

Report

Report to:	Executive Committee
Date of Meeting:	26 September 2018
Report by:	Executive Director (Finance and Corporate Resources)

Subject:	Council Complaints Report: SPSO Annual Overview 2017/2018
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ provide the Committee with an update on the performance of the Council's handling of complaints received during the period 1 April 2017 to 31 March 2018 against the Scottish Public Services Ombudsman (SPSO) national indicators;
- ◆ identify improvement activity as a result of the analysis of complaints (see 6.3 and Appendix 1 – indicator 8);
- ◆ provide customer feedback on complaint handling.

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that complaints performance and areas highlighted for improvement be noted.

3. Background

- 3.1. The Council is required to monitor and assess complaints handling performance to provide assurance in relation to how we have performed; to facilitate continuous improvement; and to assist in benchmarking performance between local authorities. The performance indicators for the local authority model complaints handling procedure are the minimum requirements for a local authority to self-assess and report on performance, and to undertake benchmarking activities.
- 3.2. Compliance with the procedure is monitored by Audit Scotland in conjunction with the SPSO and in line with the principles of the Best Value Shared Risk Assessment (SRA) arrangements. This procedure has been extended to Social Work Resources as of 1 April 2017 and therefore the figures presented in this report for Social Work Resources should be taken for benchmarking purposes rather than a year on year comparison.
- ## 4. Overview
- 4.1. As per SPSO requirements, an annual report is provided to members and the Corporate Management Team (CMT) receive regular quarterly reports on Council complaints. Work continues to improve our performance and to learn from complaints to improve our service.
- 4.2. When introducing the new Complaints Handling Process (CHP) the SPSO developed a suite of performance indicators which the Council is required to report against. These are:-

- Indicator 1 - Complaints received per 1000 of population
- Indicator 2 - % of closed complaints at stages 1 and 2
- Indicator 3 - % of complaints upheld, partially upheld and not upheld
- Indicator 4 - Average time in days to respond to stage 1 and 2 complaints
- Indicator 5 - % responded to within timescales stages 1 and 2
- Indicator 6 - % of complaints where an extension is authorised at stage 1 and 2
- Indicator 7 - Learning from complaints
- Indicator 8 - Customer satisfaction

5. Indicator performance

- 5.1. As per the 2011 census South Lanarkshire currently has a population of just over 314,000 people and as such, in the period April 2017 to March 2018, a total of 988 complaints were received. This means there were 3.2 complaints for every 1000 head of population. Compared to 2016/17, this indicator has remained at 3.2 per 1000 head of population.
- 5.2. Complaints closed in this period (1048) are detailed by Resource at Appendix 1. The figures presented are shown as a percentage of all complaints recorded and overall they currently show that:-

- ◆ 80% of complaints received are dealt with at stage 1, i.e. within 5 working days
- ◆ 9% are dealt with at stage 2 i.e. within 20 working days
- ◆ 11% have been escalated from stage 1 to stage 2 and closed

The number of complaints closed is higher than the number received as these will include complaints received in 2016/17 but closed in 2017/2018.

- 5.3. Of the complaints received:

At Stage 1, 37% are upheld and 58% are not upheld. 5% of complaints were not categorised as upheld or not upheld. This is a slight increase compared with the complaints received in 2016/17 where 3.3% of complaints were not categorised as upheld or not upheld.

At stage 2, 27% are upheld and 73% are not upheld. This represents a 4% increase in upheld complaints at Stage 2 in comparison with 2016/17.

In terms of upheld complaints across the Resources, most complaints are upheld in Social Work Resources (44% of complaints) and fewest were upheld in Community and Enterprise Resources (33% of complaints).

Of the complaints that were escalated from stage 1 to stage 2, 22% are upheld and 78% are not upheld.

5.4. Responding to complaints:

The average number of days taken to respond to complaints at a Council wide level for stage 1 is 4.8 working days and 14.4 working days at stage 2. In 2016/2017 the average working days to respond to stage 1 was 4.9, and at stage 2 it was at 14.

This average figure represents a slight improvement in the complaints handling performance and maintains the overall level 1 response times within the recommended timescale of the procedure. The stage 2 working day average has increased slightly by 0.4 working days.

5.5. Overall 76% of Stage 1 complaints are dealt within timescale. This represents an overall reduction of 3% in comparison to complaints received in 2016/2017.

For Stage 2 complaints this is 56%, and of the complaints escalated from stage 1 to stage 2, 84% are dealt within timescale.

Resources are using extensions at Stage 1 on a limited basis with 3.4% of all Stage 1 complaints having an extension agreed. This remains the same as the previous year.

With respect to stage 2, 6.2% of complaints have had an extension agreed.

The tables in Appendix 1 indicate Social Work Complaints are on average dealt with within 11.8 working days at Stage 1 and 28.9 working days at Stage 2. Social Work complaints escalated from Stage 1 to Stage 2 are dealt with within an average of 19.8 working days.

Social Work complaints can often be of a complex nature and due to this complexity would take longer than the 5 day timescale to allow a more detailed investigation to take place. A confidence in managers to escalate to Stage 2 is being encouraged at an earlier stage for complex cases.

This is the first year Social Work have been measured against these indicators and the performance reflects the transition for the Resource to adopt the new timescales.

Action is taking place within the Resource to make improvements to the timescales involved in handling complaints. This includes further complaints handling training and raising awareness of the options available in the procedure for escalating complaints to the next stage where it is appropriate to do so.

The figures presented at Resource level do show specific areas for improvement, however, it should be noted that where the majority of complaints are received (Finance and Corporate Resources, Education Resources, and Community and Enterprise Resources), performance is in line with and at all stages is better than the timescales set out within the Complaints Handling Procedure.

The lack of consistent and appropriate use of a single recording system by Resources continues to create an element of delay and is an area for improvement, the use of a single system would help reduce unnecessary delays.

The introduction of the new Objective file plan system will bring about a uniformity in terms of data recording and reporting. Phase 1 of this system is due to be implemented by the end of November 2018.

- 5.6. It should also be noted that Resources do have the opportunity to place more complaints directly to stage 2 if it is appropriate. There were 119 complaints that were escalated from stage 1 to 2 and staff should be encouraged to go directly to stage 2 where the procedure gives adequate time to properly investigate and respond to complex complaints. The statistics here will be discussed at the next meeting of the Complaints Champions, where the group will consider an action to raise awareness of the complaints process, giving employees the confidence to progress an investigative complaint directly to stage 2, rather than going through the escalation process from Stage 1 to 2.

The purpose of the 2 stage procedure is to handle complaints effectively at the first time of asking and not to give multiple attempts at resolving complaints. Where a complaint is escalated to the SPSO they are interested in whether first and foremost the Council have followed the procedure correctly and appropriately.

- 5.7. This is now the 5th year of operating this Complaints Handling Procedure. This year's figures highlight maintaining a good standard in having implemented the CHP across the organisation as a whole, and there continues to be good performance in dealing with complaints within timescale at stage 1 and of the numbers upheld and not upheld.
- 5.8. In line with the requirements of indicator 8 regular good practice examples from across Resources are highlighted on a regular basis in myWorks and on the You Said, We Did pages of the Council website.

6. Customer Satisfaction

- 6.1. To meet the requirements of the SPSO performance indicator 8 – Customer Satisfaction feedback is gathered from customers who have used the complaints procedure.

This gives insight into how the customer feels about how their complaint has been handled and helps to inform service improvements. As per 2016/17 the survey has been conducted by email, with all who agree to participate being sent a link to the survey which is in line with the complaints handling procedure.

Appendix 2 details the respondent's feedback for the period from 1 April 2017 to 31 March 2018.

- 6.2. The key points to note from the survey results are as follows:-
- ◆ Around two thirds of the respondents knew that the Council had a complaints process and 63% found it easy to make their complaint and 63% said that they would be willing to use the process again.
 - ◆ 63% of the respondents felt that the explanation given on how the Council reached their decision was not full and clear and 38% were satisfied with the outcome of their complaint.
 - ◆ 50% felt that they were treated fairly and sensitively. Several reasons were given by those customers who felt that was not the case with the main examples being attitude of staff, no apology or empathy shown for the situation.
 - ◆ Customers scored the Council on how well employees had dealt with their complaint in terms of their knowledge as 51%, their friendliness 51% and their understanding of the complaint 51%.

- 6.3. The Council asks complainants if they have any comments about how we can improve our complaints process. The majority of suggestions continue to be about keeping customers informed about the progress and outcome of their complaints; other comments focused on being taken seriously in terms of progressing the complaint; and some comments focused on having specific officers from a Resource looking at a complaint.

7. Employee Implications

- 7.1. Employees are key to effective service delivery and in trying to resolve complaints. Training is available to all employees through a range of methods including full handbooks, quick guides, e-learning, and good practice examples.

8. Financial Implications

- 8.1. These are met within existing budgets.

9. Other Implications

- 9.1. There is a risk of damage to the Council's reputation. If complaints are not handled effectively, there can be an adverse effect on the public perception of the Council which can lead to a lack of trust in the services provided.
- 9.2. Internal audit have analysed our implementation of the new process and are satisfied with the process being properly in place.

10. Equality Impact Assessment and Consultation Arrangements

- 10.1. Council Resources and the Corporate Management Team have been consulted on the data required for this report. Customers are consulted on the process every month.
- 10.2. There is no requirement to carry out an equality impact assessment in relation to the proposals within this report. However, the learning from complaints is used to ensure Council services are accessible to all members of the community and, wherever possible, to prevent discrimination, harassment or victimisation from occurring.

Paul Manning

Executive Director (Finance and Corporate Resources)

5 September 2018

Link(s) to Council Values

- ◆ Accountable, Effective, Efficient and Transparent
- ◆ Fair, Open, and Sustainable
- ◆ Ambitious, Self -Aware and Improving

Previous References

- ◆ None

List of Background Papers

- ◆ Monitoring information provided by each Resource
- ◆ Complaints handling customer feedback report

List of Appendices

- ◆ Appendix 1 – Scottish Public Services Ombudsman's Performance indicators from 1 April 2017 to 31 March 2018
- ◆ Appendix 2 - Overview of responses for the complaints handling customer feedback survey from 1 April 2017 to 31 March 2018

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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SPSO performance indicators (KPI's) from 1 April 2017 to 31 March 2018

Complaints closed at stage one and stage two as a percentage of all complaints closed (SPSO indicator 2) Percentages are shown with actual numerical figures shown in brackets.

Resource (total no. closed)	% (no.) closed at stage 1	%(no.) closed at stage 2	% (no.) closed at stage 2 - escalated from stage 1
Community and Enterprise (209)	77% (162)	13% (27)	10% (20)
Education (185)	79% (144)	13% (25)	8% (16)
Finance and Corporate (213)	88% (188)	1% (2)	11% (23)
Housing and Technical (249)	83% (207)	3% (7)	14% (35)
Social Work (192)	70% (135)	17% (32)	13% (25)
Total (1048)	80% (836)	9% (93)	11% (119)

Number of complaints upheld/not upheld at each stage as a percentage of complaints closed in full at each stage (SPSO indicator 3) Percentages are shown with actual numerical figures shown in brackets.

Resource	% (no.) upheld at stage 1	% (no.) not upheld at stage 1	% (no.) upheld at stage 2	% (no.) not upheld at stage 2
Community and Enterprise	33% (53)	67% (110)	19% (5)	81% (21)
Education	36% (52)	64% (93)	26% (6)	74% (17)
Finance and Corporate	36% (64)	64% (87)	0% (0)	100% (2)
Housing and Technical	42% (86)	58% (119)	57% (4)	43% (3)
Social Work	44% (57)	56% (74)	30% (9)	70% (21)
Total	37% (312)	58% (483)	27% (24)	73% (64)

*** 5% (41) of all complaints at stage 1 were not categorised as either upheld or not upheld and are therefore not included in the above calculation.**

Resource	% (no.) of escalated complaints upheld	% (no.) of escalated complaints not upheld
Community and Enterprise	25% (5)	75% (15)
Education	11% (2)	89% (15)
Finance and Corporate	13% (3)	87% (20)
Housing and Technical	20% (7)	80% (28)
Social Work	37% (9)	63% (15)
Total	22% (26)	78% (93)

Average time in working days for a full response to complaints at each stage (working days) (SPSO indicator 4)

Resource	Stage 1	Stage 2	Escalated
Community and Enterprise	5.0	17.0	8.0
Education	4	7.8	6.0
Finance and Corporate	4.1	10.5	14.2
Housing and Technical	4.1	21.9	18.1
Social Work	11.8	28.9	19.8
Total	4.8	14.4	11.0

Percentage of complaints at each stage which were closed in full within the set timescales of 5 and 20 working days (SPSO indicator 5). Percentages are shown with actual numerical figures shown in brackets.

Resource	% (no.) Stage 1 within 5	% (no.) Stage 2 within 20	% (no.) Escalated within 20
Community and Enterprise	72% (128)	73% (20)	87% (17)
Education	77% (111)	64% (16)	100% (16)
Finance and Corporate	91% (171)	100% (2)	96% (22)
Housing and Technical	86% (179)	71% (5)	77% (27)
Social Work	41% (56)	28% (9)	69% (18)
Total	76% (633)	56% (52)	84% (100)

Percentage of complaints at each stage where an extension to the 5 or 20 working day timeline has been authorised (SPSO indicator 6). Percentages are shown with actual numerical figures shown in brackets.

Resource	% (no.) Stage 1	% (no.) Stage 2	%(no.) Escalated
Community and Enterprise	8% (4)	0	24% (4)
Education	0	0	0
Finance and Corporate	1% (1)	0	0
Housing and Technical	1% (2)	20% (1)	44% (12)
Social Work	7% (4)	11% (1)	28% (5)
Total	3.4% (11)	6.2% (2)	19.2% (21)

Statement outlining changes or improvements to services or procedures as a result of the consideration of complaints (SPSO indicator 8)

Learning outcomes from complaints
Complaints Performance, including you said we did information

Complaints handling customer feedback survey (SPSO indicator 7)

Overview of responses from 1 April 2017 to 31 March 2018

Note: data based on 8 respondents

Question	% response
Aware that the Council had a complaints process	63%
Satisfied with the ease of making their complaint	63%
Satisfied with the information and advice provided by employees	38%
Satisfied with how well they were kept informed about the progress of their complaint	51%
Satisfied with the speed with which their complaint was dealt with	51%
Satisfied with the response/explanation received	38%
Satisfied with how the complaint was handled overall	38%
The explanation given of how the decision was reached in the response was full and clear	38%
Satisfied with the outcome of the complaint	38%
Reason for dissatisfaction with Council's decision: <ul style="list-style-type: none"> • Council Policy • How the complaint was handled • How the outcome of the complaint was communicated • Other reason <p>Various reasons were cited, however the main reasons were the delays in progressing the complaint to satisfaction level and complaint not being fully investigated at the appropriate stage.</p>	20% 40% 0 40%
Felt treated fairly and sensitively	50%
Customers were asked to rate the following in terms of how employees dealt with their complaint. The % is the number of customers who rated excellent or good: <ul style="list-style-type: none"> • Knowledge of Council employees • Friendliness of Council employees • How well Council employees understood the complaint 	51% 51% 51%
Complaints process easy to use	76%
How willing would you be to make another complaint in the future if the need arises?	66%
Indicator narrative: statement to report customer satisfaction with the complaints service provided.	