

Item: 4

Monitoring and Audit Committee: 21 September 2023.

Complaints Handling and Compliments.

Report by Corporate Director for Strategy, Performance and Business Solutions.

1. Purpose of Report

To consider the Annual Complaints Handling and Compliments Report for 2022/23.

2. Recommendations

The Committee is invited to note:

2.1.

The Annual Complaints and Compliments Handling Report for 2022/23, attached as Appendix 1 to this report.

3. Complaints Handling and Compliments

3.1.

Local authorities in Scotland, including Orkney Islands Council, have adopted the Model Complaints Handling Procedure published by the Scottish Public Services Ombudsman.

3.2.

The aim of the Model Complaints Handling Procedure is for as many complaints as possible to be resolved at the frontline (Stage One) with as few as possible requiring progression to investigation (Stage Two) in order to improve both the customer's experience and the Council's service provision.

3.3.

In order that local authorities can measure how well they are handling complaints, the Scottish Public Services Ombudsman has drawn up a series of performance indicators and has asked local authorities to publish their performance against these in an Annual Report.

3.4.

Attached as Appendix 1 to this report is the Council's Annual Report for 2022/23. Further to a request by Elected Members at the meeting of the Monitoring and Audit Committee held on 24 September 2020, the Annual Report has been expanded to include reference to samples of compliments received from customers during the

past year, notwithstanding that these do not comprise a performance indicator set by the Scottish Public Services Ombudsman and are not required to be contained in the Annual Report.

4. Corporate Governance

This report relates to the Council complying with governance and procedural issues and therefore does not directly support and contribute to improved outcomes for communities as outlined in the Council Plan and the Local Outcomes Improvement Plan.

5. Financial Implications

There are no financial implications arising from this noting report.

6. Legal Aspects

There are no legal implications arising from this noting report.

7. Contact Officers

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8. Appendix

Appendix 1: Annual Complaints Handling and Compliments Report for 2022/23.



Annual Complaints and Compliments Handling Report

1 April 2022 – 31 March 2023

All our written information can be made available, on request, in a range of different formats and languages. If you would like this document in any other language or format please contact on 01856873535 or email [Strategy, Performance and Business Solutions](#).

1. Introduction – Learning from Complaints and Compliments

The Council values the views of residents on Council services and actively asks the public what their priorities are.

However, some of the most valuable information that the Council receives is when members of the public contact us either to:

- Complain and tell the Council when they think we could do better or that we have done something wrong, or
- Compliment the Council, when they tell the Council when it has got something right, and that they appreciate what staff have done for them.

1.1. Learning from Complaints

Learning from complaints is the eighth indicator set by the Scottish Public Services Ombudsman (SPSO), as referred to in Section 2 below.

The complaints received by the Council in 2022/23 helped in a number of ways, including the following:

- Increased monitoring and planning required around street cleaning during busy periods in Kirkwall, for example when planned events and gatherings are taking place.
- Ensuring that telephone requests for recycling bags are transferred to the correct area, that requests for replacement bags are followed through and that a delivery reporting system is in place to close job cards.
- Identifying where shortfalls in communication relating to changes in waste collection operational practices had led to complaints from members of the public who were dissatisfied with the new arrangements or unsure how to secure their bins. From this, a press release was issued and new methods of securing bin lids were identified and trialled by operations staff and shared with the public.
- Ensuring that adequate communication as to the Council's duties and obligations are provided to complainants in order to manage expectations and ensuring that updates are provided to customers to let them know the current stage of the process and when they can expect a response.
- Further advance notice to be given to service users if a Day Centre needs to be closed or service reduced.
- If toilets were closed due to vandalism, then this fact would be indicated by way of a sign on the door, and any reference to the Radar disabled key system removed until access is again available.
- Maps to be provided to new staff members to assist in locating premises to avoid lateness in remote areas where there is no mobile signal.

Lessons learnt from handling complaints have, since December 2020, been reported to Elected Members on a biannual basis by way of a briefing. They are also reported to the Council's Corporate Leadership Team.

Complaints Officers in the different services provide feedback to their colleagues on any lessons learnt that relate to their services, and a regular bi-monthly meeting of Complaints Officers allows for the sharing of good practice and identification of any themes developing from complaints handling.

The Complaints Handling Procedure helps Council staff better understand how the way they deliver their services affects service users. It helps the Council improve how it provides services and its communication with service users. Quarterly training sessions on the Complaints Handling Procedure are also available for staff to access.

1.2. Learning from Compliments

Historically, the Council has paid much more attention to the complaints that it receives. However, the compliments received by the Council can also provide very valuable information.

During bad weather in December 2022 a significant number of customers contacted the Council to say they appreciated the services being provided.

During 2022/23 the Council received a total of 343 compliments.

Below are examples of compliments received by the Council during 2022/23:

- Member of the public just wanted to thank the waste team for her new assisted collection. She says they are doing a great job as she is unable to do it herself.
- “Thank you for the replacement MacBook which has now been supplied to me after Trading Standards intervention”.
- Following delivery of a bin the following compliment was received – “Would like to say what a quick fast service and the man put my bin at the back for me, very pleased thank you so much”.
- “I personally would like to thank the gritting team for clearing the roads and pavements, I have walked 6 miles today and never slipped once, if it wasn’t for your hard work we wouldn’t have managed.... you’re very much appreciated”.
- “I would like to give recognition to an employee in Westray for his efforts and dedication to make sure that the roads were treated, and the waste collected in what were difficult conditions”.
- “A big thank you to the roadmen that resolved the problem of a blocked ditch drain that was causing flooding alongside the house. They also stopped the water that has been running down the road all winter. A prompt response after I had reported the problem, Thanks to all involved”.
- Relative of a Hamnavoe House Service user said: “I hope you all know just how important a role you all play in caring for people and families like mine. You offer a glimmer of light in what can otherwise be disconcertingly dark times”.
- Service user’s daughter expressed her thanks and appreciation to carer who noticed that her mother required medical attention and acted quickly on this.

The Council will continue to identify from the Compliments examples of good practice to be shared with staff across the organisation.

2. Background to Complaints Handling

Local authorities in Scotland have adopted the Model Complaints Handling Procedure produced by the Scottish Public Services Ombudsman (SPSO) to ensure that there is a standardised approach across all Scottish councils, to implement a consistent process for customers to follow which makes it simpler to complain, to ensure staff and customer confidence in complaints handling and to encourage organisations to make the best use of lessons learned from complaints.

The Indicators within this report have been produced by the SPSO in consultation with local authority stakeholders and Audit Scotland.

The points below are key to a successful complaints process:

The Council should:

- Identify service failures and take appropriate action.
- Identify where services need to improve.
- Identify poor complaints handling practice and put it right.
- Examine good practice and understand how we might repeat it in other areas.
- Identify trends in complaints and proactively address any issues.

The Model Complaints Handling Procedure sets out three types of complaint:

- Frontline Resolution Stage One:
 - Frontline resolution should be attempted where there are straightforward issues potentially easily resolved with little or no investigation. This should be completed within 5 working days.
- Investigation Stage Two:
 - Where complaints cannot be resolved at the frontline stage or where complaints are complex, serious, or high risk, a thorough investigation will be undertaken. This typically requires a more thorough examination to establish facts prior to reaching a conclusion. This should be completed within 20 working days.
- Escalated Investigation Stage Two:
 - Where the complainant remains dissatisfied with the way the Council dealt with their complaint at frontline resolution, the complainant can request a detailed investigation under Stage Two of our complaints handling procedure. This must be undertaken before the complainant can take their complaint to the SPSO to review.

The Local Government Network of Complaints Handlers has Family Groups which bring together broadly similar councils. Orkney Islands Council is part of Family Group One (FG1) with Shetland Islands Council, Scottish Borders Council, Aberdeenshire Council, Comhairle nan Eilean Siar, Argyll and Bute Council, Dumfries and Galloway Council and Highland Council. Throughout the report the statistics for Orkney Islands Council have been compared with the average for Family Group One in 2022/23.

3. Executive Summary

The number of complaints received in 2022/23 was 166, this is higher than the previous year (111) and represents a 50% increase.

The rise in numbers was partly attributable to a large volume of complaints which were received on a single issue, relating to changes to waste collection operations.

Of the complaints received, 81% were closed off at Stage One, showing that in the majority of cases complaints were dealt with at the point closest to service delivery.

The average response time for responding to Stage Two complaints (i.e. those complaints requiring an investigation) was 20.4 days, which is just outwith the 20 day timescale prescribed by the SPSO, and higher than the average of 17.1 days which was recorded in 2021/22.

A number of the Stage Two complaints were particularly complex and required a significant period of time to investigate, which has contributed to the average response time.

11.2% of Stage One complaints required an extension of time to reply. This compares to 11.3% in 2021/22, presenting a consistent timeousness of response to that provided over the previous year.

The Complaints Handling Procedure ensures that there is clarity and consistency in the processes to be followed when a complaint is received. This facilitates continuous improvement in the way services are delivered.

4. Indicators

4.1. SPSO Indicator 1

Number of Complaints received per 1,000 population

The population of Orkney is around 22,540.

In 2022/23 the Council handled 166 new complaints from service users. This means that, on average, 7.4 complaints were received per 1,000 residents in Orkney.

Expressed in another way, 1 in every 136 residents registered a complaint about the Council's services.

Comment

Compared to the 2021/22 figures, the number of complaints per 1,000 population has risen from 4.9 to 7.4, an increase of 50%. This is also slightly higher than the average for FG1, of 6.2 complaints received per 1,000 residents. Some explanation for this rise in complaint numbers may be provided by a large volume of complaints which were generated by a single issue, regarding changes to waste collection operations, which occurred during the quarter 3 reporting period, and has skewed the annual figures as a whole.

4.2. SPSO Indicator 2

Number of Closed Complaints

In 2022/23, the Council received 166 complaints and concluded the responses to 143 complaints.

The Council aims to resolve complaints as soon as possible. Complaints that do not need investigation are called Stage One complaints and the Council aims to resolve these within 5 working days. 81% of the complaints closed by the Council (116 of 143 total complaints) were determined at this initial stage.

Some complaints are more complex and need investigation and the Council aims to resolve these within 20 working days. These are called Stage Two complaints and 17.5% of the Complaints closed by the Council (25 of 143 total complaints) were determined at this stage.

A further 1.5% of complaints (2 of 143 total complaints) were initially dealt with as a Stage One complaint and then 'escalated' to a Stage Two complaint because it was decided that further investigation was needed.

Comment

The Council is satisfied that most complaints were able to be determined swiftly under Stage One. This is in accordance with an overriding principle of the Council's Complaints Handling Procedure, as suggested by SPSO guidance, to "take every opportunity to resolve service users' complaints at the first point of contact if at all possible".

The low percentage of complaints requiring escalation is indicative of the Council effectively identifying at time of receipt those complaints that may be more serious, require particular action, or raise critical issues, for immediate handling under Stage Two.

4.3. SPSO Indicator 3

Number of Complaints Upheld, Not Upheld or Partially Upheld at Each Stage

A complaint is defined as 'upheld' when it is found to be true or confirmed. A 'partially upheld' complaint results when there are several complaint issues raised and some, but not all, of them are upheld. Complaints are 'not upheld' when they are found to be untrue; that the service provided was of an acceptable standard in line with typical expectations; or if a request for service was misdirected as a complaint.

- Stage One:
 - 51% of Stage One complaints were upheld (FG1:56%).
 - 41% were not upheld (FG1: 39%).
 - 8% were partially upheld (FG1: 5%).
- Stage Two:
 - 48% of Stage Two complaints were upheld (FG1: 21%).
 - 32% were not upheld (FG1:57%).
 - 20% of complaints were partially upheld (FG1: 22%).
- Escalated complaints:
 - 0% of escalated complaints were upheld (FG1: 20%).
 - 50% were not upheld (FG1: 56%).
 - 50% of complaints were partially upheld (FG1: 24%).

Comment

Given that around half of all complaints were upheld demonstrates that mistakes are being acknowledged, and apologies given with learning and improvement outcomes sought and implemented. The percentage of Stage One complaints upheld or partially upheld compares similarly to the FG1 average, whilst a considerably higher proportion of Stage Two complaints were upheld by the Council than the average for other councils within FG1.

Very few complaints were escalated from Stage One to Stage Two over the past year which suggests that, in the majority of cases, complainants were satisfied with the way in which the Council had dealt with their complaint during frontline resolution. Lessons learned from complaints are fed back to colleagues in the relevant services and will help to mitigate against any recurrence of the circumstances giving rise to the issue.

4.4. SPSO Indicator 4

Average Number of Working Days to Provide a Full Response to Complaints at Each Stage

Stage One: average response time was 5.0 days (4.7 days for the Council in 2021/22) (FG1: 6.4 days).

Stage Two: average response time was 20.4 days (17.1 days for the Council in 2021/22) (FG1: 22.3 days).

Escalated cases: average response time was 21 days (26 days for the Council in 2021/22) (FG1: 27.6 days).

4.5. SPSO Indicator 5

Number and Percentage of Complaints Which Were Closed Within the Set Timescales (5 working days for Stage One, 20 working days for Stage Two and Escalated)

Stage One: 65% (79% for 2021/22) (FG1: 72%).

Stage Two: 68% (66% for 2021/22) (FG1: 61%).

Escalated complaints: 50% (50% for 2021/22) (FG1: 48%).

Total for all complaints: 61% (65% for 2021/22) (FG1: 61%).

Comments for 4.4 and 4.5

The average response time for closure of Stage One complaints remains broadly similar to last year, though the proportion of Stage One complaints closed within the SPSO's target timescale of 5 working days has reduced compared to the previous year and is below the FG1 average.

Average response times for Stage Two complaints have increased over the last year, but the Council's performance still remains above the average of that of other councils within FG1 for both average response times and percentage of Stage Two complaints closed within the SPSO timescales.

4.6. SPSO Indicator 6

Number and Percentage of Complaints at Each Stage Where an Extension to the 5 or 20 Working Day Timetable Has Been Authorised

Stage One: 11% of complaints closed at Stage One were granted an extension of time to reply (12% for 2021/22) (FG1: 15%).

Stage Two: 36% of complaints closed at Stage Two were granted an extension of time to reply (31% for 2021/22) (FG1: 25%).

Escalated cases: 50% of escalated complaints were granted an extension of time to reply (50% for 2020/21) (FG1: 9%).

Comments

The percentage of Stage One complaints requiring an extension has remained broadly the same as last year. The Council would always aim to respond to complaints as quickly as possible, so maintaining this low percentage of complaints that require an extension is a positive indicator.

Where complaints may be more complex, requiring a more thorough investigation, then it is in line with the views of the SPSO that full and proper investigation of the complaint should be undertaken even if this sometimes means that this will take longer to resolve the complaint and require an extension of the time taken to reply. There has been an increase in Stage Two complaints requiring an extension over the past year, and this proportion remains above the average seen in FG1. The Council will continue to monitor the handling of more complex complaints to see whether identification of common issues or ways of improving information flow between investigating officers can reduce the requirement for extension of the timeframes over the coming year.

As numbers of escalated complaints were so small the high proportion of these cases shown requiring an extension reflects only one case.

4.7. SPSO Indicator 7

Customer Satisfaction with the Complaints Handling Process

Very little feedback has been received from customers over the past year in relation to the Council's performance in responding to complaints, and any responses collected can often focus upon the outcome of the complaint, rather than the customer's experience of the process, which is what the Council is actually attempting to measure.

Currently the low level of responses is insufficient to enable a report on customer satisfaction in line with the SPSO indicator and allow a reasonable view to be formed on how the public perceives the Council's handling of complaints. It is clear that work needs to be undertaken to encourage customer feedback. Going forward, it is planned to promote use of the Customer Services Platform as a means by which easier communications with customers can be facilitated, and greater feedback on the Council's complaints handling process sought.

4.8. SPSO Indicator 8

Lessons Learned

Issues identified during the investigation of complaints are documented in the form of complaints improvement notices issued by the Complaints Officer from the service involved to the Service Manager. These can then be used as learning points or indicators to drive change.

A recurring theme found in complaints improvement notices during the year was around shortfalls in effective communication, and the Council has amended processes and implemented procedures within the relevant services in an attempt to address this.