and reduce the likelihood of heightened frustrations and conflict.
- Use clear communication throughout the complaints process tailored to complainants' needs.
- Improve responsiveness through the better implementation of existing policies. While good policies exist, their implementation has been inconsistent.
- Balance consistency and flexibility as overly variable practice can result in clear discrepancies between individuals, sites, and regions, which can then increase the number of complaints, while the system needs to be flexible enough to tailor responses to client needs.
- Prioritise building good relationships with children and families/whānau. If relationships break down, then the organisation needs to be willing to involve others, and consider changing the assigned social worker.
- Ensure accountability through performance measures such as timeliness and responsiveness. However, it is important that accountabilities monitoring does not turn into a 'tick box' exercise.

- Make sure there are independent avenues for feedback and complaints at the site, regional, and national levels. Stakeholders were supportive of an independent body that sits outside service delivery. The existing semi-independent third-tier Chief Executives Panel received positive reviews.
- Stakeholders reported that the setup of the complaints system includes necessary functions, but needs increased resourcing at site, regional, and national levels to improve effectiveness. Specific examples included increasing administrative support, specialist resources, and staff dedicated to resolving complaints at the site level, and ensuring there is a regional Advisor Service Improvement for each of the new Oranga Tamariki regions. Stakeholders also noted that staff capacity to respond to feedback and complaints needs to be supported with effective training.

Enhancing technology and complaints management

Stakeholders noted that complaints management system usability needed to be improved so that it can support work and complaints resolution. Data quality issues must be addressed so the system can produce useful monitoring and reporting outputs. Stakeholders also identified new functions that could be developed to improve practice, such as measuring complainant satisfaction and producing real-time performance data.

Increasing support for caregivers

Stakeholders provided feedback specific to caregivers. They reported that despite the importance of their role, caregivers often have insufficient information given to them and are not trained sufficiently. Caregivers specifically need improved feedback and complaints training so they are better able to respond to difficulties and convey feedback or complaints appropriately. Information given to caregivers about services, resources, and support is often incomplete or missing. Caregivers also indicated they need consistent access to supports generally. This would help reduce complaints occurring. For many this involves Oranga Tamariki doing what they say they will do, in so far as is reasonable or practicable.

Growing residences successes

Whāia Te Māramatanga, the Oranga Tamariki residence grievance policy/mechanism, was highlighted as linking feedback and complaints to children's rights. This process has been re-designed and re-branded, moving from being an adult-focused system to one that is more child-friendly. However, further work needs to be completed to improve children's access, reduce the stigma of laying a complaint, and to protect confidentiality.

Grievance numbers in residences are quite high and require a significant amount of resourcing to investigate. Improving resource levels could support:

- technology use to better facilitate child-friendly access
- administrative capacity to support processing and resolution
- staff time specifically to help resolve grievances
- professional team(s) to deal with grievances, in residences, and potentially elsewhere in relation to high-risk incidents.

Going forward, having clear accountabilities around complaints and timeframes is crucial to ensure procedural fairness for children in residences.

INTRODUCTION

Evaluation purpose

This report presents evaluation findings into the CYF feedback and complaints system. The evaluation's purpose is to identify any difficulties posed by the CYF feedback and complaints system and to provide recommendations for a good practice feedback and complaints system.

The evaluation findings are intended to help inform the phased design and delivery of the new Oranga Tamariki feedback and complaints system. The changes to Oranga Tamariki present an opportunity to ensure that good principles and practices are implemented in the new Ministry.

The evaluation team conducted 18 interviews with 25 stakeholders which were then analysed into thematic groups for narrative reporting. The evaluation findings address a number of key topic areas for future consideration.

Feedback and complaints system

In March 2016, Cabinet agreed to a fundamental change of the child protection system and the introduction of a new operating model for services for vulnerable children and young people. This included the establishment of a new standalone entity – Oranga Tamariki – to provide a single point of accountability for the new operating model.²

The Oranga Tamariki foundation, from the Ministry of Social Development (MSD) Children's Cluster, incorporated a number of feedback and complaint pathways. The development of an effective child-centred feedback and complaints mechanism, including a continuous improvement cycle, was identified by stakeholders as crucial to achieving Oranga Tamariki strategic outcomes. It was also seen as a critical component of the safety net wrapped around vulnerable children.³

The International Standards Organization (ISO, 2014) defines a complaint as an "expression of dissatisfaction made to an organization, related to its products, or the complaints-handling process itself, where a response or resolution is explicitly or implicitly expected". A complaints system is the mechanism through which interested parties or citizens are able to "address complaints related to a particular institution or organisation and through which it is ensured these complaints are properly reviewed and responded to" (Transparency International, 2016).

An earlier MSD international feedback and complaints research review in November 2016 found that an effective complaints system can resolve issues, lead to improvements in service delivery, and improve the reputation of an organisation. However, it also noted that children face a number of barriers to giving feedback or making complaints. Key good practice principles relate to enabling complaints, responding to complaints, and ensuring accountability and learning.

² Oranga Tamariki incorporates CYF, some MSD and Community Investment functions, and the Children's Action Plan, including Children's Teams, ViKI and the Vulnerable Children's Hub. See for further information: www.msd.govt.nz/about-msd-and-our-work/work-programmes/investing-in-children/index.html.

³ Reference to 'children' involved with CYF/Oranga Tamariki includes 'young people' unless specified otherwise.

This evaluation report should be also considered in conjunction with recent reviews of the CYF complaints processes (Office of the Children’s Commissioner, 2012; Broad, 2013) and the MSD complaints processes (Controller & Auditor General, 2014).⁴

Evaluation method

This evaluation model focuses on particular problems or information needs, involving an evaluation of programme performance, where evaluative information is needed in a helpful timeframe.

Being child-centred, dealing with complexity, changing the culture, and improving capability and capacity were highlighted by the Investing in Children Programme (IIC) team as areas of particular interest (IIC, 2016).⁵

These areas informed the main evaluation questions:

1. How effective is the existing complaints system and what in practice is thought to be working more or less well?
2. What are the most important ‘good practice’ factors contributing to an effective feedback and complaints process that result in good outcomes for users and stakeholders?
3. What critical good practice policies and resources are needed to support any new feedback and complaints system?

This report provides evaluation conclusions to these evaluation questions based on 18 in-depth interviews with 25 people from CYF and external stakeholder agencies. The interviews were transcribed/reviewed and then coded into common thematic groups for narrative reporting.

Report overview

This evaluation report provides insights into the CYF feedback and complaints system and recommendations for good practice feedback and complaints. It also identifies critical good practice policies and resources needed to support any new feedback and complaints system.

The evaluation findings focus on a number of topic categories, including child-centredness, a learning culture, capability and capacity, technology and complaints management, support for caregivers, and residences. Further details on the research design and a summary of identified good practice principles are available in Appendix 1 and 2.

⁴ See Feedback and Complaints system: Resource review for a summary of these three reports.

⁵ The IIC developed the strategies, framework, mechanics, policies, and procedures required for the Oranga Tamariki operating model, which came into operation on 1 April 2017.

EVALUATION FINDINGS

The feedback and complaints system

Clear 'feedback' and 'complaint' definitions need to be developed

While feedback and complaint definitions may seem reasonably clear, people interpret them differently. An important task stakeholders agreed upon was the need to come up with common Ministry definitions that are widely understood and agreed upon.⁶ This would assist good practice and help ensure consistency throughout Oranga Tamariki.

The new system should focus on both feedback and complaints

Stakeholders acknowledged the importance of feedback and the need to increase feedback visibility. However, CYF's predominant focus on complaints meant most stakeholders referred to the 'complaints system.'⁷ Stakeholders suggested Oranga Tamariki could focus on requesting and recording both general feedback and complaints. If the emphasis was only on complaints, it was felt only complaints would arrive.

The complaints system has good functional elements

Stakeholders felt the CYF complaints system had functional elements, allowing much of it to be transferred to Oranga Tamariki. It was common to hear that the CYF system, by and large, met the basics necessary for a complaints system. Good existing site, regional, and national practice were emphasised, as were steps taken to improve the system, for example through the introduction of Whāia Te Māramatanga in residences.⁸

There were mixed views about feedback and complaints system accessibility

Stakeholders felt the complaints system is difficult to navigate and fails to meet the needs of all those wanting to make a submission. There was some suggestion that the feedback and complaints system was relatively more accessible than that of many other government agencies. Some felt that feedback and complaints were publically visible and therefore accessible. One stakeholder also commented that CYF staff and partner agencies generally struggle to understand the feedback and complaints process, which can result in hampered public accessibility.

Responsiveness involves having a better 'customer service' focus

Stakeholders noted CYF does not have a 'customer service' focus. Rather, they view themselves as a statutory social work organisation first; one that does not always work in 'partnership' with children and their families/whānau. To promote complaint resolution, it was emphasised that any new system needs to ensure clear action in response to a complaint. As one stakeholder suggested, responsiveness should address barriers to social work practice.

⁶ 'Stakeholders' in this evaluation report refers to interview participants.

⁷ This report often refers solely to the 'complaints system', where stakeholder referred to it in that manner.

⁸ Whāia Te Māramatanga (Seeking Enlightenment) is the name of the residences grievance policy/mechanism.

In the New Zealand context, stakeholders also spoke of the need for cultural responsiveness, which CYF was seen to lack. Māori and Pacific engagement involves understanding particular cultural customs and conventions. At a minimum, it was suggested staff should be aware of cultural considerations when engaging with children and families/whānau from different cultural groups.

Encouraging child-centeredness

The complaints system is largely adult focused

A careful balance needs to be struck between the voices of adults and children. Stakeholders noted that the CYF system is adult-centred. Complaints are predominantly made by adults, often focusing on the difficulties or frustrations that they face with CYF. Children rarely complain to CYF, and adult focused complaints can 'misdirect' responses away from children's needs or wishes.

It was asserted that social workers sometimes fail to ask or listen to children because the complaints themselves are not 'directly' related to them, rather to the adults involved (although the outcome may directly affect them). According to one stakeholder who was interviewed, for children, having no one to listen to them is "incredibly disempowering". It was suggested as part of the wider Oranga Tamariki cultural shift to empower children and reduce barriers to participation, social workers should always ask "where is this complaint coming from" and "how does it impact upon the children involved"?

Children and young people's views need to be encouraged and respected

Stakeholders emphasised that there should be greater respect for children and their rights. It was relayed that children are not involved in decision-making processes and do not have power to influence decisions about their lives. It was asserted that children must be viewed with mana and there needs to be clear respect for their rights.

With respect to their rights, stakeholders said Oranga Tamariki must provide children with encouragement, knowledge, and a safe space to give feedback or make complaints. Whāia Te Māramatanga, the CYF residence grievance policy/mechanism, was highlighted as linking children's rights to a feedback and complaints policy/mechanism.

Importantly, stakeholders also said the promotion of 'making feedback and complaints' by children needs to be done in direct communication to staff members among others. This would help raise staff awareness of children already providing – or wanting to give – feedback or make a complaint.

Important relationships help strengthen children's voices

Stakeholders highlighted the importance of supportive relationships in strengthening children's voices. This included having someone to speak with and foster confidence around giving feedback or making a complaint. While a parent would ordinarily fill this role, where this is not possible for children involved with CYF, it was noted a supportive relationship may also involve an advocate or social worker, with whom they can build trust with, and who can help them with feedback or complaints.

Stakeholders indicated that Oranga Tamariki requires a system that fosters supportive relationships and listens to children's voices. This includes supporting caregivers to make complaints on behalf of children. Building sound relationships can also help to instil confidence in an organisation's processes and people. In this respect, one stakeholder suggested that social workers should be thought of as having a "grandparent" role, with a vested interest in children in their care.

Clear conversations and constructive listening form the basis of meaningful relationships

Stakeholders argued that social workers and Oranga Tamariki should prioritise clear conversations and constructive listening, helping to develop meaningful relationships with children and their families/whānau. It was felt some social workers did not have these skills or did not give relationships the attention they deserved.

Stakeholders suggested that there were opportunities to further improve relationship building, including refining administrative and organisational systems to support positive engagement, and using time more productively to develop relationships with children and their families/whānau. The notion of 'being heard' was considered central to the development of meaningful relationships and necessitates all parties taking a fair and principled approach to feedback and complaint interactions.

Good communication empowers and supports children's engagement

Stakeholders discussed the importance of child-friendly communication that empowers and supports children's engagement. Stakeholders indicated that communication for children needed to come through a variety of mechanisms, which are straightforward, and able to be delivered consistently and regularly in timeframes appropriate for children.

A feedback and complaints framework should consider children's perception of 'feedback' and 'complaints'. According to stakeholders it is critical how they are 'defined' and 'pitched' to children. For children, complaints can have negative connotations, and making a complaint might get you or someone else in trouble. Communications around feedback and complaints should reflect these perspectives and children should play an active part helping to define 'feedback' and 'complaints'.

Addressing power imbalances and building trust supports confidence in social workers and Oranga Tamariki

Stakeholders noted that it often takes courage for vulnerable people involved with CYF to make a complaint, given the sensitivity of issues involved and the perceived or real ramifications that a complaint may have for them. Children and their families/whānau must trust and have confidence in social workers and Oranga Tamariki.

One stakeholder remarked that social workers and Oranga Tamariki should see situations from the perspective of children, who frequently ask "how can we trust feedback and complaints?" The power imbalance between vulnerable people and CYF social workers was discussed. It was emphasised that there has to be checks and balances; procedural fairness for both those making a complaint and those responding.

Stakeholders also felt that CYF had struggled to build trust more widely in the social sector. One stakeholder commented that CYF staff and partner agencies did not really understand the feedback and complaints process.

Advocates support access and participation in complaints and feedback

Stakeholders noted that advocates were an important support avenue for children and their families/whānau, whether involved with Care and Protection or Youth Justice, and should be promoted throughout Oranga Tamariki. Advocates were seen as crucial for providing a greater degree of independent thought and support for children, playing an important role in keeping organisations "on their toes", and helping to address real or perceived power imbalances.

Stakeholders argued that advocates should “walk alongside” children. They can play a practical role in assisting children to better articulate their case or support continuing a complaint. They can also provide emotional support, for example, helping children arrive at a point of closure. Stakeholders said that advocates, particularly in residences, should ideally be motivated and be able to regularly visit children.

Stakeholders thought advocates could come from all walks of life, providing that they meet safety standards. The advocate chosen should largely depend on the child – who they feel comfortable with, and supported by, as an individual. This gives freedom of choice and was seen as an essential right. For example, an advocate may be a family member or a CYF staff member. Having advocates of different ages and with different experiences was also thought to be beneficial.

Stakeholders further commented on the recent establishment of VOYCE: Whakarongo Mai, an independent connection and advocacy service. The service’s establishment was described as a “huge opportunity” to empower children’s voices that was consistent with good practice.

Advocate access faces awareness, availability, and coverage challenges

Stakeholders identified a number of challenges to children accessing advocates that will need to be addressed.

- It was common to hear from the stakeholders interviewed that the Ministry could do better, both in ensuring improved awareness of children’s advocacy rights and providing improved advocacy services. Good practice should involve providing advocacy information to any person wanting to provide feedback or to make a complaint.
- It was observed that advocate use for children and their families/whānau is inconsistent and largely unsupported. It was noted that this occurred across care situations, sites, and residences. There were differing views as to social worker responsibilities to support the use of advocates.
- Concerns were raised that it was difficult to find responsive advocates who were reliably available. Stakeholders noted that advocates have to make regular appearances in order to develop trusting relationships with children. It was highlighted that inconsistent advocate engagement in care situations can be damaging to on-going advocate relationships with children and their families/whānau.
- Stakeholders felt that a large, committed pool of advocates would mean more consistent availability and use. Stakeholders noted that many advocates are volunteers and that there are challenges recompensing and/or supporting them. Some indicated that non-governmental organisation advocacy workloads are generally increasing and existing funding support is not enough. Further resources to support this sector were encouraged. It was argued by some stakeholders that the essential role of advocates should be part of a social investment approach as it saves money and time.
- It was suggested that advocates should be independent, particularly if they were ‘professional’ and did not in some way have a direct relationship with the person concerned.

A separate child-specific feedback and complaints pathway could be developed

Stakeholders suggested a ‘separate’ feedback and complaints process/system may be warranted because of the differences between adult’s and children’s complaints, including how children become aware of and process information, and then how adult and children’s complaints are dealt with by CYF. The focus on understanding why children do not provide feedback or make complaints, and how to improve the system to ensure their involvement, may necessitate children having access to a child-centred feedback and complaints system (without being limited by adults).

Technology can improve children's feedback and complaints engagement

Stakeholders said that children complain in different ways than adults and about different things. They also said that the system needs to address the lack of complaints made by children. Children rarely use 'traditional' mechanisms to complain. Stakeholders indicated that communication for children needs to come through a variety of mechanisms, and incorporating technology to cater for the needs of children was encouraged. At the moment, some felt that children are not trusted to use a variety of tools to give feedback and make complaints, for example, to make internet submissions in residences. Rather, they are restricted in Residences to hard-copy feedback and complaint forms.

Developing a learning culture

Oranga Tamariki needs to develop a learning culture

Stakeholders commented that there is a greater need for CYF to have an open and transparent culture. Lack of information sharing was given as one example. It was also suggested that CYF can exhibit defensiveness and there was a need to accept and learn from mistakes when they occur. This situation was sometime exacerbated by social workers worrying about being criticised for their practice. This concern was qualified by the hope that CYF and forthcoming changes would move the organisation past this to a greater focus on children's welfare.

It was suggested by stakeholders that feedback and complaints was something that social work staff and the new Ministry should embrace and see as something that is informative and ultimately helpful for all involved. Stakeholders said in the future social work staff and Oranga Tamariki should learn from successes and mistakes. Complaints were noted as an opportunity to reflect on practice or performance with a focus on achieving the best outcomes for children. While practice guidelines and frameworks were seen as vital; moving towards a culture of openness and learning was viewed as equally important.

Good practice incorporates continuous learning

Stakeholders felt that good practice feedback and complaints systems should incorporate continuous learning, providing positive learning opportunities and experiences for social workers and the Ministry.

Stakeholders relayed that more learning from feedback and complaints should take place. It was suggested that comment was sometimes only made to social workers if it became a human resources problem. They suggested a continuous learning framework would be important to help identify better practice and support the development of improved practice skills and knowledge.

Stakeholders emphasised the importance of performance measures in the continuous learning cycle, looking at process indicators such as timeliness and responsiveness, which helps to recognise good performance and build strengths, and can also identify areas for improvement. However, they also noted that CYF can focus too much on 'tangible' performance indicators, and not enough on critical 'intangible' qualities associated with social work, such as looking after and building strong relationships with children and their families/whānau.

Stakeholder referenced a number of important collaborative learning and review opportunities for the future as part of a continuous learning cycle.

- **Children and families/whānau:** talking with and learning from children and their families/whānau about their experiences and making improvements based on feedback and complaints. This might include involving them in problem solving and design opportunities.
- **Social workers:** reflective practice among social workers, including discussion and learning in different forums from feedback and complaints to improve and grow professionally.
- **Organisational:** Oranga Tamariki can put in place effective continuous learning processes nationally, including establishing appropriate information dissemination networks and a more joined-up approach to feedback and complaints.
- **Multi-agency:** issues brought up in feedback and complaints are usually multifaceted, involving factors such as clothing, income, and housing. There are collaborative learning opportunities in order to better prevent and resolve multifaceted problems.
- **External agencies:** regular external review of existing practice and policies by outside parties would support good practice feedback and complaints, and ensure compliance with appropriate principles and statutory responsibilities, for example around feedback and complaints confidentiality and privacy.

Leadership commitment and oversight supports positive change

Stakeholders indicated that if the feedback and complaints system is going to be successful, it needs to be visibly led by senior leadership and get 'buy-in' from staff. Leadership commitment and oversight is required to support positive change. This includes commitment to a new feedback and complaints system as well as changing the organisation culture.

Stakeholders said that previous attempts to develop a more effective feedback and complaints system, which involved a significant amount of human resource and time, had in part floundered due to a lack of funding and leadership committed to changes.

It was also suggested that senior management needed to take broader responsibility for ensuring that feedback and complaints are addressed and resolved appropriately. Leadership needs to demonstrate commitment to social workers, supporting them when complaints are made. One stakeholder expressed the point that leaders and managers need to model good behaviour, which will help to build a reciprocal culture of respect and responsibility.

It was commented that leadership oversight involves greater attention to managing staff appropriately, including staff performance and ethical challenges in addition to clear links to codes of conduct that set standards for behaviour. Stakeholders felt that site managers should know their social workers well, and supervision should involve appropriate managerial feedback and complaints monitoring and follow-up.

Clear expectations support accountability and learning

A number of stakeholders relayed the point that accountability and learning were sometimes contradictory for CYF. Children were not readily asked to comment on how things were going or about the services received. Mistakes by social workers were not always readily acknowledged and in some cases could be hidden by perceived avoidance or obstruction.

Stakeholders noted that CYF could at times 'privatise' its mistakes by not talking openly about them. Opportunities for greater accountability were noted in several areas:

- Social worker timeframes for completing investigations into complaints. This necessitates putting in place reasonable timeframes and resources to support social workers in this task.
- Managers holding social workers to account for the delivery of timely responses to complaints. This includes having appropriate reflective practice processes in place, taking a strengths-based approach, and having professional development steps available where there are shortcomings.
- Managers and staff providing information relating to the feedback and complaints policy. This in addition to fulfilling statutory responsibilities to allow for the expedited resolution of complaints where they occur.
- Sites and regional transparency. This involves a focus on performance problems, feedback and complaints recording, processing, reporting, and resolution in order to meet policy and statutory responsibilities.

These accountability areas should be supported by clear expectations of the highest service delivery standards for children and their families/whānau. Stakeholders commented that social workers can sometimes see feedback and complaints processes as 'tick-box' exercises.

Social workers may worry about being penalised by the feedback and complaints system. Stakeholders said they should be able to trust the 'system' to support them if a complaint is laid, and be confident that they can provide free and frank information to investigations, while receiving associated levels of protection in terms of job security and reputation.

According to some stakeholders interviewed, social workers and sites can also become defensive in the event that outside parties are involved in investigating complaints. There needs to be in place an appropriate investigation process into staff misconduct for the most serious complaints, which works in tandem with the complaints process, so their resolution is not delayed.

Improving capability and capacity

Early information provision to children and their families/whānau is good practice

Stakeholders felt that as part of good practice, information should be provided early and regularly to children and their families/whānau. They should be informed on the progress of their complaint involvement. Stakeholders noted a lack of information can be a barrier to complaint resolution. After receiving a complaint, stakeholders agreed it is important to respond in an open and transparent way, including taking the time to sit down with the complainant to go over and understand their concerns in a considered manner, especially when explaining decisions and the feedback and complaints process.

Communication skills must be of a high standard to support good relationships

Stakeholders referred to poor communications as central to relationship breakdowns with CYF. It was noted that complaints were frequently about issues of fairness, how little information was provided, and how people felt treated by the system. Situations of perceived or actual crisis often came back to how well social workers were communicating with children and their families/whānau.

Stakeholders repeatedly stated that there was significant value in good communication. Staff and the organisation should improve their communication skills if feedback and complaints handling is to meet good practice guidelines. Specific practice improvement examples included:

- Clear shared communication plans were identified as being helpful, and should be part of good practice, particularly where the person involved frequently makes complaints.
- Several stakeholders noted that frequently something as simple as answering or promptly returning phone calls, or ensuring a sit down with the person, may reduce concern and the number of complaints.
- Timeframes should not be extended without good reason, and if they are, this should be clearly articulated verbally or in writing to the complainant.
- When aspects of a complaint are not accepted, this needs to be relayed to the complainant, along with the decision context and an explanation, so they are able to understand the outcome.
- Letters written by site managers to families/whānau in response to complaints can sometimes give the impression they are being “brushed-off”. Letters need to be written carefully and some consistency is advisable.
- Complainants need to be clearly informed of the steps that can be taken if they’re not satisfied with the complaint outcome.

Communication should be tailored to complainant’s needs and the situation

It was noted by stakeholders that some people require frequent communication throughout the complaints process, while others need less attention. The use of verbal and or written communication needs to be tailored to the person’s situation. There are often key points of engagement between children, their families/whānau, and social workers, where verbal information is not appropriate or warranted, and written information is crucial. One example being when a child is removed from parents, it is important that written information is available for them to digest and respond to when possible. In other cases, verbal communication may be more warranted.

Responsiveness requires improved policy and practice implementation

It was suggested that the improved proactive use of a code of practice/rights would support consistent engagement and a better organisational culture. Clear links to codes of conduct can set standards for behaviour. A clear practice framework for Oranga Tamariki staff might include touch points identifying steps needed when working with children around feedback and complaints. Stakeholders commented that some guidelines on policies and practice are already in place, and that if CYF followed through on them, this would prevent or resolve many of the complaints. This included the fact that existing legislation was great, but had been poorly implemented. For example, while the CYF Children’s Charter, which outlines what children should expect in care, was useful, it was not widely circulated.

A balance of consistency and flexibility supports good practice

Stakeholders referred to significant good practice that was let down by the lack of consistency. They suggested that individual CYF staff and different organisational levels sometimes brought their own approaches and values to procedures. This meant feedback and complaints decision-making could be inconsistent. For example, site managers may give social workers different practice messages about how to deal with feedback and complaints.

It was noted by stakeholders that variation itself is not necessarily a problem; rather, it is how feedback and complaints are subsequently managed. Site and regional preferences should not matter if they are all able to successfully resolve complaints, and there are potential learning opportunities from practice variations. Social workers could be allowed leeway to appropriately resolve complaints, within the bounds of good judgement, policy, and law.

However, the downside of inconsistent practice was more regularly highlighted, including the fact that inconsistent practice introduced uncertainty for children and their families/whānau.

Options should be available where relationship breakdowns occur

Stakeholders frequently noted that care and protection can be a difficult space in which to work, and sometimes communication will falter and relationships will be difficult to maintain or will breakdown. This includes what one stakeholder referred to “relationship fatigue”, often in the context of a complex case with a long CYF history. Where communication and relationship breakdown occurs, or even in instances where people do not get on with their social worker, it was suggested that Oranga Tamariki should be more open to changing the situation dynamic, involving others in the relationship, and/or changing the assigned social worker.

Local complaints resolution should support timeliness

Keeping to timeframes was emphasised by stakeholders as one of the biggest practical problem areas. With significant delays in complaints processing and resolution, stakeholders noted the maxim “justice delayed is justice denied”. While it was commented that a speedy response to a complaint was not always a quality one, delays, in some cases for months, were seen as inherently unfair, imposing an undue burden on those making the complaint, which in some cases exacerbates crises further.

It was suggested that the key to reducing time delays is ensuring resolution close to the source, providing effective feedback and complaints structures, and empowering and training staff appropriately. CYF had made some steps in this direction. Social workers and local sites are asked to deal with the majority of formal complaints as near to the source as possible, and in a relatively straightforward and timely manner.

Independence is required at the site and regional levels

Independence is a critical issue that was repeatedly raised by stakeholders in relation to children and families/whānau engaging with CYF. While the idea and intent of resolving complaints close to the source is sound, equally, there are difficulties when the complaint is more complex and not easily solved at the local site level. As such, it was suggested that investigations should not be undertaken by social workers involved in the complaint. It is often difficult for social workers and sites to distance themselves from their relationships with children and their families/whānau following a complaint. It was put forward that sometimes the issues involved become personal and irresolute leading to greater frustrations and conflict between parties.

The importance of empowering parties to resolve complaints at the site and regional levels by providing an independent avenue for resolution was highlighted. Where a relationship has broken down with a social worker, there have to be distinct channels a person can take, which they feel comfortable with in order to resolve their complaint. When local resolution does not work, complaints are escalated to the regional level. This gives some measure of independence from the site level process. National office can also become involved in resolving the complaint. Some stakeholders argued that complaints should be directed at a reasonably early stage to independent ‘neutral’ professionals, such as the Office of the Children’s Commissioner.

An independent body that sits outside service delivery is important

Beyond a robust resolution process at the site and regional/national levels, it was generally agreed by stakeholders that there needs to be a third independent level for complaints resolution. Having the feedback and complaints system sit outside the service delivery line provides another level of independence, which can better support and empower children and their families/whānau. An independent system can:

- help and walk alongside people going through the feedback and complaints process
- impartially redirect people to suitable alternative avenues to address their concerns
- avoid perceived or actual conflicts of interest
- help to improve the accountability and responsiveness by focusing on improving performance and timeliness.

For CYF that third level function was fulfilled by Chief Executives Panel (CE Panel). The Panel was a semi-independent body within the organisation, whose goal was to provide effective resolution for complainants and their complaints. Stakeholders remarked that the Panel seemed to de-escalate tensions between the parties involved, which helped with resolution and/or the sense of being listened to at the highest level.

Feedback and complaints system resourcing needs to increase

A majority of stakeholders noted that the setup of the feedback and complaints system includes necessary functions, but may need increased resourcing to improve effectiveness. The CYF system allows for some flexibility to determine whether something is a complaint, and has led to the introduction of the successful 'triage' system, which has reprioritised complaints and may have reduced unnecessary workloads. However, lack of resourcing for processing complaints was often identified as an issue that has implications for timeliness.

It was pointed out that complaint numbers are not so large that they hold up the organisation's business. However, stakeholders agreed that in a resource constrained context, complaints are often considered an 'additional' task for social workers and sites, and therefore fall down the priority list. There can be genuine reasons for deprioritising complaints, such as staff availability and workload constraints, or social workers prioritising seeing children and their families/whānau.

Feedback and complaints ultimately come from satisfaction or dissatisfaction with CYF service delivery. Stakeholders reported that many complaints could be avoided if resources were increased. Specific suggestions for increased resourcing include:

- Administrative supports as existing administrative resources do not maintain the feedback and complaints process effectively. There needs to be appropriate administrative supports for staff dealing directly with complaints to allow for a better allocation of resources and time to communication and resolution.
- Specialist resources and staff dedicated to resolving complaints at the site level. These specialists could operate within individual sites so they can handle progressively more difficult situations and deescalate tensions, champion feedback and complaints, and contribute to information dissemination and training if needed. Supplementary remuneration and training may be required for such roles.

- Additional Advisors Service Improvement (ASI) at the regional level. A feedback and complaints resource increase in the regions would help deal with the high workload and allow for more time dedicated to service improvement tasks, such as ensuring consistency, training, and quality assurance. A number of new 'regions' have been created under Oranga Tamariki. Each of these will need an ASI.
- Resourcing of the National Office team dealing with feedback and complaints.

Complaints and feedback management training needs improving

Staff need the skills and resources to effectively deal with complaints and complainants. However, stakeholders felt that this is sometimes not the case, and some staff lack desired relationship and complaint management skills. Feedback and complaints, from children in particular, are often easy to miss or misunderstand, and complaints handling has to be done in a professional manner with great skill. Stakeholders emphasised the importance of developing learning and communication skills in order to meaningfully engage with children and their families/whānau.

It was agreed that engaging and innovative training would support consistency and learning. Training levels should incorporate learning gathered from the feedback and complaints made, and from reporting on the system itself, as part of a holistic "feedback loop".

A number of key potential development areas are set out below.

Induction process

Social workers are not being appropriately inducted, including in relation to feedback and complaints processing and handling. At a minimum, better awareness is needed at the induction stage. Developing a culture of openness and social worker learning at the earliest stage of training and recruitment will support the shift to a learning organisation approach.

Professional development

Training should be accessible to social workers on an on-going basis, with specific modules dedicated to refreshing/updating them on the feedback and complaints processes, in addition to improving skills associated with garnering positive feedback and preventing complaints. To improve overall feedback and complaints, good practice, group training, and support should be available where appropriate, providing the information and structures necessary to keep social workers up-to-date with changes and requirements.

Supervision

Supervision as part of reflective social work practice should address feedback and complaints as part of continuous learning. This would ensure managerial awareness of social worker practice and could address feedback and complaints issues about the social worker. Critical reflections associated with feedback and complaints should become a part of everyday conversations and learning.

Training materials

Stretched resources means less training and professional development opportunities. While social workers can be up-skilled through training, this has to be "powerful" to bring about a real culture change. Stakeholders suggested the possibility of somehow involving children in training design and delivery. Stakeholders also referred to the need for more engaging and innovative feedback and complaints training.

Enhancing technology and complaints management

The complaints management system needs to be more user friendly

It was generally recognised by stakeholders that the feedback and complaints system technology is far from ideal and needs to be upgraded in the near future. It was felt technology should support work processes and facilitate more effective communication and resolution of complaints. The Complaints Management System (CMS) should not drive the process. The existing CMS was originally designed as a temporary system. Since its implementation it has not been updated, although a lot of 'workarounds' have been introduced, for example, to facilitate access, remove the ability to delete complaints, and improve functionality levels.

It was repeatedly conveyed by stakeholders that the CMS does not adequately keep social workers up-to-date, although it does send out reminder emails. Complaints can get lost in the CMS and it is not connected to the electronic document management system (EDRMS). The CMS has been unwieldy and difficult to use in terms of inputting data and retrieving information. The system also needs to be able to trigger escalations where necessary. Stakeholders, however, noted that technology limitations should not be used as an excuse for poor feedback and complaints outcomes.

Several functions could be added to the CMS to improve usability

Stakeholders considered the CMS limited, without enough useful advanced and automated feedback and complaints functionality.

- An effective system needs to be able to support effective analysis and reporting. The CMS is not fine-grained enough to differentiate between different types of complaints or provide a sufficient level of analysis and reporting. Feedback and complaints themes vary significantly. However, this is not necessarily recorded in the CMS or elsewhere, which is problematic for feedback and complaints tracking and reporting.
- It is frequently the case that the quality of the complaint response is not measured, so it is difficult to tell whether it was satisfactorily resolved for those involved. Tracking and understanding satisfaction and dissatisfaction were both points highlighted as within the remit of improved feedback and complaints system technology.
- The feedback and complaint system should move towards providing 'real-time' data and insights, allowing the system to be more responsive.
- Importantly, technology could support understanding the 'user's voice' – although a balance would need to be found with confidentiality and privacy. Stakeholders hoped that new technology could capture more 'emotive' elements of feedback and complaints, in order to better address and understand complainants and their problems.

The complaints management system faces a number of data quality issues

It was relayed that details on interventions, planning, and relationships need to be able to be inputted and accessed quickly and easily. Accurate, consistent, and complete feedback and complaint records also need to be entered into a data system to ensure effective monitoring and reporting. The CMS faces a number of data issues including:

- Errors associated with poor data inputting. Some social workers and sites have been more effective at data inputting and record keeping than others. Regional feedback and complaints staff were thought quite effective at providing the appropriate level of detail.
- Multiple data entries. The CMS should also be able to prevent or detect on-going error problems, such as the double entry of complaints.

- Staff closing complaints by mistake. The CMS has allowed for complaint records to be accidentally closed, something which can affect complaint response and quality control.
- Records may be missing entirely in some cases. If there is no information available to make a determination on a complaint, it means that the complaint itself is “not found”, a potentially unfair and unjust outcome for complainants with legitimate concerns. Issues with record keeping of phone calls were also a common example.

Informal complaints may need to be recorded

Where a person gives feedback or makes a complaint, especially an informal one, there is an increasing expectation according to stakeholders that organisations should provide an appropriate acknowledgement and response. However, the existing policy is that informal feedback and complaints are not recorded. If there is not the capacity to record and follow-up on such communications, then an opportunity is lost to address concerns, improve learning, and develop deeper relationships. People may feel they are not being listened to and respond in an increasingly frustrated or indifferent manner.

Increasing support for caregivers

Caregivers require specific training on feedback and complaints

Some stakeholders noted that the feedback and complaints training of caregivers was limited. Caregivers are not well versed in when or how to give effective feedback or make complaints. Frustrations can grow as caregivers are unable to effectively address difficulties using feedback and complaints mechanisms. Training related to feedback and complaints could include key areas, such as how to handle feedback and complaint situations and how best to ensure good communication and relationships with social workers.

Caregiver access to support should be consistent to avoid complaints

One issue with caregiver support is the discrepancies between what sites offered to children and their caregivers. Some stakeholders indicated that caregivers are frequently promised a lot of support for children coming into their care, and this often is not forthcoming.

Caregivers become desperate. They seek out advocates and/or resort to laying complaints. For many, this involves CYF doing what they say they will do, in so far as is reasonable or practicable. There is also often a lot of confusion around entitlements. Information given to caregivers about services, resources, and support is also often incomplete or missing. Where there are service delivery problems, and caregivers need to chase up on support, they can feel inadequate and undervalued.

Stakeholders proposed a caregiver information checklist that social workers could tick off to make sure that necessary information has been provided and discussed.

Building on residences success

The residence feedback and complaints system is more child-friendly

Whāia Te Māramatanga, the CYF residence grievance policy/mechanism, was highlighted as linking feedback and complaints to children’s rights. It was noted by stakeholders that this mechanism had been re-designed and re-branded, moving it away from being an adult-focused, process-driven system, towards one that is more child-friendly. Whāia Te Māramatanga was also noted as an example of the move towards the use of children-friendly communication content and mechanisms, including the use of memorable introductory videos and colourful, child-friendly complaint forms, and response letters.

Accountability in the residence grievance process needs to improve

Accountability questions were raised in relation to residences. It was suggested that grievance resolution is often delegated downwards and that there is no associated accountability to findings and recommendations by senior management. Having clear accountabilities around complaints and timeframes was seen as crucial to ensure procedural fairness for children in residences. Clearer lines of accountability are also required for residence grievance panels, which operate independently, and are responsible to the Minister, but have no great degree of oversight.

Improving access, reducing the stigma of making a complaint, and protecting confidentiality requires on-going attention

Some stakeholders emphasised that the introduction of Whāia Te Māramatanga has reduced the stigma around the feedback and complaints process. In particular, communications about grievances had been positively received and a new openness to making submissions was noted. Several stakeholders mentioned that many children may still have concerns around being seen as a “nark”, making them more reluctant to make a complaint. There were lingering questions around confidentiality levels, with children having to request feedback and complaint forms in order to make a submission. This can be further complicated by children having other difficulties, for example, with literacy. Addressing these issues should lead to an increased willingness and ability to give feedback and make complaints.

Increasing resources would improve Whāia Te Māramatanga responsiveness

According to stakeholders, grievance numbers in residences are quite high and require a significant amount of resourcing to investigate. Minor complaints have gone up following the introduction of Whāia Te Māramatanga, which is to be expected following the introduction of any new feedback and complaints system, as a result of improved access and awareness.

Stakeholders also commented that the feedback and complaints process at residences does not have a sizable administrative resources to support investigations. Residences were noted to sometimes have poor record keeping and confusing reporting, which can lead to difficulties when grievances are investigated.

It was suggested that improving resource levels could perhaps support:

- technology use to better facilitate child-friendly access
- administrative capacity to help processing and resolution
- staff time to focus more on resolving grievances
- professional team(s) to deal with grievances, in residences, and potentially elsewhere in relation to high-risk incidents.

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APPENDIX 1: EVALUATION DESIGN

This evaluation design focuses on particular problems or information needs, involving an evaluation of programme performance, where quality evaluative information is needed.

The evaluation purpose is to provide evaluation conclusions on the difficulties posed by the existing feedback and complaints system, to assess in the context of international good practice, and to provide recommendations regarding how a good practice feedback and complaints system might be developed for the benefit of Oranga Tamariki service recipients and stakeholders.

This evaluation model generally involves five-steps:

1. collection of existing data on programme performance
2. collection of new data on programme performance
3. preliminary evaluation
4. development and analysis of alternative designs for full-scale evaluation
5. assisting policy and management decisions.

It acknowledges the restricted-timeframe in the collection of data, and highlights any uncertainties with data quality/quantity. Key data quality/quantity issues included:

- Information collection was limited to a small number of purposely sampled stakeholders.
- A key limitation is that no complainants were interviewed. Interviewing complainants will be an important part of understanding the user's voice in future work.
- Integration of additional programme performance data was limited due to resource and time limitations.
- Data collection and quality from the existing feedback and complaints system is limited due to shortcomings in data entry and technology.

The evaluation team conducted 18 interviews with 25 people. Stakeholder's interviewees came from CYF/MSD and external agencies and organisations. The interviews were coded and analysed into thematic groups using Nvivo 10 for narrative reporting.

APPENDIX 2: GOOD PRACTICE FACTORS

This appendix provides a brief summary of the main good practice factors discussed by stakeholders.

Safety

Stakeholders clearly articulated that children must be safe. Stakeholders suggested child welfare organisations can sometimes lose sight of this first principle, due to other demands, including resourcing problems. The crucial first consideration in all cases should be: are children safe.

Awareness

Investment is needed to raise the feedback and complaints system's profile (internally and externally). This includes using appropriate means such as websites to serve as a reminder, in addition to generally informing and raising awareness of feedback and complaints.

Clear information and communication

Children and their families/whānau should be given information early and kept informed of progress. As one stakeholder remarked, "information empowers people". The flow of information to children needs to be clear and unfettered. Staff must have good communication skills where communicating directly with children and their families/whānau and helping people to better understand feedback and complaints processes and outcomes.

Accessibility

The feedback and complaints system needs to be as simple as possible, allowing for easy navigation by children and their families/whānau. As one stakeholder relayed, "one size doesn't fit all" and you need a "number of doorways, none of which are the wrong one".

Customer service

A 'customer service' focus is important. Social workers should understand how people feel and their expectations when they become involved with Oranga Tamariki. This involves attitude changes and supportive leadership. Having a customer service focus means building an empowering and responsive service model, one that incorporates customer satisfaction by positively addressing the needs of children and their families/whānau.

Good relationships

It was noted that relationships are central to strengthening children's voices and supporting effective feedback and complaints. These key relationships rest on important conversations with children and their families/whānau, and constructive listening by social workers and Oranga Tamariki.

Trust

Children and their families/whānau should have confidence in the feedback and complaints process and in the 'system' to do the right thing. This involves building trusted relationships. Children need to feel they and their voices are valued, and that meaningful action results from feedback and complaints submissions. Where a relationship has broken down with a social worker or with Oranga Tamariki, complainants have to be able to trust the ongoing process and outcome.

Consistency

Consistency is important for fairness and minimising complaint volumes. Stakeholders reported numerous complaints could be avoided if discrepancies were addressed between sites offering differing resource/service levels.

Responsiveness

Responsiveness means acknowledging people have a right to complain and constructively responding to complaints in a meaningful way. It touches on positive ideas of respect and reciprocity; listening and understanding. A responsive child-friendly feedback and complaints system needs guidance that sets clear expectations and gives clear commitments to children and their families/whānau around listening and doing; empowering parties to feel supported and bring about change.

Timeliness

A timely system should ensure prompt action and that the problems leading up to the complaint are addressed appropriately, before complaints escalate or worsen. Timeframes for children need to be child-friendly and of a shorter duration (reflective of ages and stages).

Accountability

Given the critical nature of social work, it is incumbent that all levels of Oranga Tamariki are accountable for the decisions they make and work they undertake. Accountability is required for social workers, managers, sites, and regions, around feedback and complaints recording, processing, reporting, and resolution.

Learning

Feedback and complaints were seen as something that social work staff and the Ministry should embrace and see as something that is informative and ultimately helpful for all involved. Learning needs to be part of the organisational culture. Policy and practice needs to be able to change in response to both feedback and complaints.

