

Item: 4

Monitoring and Audit Committee: 22 September 2022.

Complaints Handling and Compliments.

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

1. Purpose of Report

To consider the Annual Complaints and Compliments Report for 2021/22.

2. Recommendations

The Committee is invited to note:

2.1.

The Annual Complaints and Compliments Handling Report for 2021/22, 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 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 2021/22. 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 references 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 2021/22.



Annual Complaints and Compliments Handling Report

1 April 2021 – 31 March 2022

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 [Corporate Services](#)

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 2021/22 helped in a number of ways, including the following:

- Follow up to public events should be arranged as good practice (e.g. thank you for those who attended and next steps where available). The degree and detail of any follow up would be dependent on the type of event (e.g. some events may not require a detailed follow up, whereas others may require follow up to include community sessions).
- Ensuring online course booking processes are made more accessible by utilising a separate phone line to assist in bookings and encouraging customers to set up accounts and register details prior to launch date.
- Identifying where shortfalls in communication relating to planning processes had led to delays. From this guidance documents have been produced to help the process and a generic email address has been set up to which planning consultations can be sent.
- Ensuring that lack of communication resulting in a poor level of service was addressed by reviewing staff training around complaints handling 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.
- Putting processes into place to make sure a full handover is carried out between a line manager and employee before the employee leaves the Council to ensure that any outstanding work is identified and prioritised around other work demands.

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.

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.

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 2021 a significant number of customers contacted the Council to say they appreciated the services being provided.

During 2021/22 the Council received a total of 337 compliments.

Below are a few examples of compliments received by the Council during 2021/22:

- Note left in Skail Public Toilets on 9 September 2021 – “To whoever cleans these toilets – thank you for keeping them so clean and for making us so welcome”.
- “I’m constantly bowled over by the fantastic customer service of each and every CS assistant, the council are lucky to have such a great front facing team.”.
- “I have been attending the day centre for 8 years now and have never had a bad meal. The food is always good.”.
- “Always grateful to the gritter drivers. They do long hours and are away from their families to ensure we can get from A to B. So once again thank you for all the hard work.”.
- “I would like to thank the crew from the recycling lorry this morning who emptied my paper even though the dog was out in the garden. They managed not to let her out and I appreciate this and thank you very much.”.
- “We just wanted to say a big thank you to Orkney Ferries. We have been in Orkney for 3 months and have made 18 ferry journeys. The ferry is always punctual; all the staff have been extremely professional – helpful and friendly; the bookings straightforward.”.
- Service user said: “the domestic explains my meals to me very thoroughly and I very much appreciate this and what she does for me regarding my lunch.”.

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 2021/22.

3. Executive Summary

The number of complaints received in 2021/22 was 111. This is higher than the previous year (97) and represents a 15% increase.

Of the complaints received 57% 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 17.1 days, which is within the 20 day limit prescribed by the SPSO, but higher than the average of 15.7 days which was recorded in 2020/21.

11.3% of Stage One complaints required an extension of time to reply. This compares to 33% in 2020/21, representing a significant reduction and improvement in the timeousness of the reply provided over the previous year.

4. Indicators

4.1. SPSO Indicator 1

Number of Complaints received per 1,000 population

The population of Orkney is around 22,540.

In 2021/22 the Council handled 111 new complaints from service users. This means that, on average, 4.9 complaints were received per 1,000 residents in Orkney.

Expressed in another way, 1 in every 203 residents registered a complaint about the Council's services.

Comment

Compared to the 2020/21 figures, the number of complaints per 1,000 population has risen from 4.4 to 4.9, an increase of 11%. However, this still remains lower than the average for FG1, of 6.2 complaints received per 1,000 residents.

4.2. SPSO Indicator 2

Number of Closed Complaints

In 2021/22, the Council received 111 complaints and concluded the responses to 93 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. 57% of the complaints closed by the Council (53 of 93 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 41% of the Complaints closed by the Council (38 of 93 total complaints) were determined at this stage.

A further 2% of complaints (2 of 93 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 unsubstantiated; 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:

- 73% of Stage One complaints were upheld (FG1:56%).
- 23% were not upheld (FG1: 39%).
- 4% were partially upheld (FG1: 5%).

Stage Two:

- 34% of Stage Two complaints were upheld (FG1: 21%).
- 29% were not upheld (FG1:57%).
- 37% 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 nearly two thirds of complaints are upheld demonstrates that mistakes are being acknowledged, and apologies given with learning and improvement outcomes sought and implemented. 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 4.7 days (5.2 days for the Council in 2020/21) (FG1: 6.4 days).

Stage Two: average response time was 17.1 days (15.7 days for the Council in 2020/21) (FG1: 22.3 days).

Escalated cases: average response time was 26 days (19 days for the Council in 2020/21) (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: 79% (69% for 2020/21) (FG1: 72%).

Stage Two: 66% (74% for 2020/21) (FG1: 61%).

Escalated complaints: 50% (43% for 2020/21) (FG1: 48%).

Total for all complaints: 65% (69% for 2020/21) (FG1: 61%).

Comments for 4.4 and 4.5

The average response time and proportion of Stage One complaints closed within the SPSO's target timescale of 5 working days have both improved compared to the previous year.

However there has been an increase in average response time and a reduction in the percentage of Stage Two complaints closed within the target 20 days. Some of this has been due to COVID-19 and home working requirements, which have had an impact on the time required to pull together information required in cases which are more complex or serious and therefore require a more thorough investigation. Despite this the Council's performance still remains above the average of that of other councils within FG1.

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 (33% for 2020/21) (FG1: 15%).

Stage Two: 31% of complaints closed at Stage Two were granted an extension of time to reply (23% for 2020/21) (FG1: 25%).

Escalated cases: 50% of escalated complaints were granted an extension of time to reply (43% for 2020/21) (FG1: 9%).

Comments

There has been a significant reduction in the number of Stage One complaints requiring an extension, which is a positive improvement, as the Council would always aim to respond to complaints as quickly as possible.

Where complaints may be more complex, requiring a more thorough investigation, then it is in line with the position of the SPSO that full and proper investigation of the complaint should be undertaken even if this sometimes means this will take longer to resolve the complaint and require an extension of the time taken to reply. There has been an increase in the number of 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 only two Feedback Forms were received, one of which was positive and felt the handling of the complaint was helpful, the other felt that the complaint had not been satisfactorily resolved.

It appears that not as many Feedback Forms had been sent out to complainants as the Council would have wished, which was likely due to the impact of COVID-19 and remote working requirements.

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.