

Report

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Report to:	Executive Committee
Date of Meeting:	16 November 2011
Report by:	Executive Director (Finance and Corporate Resources)

Subject:	Complaints Annual Report – 1 April 2010 to 31 March 2011
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ provide statistics and analysis on all complaints received by the Council for the period 1 April 2010 to 31 March 2011
- ◆ provide feedback on the complaints process from those who have used it

2. Recommendation(s)

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

- (1) that the contents of this report are noted.

3. Key points

3.1. The Council records and monitors customer complaints closely and uses customer feedback to identify trends and improvement actions.

In comparison to the number of transactions undertaken by the Council in any year, the number of complaints received is relatively small. For example Housing and Technical Resources manage over one million transactions every year, and complaints represent 0.29% of all transactions.

The way in which we manage and deal with complaints is a key factor in employee induction and training at all levels of the organisation.

Our approach to managing complaints is a core element of the Council's submission for Customer Service Excellence, an externally recognised standard. There are currently 13 Council services which have achieved this standard.

4. Annual Performance

4.1. The table below shows the statistics for 2010/2011.

Quarter 2010/11	Total complaints	Upheld	Not upheld	Withdrawn	Persistent	Under investigation
Quarter 1	961	527	415	4	13	2
Quarter 2	902	594	287	3	3	11
Quarter 3	922	543	360	4	3	12
Quarter 4	1,083	599	448	3	4	29
Totals	3,868	2,263	1,510	14	23	54
% of total	100%	58.5%	39%	0.4%	0.6%	1.5%

The majority of complaints are received from operational services with high transaction volumes. Appendix 1 details comparative results at Resource level.

During 2010/11, three complaints were received under equal opportunities and none were upheld. One complaint related to religion/belief and 1 to disability (mental health). Both were regarding Housing issues. The third complaint was categorised under disability and ethnicity and related to Council Tax. On average the Council records around 3,800 complaints each year. The percentage of complaints not upheld has increased each year and now represents four out of every 10 complaints. Of the 3,868 complaints received in 2010/2011, 88.9% were responded to within the 5 day published timescale, an increase of 0.8% on last year's performance. The main method of contact is face to face through Q and A. Appendix 2 shows comparison statistics for the last three years.

5. Customer Feedback

- 5.1. A total of 500 complainants gave their feedback during 2010/2011 and in summary:-
- ◆ 61% of respondents were happy with the Council's decision
 - ◆ of the 39% unhappy, 57% were dissatisfied with Council Policy, and 46% were dissatisfied with the complaints process itself, particularly the time taken to resolve or that a full explanation not been given and, occasionally, no response at all
 - ◆ 93% found the complaints process easy to use, and 81% felt they were treated fairly and sensitively during the process.
 - ◆ Appendix 3 shows the full results of the survey.

6. Scottish Public Services Ombudsman

- 6.1. In mid March 2011, the Scottish Public Services Ombudsman (SPSO) issued the final Complaints Handling Procedure (CHP) which all public sector organisations are expected to implement by 1 April 2012. This is a one stage complaints process with no right of appeal to the Council with a 20 day timescale.

7. Scottish Public Services Ombudsman Statistics

- 7.1. During 2010/2011, SPSO changed their approach to the investigation of complaints, relating to the issuing of decision letters instead of investigation reports.

7.1.1 Decision Letters

The SPSO usually sends a decision letter if:-

- ◆ the organisation accepts there were failings, apologises and takes action to prevent the problem from happening again
- ◆ from the evidence, it appears that the organisation did not do anything wrong
- ◆ the Ombudsman has decided that the substance of the complaint and the decision on it do not raise public interest considerations

7.1.2 Investigation Reports

The SPSO sends investigation reports to the complainant and the organisation complained about and they are reported in full to the Parliament. The Ombudsman decides whether an investigation should be reported to the Parliament. He will do this if he considers that the matter is in the public interest. This can include:-

- ◆ significant personal injustice complaints
- ◆ systemic failure cases
- ◆ precedent and test cases
- ◆ cases where there has been significant failure in the local complaints procedure.

The table below provides an overview of complaints referred to the SPSO during the last 3 years (2008/2009 to 2010/2011). As a complaint can take some time for the Ombudsman to investigate and determine, the complaints are recorded against the year the complaint was initially referred.

Outcomes for SPSO Complaints received in course of year		2008/2009	2009/2010	2010/2011
No Action/Premature/Outwith Powers		20	28	16
Closed/Not Pursued following Initial Enquiry/Investigation		11	13	5
Decision Letters		n/a	n/a	13
Breakdown	<i>Heads of Complaint</i>	-	-	25
	Upheld	-	-	8
	Not Upheld	-	-	17
	Partially Upheld	-	-	-
	Recommendations to address	-	-	10
Investigation Reports		5*	0	2
Breakdown	<i>Heads of Complaint</i>	19	-	2
	Upheld	6	-	2
	Not Upheld	11	-	-
	Partially Upheld	2	-	-
	Recommendations to address	12	-	5
<i>* 2 complaints dealt with in 1 Investigation Report</i>				

7.2. Appendix 4 gives a detailed breakdown of SPSO complaints by Resource for 2008/2009, 2009/2010 and 2010/2011.

8. Employee Implications

8.1. During the year new literature on complaints handling has been produced based on guidance from the SPSO, and is available on the intranet. Workshops on complaints handling took place during National Customer Services Week (October 2010) with representatives from all Resources. A Team Brief was produced in February 2011 summarising the key corporate standards including the complaints process.

9. Financial Implications

9.1. None at the present time.

10 Other Implications

10.1. There are no significant issues in terms of risk or sustainability associated with the recommendations made in this report

11. Equality Impact Assessment and Consultation Arrangements

11.1 Customers are being consulted on the complaints process on a monthly basis. Council Resources consulted on the format of data capture for this report.

11.2. There was no requirement to carry out an equality impact assessment regarding this report.

Paul Manning

Executive Director (Finance and Corporate Resources)

24 October 2011

Link(s) to Council Objectives/Improvement Themes/Values

- ◆ Accountable, effective and efficient
- ◆ Performance management and improvement

Previous References

- ◆ Composite Complaints Report – Quarter 4 and Yearly Overview report to CMT on 18 March 2010

List of Background Papers

- ◆ Monitoring information provided by Resources

Contact for Further Information

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

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List of Appendices

- ◆ Appendix 1 Resource statistics for 2009/2010 and 2010/2011
- ◆ Appendix 2 Comparison of complaints statistics for 2008, 2009 and 2010.
- ◆ Appendix 3 Findings of complaints survey for the period 1 April 2010 to 31 March 2011 with users of the Council's complaints process.
- ◆ Appendix 4 Scottish Public Services Ombudsman Statistics

Resource statistics

Appendix 1

*CSC Customer Service Centre

Resource	Year	Total no	Upheld	Main reason for upheld complain	Timescale met	Main method of contact	Most common complaint type	Improvement actions		
								Service	Most common complaints	Improvement actions
Community	2010/11	635	375 (59%)	Delay in service delivery	89%	phone	Domestic refuse service	Waste Management	Bins not emptied and bulk uplifts not carried out	Domestic refuse collection procedures to be reviewed. Complaints reports to be produced and monitored to assist in the identification of specific reasons for complaints, appropriate action and encourage early resolution of complaints.
	2009/10	494	348 (70%)	Below published standard	99%	phone	Domestic refuse service			
Corporate	2010/11	29	18 (62%)	Error in service delivery	100%	Email CSC*	Administrative errors	Registration	Customers unhappy that offices closed on Wednesday mornings until 11am for staff training.	Staff to be available at each office for death registration on Wednesday mornings.
	2009/10	55	40 (73%)	Delay in service delivery	92%	phone CSC*	National Checking Service	Licensing	Occasional licenses being received late	The policy for occasional licences has been reviewed.
Education	2010/11	122	10 (8%)	Below published standard	83%	Letter /Email CSC*	No common complaint type	Operations	In-service days/Schools holidays	In-service days 2012/13 were reviewed and election day was set as an in-service day.
	2009/10	357	33 (9%)	Failure to deliver service	77%	Letter	School Transport/ placing requests.			
Enterprise	2010/11	140	21 (15%)	Below published standard	79%	Letter	Planning applications	Planning and Building	Planning applications and	New procedure for logging and

Resource	Year	Total no	Upheld	Main reason for upheld complain	Timescale met	Main method of contact	Most common complaint type	Improvement actions		
								Service	Most common complaints	Improvement actions
							and enforcement	Standards	enforcement	acknowledging representations introduced
	2009/10	151	21 (14%)	Below published standard	79.5%	Letter	Planning applications and enforcement	Roads and Transportation	Winter maintenance	New winter information pages loaded on website
Finance and IT	2010/11	19	6 (31%)	Failure in service	93%	Letter	Appeals	Insurance	Disputes over resolution of claims	None at this time, however the Resource will continue to closely monitor
	2009/10	15	4 (27%)	Below published standard	84%	Letter	Appeals			
Housing and Technical	2010/11	2,923	1,841 (63%)	Delay in service delivery	92%	Face to face	Failed to respond within target	Housing Repairs	Failure to meet target timescales	A review of the Repairs Service is currently under way with one of the main objectives being to improve customer service and service standards.
	2009/10	2,513	1,579 (63%)	= Delay and failure in service	87%	Face to face	Failed to respond within target			
Social Work	2010/11	223	97 (43%)	= Failure in service delivery and employee attitude	87%	Letter	Delay in service delivery /general dissatisfaction	All service areas	Acknowledgement and recording of complaints	Senior managers advised of importance of meeting timescales and recording of complaints. Performance and Support Manager met with all local office administrative managers to support process
	2009/10	221	96 (43%)	= Delay and failure in service	82%	Letter	Care management			

Comparison of complaints statistics for the years 2008, 2009 and 2010.

Year	Total complaints.	Upheld	Not upheld	Withdrawn	Outstanding	% timescale met	Main method of contact
2010	3,868	2,263	1,510	14	77	88.7%	Face to face
		58.5%	39%	0.4%	2.1%		
2009	3,806	2,121	1,566	36	83	89.7%	Face to face
		56%	41%	1%	2%		
2008	3,838	2,538	1,067	71	162	85.5%	Face to face
		66%	28%	2%	4%		

		2010/11	2009/10
		% of respondents	% of respondents
1	Aware of formal complaints process before contacting us	43%	34%
2	Received an explanation of our 3 stage internal process	66%	53%
3	Acknowledgement issued within 2 working days	61%	50%
4	Full response within 5 working days	60%	56%
5	Satisfactory holding response received / updated about progress of complaint	24%	24%
6	Satisfied with Council's decision	61%*	51%
Reasons for dissatisfaction with Council's decision (respondents could pick more than one category)			
	Council Policy	57%	70%
	Complaints process	46%	40%
7	Felt treated fairly and sensitively	81%	76%
8	Complaints process easy to use	93%	88%
Reasons for dissatisfaction with Council's complaints process were:			
<ul style="list-style-type: none"> ◆ No contact apart from acknowledgement ◆ Happy with action but complainant has never received a response directly from the service, either verbally or in writing ◆ Customer didn't receive a response to his initial enquiry for some time, the information with his contact details was not given correctly and has had no real feedback since this. Customer feels procedure was not followed and has heard nothing since logging complaint ◆ Not trying other means of contact, if complainant not available by phone, why not send a written reply ◆ Nobody is listening or communicating back ◆ Complainant did not receive response in the correct timescale and feels complaint was not answered in the right context 			
10	Comments/suggestions for improvement: <ul style="list-style-type: none"> • The online form and initial transaction is good, but once this is passed to the Resource. There is lack of communication and breakdown in service • Customer felt the complaints were not being taken seriously • Disappointing having to go back a few weeks later to complain about the same issue • Customer believes he received a standard response letter which did not address his complaints • Customer stated the complaints process was a positive experience • All OK and quickly resolved to completion. Pleased • Process is fine but customer not happy with lack of action(s) • Staff writing replies need more training • Once complained work was carried out... why do people have to raise complaints to have things done • Very straight forward to use online complaint logging form, but then passed around departments. No one would take ownership or look into it. 		

For the major customer satisfaction surveys carried out within the Council a traffic light system is used (scoring below). The 61% satisfaction level on the outcome of complaints falls under red and has some way to go before it is in the 'green zone'.

Up to 70%	
70 to 84.9%	
85% and over	

Scottish Public Services Ombudsman Statistics

The breakdown of SPSO complaints across Resources in the 3 years is as follows:-

Breakdown by Resource	2008/2009				2009/2010				2010/2011				
	No Action/ Premature	Closed/Not Pursued	Decision Letter	Investigation Report	No Action/ Premature	Closed/Not Pursued	Decision Letter	Investigation Report	No Action/ Premature	Closed/Not Pursued	Decision Letter	Investigation Report	
Community	-	-	n/a	-	4	-	n/a	-	1	1	2	-	
Corporate	-	-		-	1	-		-	-	-	-	-	-
Education	1	1		-	2	-		-	-	3	-	1	-
Enterprise	6	3		2	5	4		-	-	5	3	2	-
Finance and IT	-	-		-	-	-		-	-	-	-	-	-
Housing and Technical	13	4		2	12	7		-	-	4	-	6	1
Social Work	-	3		1	4	2		-	-	3	1	2	1
Totals	20	11		5	28	13		0	16	5	13	2	

- 9.4 For each Resource, the specific outcomes in terms of complaints for which either a decision letter or investigation report were issued are as noted in the table below. This shows the number of heads of complaint reviewed by the Ombudsman, the outcomes for each and whether there were specific recommendations for the Council to address as part of the Ombudsman's findings:-

		Investigation Reports	Decision Letters	Heads of Complaint	Upheld	Not Upheld	Partially Upheld	Recs to address
2008/2009	Enterprise	1	X	7	0	7	0	0
		1*	X	3	2	1	0	4
	Enterprise Total	2	X	10	2	8	0	4
	Housing and Technical	1	X	2	2	0	0	2
		1	X	6	2	2	2	3
	Housing and Technical Total	2	X	8	4	2	2	5
	Social Work	1	X	1	0	1	0	3
Social Work Total	1	X	1	0	1	0	3	
2008/2009 Totals	5	X	19	6	11	2	12	

No relevant activity in 2009/2010

2010/2011	Community	0	1	1	0	1	0	1
		0	1	1	0	1	0	0
	Community Total	0	2	2	0	2	0	1
	Education	0	1	1	0	1	0	0
	Education Total	0	1	1	0	1	0	0
	Enterprise	0	1	1	0	1	0	0
		0	1	2	2	0	0	3
	Enterprise Total	0	2	3	2	1	0	3
	Housing and Technical	0	1	4	3	1	0	4
		0	1	4	0	4	0	0
	0	1	1	0	1	0	0	
	0	1	3	1	2	0	0	

		Investigation Reports	Decision Letters	Heads of Complaint	Upheld	Not Upheld	Partially Upheld	Recs to address
		0	1	1	0	1	0	0
		0	1	3	1	2	0	0
		1	0	1	1	0	0	4
	Housing Total	1	6	17	6	11	0	8
	Social Work	1	0	1	1	0	0	1
		0	1	1	0	1	0	0
		0	1	2	1	1	0	2
	Social Work Total	1	2	4	2	2	0	3
	2010/2011 Totals	2	13	27	10	17	0	15