



# Complaints Annual Report

2015|16

**EAST AYRSHIRE COUNCIL**  
**COMPLAINTS ANNUAL REPORT 2015/16**

**CONTENTS**

	<b>PAGE</b>
<b>Introduction</b>	<b>3</b>
<b>Complaints Handling Procedure</b>	<b>4</b>
<b>National Performance Framework</b>	<b>6</b>
<b>Case Studies</b>	<b>11</b>
<b>SPSO Annual Statistics 2015/16</b>	<b>12</b>
<b>Social Work Complaints</b>	<b>12</b>
<b>Conclusion</b>	<b>12</b>
<b>Appendix</b>	<b>13</b>

**September 2016**

## **INTRODUCTION**

1. The Council's Complaints Handling Procedure was introduced on 1 September 2012 and is based on the model developed by the Scottish Public Services Ombudsman (SPSO). It reflects the Council's commitment to valuing complaints and seeks to resolve customer dissatisfaction as close as possible to the point of service delivery.
2. Our aim is to 'get it right first time' with quick, simple and streamlined complaints handling with local, early resolution by capable, well-trained staff.
3. The 2015/16 Annual Complaints Performance report is presented in accordance with the Scottish Public Services Ombudsman's National Performance Framework which was published in August 2013.

## COMPLAINTS HANDLING PROCEDURE

4. East Ayrshire Council's Complaints Handling Procedure (CHP), which was introduced in September 2012, defines a complaint as being:

***'An expression of dissatisfaction by one or more members of the public about the Council's action or lack of action, or about the standard of service provided by or on behalf of the Council.'***

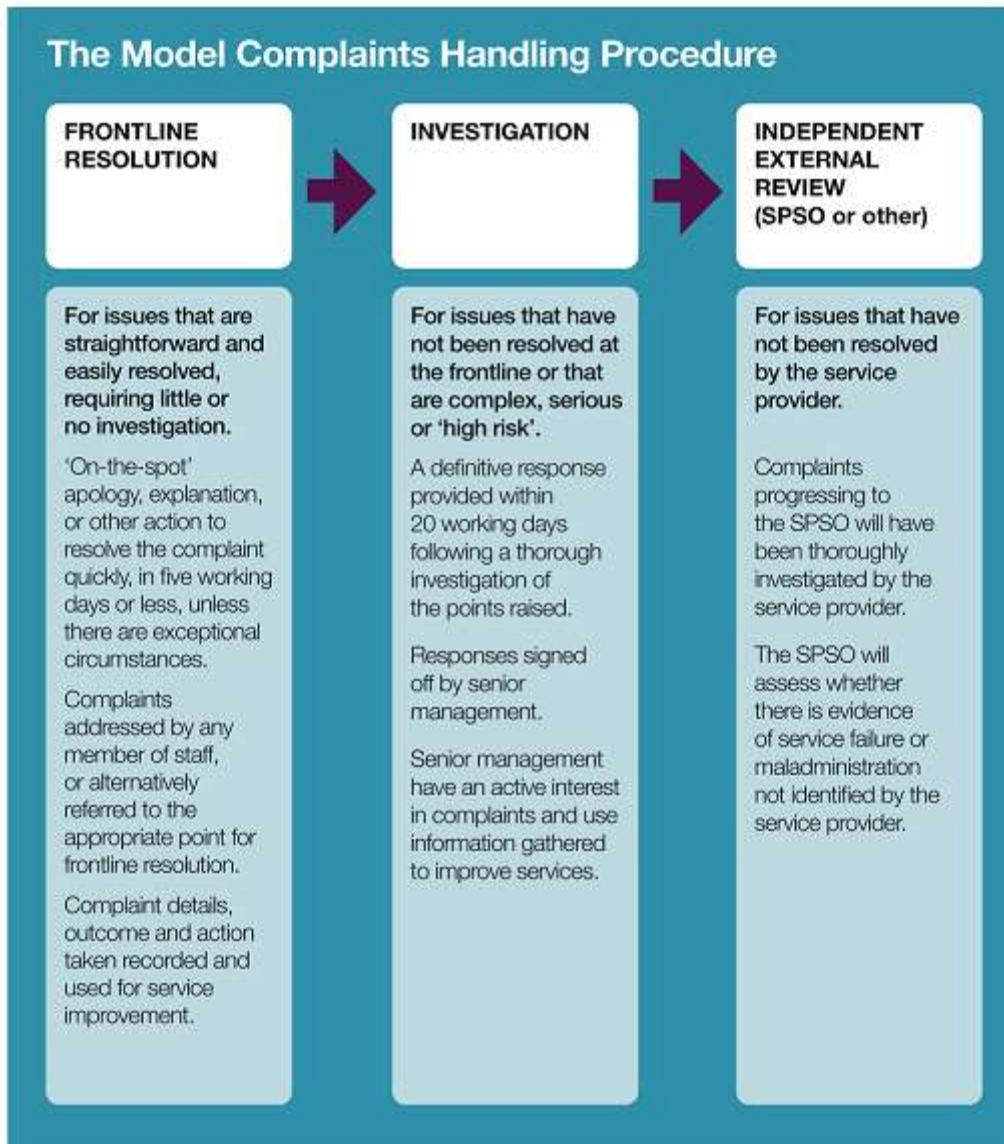
5. Our complaints process provides two opportunities to resolve complaints internally:

### **Stage one: frontline resolution**

6. Frontline resolution aims to quickly resolve straightforward customer complaints that require little or no investigation. Any member of staff may deal with complaints at this stage.
7. The main principle is to seek early resolution, resolving complaints at the earliest opportunity and as close to the point of service delivery as possible. This may mean a face-to-face discussion with the customer, or asking an appropriate member of staff to deal directly with the complaint. Frontline resolution is routinely completed within five working days.

### **Stage two: investigation**

8. Not all complaints are suitable for frontline resolution and not all complaints will be satisfactorily resolved at that stage. Complaints handled at the investigation stage of the complaints handling procedure are typically complex or require a detailed examination before a position can be agreed. These complaints may already have been considered at the frontline resolution stage, or they may have been identified from the start as needing immediate investigation.
9. An investigation aims to establish all the facts relevant to the points made in the complaint and to give the customer a full, objective and proportionate response that represents the final position. An investigation is routinely completed within 20 working days, although extensions to this timescale can be required for particularly complex cases.
10. Once the investigation stage has been completed, the customer has the right to approach the SPSO if they remain dissatisfied.
11. The following diagram describes the Council's CHP in more detail:



Note: The SPSO does not consider complaints regarding factoring services. These are considered by the Homeowners Housing Panel.

12. In support of the CHP, the Council has developed a bespoke Complaints Management System which enables us to record, track and report on complaints information across all Services. The System not only captures details of the nature of complaints but also the action that is taken in response, including improvements made to how the Council delivers services that may have been the subject of a complaint.
13. Monitoring complaints information and the preparation and publication of this Annual Report helps to provide a clear basis for identifying service failures ('learning from complaints') and information on how effectively the Council is handling complaints ('complaints performance').

## NATIONAL PERFORMANCE FRAMEWORK

14. Compliance with the SPSO's local authority model Complaints Handling Procedure is monitored by Audit Scotland in conjunction with the SPSO and in line with the principles of the Best Value Shared Risk Assessment (SRA) arrangements.
15. The complaints performance data contained within this report also informs the Council's Annual Public Performance Report, which summarises the Council's performance in relation to Statutory Performance Indicators as well as progress and achievements on partnership activity with our Community Planning Partners.
16. The implementation of the SPSO's model CHP by local authorities means that all councils are required to record, report and publish information on all the complaints they receive, providing significant opportunities for councils to identify service improvements from data that was previously unrecorded.
17. Local authorities are required to monitor and assess complaints handling data to provide assurance in relation to their performance, to facilitate continuous improvement and to assist in benchmarking between local authorities.
18. The SPSO, in conjunction with local authorities, has developed a suite of high level performance indicators against which local authorities should assess and monitor their complaints handling performance in relation to the model CHP. The information provided below details East Ayrshire Council's performance in 2015/16. For comparison purposes, the performance information relating to the previous year is also provided.

### **Indicator 1** – The total number of complaints closed per thousand population.

19. This indicator records the total number of complaints received by the Council. This is the sum of the number of complaints received at stage one (frontline resolution) and the number of complaints received at stage two (investigation).

	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>
Total number of complaints closed	181	104	92
Population	122,720	122,440	122,130
Number of complaints by 1,000 population	<b>1.47</b>	<b>0.85</b>	<b>0.78</b>

### **Indicator 2** – Complaints closed at stage one and stage two as a percentage of all complaints closed.

20. The term "closed" refers to a complaint that has had a response sent to the customer and at the time no further action is required (regardless at which stage it is processed).

<b>Number of Complaints Closed and as % of all Complaints</b>			
	<b>Stage 1</b>	<b>Stage 2</b>	<b>Escalated*</b>
<b>2013/14</b>	154 85.1%	16 8.8%	11 6.1%
<b>2014/15</b>	82 78.8%	7 6.7%	15 (14.4%)
<b>2015/16</b>	75 81.5%	12 13.0%	5 5.4%

\*This relates to complaints “escalated” from the frontline resolution to the investigation stage.

**Indicator 3** – The number of complaints upheld, partially upheld or not upheld at each stage as a percentage of complaints closed in full at each stage.

21. This indicator records the formal outcome recorded for each complaint.

	Number of Complaints Closed			Number of complaints <b>upheld</b> and as % of all complaints closed			Number of complaints <b>partially upheld</b> and as % of all complaints closed			Number of complaints <b>not upheld</b> and as % of all complaints closed		
	Stage 1	Stage 2	E*	Stage 1	Stage 2	E*	Stage 1	Stage 2	E*	Stage 1	Stage 2	E*
<b>2013/14</b>	154	16	11	47 30.5%	3 18.8%	3 27.3%	36 23.4%	5 31.3%	3 27.3%	71 46.1%	8 50.0%	5 45.5%
<b>2014/15</b>	82	7	15	19 23.2%	0 0.0%	4 26.7%	19 23.2%	4 57.1%	4 26.7%	44 53.7%	3 42.9%	7 46.7%
<b>2015/16</b>	75	12	5	12 16.0%	2 16.7%	1 20.0%	16 21.3%	3 25.0%	4 80.0%	47 62.7%	7 58.3%	0 0.0%

\*This relates to complaints “escalated” from the frontline resolution to the investigation stage.

**Indicator 4** – The average time in working days for a full response to complaints at each stage.

22. This indicator represents the average time in working days to close complaints at stage one and at stage two of the CHP.

	Number of working days for all complaints closed			Number of complaints			Average time in working days to respond to complaints		
	Stage 1	Stage 2	E*	Stage 1	Stage 2	E*	Stage 1	Stage 2	E*
<b>2013/14</b>	1188	488	343	154	16	11	7.7	30.5	31.2
<b>2014/15</b>	837	258	389	82	7	15	10.2	36.9	25.9
<b>2015/16</b>	746	358	129	75	12	5	9.9	29.8	25.8

\*This relates to complaints “escalated” from the frontline resolution to the investigation stage.



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

23. This indicator presents the number and percentage of complaints closed within 5 working days at stage one and 20 working days at stage two.

	Number of complaints closed			Number of complaints closed within 5 working days for Stage 1 and 20 working days for Stage 2 and escalated complaints, including %.		
	Stage 1	Stage 2	E*	Stage 1	Stage 2	E*
<b>2013/14</b>	154	16	11	90 58.4%	5 31.3%	7 63.6%
<b>2014/15</b>	82	7	15	36 43.9%	1 14.3%	6 40.0%
<b>2015/16</b>	75	12	5	38 50.7%	3 25.0%	2 40.0%

\*This relates to complaints “escalated” from the frontline resolution to the investigation stage.

**Indicator 6** – The number and percentage of complaints at each stage where an extension to the 5 or 20 working days timeline has been authorised.

24. The Council’s CHP allows for an extension to the timescales to be authorised in certain circumstances.

	Number of complaints closed		Number of complaints closed where an extension had been authorised, including %.	
	Stage 1	Stage 2	Stage 1	Stage 2
2013/14	154	16	6 3.9%	8 50.0%
2014/15	82	7	7 8.5%	3 42.9%
2015/16	75	12	2 2.7%	5 41.7%

**Indicator 7** – A statement to report customer satisfaction with the complaints service.

25. In the course of 2015/16, the SPSO’s Complaints Standards Authority, in partnership with the Scottish Complaints Handlers Network, undertook an assessment of the arrangements in place within each Council to identify best practice in respect of customer satisfaction. The purpose of the review, as well as identifying best practice examples, was to achieve a level of consistency across all local authorities so that meaningful comparison between authorities’ approaches could be established. The outcome from this work will inform the

Council's next customer satisfaction survey, along with other targeted improvement work that is being undertaken in 2016/17 to improve response times to Stage 1 and Stage 2 complaints.

**Indicator 8** – A statement outlining changes or improvements to services or procedures as a result of the consideration of complaints.

29. This qualitative indicator is intended to identify service improvements that were derived from complaints during the reporting period.
30. The Council records all service improvements within the Complaints Management System and these are reported periodically to Elected Members through the Council's East Ayrshire Performs report which is presented to both the Council's Cabinet and the Governance and Scrutiny Committee and are available to the public from the Council's website. In addition, complaints performance data, including improvement actions, are considered routinely at Departmental Management Team meetings.
31. The following is a summary of some of the service improvements arising from complaints that were recorded in 2015/16.
  - repeating equality and diversity training at an Early Childhood Centre;
  - changes made to the recorded message on the customer contact telephone number, to make the options clearer;
  - procedures reviewed and updated in relation to bereavement administration interment procedures;
  - providing additional information in respect of the appeals process administered by the Home Owners Housing Panel for complaints relating to properties factored by the Council;
  - introduction of refreshed guidance leaflets and internet content relating to the Council's Complaints Handling Procedure;
  - enhancements made to the complaints handling system; and
  - complaints investigation training provided to employees by the SPSO training unit.
32. One of the main purposes of our complaints system is to allow us to monitor performance and to identify potential areas for improvement, both in relation to issues within our services which are identified through complaints, and also in relation to our own performance in dealing with the complaints that we receive. One particular area which has been identified as a focus for improvement activity during 2016/17 is the percentage of complaints responded to within the prescribed timeframes.
33. During the year ahead, an improvement science approach will be adopted to review the Council's current approach to complaints handling. In line with improvement science methodology, this review will focus initially on one or two particular service areas, with the aim of identifying and undertaking small tests of change and implementing a number of PDSA (plan, do, study, act) cycles. The learning from this exercise will then be rolled out more widely

across Council, with the aim of improving our overall future complaints response rates.

## **CASE STUDIES**

34. Case studies are an effective way of illustrating how a complaint can have an impact on an individual and also lead to wider change or improvements in how services are delivered. The following selection of case studies, therefore, provide examples of the issues that have been dealt with by the Council under its CHP over the last year.

**Case Study 1** – Mr X complained about the standard of service received from the Council in respect of a landlord registration application, with particular reference to the imposition of a late application fee and the related impact on the landlord's tenant.

The complaint investigation confirmed that the Council did not communicate effectively with Mr X and this had caused some confusion.

Having upheld parts of the complaint, an apology was issued to Mr X and the Council's Private Sector Housing Unit strengthened its internal procedures to ensure that problems experienced by Mr X were not repeated.

**Case Study 2** – Ms Y, on behalf of her elderly mother, complained about the standard of customer service received after visiting one of the Council's local offices with an enquiry about Council Tax payments and subsequent attempts to contact the office by phone.

Following investigation of the issues raised, the complaint was upheld and a full apology issued. In addition, a number of improvements were made to the customer contact arrangements in our local offices including improvements to the physical layout of the offices to ensure more recognition of inclusive design principles, the management of our call-handling arrangements and changes to our recorded messages.

**Case Study 3** – Ms Z's disabled daughter attends one of the Council's Early Childhood Centres and Ms Z complained that the planning, including transport arrangements, for trips and outings organised by the Centre did not sufficiently take into account the needs of Ms Z's daughter.

The investigation of the complaint established that the Centre should have communicated more effectively with Ms Z in advance of the trips and outings to support her daughter's attendance. The Council issued a full apology for the difficulties and concerns that this caused and undertook refresher equality

and diversity training for the staff involved to ensure that such circumstances were not repeated.

### **SPSO ANNUAL STATISTICS 2015/16**

35. At the end of August 2016, the SPSO published its sectoral reports which include detailed information on complaints considered by the SPSO relating to each local authority. The report relating to East Ayrshire Council provides details of the numbers of complaints about the Council considered and determined by the SPSO since 2004/05, including the most recent information from 2015/16, and is presented within the table at Appendix 1.
36. It will be noted that the SPSO has not fully upheld any complaint against the Council since 2004/05 and that only 2 complaints have been partially upheld in that time.
37. The number of complaints about the Council received by the SPSO prematurely (before the complainant had exhausted the Council's complaints handling process) has been higher than the Scottish average every year with the exception of 2007/08. It will be noted, however, that the number of premature complaints has seen a significant reduction in the last year, reducing from 75% to 55%.

### **SOCIAL WORK COMPLAINTS**

38. The procedure for dealing with Social Work Complaints is slightly different from our general complaints procedures, as it currently follows specific legislation and guidance. Accordingly, the performance information contained within this report does not include data relating to complaints about Social Work Services. This information is recorded and managed separately.
39. For 2015/16, the Council received 19 complaints relating to Social Work Services, down from 50 in 2014/15, with no complaints progressing to the appeal stage involving an Independent Panel with the outcome reported to the Council's Cabinet.
40. A new procedure for dealing with complaints about Social Services will be introduced from 1 April 2017 to reflect the SPSO's model complaints handling procedure.

### **CONCLUSION**

41. This Annual Complaints Report for the Council complies with the SPSO's requirement to publish complaints performance information and also reiterates the Council's commitment to valuing complaints. Importantly, the Report captures a number of the improvements to Council services that have been derived from complaints and demonstrates our continued determination to 'get it right first time'.

## East Ayrshire Council: Complaints considered and determined by the SPSO

	04/05	05/06	06/07	07/08	08/09	09/10	10/11	11/12	12/13	13/14	14/15	15/16
<b>Total Number of Referrals</b>	20	16	21	41	25	52	44	35	27	36	29	29
<b>Premature – EAC</b>	16 (80%)	13 (81%)	14 (67%)	17 (42%)	21 (84%)	38 (73%)	22 (50%)	21 (60%)	15 (55%)	19 (53%)	22 (75%)	16 (55%)
<b>Premature – Scotland</b>	53%	50%	49%	49%	60%	51%	45%	43%	40%	40%	41%	38%
<b>Investigation Stage – Outcomes*</b>												
<b>Fully Upheld</b>	-	-	-	-	-	-	-	-	-	-	-	-
<b>Partly Upheld</b>	1	-	-	-	-	-	-	-	1	-	1	-
<b>Not Upheld</b>	-	-	1	4	-	-	3	1	1	-	-	-

\*Other categories of complaint disposals applied by the SPSO include Out-with Jurisdiction, Withdrawn and Discontinued.



Council Headquarters, London Road, Kilmarnock KA3 7BU

Tel: 01563 576000 [www.east-ayrshire.gov.uk](http://www.east-ayrshire.gov.uk)

Designed and produced by East Ayrshire Council Design Section © 2016

**SPSO** Scottish  
Public  
Services  
Organisation