
OVERVIEW OF SBC'S COMPLAINTS ANNUAL PERFORMANCE REPORT 2017/18

Report by Service Director Customer and Communities
EXECUTIVE COMMITTEE

4 September 2018

1 PURPOSE AND SUMMARY

- 1.1 **This report presents a summary of Scottish Borders Council's "Complaints Annual Performance Report for 2017-18", 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).
- 1.4 The **Appendix** presents SBC's annual report for the financial year 2017/18 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 rural local authorities and the national average.
- 1.5 During 2017/18, SBC received 927 complaints, of which 670 were defined as valid, and shows an increase of 19% from 2016/17 when 563 valid complaints were received. This equates to 5.8 complaints per 1000 Borders population and compares to local authorities similar to us (5.9 per 1000 population), and very favourably to Scotland, where there were 11.0 complaints per 1000 population during 2017/18.
- 1.6 2017/18 again saw an increase in complaints being received online (411, compared to 336 in 2016/17) but there has also been an increase in invalid complaints (257 in 2017/18 vs 196 in 2016/17), which indicates that online guidance may continue to need further refinement or clarification.

- 1.7 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 the frontline will continue to remain a priority, and will be a key part of SBC's revised Customer Strategy which is currently being finalised.

2 RECOMMENDATIONS

2.1 I recommend that the Executive Committee:-

- (a) Notes the performance of handling complaints for the period 1 April 2017 to 31 March 2018;**
- (b) Endorses the identified improvement actions presented at Section 4.10 of this report and within the "Next Steps" of the Appendix;**
- (c) Approves the annual report at the Appendix, that will now 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 appropriate case studies when available demonstrating how SBC is learning from complaints. This information is also reported publicly on a quarterly basis (www.scotborders.gov.uk/performance).
- 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 From 1 April 2017, SBC Social Work complaints are now logged and dealt with in the same way as complaints from other SBC services, and therefore included in the complaints report, following the introduction of the new national Social Work Model CHP.
- 3.7 This is the fifth SBC Complaints Annual Performance Report and covers performance for the 2017-18 financial year, including Social Work Complaints. Live Borders complaints are also included at the end of the Appendix.

4 OVERVIEW OF COMPLAINTS ANNUAL PERFORMANCE REPORT 2017/18

- 4.1 The "Complaints Annual Performance Report 2017/18" (presented in the Appendix to this report) 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 2017/18. 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. Complaints 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 of all the customer interactions recorded in the Council's Customer Relationship Management system in 2017/18 (**0.5%**, or 927 out of 191,468 interactions). There was a 22% increase in all complaints received (valid and invalid) compared to 2016/17 (759). Note that there were approximately 60 Social Work complaints which, in the prior year, were managed under a separate process and have contributed to the increase in 2017/18.
 - 4.4 2017/18 again saw an increase in the number of complaints received online. Between 2016/17 and 2017/18 there was a 22.3% increase in number of complaints received online.
 - 4.5 More complaints were received in 2017/18 compared to 2016/17, and the number that were classified as 'Valid' also increased; 670 compared to 563 last year. The proportion of 'Invalid' complaints for 2017/18 increased to 27.7% from 25.8% in 2016/17 and may be linked to the increase in complaints made through the online channel. Customers may have unintentionally submitted complaints rather than requests for service.
 - 4.6 The objective of the Complaints Handling Procedure (CHP) is to resolve complaints, i.e. 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 2017/18 can be summarised as follows:
 - (a) The number of valid complaints received in 2017/18 (670) and 2016/17 (563) increased to 5.8 complaints per 1,000 population in 2017/18 from 4.9 in 2016/17;
 - (b) The proportion of closed complaints that were handled at Stage 1 decreased slightly from 79% in 2016/17 to 78% in 2017/18. 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) The proportion of Stage 1 complaints that were "Not Upheld" decreased to 58%, from 60% the previous year;
 - (d) The average time taken to respond to complaints at Stage 1 has remained consistent over the past three years but has risen for complaints responded to at Stage 2 and complaints Escalated from Stage 1;

- (e) The proportion of SBC's complaints closed against timescales for Stage 1 has been consistent. However, the proportion of SBC's complaints closed against timescales for Stage 2 and those Escalated from Stage 1 has reduced although these are based on relatively small numbers;
- (f) The proportion of SBC's Stage 1 closed complaints that have been granted an authorised extension has grown slightly to 3.8% in 2017/18 from 3.1% in 2016/17.

The proportion of SBC's Stage 2 closed complaints that have been granted an authorised extension has grown to 18.1% in 2017/18 from 14.5% in 2016/17.

The proportion of SBC's Escalated from Stage 1 closed complaints that were granted an authorised extension has increased to 30.8% in 2017/18 from 11.5% in 2016/17 but is comparable to the 30.4% seen in 2014/15. However, the absolute numbers granted extensions in this category has remained below 10 in each of the last 4 years and the extension is requested due to the complexity of the complaint and the desire by SBC to ensure a thorough response;

- (g) Of those people that completed the "Complaints Handling Customer Satisfaction Survey" in 2017/18, 60% were either very or fairly satisfied with how their complaint was handled by the Council compared to 20% who were very or fairly dissatisfied. However, 44% of respondents were either very or fairly dis-satisfied with the outcome of their complaint;
- (h) Over the year, the Council received over 140 unsolicited compliments for the services provided. These compliments related to areas such as waste and recycling, roads, community recycling centres, and customer services.

4.8 The Complaints Annual Performance Report 2017/18 also contains benchmarking information, comparing SBC to the performance for Scotland and its Family Group (similar Scottish Local Authorities , including Aberdeenshire, Argyll & Bute, Dumfries & Galloway, Eilean Siar, Highland, Orkney Islands, Scottish Borders, and Shetland Islands). The highlights include:

- (a) In 2017/18 SBC received fewer per 1,000 people (5.8) than the Family Group average of 5.9 and the Scottish average of 11.0;
- (b) SBC closes proportionally fewer complaints at Stage 1 (75.4%) compared to the Family Group (78.6%) and Scotland (88.9%). Compared to both the Family Group and Scotland, SBC had proportionately more complaints Escalated from Stage 1 in 2017/18;

- (c) A lower proportion of complaints made to SBC were upheld compared to those complaints made to the Scottish Local Authority sector as a whole. Specifically, 42.0% of the Stage 1 complaints to SBC were upheld compared to 65.8% for Scotland. The proportion of Stage 2 complaints that were upheld for the Scottish Borders (38.2%) was lower than the level for Scotland (53.5%); the proportion of Escalated complaints that were upheld for the Scottish Borders (50.0%) was also lower than the level for Scotland (53.9%);
 - (d) SBC's response time for the three stages was quicker compared to the Family Group; against Scotland, SBC was quicker on average to respond to Stage 1 and Stage 2 complaints but slower on average to respond to Escalated complaints.
 - (e) SBC's proportion of Stage 1 complaints closed within timescales was higher compared to the Family Group and Scotland. However, the proportion of Stage 2 and Escalated complaints that were closed within the timescale was lower than the level for the Family Group and 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. At both Stage 2 and Escalated stage complaints, the proportion of SBC complaints granted an extension was above both 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 2017/18 the SPSO received 27 complaints about Scottish Borders Council. This is equal to 1.8% of all complaints received by the SPSO in relation to the Local Authority sector. Of the 30 SPSO closed complaints in 2017/18, only **3** (3.1%) were upheld or partially upheld compared to 2 (11%) in 2016/17. Details of these 3 complaints are presented within the Appendix.
- 4.10 Not only does the report contain an analysis of performance, it also contains a set of "next steps" as follows:
- i. Continue to engage with the Local Authority Complaints Handling Network (LACHN);
 - ii. Incorporate the standardised set of survey questions, being developed by the SPSO and LACHN, into SBC's customer satisfaction survey questions;
 - iii. Continue to work to improve frontline (Stage One) responses and thereby reduce the number of complaints that are escalated to Stage Two;
 - iv. Through the development of improved complaints training and refresher training, work to reduce the length of time taken to respond to customers at all stages;
 - v. As part of a new Digital Customer Access project, implement a new complaints system which will automate appropriate processes and standardise complaint handling;

- vi. Improve further our on-line guidance to assist customers when making a complaint so they are better able to differentiate between a service request and a complaint;
 - vii. Complete the development and introduction of a refreshed Customer Strategy which will maximise the benefits of more customer friendly digital channels, but will also focus on ensuring that customer care is a key part of all employees' jobs;
 - viii. As part of the Customer Strategy, introduce Customer Service training at the beginning and end of all centrally funded courses.
- 4.11 Live Borders has a Complaints Handling Procedure that aligns with SBC's. A summary of Live Borders performance is included in the Appendix as well as 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) Internal Audit assurance work was undertaken during 2017 in relation to complaints and was designed to improve internal control and governance arrangements, specifically as a contribution to the Council's corporate management of risk. Implementation of the agreed Internal Audit recommendations arising from this work are designed to improve consistency in complaint handling practices across the Council and to demonstrate learning from complaints. Work to address the recommendations should be complete by December 2018.
- (c) Analysis of complaints can be useful in identifying or highlighting risks that SBC may not be aware of. This enables SBC to mitigate these risks and reduce the impact or likelihood of them occurring and of impacting on quality of services delivered.

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 and improve processes and procedures.

5.4 Acting Sustainably

Economic, social and environmental impact of SBC actions can be monitored more effectively if there is effective complaints performance reporting arrangements in place.

5.5 Carbon Management

There are no significant effects on carbon emissions arising from the proposals contained in this report.

5.6 Rural Proofing

This report does not relate to new or amended policy or strategy and as a result rural proofing is not an applicable consideration.

5.7 Changes to Scheme of Administration or Scheme of Delegation

There are no changes to be made to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals contained in this report.

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 their comments have been incorporated into the final report.
- 6.2 Corporate Communications have been consulted and their comments incorporated into this report.

Approved by

Jenni Craig

Service Director Customer and Communities Signature

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Background Papers:

Previous Minute Reference: Scottish Borders Council Executive Committee, 19th September 2017

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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