

ANGUS COUNCIL

SCRUTINY AND AUDIT COMMITTEE – 23 JUNE 2022

ANNUAL COMPLAINTS PERFORMANCE REPORT – 1 APRIL 2021 – 31 MARCH 2022

REPORT BY JACKIE BUCHANAN, DIRECTOR OF LEGAL & DEMOCRATIC SERVICES

ABSTRACT

The purpose of this report is to inform Committee of complaint statistics for 2021/22 and to assure members that by looking at complaints received and the learning from complaints this should reduce the likelihood of a similar problem being repeated. The information on complaints which is recorded includes the types of complaint received, how quickly we dealt with each complaint and the number that were upheld, partially upheld or not upheld. The information is divided into different complaint stages.

1. RECOMMENDATIONS

- 1.1 It is recommended that the Scrutiny & Audit Committee: -
- (i) note the complaints statistics for 2021/22 provided in this report;
 - (ii) note the key performance indicators on complaints closed between 1 April 2021 and 31 March 2022;
 - (iii) note that there are now only four mandatory Key Performance Indicators as detailed in paragraph 7 of the report;
 - (iv) note that the SPSO now only require organisations to report quarterly information to its senior management; and
 - (v) agree that quarterly reports will be provided to Scrutiny and Audit Committee in terms of key performance indicators and analysis of the trends and information on complaints outcomes and actions taken to improve services so that the Committee can review and oversee the operation of the council's complaints procedures.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

- 2.1 This report contributes to the following local outcome contained within the Community Plan, Council Plan and Locality Plans:
- **Angus Council is efficient and effective**
 - **Angus is a safe, secure, vibrant and sustainable community.**

3. BACKGROUND

- 3.1 The Scottish Public Services Ombudsman (SPSO) is the responsible body for complaints. They set and monitor complaints handling standards for the public sector in Scotland. These standards are published as the Model Complaints Handling Procedures (MCHP) and define how they expect the public service sector to handle complaints quickly and simply, with local and early resolution by empowered and well-trained staff.

The SPSO require Councils to publish an annual complaints report.

- 3.2 A complaint is any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by or on behalf of the council. This includes:

- A failure to provide proper administrative processes
- Delays in responding to service requests and enquiries.
- Failure to provide a service to the expected standard.
- Dissatisfaction with council policies.
- Treatment by or attitude of a member of staff.

All complaints received from customers and service-users are managed under the two-stage complaint procedure.

- Stage 1 Frontline Resolution
- Stage 2 Investigation

On 1 July 2020 the Council moved to a fully digitalised system, named “Contact Us”. Customers can log a complaint online, however, by telephone, email and in person complaints are still accepted.

4. 2021/22 SUMMARY

In 2021/22, Angus Council received a total of 259 complaints. The SPSO has a variety of indicators as a basis for monitoring complaint handling performance and these are detailed below. The performance for complaints from 2020/21 has been provided to give a comparison.

5. PERFORMANCE INDICATORS

5.1 Indicator One – Complaints received per 1,000 population

To determine the number of complaints received per 1,000, we count those received at Stage 1 and received directly at Stage 2.

In 2021/22 we received 259 Stage 1 and Stage 2 complaints,

Category	2020/21	2021/22
Angus Council population	116,400	116,040
Total complaints received	229	259
Per 1,000	2.2%	2.2%

According to the National Records of Scotland the population estimate for Angus Council is 116,040.

5.2 Indicator Two – Closed complaints

The majority of closed complaints were handled at Stage 1 which is as expected. We aim to provide quick responses to straightforward issues and deal with complex matters at Stage 2. A complaint can be escalated from Stage 1 to Stage 2 if the customer so wishes. The case is then passed to investigation without delay.

Category	2020/21	%	2021/22	%
Total Complaints	229	2.2% per 1,000	259 per 1,000	2.2%
Stage 1 complaints	202	88.2%	208	80.3%
Stage 2 complaints	22	9.6%	19	7.3%
Escalated Stage 2	5	2.2%	32	12.4%
Total Closed	229		259	

5.3 Indicator Three – complaints upheld, partially upheld and not upheld

There is a requirement for a formal outcome to be recorded for each complaint. These outcomes are “upheld”, “partially upheld” or “not upheld”.

If it were found that procedures had been followed or the service provided as expected, a complaint would be recorded as “not upheld”. However, if this was not the case the complaint would be recorded as “upheld”. Where there are several points to a complaint and the decisions are a mixture of “upheld” and “not upheld”, the complaint is recorded as “partially upheld” overall.

Category	2020/21	%	2021/22	%
Stage 1 Upheld	61	30.2%	68	32.7%
Stage 1 Not Upheld	75	37.1%	89	42.8%
Stage 1 Partially Upheld	66	32.7%	51	24.5%
Stage 2 Upheld	3	13.6%	3	15.8%
Stage 2 Not Upheld	15	68.2%	10	52.6%
Stage 2 Partially Upheld	4	18.2%	6	31.6%
Stage 2 Escalated Upheld	1	20%	10	31.3%
Stage 2 Escalated Not Upheld	2	40%	15	46.9%
Stage 2 Escalated Partially Upheld	2	40%	7	21.9%
Total Closed	229		259	

5.4 Indicator Four – The average time in working days for complaints at each stage

The table below shows the average working days taken to respond to complaints at each stage of the complaint's procedure.

Average working days to respond	2020/21	2021/22
Stage 1	3.3	3.4
Stage 2	11.2	14.1
Stage 2 Escalated	18.2	9.4

5.5 Indicator Five – The number and percentage of complaints at each stage which were closed in full within the set timescales of 5 and 20 days.

We are required to respond to a Stage 1 complaint within 5 working days and a Stage 2 complaint within 20 working days.

Percentage of complaints closed within timescale	2020/21	%	2021/22	%
Stage 1	151	74.8%	176	84.6%
Stage 2	12	54.5%	6	31.6%
Escalated Stage 2	3	60%	7	21.9%

5.6 Indicator Six – The number and percentage of complaints at each stage where an extension to the 5 and 20 working day timeline has been authorised.

Where a response has taken longer to be issued, an update is given to the complainant with a new date for response.

Stage 1 complaints may be extended by a further 5 days. The timeframe for an extension to a Stage 2 complaint investigation is not set and is determined based on factors such as the nature of the complaint, the evidence available and if the complaint relates to more than one service or department.

Number of complaints with an extension	2020/21	%	2021/22	%
Stage 1	2	1%	28	13.5%
Stage 2	2	9.1%	0	0.0%
Stage 2 Escalated	4	80.0%	32	100.0%

5.7 Indicator Seven – Customer Satisfaction

Prior to the introduction on the digital system, customers were sent a survey to ascertain how satisfied they were with how the council responded to their complaint. The returns on the survey were exceptionally low. On the introduction of the digital system, it was not possible to incorporate a satisfaction survey into the system and it was agreed that the Change Programme Project on Customer Experience, led by Sharon Faulkner, will incorporate a Customer Satisfaction Survey. This project is scheduled for completion in March 2023.

6. SCOTTISH PUBLIC SERVICES OMBUDSMAN

Following a Stage 2 Investigation, a complainer who remains dissatisfied can progress their complaint to the SPSO. The SPSO is the final stage for complaints about public service organisations in Scotland. The SPSO will look at how Angus Council reached its decision.

During 2021/22, eight complaints were progressed to the SPSO. In all eight cases the SPSO advised that they would not be progressing the complaints and the reasons for doing so explained to the customer.

7. KEY PERFORMANCE INDICATORS – REFRESHED

7.1 In January 2022, The SPSO carried out an exercise with a view to refreshing the Key Performance Indicators.

The Key Performance Indicators help organisations to understand and report on their performance in line with the Model Complaints Handling Procedure. They allow us to compare, contrast and benchmark complaints handling with other organisations. This also helps to share learning and improve standards of complaint handling performance.

Following the consultation there are now only four mandatory key performance indicators. This is the minimum requirement for all organisations:

Indicator 1 – the total number of complaints received

Indicator 2 – the number and percentage of complaints at each stage that were closed in full within the set timescale of five and 20 working days

Indicator 3 – the average time in working days for a full response to complaints at each stage

Indicator 4 – the outcome of complaints at each stage in terms of upheld, not upheld or partially upheld.

The annual report 2023 will therefore only cover the above four Key Performance Indicators. The annual report publication deadline is the end of October. Therefore, the first annual report using the new KPIs will be October 2023.

In addition, the Model Complaints Handling Procedure says that all organisations must

- report at least quarterly to senior management on the key performance indicators and analysis of the trends and outcomes of complaints
- publish on a quarterly basis information on complaints outcomes and actions taken to improve services, and
- publish an annual complaints performance report on the website that includes performance statistics in line with the KPIs, complaint trends and actions that have been taken or will be taken to improve services as a result.

It is therefore proposed that with effect from 1 April 2022, quarterly information will be published in the form of a “You said – We did” to ensure the public that we are a listening council and improvements from complaints are actioned. This will also improve positive communication with our customers on the value of complaining, on promoting good practice along with the lessons learned. It is proposed that the quarterly reports will continue to be submitted to the Scrutiny & Audit Committee.

8. FINANCIAL AND OTHER IMPLICATIONS

There are no direct financial implications arising from this report. There are no differential impacts on persons with protected characteristics.

9. CONSULTATION

The Chief Executive and all Directors have been consulted in the preparation of this report.

10. EQUALITY IMPACT ASSESSMENT

An Equality Impact Assessment has been carried out and is attached.

JACKIE BUCHANAN DIRECTOR OF LEGAL & DEMOCRATIC SERVICES

NOTE: No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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Equality Impact/Fairer Scotland Duty Assessment Form

Step 1

Name of Proposal – Complaints Annual Report Committee Report

Step 2

Is this only a **screening** Equality Impact Assessment

Yes

(A) If Yes, please choose from the following options **all** reasons why a full EIA/FSD is not required:

(i) It does not impact on people

No

(ii) It is a percentage increase in fees which has no differential impact on protected characteristics
Yes/**No**

(iii) It is for information only

Yes

(iv) It is reflective e.g. of budget spend over a financial year

No

(v) (v) It is technical

No

If you have answered yes to any of points above, please go to **Step 16**, and sign off the Assessment.

(B) If you have answered No to the above, please indicate the following: Is this a full

Equality Impact Assessment

No

Is this a Fairer Scotland Duty Assessment

Yes/**No**

If you have answered Yes to either or both of the above, continue with Step 3.

If your proposal is a **strategy** please ensure you complete Step 13 which is the Fairer Scotland Duty Assessment.

Step 3

(i) Lead Directorate/Service: Legal & Democratic Services

(ii) Are there any relevant **statutory** requirements affecting this proposal? If so, please describe.

N/A

(iii) What is the aim of the proposal? Please give full details.

N/A

(iv) Is it a new proposal? Yes/No Please indicate OR

Is it a review of e.g. an existing budget saving, report, strategy, policy, service review, procedure or function? Yes/No Please indicate

Step 4: Which people does your proposal involve or have consequences for?

Please indicate all which apply: Employees

Yes/No

Job Applicants

Yes/No

Service users

Yes/No

Members of the public

Yes/No

Step 5: List the evidence/data/research that has been used in this assessment (links to data sources, information etc which you may find useful are in the Guidance). This could include:

Internal data (e.g. customer satisfaction surveys; equality monitoring data; customer complaints).

Internal consultation (e.g. with staff, trade unions and any other services affected).

External data (e.g. Census, equality reports, equality evidence finder, performance reports, research, available statistics)

External consultation (e.g. partner organisations, national organisations, community groups, other councils).

Other (general information as appropriate).

Step 6: Evidence Gaps.

Are there any gaps in the equality information you currently hold? Yes/No

If yes, please state what they are, and what measures you will take to obtain the evidence you need.

Step 7: Are there potential differential impacts on protected characteristic groups? Please complete for each group, including details of the potential impact on those affected. Please remember to take into account any particular impact resulting from **Covid-19**.

Please state if there is a potentially positive, negative, neutral or unknown impact for each group. Please state the reason(s) why.

Age

Impact

Disability

Impact

Gender reassignment

Impact

Marriage and Civil Partnership

Impact

Pregnancy/Maternity

Impact

Race - (includes Gypsy Travellers)

Impact

Religion or Belief

Impact

Sex

Impact

Sexual orientation

Impact

Step 8: Consultation with any of the groups potentially affected

If you have consulted with any group potentially affected, please give details of how this was done and what the results were.

If you have not consulted with any group potentially affected, how have you ensured that you can make an informed decision about mitigating action of any negative impact (Step 9)?

Step 9: What mitigating steps will be taken to remove or reduce potentially negative impacts?

Step 10: If a potentially negative impact has been identified, please state below the justification.

Step 11: In what way does this proposal contribute to any or all of the public sector equality duty to: eliminate unlawful discrimination; advance equality of opportunity; and foster good relations between people of different protected characteristics?

Step 12: Is there any action which could be taken to advance equalities in relation to this proposal?

Step 13: FAIRER SCOTLAND DUTY

This step is only applicable to **strategies** which are key, high level decisions. If your proposal is **not** a strategy, please leave this Step blank, and go to Step 14.

Links to data sources, information etc which you may find useful are in the Guidance.

Step 13(A) What evidence do you have about any socio-economic disadvantage/inequalities of outcome in relation to this strategic issue?

Step 13(B) Please state if there are any gaps in socio-economic evidence for this strategy and how you will take measures to gather the evidence you need.

Step 13(C) Are there any potential impacts this strategy may have specifically on the undernoted groupings? Please remember to take into account any particular impact resulting from Covid-19.

Please state if there is a potentially positive, negative, neutral or unknown impact for each grouping.

Low and/or No Wealth (e.g. those with enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future.

Impact

Material Deprivation (i.e. those unable to access basic goods and services e.g. repair/replace broken electrical goods, warm home, leisure and hobbies).

Impact

Area Deprivation (i.e. where people live (e.g. rural areas), or where they work (e.g. accessibility of transport).

Impact

Socio-economic Background i.e. social class including parents' education, people's employment and income.

Impact

Other – please indicate

Step 13(D) Please state below if there are measures which could be taken to reduce socio-economic disadvantage/inequalities of outcome.

Step 14: What arrangements will be put in place to monitor and review the Equality Impact/Fairer Scotland Duty Assessment?

Step 15: Where will this Equality Impact/Fairer Scotland Duty Assessment be published?

Step 16: Sign off and Authorisation. Please state name, post, and date for each:

Prepared by: Elaine Whittet, Legal & Democratic Services

Reviewed by:

Approved by: Alison Watson, Service Leader- Legal

NB. There are several worked examples of separate EIA and FSD Assessments in the Guidance which may be of use to you.