
SCOTTISH BORDERS COUNCIL'S COMPLAINTS ANNUAL PERFORMANCE REPORT: 2018/19

Report by Service Director, Customer and Communities

EXECUTIVE COMMITTEE

11 February 2020

1 PURPOSE AND SUMMARY

- 1.1 This report presents a summary of Scottish Borders Council's "Complaints Annual Performance Report for 2018-19", which is presented as Appendix 1. This sets out how many complaints have been received, how effectively complaints have been dealt with, trends over time and how Scottish Borders Council (SBC) compares to other similar rural Local Authorities and the national average. It also provides a summary of the eight performance indicators that the Scottish Public Services Ombudsman (SPSO) requires all Local Authorities to report against.**
- 1.2 The Annual Report is a requirement of all Councils and allows the SPSO to assess the effectiveness of Councils' Complaint Handling Procedures (CHP). It also ensures an ongoing focus on improving the way complaints are handled and ensures that councils learn from complaints received. Councils can also learn from best practice through a network of complaint handling practitioners, the Local Authority Complaints Handling Network (LACHN).
- 1.3 During 2018/19, SBC received 896 complaints, of which 625 were defined as valid. Scottish Borders Council continues to perform well against the Scottish averages and similar Scottish Local Authorities in relation to the 8 SPSO performance indicators. Resolving more complaints at the frontline will continue to remain a priority.

2 RECOMMENDATIONS

2.1 I recommend that the Executive Committee:

- (a) Notes the performance of handling complaints for the period 1 April 2018 to 31 March 2019;**
- (b) Endorses the identified improvement actions presented at Section 4.9 of this report and within the "Next Steps" of Appendix 1;**
- (c) Approves the Annual Report presented in Appendix 1 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 The CHP defines a complaint as "any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf". It also defines how a complaint will be handled and the timescales to resolve any complaint received.
- 3.4 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 because an individual is dissatisfied with the original response, 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.
- 3.5 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.
- 3.6 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 the quarterly data and actions being taken to maintain or improve performance. This information is also reported publicly on a quarterly basis (www.scotborders.gov.uk/performance).
- 3.7 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.
- 3.8 Live Borders complaints performance is included at the end of Appendix 1.

4 OVERVIEW OF COMPLAINTS ANNUAL PERFORMANCE REPORT 2018/19

- 4.1 The 'Complaints Annual Performance Report 2018/19' (presented in Appendix 1 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 2018/19. 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 learned, changed or improved
- 4.3 Complaints made to SBC about its services accounted for a very small proportion of all the customer interactions recorded in the Council's Customer Relationship Management system in 2018/19 (0.5%, or 896 out of 173,113 interactions). There was a 3.3% decrease in all complaints received ('Valid' and 'Invalid') compared to 2017/18 (927).
- 4.4 2018/19 again saw an increase in the number of complaints received online (429, compared to 411 in 2017/18). Between 2017/18 and 2018/19 there was a 4.3% increase in number of complaints received online. This is a smaller increase than in the previous year (22% increase from 2016/17 to 2017/18).
- 4.5 Fewer complaints were received in 2018/19 compared to 2017/18, and the number that were classified as 'Valid' decreased; 625 valid compared to 670 in the previous year. The proportion of 'Invalid' complaints for 2018/19 increased to 30% from 28% in 2017/18. Customers in some instances may have unintentionally submitted complaints rather than requests for service.
- 4.6 How the Council handled the 'Valid' complaints it received and closed in 2018/19 can be summarised as follows:
- (a) The number of 'Valid' complaints received in 2018/19 (625) meant that on average there were 5.4 complaints per 1,000 population in 2018/19, down from 5.8 in 2017/18;
 - (b) The proportion of closed complaints that were handled at Stage 1 increased from 75.4% in 2017/18 to 78.4% in 2018/19. This works towards 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' increased to 63.2%, from 58.0% the previous year;
 - (d) The average time taken to respond to complaints at Stage 1 has risen to 4.6 days in 2018/19 from 4.0 days in 2017/18. Similarly, the average time taken to respond to complaints at Stage 2 has risen to 18.2 days in 2018/19 from 17.7 days in 2017/18. An improvement was seen in the average time taken to respond to complaints Escalated from Stage 1, with a reduction from 18.0 days in 2017/18 to 14.9 days in 2018/19;
 - (e) The proportion of SBC's complaints closed against timescales for Stage 1 has reduced to 81.0% (from 86.4% in 2017/18). However, the proportion of SBC's complaints closed against timescales for Stage 2 and those Escalated from Stage 1 has improved to 73.9% (from 67.4%) and 78.6% (from 53.8%) respectively;

- (f) (i) The proportion of SBC's Stage 1 closed complaints that have been granted an authorised extension has reduced slightly to 2.8% (14 complaints) in 2018/19 from 3.8% in 2017/18 (20 complaints).
 - (ii) The proportion of SBC's Stage 2 closed complaints that have been granted an authorised extension has also reduced, to 10.8% (12 complaints) in 2018/19 from 18.1% in 2017/18 (26 complaints).
 - (iii) The proportion of SBC's Escalated from Stage 1 closed complaints that were granted an authorised extension reduced to 3.6% (1 complaint) in 2018/19 from 30.8% in 2017/18 (8 complaints);
- (g) Of those people that completed the 'Complaints Handling Customer Satisfaction Survey' in 2018/19, 49% were either very or fairly satisfied with how their complaint was handled by the Council compared to 30% who were very or fairly dissatisfied. Highest levels of satisfaction were around information being easy to understand, with 59% very or fairly satisfied. Highest levels of dissatisfaction however were around the final outcome with 47% very or fairly dissatisfied;
- (h) Over the year, the Council received over 104 unsolicited compliments for the services provided, a reduction from 140 in 2017/18. These compliments related to areas such as kerb-side waste and recycling, roads and drainage, community recycling centres, health and social care and customer services.

4.7 The Complaints Annual Performance Report 2018/19 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 2018/19 SBC received slightly fewer complaints per 1,000 citizens (5.4) than the Family Group average of 5.5 and the Scottish average of 10.36;
- (b) SBC closed proportionally more complaints at Stage 1 (78.4%) compared to the Family Group (75.3%), but proportionally fewer than Scotland (87.1%). At Stage 2, SBC closed fewer complaints (17.2%) compared to the Family Group (21.3%), but more than Scotland (9.7%);
- (c) Similar to last year, a lower proportion of complaints made to SBC were upheld compared with those complaints made to the Scottish Local Authority sector as a whole. Specifically, 36.8% of the Stage 1 complaints to SBC were upheld compared to 64.5% for Scotland. The proportion of Stage 2 complaints that were upheld for the Scottish Borders (45.0%) was lower than the level for Scotland (55.9%); the proportion of Escalated complaints that were upheld for the Scottish Borders (39.3%) was also lower than the level for Scotland (52.3%);
- (d) SBC's average response time for the three stages was quicker compared to both the Family Group and Scotland overall, in all 3 categories. Notably at Stage 1, the average time for SBC to respond was significantly quicker at 4.6 days (Family Group 7.9 days, Scotland 7.1 days);

(e) SBC's proportion of Stage 1 complaints closed within timescales was also higher compared to the Family Group and Scotland at all stages; For example, 81.0% of SBC complaints were closed within timescale at Stage 1 compared to 61.3% for the Family Group and 65.0% for Scotland overall;

(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 Stage 2, the proportion of SBC complaints granted an extension was above both the Family Group and Scotland.

4.8 If, after fully investigating a complaint, an individual 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 2018/19 the SPSO received 11 complaints about Scottish Borders Council. This is equal to 0.8% of all complaints received by the SPSO in relation to the Local Authority sector. Of the 24 SPSO closed complaints in 2018/19, only 1 was upheld or partially upheld compared to 5 in 2017/18. Details of the complaint is presented within Appendix 1.

4.9 Not only does the report contain an analysis of performance, it also contains a set of "next steps" as follows:

Theme	Description
Benchmarking and Reporting	<ul style="list-style-type: none"> ➤ Continue to engage with the Local Authority Complaints Handling Network (LACHN) to learn from other councils and identify opportunities to further improve SBC's complaints handling. ➤ Review and enhance reporting to ensure continued focus and transparency on complaints handling performance.
Staff Awareness	<ul style="list-style-type: none"> ➤ Building on the Customer Strategy and existing customer service training ensure staff are aware of the complaints handling procedure and trained regarding the importance and benefits gained from good complaints handling.
Digital Approach	<ul style="list-style-type: none"> ➤ Complete development of complaints handling system which will aid in automating and standardising complaints handling, ensuring appropriate training for relevant staff and adequate guidance for customers/end-users.
New Model Complaints Handling Procedure (MCHP)	<ul style="list-style-type: none"> ➤ Ensure that the requirements of the Scottish Public Services Ombudsman's (SPSO) revised Model Complaints Handling Procedure (MCHP) are implemented and reported upon within the required timeframe.

4.10 Live Borders has a Complaints Handling Procedure that aligns with SBC's. A summary of Live Borders performance is included in Appendix 1 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) By following efficient and robust complaints handling procedures, reputational damage can be significantly reduced. 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 the quality of services delivered.
- (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. There has been a delay to the Digital Customer Access Project which has had a knock on effect with the complaints improvement actions.

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 are 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 Executive Director Finance & Regulatory, the Monitoring & Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director HR & Communications and the Clerk to the Council have been consulted and their comments have been incorporated into the final 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, 4th September 2018

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

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