

## **Item: 4**

### **Monitoring and Audit Committee: 23 September 2021.**

#### **Complaints Handling and Compliments.**

#### **Report by Chief Executive.**

### **1. Purpose of Report**

To consider the Annual Complaints and Compliments Handling Report for 2020/21.

### **2. Recommendations**

The Committee is invited to note:

#### **2.1.**

The Annual Complaints and Compliments Handling Report for 2020/21, 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.**

In order that councils 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.

#### **3.3.**

Further to a request by members at the Monitoring and Audit Committee held on 24 September 2020, the Annual Report for 2020/21 has been expanded to include references to samples of compliments received from customers during 2020/21, 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**

John W Mundell, Interim Chief Executive, extension 2101, Email [chief.executive@orkney.gov.uk](mailto:chief.executive@orkney.gov.uk)

Gavin Mitchell, Head of Legal Services, extension 2233, Email [gavin.mitchell@orkney.gov.uk](mailto:gavin.mitchell@orkney.gov.uk)

George Vickers, Information Governance Officer, extension 2162, Email [george.vickers@orkney.gov.uk](mailto:george.vickers@orkney.gov.uk)

## **8. Appendix**

Appendix 1: Annual Complaints Handling and Compliments Report for 2020/21.



# **Annual Complaints and Compliments Handling Report 1 April 2020 to 31 March 2021**

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 2020/21 helped the Council in a number of ways, including the following:

- Identifying communication issues between the Council's contractors and Council's housing tenants which, once addressed, meant that we were able to improve the service to residents. This was particularly helpful in improving the customer experience in relation to housing repairs and is relevant across all Council services.
- Identifying failures in communication between the Council and service users, including in respect of changes in visiting times for social care staff, and the support provided by Children's Services to a child and her parents.
- Ensuring that social distancing rules were applied by Council staff and visitors. This was helpful in being able to manage services at the Waste Recycling Centres and to ensure that officers set an example to site users. This also helped to resolve issues affecting visits by social care staff to service users.
- Identifying where more training was needed on the proper use of Personal Protective Equipment (PPE) which improved the safety of service users and staff.
- Identifying when staff needed training on how to respond to challenging behaviour on the part of a member of the public.

Lessons learnt from handling complaints have, since December 2020, been reported to Elected Members on a biannual basis. They are also reported to the Council's Senior Management 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. In the bad January weather, a significant number of customers contacted the Council to say that they appreciated the services being provided and it was agreed to collate some of the most relevant compliments to share across the Council.

Below are a few examples of compliments received by the Council in the first three months of 2021:

- *“A very kind council employee has been to the car park in the village of Evie and spread salt/grit all over it and the member of the public is just delighted.”*
- A member of the public would like to say thank you to the man on the grit lorry/tractor that is out early every morning around the Hamnavoe area making things safe.
- A customer would like to pass on a compliment about J... who picks up rubbish for S... in Sanday. He says he is always cheery and polite and does a very good job.
- *“I guess you guys will get a lot of complaints, so it’ll be nice to get a few compliments. I’ve just had two queries, one in personal capacity and one professional, both dealt with by your colleague .... I’d just like to say how well she did – a really excellent ‘face’ for the Council, giving a very good and professional impression.”*
- A service user loves going to the West Mainland Day Centre. “The bus picks me up right at the door and puts me home too... right to the door!” She said her day with you started as it ended – with a smile. She was impressed with everything; the food, the activities, the bus (of course!) and most of all, the staff.
- *“I am a childminder who goes out with the kids to watch the lorries and wave to the bin men and just wanted to say how much I appreciate the friendly, waving bin men. It makes the kids very happy! The men are lovely, and I want to thank them.”*

The Council will spend more time in 2021/22 identifying from the Compliments examples of good practice to be shared with staff across the organisation.

## 2. Background to the Annual Report

2.1. 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.

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

2.3. The points below are key to a successful complaints process:

2.3.1. 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.

2.4. 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 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.

2.5. 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 2020/21.

### **3. Executive Summary**

- The number of complaints received in 2020/21 was 97, which is lower than the previous year (121).
- The average response time for responding to Stage Two complaints (complaints requiring an investigation) was 15.7 days, which is within the 20 day limit prescribed by the SPSO and lower than the average of 32 days which was recorded in 2019/20.
- 33% of Stage One complaints required an extension of time to reply. This compares to 19% in 2019/20.

## 4. Indicators

### 4.1. Number of Complaints received per 1,000 population

(SPSO Indicator 1).

The population of Orkney is about 22,270.

In 2020/21, the Council handled 97 new complaints from service users. This means that, on average, 4.4 complaints were received per 1,000 residents in Orkney.

Expressed in another way, 1 in every 230 residents registered a complaint about the Council's services.

#### Comment

This is similar to the average for FG1, 4.8 complaints received per 1,000 residents.

### 4.2. Number of Closed Complaints

(SPSO Indicator 2).

In 2020/21, the Council received 97 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. 55% of the complaints closed by the Council (51) 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 38% of the Complaints closed by the Council (35) were determined at this Stage.

A further 7% of complaints (7) 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 which is to respond to complaints at the earliest opportunity and as close to the point of service delivery as possible.

### 4.3. Number of Complaints Upheld, Not Upheld or Partially Upheld at Each Stage

(SPSO Indicator 3)

(Percentages are rounded up and down, and therefore may not appear to add up to 100%).

#### Stage One

- 45% of Stage One complaints were upheld (Family Group 1 (FG1) : 38%).
- 45% were not upheld (FG1: 49%).
- 10% were partially upheld. (FG1: 13%).

## **Stage Two**

- 57% of Stage Two complaints were upheld. (FG1: 23%).
- 31% were not upheld. (FG1: 58%).
- 11% of complaints were partially upheld. (FG1: 19%).

## **Escalated complaints**

- 29% of escalated complaints were upheld. (FG1: 21%).
- 57% were not upheld. (FG1: 55%).
- 14% of complaints were partially upheld. (FG1: 24%).

## **Comment**

More than half of complaints which were investigated under Stage 2 were upheld. This compares with less than a quarter of complaints across FG1. Lessons learned from complaints are fed back to colleagues in the relevant services and will help to mitigate against any recurrence of the circumstances that gave rise to each complaint.

## **4.4. Average Number of Working Days to Provide a Full Response to Complaints at Each Stage**

**(SPSO Indicator 4).**

**Stage One:** average response time was 5.2 days (was 4 days for the Council in 2019/20, 6.3 days for FG1).

**Stage Two:** average response time was 15.7 days (was 32 days for the Council in 2019/20, 22 days for FG1).

**Escalated cases:** average response time was 19 days (was 23 days for the Council in 2019/20, 24 days for FG1).

## **4.5. 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)**

**(SPSO Indicator 5).**

**Stage One:** 69% (was 81% for 2019/20). 72% FG1.

**Stage Two:** 74% (was 57%). 69% FG1.

**Escalated complaints:** 43% (was 43%). 54% FG1.

**Total for all complaints:** 69% (was 77%). 71% FG1.

## **Comments for 4.4 and 4.5**

The response times for Stage One complaints in 2019/20 were a big improvement on previous years but the response times for 2020/21 have been lower. Complaints Officers in the Council report that this is because of Covid-19 and the requirement to work from home which meant that it took longer to respond to many complaints. Initially, there was a delay in ensuring that complaints received were communicated to the appropriate officer.

Consequently, the Council's Customer Services Platform was modified during the course of 2020 to ensure that reminders were sent if complaints had not been concluded, and this has addressed this issue. Overall, the number of complaints responded to within the timescales set by the legislation is just short of the FG1 overall figure.

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

**(SPSO Indicator 6).**

**Stage One:** 33% of complaints closed at Stage One were granted an extension of time to reply (was 19% for 2019/20). 16% FG1.

**Stage Two:** 23% of complaints closed at Stage Two were granted an extension of time to reply (was 43% for 2019/20). 18% FG1.

**Escalated cases:** 43% of escalated complaints were granted an extension of time to reply (was 57% for 2019/20). 17% FG1.

#### **Comments**

The Council is concerned that the number of Stage One complaints requiring an extension had increased and the Complaints Officers will work to reduce this figure for 2021/22. However, it should be noted that the view of the SPSO remains that it is important that a complaint is investigated properly and fully even if this sometimes means that it takes longer to resolve than less complex complaints.

#### **4.7. Customer Satisfaction with the Complaints Handling Process**

**(SPSO Indicator 7).**

In light of competing priorities arising from the Covid-19 Pandemic, not as many Feedback Forms as the Council would have wished were able to be sent to complainants. Two were received back, one which said that the complaint had not been resolved at all and the Council had not been helpful in resolving it, the other said that the complaint had been partially resolved and that the Council had been fairly helpful.

#### **Comments**

Two responses are insufficient to enable a reasonable view to be formed on how the public view the Council's handling of complaints. The Council intends to ensure that Feedback Sheets are issued throughout the year so that there is a greater number of responses to gauge the public's assessment of the Council's performance in responding to complaints.