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## OVERVIEW OF SBC'S COMPLAINTS ANNUAL PERFORMANCE REPORT 2016/17

### Report by Service Director, Customer and Communities EXECUTIVE COMMITTEE

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19 September 2017

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#### 1 PURPOSE AND SUMMARY

- 1.1 **This report presents a summary of Scottish Borders Council's "Complaints Annual Performance Report for 2016-17", which is presented as an Appendix to this report. It provides a summary of the eight performance indicators that the Scottish Public Services Ombudsman (SPSO) requires all Local Authorities to report against each year, with the details provided in the Appendix.**
- 1.2 In 2013 SBC implemented a revised Complaints Handling Procedure that defines what a complaint is (*any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf*), how a complaint will be handled, and the timescales to resolve any complaint received.
- 1.3 SBC's Complaints Handling Procedure is aligned to the requirement of the SPSO and an annual report, against eight indicators defined by the SPSO, is a requirement of all Councils. This allows the SPSO to assess the effectiveness of Councils' Complaint Handling Procedures (CHP), ensures an ongoing focus on improving the way complaints are handled, and ensures that all councils learn from the complaints they received, and can learn from best practice through a network of complaint handling practitioners, Local Authority Complaints Handling Network (LACHN).
- 1.3 The **Appendix** presents SBC's annual report for the financial year 2016/17 and allows Elected Members, the SPSO and the general public to see not only how many complaints have been received, but how effectively these complaints are being dealt with, trends over time and how SBC compares to other similar local authorities and the national average.
- 1.4 During 2016/17, SBC received 759 complaints, of which 563 were defined as valid, and shows little change from 2015/16 when 564 valid complaints were received. This equates to 4.9 complaints per 1000 Borders population and compares favourably to Scotland, where there were 14.3 complaints per 1000 population during 2016/17.
- 1.5 2016/17 saw an increase in complaints being received online (336, compared to 209 in 2015/16) but has also led to an increase in invalid complaints, which indicates that online guidance may need to be reviewed.

- 1.6 In relation to timescales set by the SPSO, Scottish Borders Council continues to perform well against the Scottish averages and similar Scottish Local Authorities in relation to the 8 SPSO performance indicators. However, resolving more complaints at frontline will remain a priority during 2017/18, and will be a key part of SBC's customer strategy which is currently being developed.

## **2 RECOMMENDATIONS**

### **2.1 I recommend that the Committee:-**

- (a) Notes the performance of handling complaints for the period 1 April 2016 to 31 March 2017;**
- (b) Endorses the identified actions to:**
  - i. Improve frontline responses and reduce the number of complaints that are escalated to Stage 2;**
  - ii. Improve online guidance to assist customers to better distinguish between a request for service and a complaint;**
  - iii. Continue to engage with LACHN who are working to improve performance across all Local Authorities, and to produce meaningful benchmarking data;**
  - iv. Ensure the developing Customer Strategy reflects improved complaints handling.**
- (c) Approves the annual report (the Appendix) to be submitted to the SPSO and published on SBC's website.**

### **3 BACKGROUND**

- 3.1 The Public Services Reform (Scotland) Act 2010 gave the SPSO the authority to lead the development of a complaints handling procedure to be used across the public sector.
- 3.2 In May 2012, the SPSO issued guidance on the handling of complaints, 'Local Authority Model Complaints Handling Procedure', and in November 2012 Scottish Borders Council approved a 'Complaints Handling Procedure' (CHP) based on this guidance which then became publicly available and fully implemented during 2013.
- 3.3 In August 2014, the SPSO issued guidance stating that the annual performance of Local Authorities handling of complaints should be formally presented in an annual report across eight specified key performance indicators. It was later confirmed that this report should be published.
- 3.4 Elected Members are kept aware of key SPSO indicators on a quarterly basis through Scottish Borders Council's Corporate Performance reporting to Executive Committee. This covers not only the quarterly data, but also examples of action being taken within services to maintain or improve performance, with case studies demonstrating how SBC is learning from complaints. This information is also reported publicly on a quarterly basis.
- 3.5 In November 2015, Scottish Borders Council agreed with the SPSO that the SPSO decisions, recommendations and subsequent actions would be reported in the Complaints Annual Performance Report.
- 3.6 This is the fourth SBC Complaints Annual Performance Report and covers performance for the 2016-17 financial year.

### **4 OVERVIEW OF COMPLAINTS ANNUAL PERFORMANCE REPORT 2016/17**

- 4.1 The "Complaints Annual Performance Report 2016/17" (**Appendix**) is the way in which the Council complies with its statutory responsibility stemming from the Public Services Reform (Scotland) Act 2010.
- 4.2 The performance indicators in the report relate to 'Valid' complaints that were either opened or closed within financial year 2016-17. These indicators are based on the eight key performance indicators developed by the SPSO in conjunction with all 32 Scottish Local Authorities:
  1. Complaints received per 1,000 of population
  2. Closed complaints
  3. Complaints upheld / not upheld
  4. Average time spent responding to complaints
  5. Complaint closed against timescales
  6. Complaints that were granted authorised extensions
  7. Customer Satisfaction
  8. What we have learnt, changed or improved
- 4.3 By way of context, complaints made to Scottish Borders Council about its services accounted for a very small proportion (0.4% or 759 of 189,075) of all the customer interactions recorded in the Council's Customer Relationship Management system in 2016/17. There was an 11% increase in all complaints received (valid and invalid) compared to 2015/16 (684), but only 2% more than in 2014/15 (742).

- 4.4 2016/17 saw an increase in the number of complaints received online. Between 2015/16 and 2016/17 there was a 61% increase in number of complaints received online.
- 4.5 Although overall, slightly more complaints were received in 2016/17 compared to 2015/16, the number that was classified as 'Valid' was similar; 563 compared to 564 last year. The increased proportion (8%) of 'Invalid' complaints for 2016/17 may be due to the increase in complaints made through the online channel. Customers may have submitted complaints using the online option that are actually requests for service and not complaints.
- 4.6 The objective of the CHP is to resolve customer dissatisfaction as close to the point of service delivery and as soon as possible. The majority of 'Valid' complaints go through the "Stage 1" process where the complaint should be closed within 5 working days. However, if the complaint is complex, needing detailed investigation or Escalated from Stage 1, it is considered a "Stage 2" complaint, where the complaint should be closed within 20 working days. If, after Stage 2, the customer is not satisfied with the response to their complaint, they are referred to the SPSO.
- 4.7 How the Council handled the "valid" complaints it received and closed in 2016/17 can be summarised as follows:
- a) The number of valid complaints received in 2016/17 (563) and 2015/16 (564) has remained static at 4.9 complaints per 1,000 population;
  - b) The proportion of closed complaints that were handled at Stage 1 decreased from 86% in 2015/16 to 79% in 2016/17. This decrease is counter to the SPSO goal of closing complaints at the first point of contact (i.e. more quickly). It also costs more to handle complaints at Stage 2 compared to handling at Stage 1;
  - c) Over the past three years, the proportion of Stage 1 complaints that were "Not Upheld" had increased;
  - d) The average time taken to respond to complaints has remained consistent over the past three years and for all stages;
  - e) The proportion of SBC's complaints closed against timescales for Stage 1 and Stage 2 has been consistent. However, the proportion of SBC's complaints closed against timescales for those Escalated from Stage 1 has fluctuated from year to year and is partly due to small numbers;
  - f) The proportion of SBC's Stage 1 closed complaints that have been granted an *authorised* extension has remained consistent at 3%. The proportion of SBC's Escalated from Stage 1 closed complaints that were granted an *authorised* extension has decreased from 30% in 2014/15 to 12% in 2016/17;
  - g) Of those people that completed the "Complaint Handling Customer Satisfaction Survey" in 2016/17, 57% were either very or fairly satisfied with how their complaint was handled by the Council compared to 20% who were very or fairly dissatisfied;
  - h) Over the year the Council received over 125 unsolicited compliments for the services provided. These compliments related to areas such as kerb-side waste and recycling, road and drainage, community recycling centres, and customer services;

- i) There were several examples of how a complaint has helped the Council to learn, change and improve.
- 4.8 The Complaints Annual Performance Report 2016/17 also contains benchmarking information, comparing SBC to the performance for Scotland and its Family Group (similar Scottish Local Authorities). The highlights include:
- a) In 2016/17 SBC received less complaints per 1,000 people than the Family Group average of 5.6 and the Scottish average of 15.3;
  - b) SBC closes proportionally more complaints at Stage 1 (79.4%) compared to the Family Group (76.2%) but less compared to Scotland (88.4%). Compared to both the Family Group and Scotland, SBC had more complaints Escalated from Stage 1 in 2016/17;
  - c) A lower proportion of Stage 1 and Stage 2 complaints made to SBC were upheld compared to those complaints made to the Scottish Local Authority sector. Specifically, less than 40% of the Stage 1 complaints to SBC were upheld compared to 71% for Scotland. The proportion of Escalated complaints that were upheld for the Scottish Borders was similar to the level for Scotland;
  - d) SBC's response time for the three stages was quicker compared to both the Family Group and Scotland;
  - e) SBC's proportion of Stage 1 complaints closed within timescales was higher compared to the Family Group and Scotland. However, the proportion of complaints that were Escalated from Stage 1 to Stage 2 that were closed within the timescale was above the level for the Family Group but below the level for Scotland;
  - f) The proportion of Stage 1 closed complaints that were granted an extension for SBC was below the proportion for the Family Group and Scotland.
- 4.9 If, after fully investigating a complaint, the complainant is still dissatisfied with the decision or the way in which their complaint has been dealt with, the customer can ask the SPSO to look at the complaint. In 2016/17 the SPSO received 20 complaints about Scottish Borders Council. This is equal to 1.3% of all complaints received by the SPSO in relation to the Local Authority sector. Of the 19 SPSO closed complaints in 2016/17, 2 (11%) were upheld compared to 5 in 2015/16.
- 4.10 Live Borders now has a Complaints Handling Procedure that aligns with SBC's, with full recording starting from Q3 of 2016/17. SBC Customer Services is liaising with Live Borders to ensure that the way complaints are handled is consistent and this information can confidently be used in SBC's annual report to the SPSO. A summary of Live Borders performance is also included in the Appendix.
- 4.11 The next steps to improve the complaint handling of the Council, and those who deliver services on its behalf, include:
- Improve online guidance to assist customers to be better able to distinguish between a request for service and a complaint;
  - Improve frontline responses and reduce the number of complaints that are escalated to Stage 2;
  - Continue to engage with LACHN who are working to improve performance across the board, and to produce meaningful

- benchmarking data;
- Ensure the developing refreshed Customer Strategy reflects improved complaints handling;
- Continue work to determine the format that will be required for reporting Social Work related Complaints in 2017/18;
- Further integrate Live Borders complaints handling performance into the report for 2017/18;
- Implement the agreed Internal Audit recommendations, arising from recent assurance work, that are designed to improve consistency in complaint handling practices across the Council and to demonstrate learning from complaints.

## **5 IMPLICATIONS**

### **5.1 Financial**

There are no costs attached to any of the recommendations contained in this report.

### **5.2 Risk and Mitigations**

- (a) Submitting and publishing the Appendix satisfies the requirements as set down by the Scottish Public Services Ombudsman (SPSO) in respect of complaints handling performance monitoring and reporting. Approval of the report, its submission to SPSO and publication of the report will mitigate the risk of non-compliance with required practice.
- (b) The aforementioned Internal Audit assurance work, reported to the Audit and Scrutiny Committee on 28 June 2017, is designed to improve internal control and governance arrangements, specifically as a contribution to the Council's corporate management of risk.

### **5.3 Equalities**

- (a) There are no adverse equality/diversity implications.
- (b) The complaints handling procedure may help the Council to identify and address any equality / diversity issues raised by customers.

### **5.4 Acting Sustainably**

- (a) There are no economic, social or environmental implications.

### **5.5 Carbon Management**

- (a) There are no effects on carbon emissions.

### **5.6 Rural Proofing**

- (a) This is not a new or amended policy or strategy.

### **5.7 Changes to Scheme of Administration or Scheme of Delegation**

- (a) There are no changes to the Scheme of Administration or Scheme of Delegation required.

## **6 CONSULTATION**

- 6.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director HR and the Clerk to the Council have been consulted and any comments received have been incorporated into the final report.

6.2 A number of other staff has also been consulted including Corporate Management Team and the Complaints Officers.

**Approved by**

**Jenni Craig**  
**Service Director, Customer and Communities Signature .....**

**Author(s)**

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**Background Papers:** n/a

**Previous Minute Reference:** n/a

**Note** – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Sarah Watters can also give information on other language translations as well as providing additional copies.

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