

# Complaints Annual Report

2013/14



Quality | Equality | Access | Partnership

**EAST AYRSHIRE COUNCIL**  
**COMPLAINTS ANNUAL REPORT 2013/14**

**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 Report 2013/14</b>	<b>13</b>
<b>Social Work Complaints</b>	<b>14</b>
<b>Conclusion</b>	<b>15</b>

**August 2014**

## **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 2013/14 reporting period provides the first full year of data under the new model Complaints Handling Procedure and this Annual 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.'***

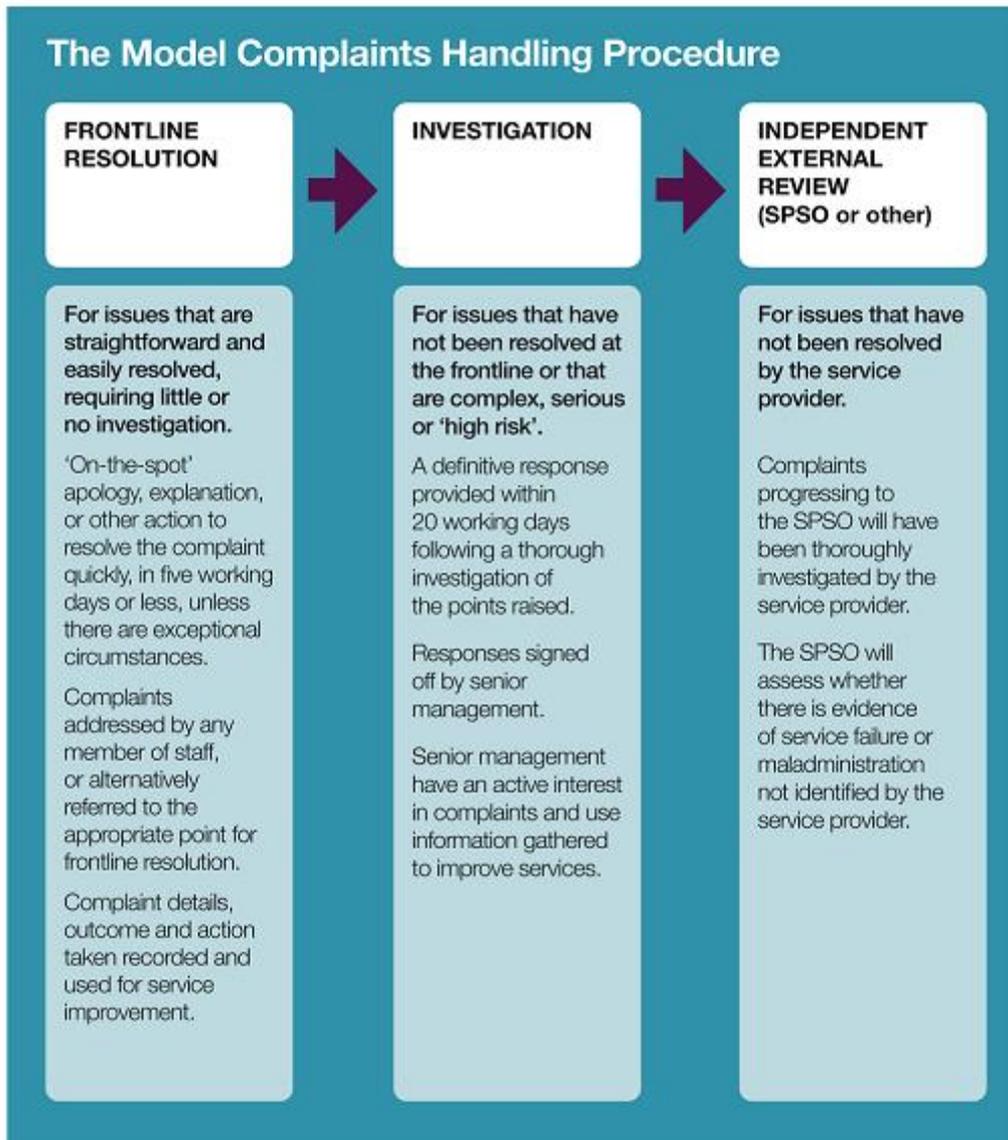
5. Our complaints process provides two opportunities to resolve complaints internally:

### **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 will also inform the Council's Annual Public Performance Report, to be published later in 2014, 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 for the first time 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 2013/14.

### **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>
Total number of complaints closed	181
Population	122,720
Number of complaints by 1,000 population	<b>1.47</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).

	2013/14		
	Stage 1	Stage 2	Escalated*
Number of complaints closed	154	16	11
Complaints closed as % of all complaints	85.1%	8.8%	6.1%

\*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.

	2013/14		
	Stage 1	Stage 2	Escalated*
Number of complaints closed	154	16	11
Number of complaints <b>upheld</b>	47	3	3
Number of complaints <b>upheld</b> as % of all complaints closed	30.5%	18.8%	27.3%
Number of complaints <b>partially upheld</b>	36	5	3
Number of complaints <b>partially upheld</b> as % of all complaints closed	23.4%	31.3%	27.3%
Number of complaints <b>not upheld</b>	71	8	5
Number of complaints <b>not upheld</b> as % of all complaints closed	46.1%	50%	45.5%

\*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.

	2013/14		
	Stage 1	Stage 2	Escalated*
Number of working days for all complaints closed	1188	488	343
Number of complaints	154	16	11
Average time in working days to respond to complaints	7.7	30.5	31.2

\*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.

	2013/14		
	Stage 1 (5 working days)	Stage 2 (20 working days)	Escalated* (20 working days)
Number of complaints closed	154	16	11
Number of complaints closed within 5 working days for Stage 1 and 20 working days for Stage 2 and escalated complaints.	90	5	7
Number of complaints closed within 5 working days for Stage 1 and 20 working days for Stage 2 and escalated complaints as % of complaints closed at each stage.	58.4%	31.3%	63.6%

\*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.

	2013/14	
	Stage 1	Stage 2
Number of complaints closed	154	16
Number of complaints closed where an extension had been authorised	6	8
Number of complaints closed as % of all complaints closed where an extension had been authorised	3.9%	50%

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

25. A Complaints Handling Customer Feedback Survey was issued on 3 July 2014 to 52 individuals, selected at random, who had used the Council’s formal CHP over the period 1 April 2013 to 31 March 2014 and whose details were recorded within the Complaints Management System.

26. Ten completed survey responses were returned and the following is a summary of the feedback received.

- 60% of respondents were aware of the Council's CHP before contacting us.
- 80% were very or quite satisfied with how easy it was to make a complaint.
- 50% were very or quite satisfied with the information provided by Council employees relating to the CHP.
- 40% were very or quite satisfied with how well they were kept informed about their complaint.
- 60% were very or quite satisfied with the speed with which their complaint was dealt with.
- 40% were very or quite satisfied with the way their complaint was handled overall.
- 30% were very or quite satisfied with the outcome of their complaint.
- 50% felt they were treated fairly and sensitively throughout the process.
- 30% were very or quite satisfied with the knowledge of Council employees.
- 30% were very or quite satisfied with the friendliness of employees.
- 50% found our complaints process easy to go through.

27. Some other comments provided by respondents included:

***“Make sure that employees don't take complaints personally.”***

***“Made to feel that my complaints were not important.”***

***“Speed up your actions.”***

***“I was dissatisfied with how the incident happened but the complaint was handled OK.”***

***“Employees should demonstrate empathy towards the person making the complaint and communicate regularly with them.”***

28. In addition to the survey returns detailed above, Council Services also record the many positive comments received from customers. Whilst these are often not directly related to complaints, they do provide helpful management information in support of the delivery of services. Examples of some of the comments received include:

***“I would just like to say a big thank you for all your trouble and the prompt attention you gave to my problems.”***

***“Thank you for all your help. I'm astounded that you went above and beyond and am pleased to announce 2 fantastic heating engineers fixed my boiler an hour ago thank you so much for me and my children.”***

***“This was an amazing event put on for local businesses. Forward thinking, useful, creative and innovative. I would highly recommend this to any local business who wants to move their business forward in the digital age. Well done EAC.”***

***“I would like to thank you for your efforts and the information you have collated. You have been of great service.”***

**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. These reports are available to the public from the Council’s website and, in the last year, 4 East Ayrshire Performs reports were presented to Elected Members. 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 2013/14.
  - The development of Customer Care refresher training.
  - Implementation of operational staff training to achieve a reduction in errors and to improve staff confidence.
  - The introduction of overtime and outsourcing of work within the Revenues and Benefits Service to improve the quality of service provided.
  - The tightening of school building entrance and egress procedures.
  - Increasing lighting levels on Fenwick Road, Kilmaurs.
  - The development of a seminar for Elected Members on their role in the Complaints Handling Procedure.
  - Strengthened contract monitoring arrangements for asbestos removal services.
  - Revised and strengthened internal procedures for managing, allocating, recording and responding to complaints and routine requests for services within the Housing Asset Service.
  - The promotion of enhanced customer services in primary school dining areas to improve and explain the food choices for all young children.
32. To supplement the service improvements detailed above, a selection of anonymised case studies are presented in the next section.

## **CASE STUDIES**

33. 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, attempt to provide a sample of the issues that have been dealt with by the Council under its CHP over the last year.

### **Case Study 1 – Inconsistency in Customer Service**

A stage 2 complaint, relating to the level of customer service received in respect of three issues across two Council departments, was received from a husband and wife acting on their own behalf and on behalf of a neighbour. The complaint addressed a number of issues ranging from an unreasonable delay in dealing with a highways issue, council tax billing and housing benefit information. The primary complaint revolved around delays by the Roads and Transportation Service in dealing with an issue in respect of cars parking without authorisation on communal ground. It was asserted that Roads and Transportation staff failed to take appropriate and timely action and the matter was ultimately resolved by Trading Standards following a direct request for assistance from the complainants.

Senior Council Officers met with the main complainants to discuss their dealings with the Council and it was agreed that the level of customer service received did not meet the standard that the complainant was entitled to expect. It was also noted there was a perceived lack of consistency in the customer service provided by the Council across sections/departments and this was identified as an issue that would require to be addressed as part of an imminent review of the Council's overall Customer Contact arrangements.

The complaint was upheld and an apology made. The complainants expressed their satisfaction with the way in which they had been treated, sending a thank you letter to the Council which commended the way in which the complaint had been dealt with.

### **Case Study 2 – Damp in Property**

Mr X undertook a visual inspection of a Council property that he was interested in renting. He found areas of damp which should have been reported by the accompanying Housing Officer to Housing Asset Services and this did not happen. Mr X moved into the property and contacted the Council's Housing Repair Service. A visit to the property was made but again, in spite of it being clear that there was a damp problem, no action to remedy the situation was authorised. A further visit by the Housing Asset Service took

place five months later and again there was a delay in inspection work being authorised. Remedial works to resolve the dampness issues did not commence for a further 6 months.

Mr X complained to the Council about the way in which the damp in the property was dealt with and the length of time taken to resolve the issue. His complaint was upheld and it was accepted that the standard of service provided was poor and well below the standard that he was entitled to receive.

The Council also acknowledged its failure to respond in a timely and appropriate manner to Mr X's complaints on a number of occasions.

Improvement actions as a direct result of the complaint were implemented following a full and urgent review of existing arrangements for managing, allocating, recording and responding to complaints and routine requests for services within the Housing Asset Service. The improvement measures introduced were intended to ensure that the issues faced by Mr X are not repeated and experienced by other prospective Council tenants.

### **Case Study 3 – School Dinners**

Ms X's complaint related to the school dinner service at the primary school that her son attends, specifically the availability of certain food options and lack of choice at the school canteen.

Ms X indicated that her son had attended the school canteen and was unable to get the pasta dish he wanted for lunch or a cheese sandwich if that wasn't available and that he was given fish and chips to eat as this was the only alternative option available. Ms X indicated that fish and chips is not an option that her son would choose or ask for to eat as it makes him unwell, he therefore returned home after school hungry as he couldn't eat the meal provided to him.

Ms X's complaint was that her child should not have been provided with a food option that he didn't want or like, that no one in the school canteen had offered him an alternative lunch option and that no one in the school had noticed that he hadn't eaten the lunch provided and had therefore gone home hungry. Ms X would like her son to use the school canteen but was not happy to do so in the future based on the experience of her son.

Following a full investigation of the complaint and an apology being provided to Ms X, a number of solutions were offered to allow Ms X's son to partake in the school dinners once again. These included further discussions with the catering staff at the school about the incident and ways to improve and explain the food choices for all young children attending the canteen, the offer of specific help from the catering staff for Ms X's son to choose a meal option

that he likes and the offer of a visit to the dining hall for Ms X to experience a lunchtime service, see the food available and to meet the catering staff.

#### **Case Study 4 – Roof Repairs**

Mrs X's complaint focused on requests for financial contributions to re-roofing work to her property in a mixed tenure block, that was completed a number of years ago, that she alleged was of a poor standard. The reason for subsequent damage and repairs to the chimney was also challenged, as was the accuracy of the final bill relating to rendering and re-rendering works associated with the chimney repair.

There was a breakdown in communication and confidence between the complainant and the Council, and she was offered an opportunity to meet with senior Council Officers to discuss the complaint but declined.

Mrs X's complaint was complex and included a number of issues over a significant period of time, in parts she was also representing the views of other residents of the property.

Although some elements of the complaint were not upheld by the Council, it was acknowledged that additional work on the chimney had not been carried out to an appropriate standard and an apology was provided along with a decoration allowance and payment to meet the costs associated with the independent roofing survey instructed by the complainant.

#### **SCOTTISH PUBLIC SERVICES OMBUDSMAN ANNUAL REPORT 2013/14**

34. The SPSO's [Annual Report 2013/14](#) was published on 7 August 2014. The report confirmed that the SPSO had provided independent advice and support to over 4,400 people and made final stage decisions on almost 900 complaints.
35. The report is supplemented by the publication later in the year of sectoral reports which include detailed information on complaints considered by the SPSO relating to each local authority. The report relating to East Ayrshire Council is expected to be published before the end of September 2014.
36. The SPSO saw complaint numbers rise in most areas of the public sector in the last year. The report notes that this is most likely to relate to greater public awareness of complaints (and the benefits of complaining) resulting from media coverage of problems, particularly in the NHS in the wake of the Francis Inquiry. Another possible factor is the more streamlined processes now operating under the standardised complaints procedures. A possible unintended consequence of more accessible systems could be that more complaints are being considered by the SPSO because people are getting through the local procedure quicker, finding their complaint easier to pursue, and are being appropriately signposted to the SPSO. This may also explain the continuing drop (of 6% on last year) in the rate of premature complaints (complaints that reach the SPSO before the organisation's own process has

been completed). The SPSO upheld more complaints (increase of 4% compared to 2012/13) which indicates that there is still work to do in supporting organisations in getting things right when people complain to them.

37. To supplement the information contained within the SPSO's Annual Report 2013/14, details of the numbers of complaints about the Council considered and determined by the SPSO since 2004/05 are contained within the following table. It should be noted, however, that at the time of preparing this Annual Report information in respect of 2013/14 had not yet been released by the SPSO.

<b>East Ayrshire Council: Complaints considered and determined by the SPSO</b>									
	<b>04/05</b>	<b>05/06</b>	<b>06/07</b>	<b>07/08</b>	<b>08/09</b>	<b>09/10</b>	<b>10/11</b>	<b>11/12</b>	<b>12/13</b>
<b>Total Number of Referrals</b>	20	16	21	41	25	52	44	35	27
<b>Premature – EAC</b>	16 (80%)	13 (81%)	14 (67%)	17 (42%)	21 (84%)	38 (73%)	22 (50%)	21 (60%)	15 (55%)
<b>Premature – Scotland</b>	53%	50%	49%	49%	60%	51%	45%	43%	40%
<b>Investigation Stage – Outcomes*</b>									
<b>Fully Upheld</b>	-	-	-	-	-	-	-	-	-
<b>Partly Upheld</b>	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.

38. 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. It will also be noted that since 2009/10 there has been a year-on-year decrease in the number of complaints about the Council received by the SPSO. 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.

## **SOCIAL WORK COMPLAINTS**

39. 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.
40. For 2013/14 the Council received 55 complaints relating to Social Work Services with only one of these complaints progressing to the appeal stage which is considered by an Independent Panel with the outcome reported to the Council's Cabinet.

## **CONCLUSION**

41. This first 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'.

