



Agenda Item 6

**Referral from Scrutiny Committee
Scrutiny Panel –
Complaints Outcomes**

Falkirk Council

Title: Referral from Scrutiny Committee
Scrutiny Panel – Complaints Outcomes
Meeting: Executive
Date: 21 March 2017
Submitted By: Director of Corporate & Housing Services

1. Purpose of Report

- 1.1. This report presents the final report and recommendations of the Scrutiny Panel established to look at complaints outcomes.

2. Recommendation(s)

- 2.1 It is recommended that the Executive considers the recommendations of the Scrutiny Committee that it adopts the recommendations of the panel, that the Council:-

- (1) agrees that a quarterly performance report for complaints is produced including the number of complaints, types of complaints by Service, what we do to improve, emerging trends and outcomes of complaints to the SPSO;
- (2) agrees that reports to the Performance Panel should be reviewed to provide a summary of the information set out at clause 1 above;
- (3) agrees that the Council's annual complaints report will be expanded to include information about Service complaints trends and note that the SPSO commended the report as one of the best produced by Councils;
- (4) ensures that all expressions of dissatisfaction are recorded as complaints in line with our policy, rather than as requests for service, for example missed bins;
- (5) agrees that training is provided for Members on the complaints procedure as part of their induction training. This would include advice about unacceptable behaviour, aligned to the training they are given on lone-working and risk management as part of that process;
- (6) publicises positive examples of learning from complaints using our You Said, We Did framework;

- (7) continues to participate in the work of the Local Authority Complaints Network which looks at common issues, benchmarking and areas for improvement;
- (8) reviews complaints data for each area and community as part of out approach to locality planning;
- (9) works with the SPSO/Complaints Standards Authority to help them pilot their complaints improvement framework, and
- (10) reviews the internal mechanisms for reporting upheld SPSO complaints to Members.

and more general that complaints should be seen as part of the performance and improvement framework.

3. Background

- 3.1. The panel was chaired by Councillor Bird and membership comprised Provost Reid, Baillie Coombes, Councillor Carleschi and Councillor Ritchie. The scope of the panel was to examine the operation of the complaints procedure within the Council and make recommendations on changes and improvements.

4. Considerations

- 4.1. The scrutiny process involved a series of meetings to allow Members to gather information through presentations and discussions. To plan the process Members agreed a scoping document, programme of work and meetings as set out below.

	Purpose of Meeting	Date	Public/Private Meeting
1	Scoping Meeting Establish and agree the detailed scope of the scrutiny including establishing schedule of meetings/ visits / evidence and considering engagement with Council Services.	22 November 2016	Private
2	Background, Context & Service Overview Overview of how the complaints procedure operates within the Council, covering the process, what we are required to do by	31 st January 2017	Public

	<p>the Scottish Public Services Ombudsman (SPSO) and the complaints annual report for 2015/16.</p> <p>Presentation by Caroline Binnie, Communications & Participation Manager.</p> <p>Service Responses to Complaints</p> <p>Individual briefing notes were prepared by Services and provided to the panel in advance. This provided an outline of complaints themes within the Service and how complaints feedback helps to improve services.</p> <p>Attended by Carl Bullough, Alex Finlay (Development Services) Ian Whitelaw (Corporate & Housing) Richard McFarlane (Revenues) and Rhona Jay, (Children's Services)</p>		
3	<p>External Good Practice</p> <p>This meeting was attended by John Stevenson and Alison Bradley from the SPSO's office and the Complaints Standards authority. They gave an overview of the work of the SPSO and on benchmarking complaints performance across Scottish Councils.</p> <p>Dale Robb, the Council's SPSO liaison office, then took Members through the annual performance statistics for the Council.</p>	20 th February 2017	Public
4	<p>Discussion of findings and recommendations.</p> <p>This included all the issues that have been raised and considering recommendations against the evidence heard and the discussions at previous sessions.</p>	20 th February 2017	Private
5	<p>Final Report to Scrutiny Committee</p>	9 th March 2017	Public

4.2 The panel was initially provided with an information pack containing background information. This included:-

- Falkirk Council Complaints Procedure
- Annual Report on Complaints 2015/16
- Improvement Service's Guide to Complaints for Members
- SPSO Self Assessment Framework for Complaints
- Feedback from Citizens Panel.

4.3 During the course of the scrutiny exercise the panel heard about the background to and principles underpinning the complaints procedure as well as how it operates across the Council. It also heard from service representatives about themes and trends in complaints and how these are used to improve services. The panel also heard evidence from John Stevenson and Alison Bradley from the SPSO's office and from the Council's SPSO liaison officer.

5. Consultation

5.1. No consultation was carried out in the preparation of this report.

6. Implications

Financial

6.1 There are no financial implications arising from the report recommendations.

Resources

6.2 There are no resource implications arising from the report recommendations.

Legal

6.3 There are no legal implications arising from the report recommendations.

Risk

6.4 There are no risk implications arising from the report recommendations.

Equalities

6.5 No equality and poverty impact assessment was required.

Sustainability/Environmental Impact

6.6 No sustainability assessment was required.

7. Conclusions

7.1 The Scrutiny Panel on Complaints Outcomes undertook an investigation into the operation of the complaints procedure within the Council. The Scrutiny Committee agreed to refer the findings and recommendations of the Panel to the Executive at its meeting of 9 March 2017. These are now presented to the Executive for consideration.

Director of Corporate & Housing Services

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Date: 13 March 2017

Appendices

Appendix 1 – Final report of the Scrutiny Panel – Complaints Outcomes.

List of Background Papers:

The following papers were relied on in the preparation of this report in terms of the Local Government (Scotland) Act 1973:

- None

Scrutiny Panel Conclusions & Recommendations
Complaints Handling
Final Report & Recommendations

1. Purpose of Report

- 1.1 The purpose of this report is to give an overview of evidence gathered during the Scrutiny Panel established to review complaints handling within the Council and to present the recommendations made by the Scrutiny Panel.
- 1.2 The panel was chaired by Councillor Bird and included Provost Reid, Baillie Coombes and Councillors Carleschi and Ritchie.
- 1.3 The panel agreed the scope of the scrutiny exercise which was defined as: ***to examine the operation of the complaints procedure within the Council, in particular the extent to which complaints information is used to improve services and make recommendations on changes in practice where relevant. It also looked at a common definition of a complaint throughout the Council.***

2. Recommendation(s)

- 2.1 Recommendations arising from the work of the panel once considered by the Scrutiny Panel will be presented to the Executive. The Panel recommends that the Council:
 - (1) **Agree that a quarterly performance report for complaints is produced to include numbers of complaints, types of complaints by Service, what we do to improve, emerging trends and outcomes of complaints to the SPSO.**
 - (2) **Agree that the six-monthly reports by Services to the Performance Panel should be reviewed to provide Members with a summary of the information as set out at 1.**
 - (3) **Agree that the Council's annual complaints report will be expanded to include information about Service complaints trends, while welcoming that the SPSO commended the report as one of the best produced by Councils.**
 - (4) **Ensure all expressions of dissatisfaction are recorded as complaints in line with our policy, rather than as requests for service, for example missed bins. The Local Authority Complaints network referred to at (7) is currently consulting Councils about consistency in this area.**
 - (5) **Provide training for Members on the complaints procedure as part of their induction training. This would include advice about unacceptable behaviour, aligned to the training they are given on lone-working and risk management as part of that process.**

- (6) **Publicise positive examples of learning from complaints using our You Said, We Did framework.**
- (7) **Continue to participate in the work of the Local Authority Complaints Network which looks at common issues, benchmarking and areas for improvement.**
- (8) **Review complaints data for each area and community as part of our approach to locality planning.**
- (9) **Work with the SPSO/Complaints Standard Authority to help them pilot their complaints improvement framework.**
- (10) **Review the internal mechanisms for reporting upheld SPSO complaints to Members.**

2. Evidence Gathered: 31 January 2017

- 2.1 To set out the background and context for the exercise, the Communications & Participation Manager gave a presentation to the panel which provided information on:
 - what was and was not a complaint
 - stages one and two of the complaints handling procedure
 - complaints management
 - complaints indicators
 - complaints performance and
 - next steps
- 2.2 The Council's original complaints procedure was approved by Falkirk Council in 1997. The Public Services Reform Act gave the Scottish Public Services Ombudsman the power to publish model Complaints Handling Procedures (CHP) for the public sector with the purpose of achieving consistency in approach, support and guidance. This applies to all local authority services (Social Work to adopt in 2017) and was adopted by Falkirk Council in August 2012 and implemented from March 2013.
- 2.3 In the policy a complaint is defined 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." For example:
 - delays responding to enquiries/requests
 - failure to provide a service
 - standard of service
 - treatment by/attitude of staff
 - failure to follow procedure

2.4 A complaint is not:

- a routine first-time request for service, e.g. a first request for a housing repair or action on anti-social behaviour
- requests for compensation from the Council
- issues already in court
- any issues covered by appeal e.g.:
 - priority when applying for a house
 - planning application refusal
 - valuation of house for Council Tax
- an attempt to open a previously concluded complaint or where we have given a final decision

2.5 The process operates in two stages. Stage one is frontline resolution covering issues that are straightforward, easily resolved and require little investigation. These are resolved by on the spot apology, explanation or other action to resolve with five working days. Complaint details, outcomes and actions are recorded and used for service improvement.

2.6 Stage Two involves investigation of issues that have not been resolved at the first stage or issues that are serious, complex or high risk and are directly escalated to the second stage. This stage involves detailed investigation and response within 20 working days with extensions to this granted only in exceptional circumstances. Responses are signed off by senior management and the information gathered used to improve services. A complainant can refer their issues to the SPSO if still dissatisfied.

2.7 In terms of complaints management across the Council, there are service lead officers for complaints, a corporate recording system for complaints and a complaints officer working group. This is looking at complaints themes, training, template letters, customer satisfaction, learning from complaints etc. The Council is also part of a National Local Authority Complaints Handlers network, supported by SPSO, which looks at issues such as national benchmarking on indicators.

2.8 We are required to report annually on indicators set by the SPSO. These are:

- complaints received per 1,000 population
- number of complaints closed at each stage
- complaints upheld, partially upheld and not upheld at each stage
- average response times
- performance against timescales
- number of extensions granted
- customer satisfaction
- learning from complaints

2.9 Falkirk Council's performance is close to or better than the national average in indicators 1-6. Indicator 7 on customer satisfaction is measured through user surveys and Citizens Panel testing.

- 2.10 Future developments include the Implementation of the CHP within Children & Families and Adult Services by April 2017, as required by the SPSO, ongoing training delivered to complaints handlers across all Services, the adoption of generic corporate complaints themes (e.g. staff attitude, communications etc.) in line with national themes currently being developed, a review of correspondence and further research into customer experience.
- 2.11 The panel asked about training in complaints for frontline staff. Caroline Binnie stated that the Scottish Public Services Ombudsman's (SPSO) on-line training package was available to all staff. Further, the SPSOs training unit had provided training on stage one to staff and stage two to managers. Ian Whitelaw from the Contact Centre advised that 300 staff had received specific complaints tailored training. This included information on what was and was not a complaint, how to treat complaints positively by approaching them as feedback.
- 2.12 Members asked how staff identified the core issue of a complaint when the information presented was not straightforward. Ian Whitelaw stated that staff at the contact centre assessed the individual needs of the customer and used questioning and listening to identify what type of response was required. Caroline Binnie advised that there were four key questions for staff contained within the Council's policy.
- 2.13 The panel asked about the wording of response letters and what options were available for response to complaints. Caroline Binnie stated that the response at stage one did not have to be in writing as this stage was less formal with the aim to resolve quickly. All complaints and responses were recorded but not always addressed through the issuing of letters.
- 2.14 Members discussed that information on the Council's complaints handling process should be included as part of the induction for new Councillors after May's local government elections.

3. Service Based Presentations

- 3.1 The panel was then provided with briefing notes and presentations from services these were from:
- Revenues & Benefits
 - Housing
 - Development and
 - Children's Services (Education)
- 3.2 Service briefing notes are attached at Appendix Two for information.
- 3.3 The panel thanked the officers for their presentations. Discussion highlighted the potential use of Falkirk Council News to promote positive stories where changes had occurred arising from complaints.

- 3.4 In relation to Education the panel sought confirmation that schools used the corporate complaints procedure. Rhona Jay advised that schools had formerly dealt with some complaints and concerns without referring these to the centre but they would all be captured in the new portal. School inspections included a consideration of complaints and any outstanding issues.
- 3.5 Members asked about serial complainers and what action could be taken against them Caroline Binnie stated that the ombudsman had set out information on what was unacceptable and defined a vexatious complainer. Ian Whitelaw stated that the policy had been utilised on a few occasions. Vexatious complainers used up a significant amount of resources.
- 3.6 The panel asked about complaints relating to bins and changes year to year. Carl Bullough stated that there was not much variance year on year. He highlighted that if a call was received from the public about a missed bin it was recorded as a request for service or a complaint.

4. Evidence Gathered Valuing Complaints- Presentation 20th February

- 4.1 The scrutiny panel was provided with a presentation by John Stevenson and Alison Bradley, Scottish Public Services Ombudsman – Complaints Standards Authority. The presentation provided information on:
- the role of the Scottish Public Services Ombudsman (SPSO)
 - the SPSOs organisational structure
 - the complaint handling process used by the SPSO
 - methods of sharing best practice
 - why complaints should matter to elected members
 - compliance requirements and
 - the complaints improvement framework.
- 4.2 The panel thanked John Stevenson and Alison Bradley for their informative presentation. The members asked if the SPSO had a process for agreeing the terms of the complaint with the complainant. Alison Bradley advised that this was part of the role of the Complaints Reviewer and that agreement would be sought on the particular points being taken forward. This process was usually carried out by phone and then confirmed in writing to be signed off by the complainant.
- 4.3 The panel asked what the SPSO did if they received a complaint which related to a Councillor's conduct. Alison Bradley stated that in such a case the individual would be directed to the Commissioner for Ethical Standards.
- 4.4 Members asked if recommendations made by the SPSO were legally binding or if a Council could ignore them. John Stevenson stated that the recommendations were not legally binding. The Ombudsman had raised the potential of making them legally binding in certain circumstances at the Local Government and Communities Committee. He advised that there had been instances of discussion with councils on recommendations but that there had never been an outright refusal to implement. If a public body did refuse to implement recommendations a special report could be issued to Parliament.

- 4.5 Following a question from members, Alison Bradley advised that there were set timescales in which to review a decision. A request for review could be made by either the organisation or the complainant. John Stevenson stated that requests for review were often received where one party was unhappy but there needed to be new pertinent information to allow a review. The SPSO wanted the process to be open and fair for both the complainant and the organisation.
- 4.6 The panel discussed Falkirk's performance against the national data. John Stevenson indicated that the Council's performance in relation to the percentage of cases closed at stage one was well above the national average and he also praised the information provided in the annual report which compares very favourably with those produced by some Councils. In terms of the 5 day target Falkirk performed at 5.1 days but was better than the national average. The members asked if any other Council had a higher rate of complaints closures at Stage One than Falkirk. John Stevenson advised that he would provide this information after the meeting.
- 4.7 John Stevenson advised that the SPSO was developing as a tool a Complaints Improvement Framework and highlighted that this would need to be piloted ahead of its launch. This would be a self-assessment tool across six areas of good practice. It was agreed that Falkirk would act as a pilot in this exercise.
- 4.8 The members asked about the level of technical expertise within the SPSO for its operation across the public sector. John Stevenson advised that as part of the SPSOs recruitment process there was a competency test. Where the investigator was not qualified in the technical area the SPSO would use an independent professional advisor to get expert information where required. In preparation for handling social work complaints the SPSO had recruited two external professional advisors to help plan for the transition and to advise on complex social work matters.
- 4.9 The panel discussed how information relating to complaints referred to the SPSO was provided to Councillors. Fiona Campbell advised that the annual report was submitted to the Scrutiny Committee and that some information was provided to the Performance Panel. The panel discussed that this information could be used for learning and to get assurance that changes were being made.

5. SPSO Liaison within Falkirk Council

- 5.1 The panel were provided with information by the Business & Member's Services Manager on the Council's liaison with the SPSO. The Council prepared an annual report for complaints which were taken to the SPSO. The role of the SPSO liaison officer had evolved over the years and the core role was to be the key contact with the SPSO. The Council's automated complaints system, Customer First, provided good statistics and in 2016 there were 19 complaints dealt with through the SPSO process. The SPSO liaison officer also attended the national group on complaints which was useful to learn from others experience and best practice.

Falkirk Council Complaints Annual Report 2015/16

Falkirk Council
takes complaints
seriously and wants
to learn from them.

This report provides
information
about how the
Council dealt with
complaints from
the public during
2015/16.





Performance indicators for complaints are set by the Scottish Public Services Ombudsman (SPSO) and Councils have to report on their performance annually.

This report sets out the Council's performance against the indicators set by the SPSO during 2015/16. It includes benchmarking information so that our performance can be compared to that of other Councils. This information is drawn from recent exercises carried out by the Improvement Service and Audit Scotland. The report also provides information about how Council services are learning from complaints.



Our Complaints Procedure

The Council's Complaints Handling Procedure (CHP) follows the model developed by the Scottish Public Services Ombudsman (SPSO). The model CHP applies to all local authorities and all local authority services, with the exception of Social Work which will implement the CHP in 2017. The procedure also applies to arm's length organisations and has been adopted by Falkirk Community Trust.

The Council's CHP is based on a two-stage process. The first stage is frontline resolution and the second is investigation.

- **Frontline resolution** - issues that are straightforward and easily resolved, requiring little or no investigation. This means "on the spot" apology, explanation or other action to resolve the complaint within five working days or less. Complaints are addressed by staff or referred to the appropriate point for resolution. Complaint details, outcome and action taken are recorded and used for service improvement.
- **Investigation** - issues that have not been resolved at the first stage or that are complex, serious or "high risk". This means a response is provided within 20 working days following an investigation of the points raised.

Following investigation, if customers are still dissatisfied with our decision or the way we dealt with their complaint, they can ask the SPSO to look at it. The SPSO cannot normally look at a complaint that has not completed our complaints procedure first.

This report provides information on complaints handling within the Council during 2015/16. It sets out our performance against the indicators set by the SPSO and includes benchmarking information, drawn from recent exercises carried out by the Improvement Service and Audit Scotland.

Each Service has a nominated lead officer for complaints and a Complaints Officers' Working Group is in place.

Complaints Indicators

The SPSO has set eight indicators for complaints performance. These cover:

- Complaints received per 1,000 population
- Number of complaints closed
- Complaints upheld, partially upheld and not upheld
- Average response times
- Performance against timescales
- Number of cases where an extension is authorised
- Customer satisfaction
- Learning from complaints

The Council's performance against these indicators for 2015/16 is set out in this report, with comparative information from previous years.

For some indicators, national benchmarking information is also included. This is drawn from an exercise carried out in 2015 by the Improvement Service when all Councils were asked to submit performance information. There were some significant differences across the 32 local authorities, however the figures for Falkirk Council appear to be close to or better than the national average in terms of performance against timescales.

Indicator One

Complaints Received Per 1,000 Population

The population of the Council area is 157,640.

2015/16	2014/15	2013/14	All LAs 2014/15
Complaints received - 2,476	Complaints received - 1,788	Complaints received - 1,287	Total 67,620
Complaints per 1,000 - 16	Complaints per 1,000 - 11	Complaints per 1,000 - 8	Per 1,000 - 12.9

Indicator Two

Closed Complaints

	15/16	%	14/15	%	13/14	%	All LAs 14/15
Total complaints closed	2,483	100%	1,744	100	1,287	100	100
Total complaints closed at stage 1	2,289	92.2%	1,567	89.9%	1,193	93%	82%
Total complaints closed at stage two	194	7.8%	177	10.1%	94	7%	18%

Indicator Three

Complaints Upheld, Partially Upheld & Not Upheld

Stage One Complaints

	2015/16	2014/15	All LAs
Number of complaints closed at stage 1 (frontline resolution)	2,289	1,567	-
Number of complaints upheld at stage 1	884	614	-
Number of complaints upheld at stage 1 as a % of all complaints closed in full at stage one	38.6%	39.2%	-
Number of complaints partially upheld at stage 1	331	258	-
Number of complaints partially upheld at stage 1 as a % of all complaints closed in full at stage one	14.5%	16.5%	-
% of complaints upheld or partially upheld at stage 1	53.1%	55.7%	68.1%
Number of complaints not upheld at stage 1	1074	695	-
Number of complaints not upheld at stage 1 as a % of all complaints closed in full at stage 1	46.9%	44.4%	31.9%

Stage Two Complaints

	2015/16	2014/15	All LAs
Number of complaints closed at stage 2 (investigation)	194	177	-
Number of complaints upheld at stage 2	44	34	-
Number of complaints upheld at stage 2 as a % of all complaints closed in full at stage one	22.7%	19.2%	-
Number of complaints partially upheld at stage 2	52	57	-
Number of complaints partially upheld at stage 2 as a % of all complaints closed in full at stage one	26.8%	32.2%	-
% of all complaints upheld or partially upheld at stage 2	49.5%	51.4%	68.9%
Number of complaints not upheld at stage 2	98	86	-
Number of complaints not upheld at stage 2 as a % of all complaints closed in full at stage 2	50.5%	48.6%	31.1%

Escalated Complaints

	2015/16	2014/15
Number of complaints closed after escalation	149	120
Number of complaints upheld after escalation	38	26
The number of escalated complaints upheld at stage 2 as a % of all escalated complaints closed in full at stage 2	25%	21.7%
Number of complaints not upheld after escalation	71	57
The number of escalated complaints not upheld at stage 2 as a % of all escalated complaints closed in full at stage 2	47.7%	47.5%
The number of complaints partially upheld after escalation	40	37
The number of escalated complaints partially upheld at stage 2 as a % of all escalated complaints closed in full at stage 2	26.8%	30.8%

Indicator Four

Average Response Times

Stage 1	2015/16	2014/15	All LAs
Sum of the total number of working days taken for all complaints closed at stage 1	11,573	8,386	-
Number of complaints closed at stage 1 (frontline resolution)	2,289	1,567	-
Average time in working days for a full response at stage 1	5.1 (target = 5)	5.4 (target = 5)	4.4 days
Stage 2			
Sum of the total number of working days taken for all complaints closed at stage 2	3,077	2,806	-
Number of complaints closed at stage 2 (investigation)	194	177	-
Average time in working days for a full response at stage 2	15.9 (target = 20)	15.9 (target = 20)	18.6 days
Escalated			
Sum of the total number of working days taken for all complaints closed after escalation	2,359	1,963	-
Number of complaints closed after escalation	149	120	-
Average time in working days for a full response after escalation	15.8	16.4	-

Indicator Five

Performance Against Timescales

Stage One	2015/16	2014/15	All LAs
Number of complaints closed at stage 1 (frontline resolution)	2,289	1,567	-
Number of complaints closed at stage 1 with 5 working days	1,958	1,278	-
Number of complaints closed at stage 1 within 5 working days as a % of total stage 1 complaints	85.5%	81.6%	80.8%
Stage Two			
Number of complaints closed at stage 2 (investigation)	194	177	-
Number of complaints closed at stage 2 within 20 working days	159	143	-
Number of complaints closed at stage 2 within 20 working days as a % of total stage 2 complaints	82%	80.8%	84.5%
Escalated			
Number of complaints closed after escalation	149	120	-
Number of complaints closed after escalation within 20 working days	119	95	-
Number of complaints closed after escalation within 20 working days as a % of total escalated complaints	79.9%	79.2%	-

Indicator Six

Use of Extensions

Stage One	2015/16	2014/15	All LAs
Total number of complaints closed at stage 1	2,289	1,567	-
Total number of complaints closed at stage 1 where an extension was authorised	163	115	-
Total number of complaints closed at stage 1 where an extension was authorised as a % of all complaints at stage 1	7.1%	7.3%	4%

Stage Two	2015/16	2014/15	All LAs
Total number of complaints closed at stage 2	194	117	-
Total number of complaints closed at stage 2 where an extension was authorised	18	18	-
Total number of complaints closed at stage 2 where an extension was authorised as a % of all complaints at stage 2	9.3%	10.2%	13.6%
Escalated			
Total number of complaints closed after escalation	149	120	-
Total number of complaints closed after escalation where an extension was authorised	13	13	-
Total number of complaints closed after escalation where an extension was authorised as a % of all complaints escalated	8.7%	10.8	-

Indicator Seven

Customer Satisfaction

Customer satisfaction with contact with the Council is captured regularly using a variety of channels. The Citizens Panel questionnaire issued in February 2016 included a section on complaints, asking if panel members had made a complaint and what their experience of the process was. Areas covered included the following:

- Awareness of the complaints procedure
- Whether they had used it
- If the complaint was resolved to their satisfaction
- Satisfaction with the way it was handled
- Attitude of staff - sensitivity, time taken to deal with it, overall service
- The level of information they received
- How the process could be improved

The responses received show there is scope to improve the way that complaints are dealt with. Areas for improvement include dealing with problems promptly, level of information supplied and satisfaction with the final outcome. The findings will be reviewed by Service complaints leads and an improvement plan will be developed. Feedback from this exercise and from officers during recent training suggests that there can be a culture of defensiveness about complaints in some parts of the Council, rather than them being viewed as a genuine opportunity to improve services. To address this, strong and consistent messages about the importance of dealing with complaints positively need to come from managers.

Indicator Eight

Learning from Complaints

The SPSO is clear that Councils should have processes in place to help them learn lessons from the complaints and review and change service delivery if required. This section outlines areas where service provision has been reviewed and improved in response to complaints. To help identify cross-cutting issues, the complaints working group is identifying themes against which complaints will be recorded e.g. service failure, information failure, attitude of staff. This will allow recurring issues to be addressed on a Council-wide basis, with further guidance and training provided if required.

How the Council learns from complaints is an area that Members are particularly interested in and it will be the subject of a future Scrutiny Panel led by Members.



Waste Management

Following changes to waste collection schedules earlier this year, a high number of complaints and enquiries were received. A number of these were about being unable to get through on the phone. In advance of the next change to collections the waste management team plan to put in place measures to minimise enquiries and complaints and to deal with them promptly. They have been working with the corporate communications team as well as the contact centre to ensure residents are as informed as possible about the changes and can make good use of the Council's website.

Development Management

A complaint about a conservatory extension within a conservation area highlighted the need for consistency in the wording of Planning Supplementary Guidance and conservation area management plans. A complainant raised the issue that the conservation management plan indicates that all applications should include submission of a design statement. The Service concluded that this was not what the guidance said and did not uphold the complaint. However, it was agreed that the guidance could be clearer and this would be addressed in the new Supplementary Guidance and in future revisions to the conservation management plans. The lesson learned was the need for guidance across documents to be consistent.

Housing

The findings of an SPSO enquiry recommended that training was provided to staff on our choice of language used in case notes (including house file notes, notes within our Capita System or other notes that have been used to log incidents etc.). In view of this, a training course was delivered to all staff who are responsible for completing case notes; this was sourced through Chartered Institute of Housing and delivered by a professional in this field. The purpose of this course was to ensure staff know what language is appropriate on case notes. Approximately 80 staff attended and feedback was 98% positive. A guidance note for staff to refer to has also been created, along with an online learning course on the principles of Data Protection which is compulsory for all new housing staff and also has to be completed by existing housing staff.

Further complaints training has also been delivered to housing staff, jointly with the Contact Centre. The training was well-received and highlighted the fact that complaints should be viewed as an opportunity to improve / change our service. Our aim was to pull away from the negativity that surrounds complaints and the myths with how long it takes to log complaints; we also wanted to staff to fully grasp that taking complaints from our customers is part of everyone's role and by capturing what customers are complaining about we can identify themes which will help to influence the future of our services.



Revenues & Benefits

A number of complaints resulted in changes to process / procedures. These included a complaint from a landlord regarding our inability to make payment of LHA to their Credit Union account. Partly as a result of this, payment to credit union account has been considered as a viable alternative method of payment.

Two complaints were made regarding the length of time taken to progress their appeal to tribunal. Additional resources were deployed to assist in the preparation of submissions which are then signed off by the Appeals Officer.

There were several complaints about the length of time taken to process Housing Benefit and Council Tax Reduction claims during a period where the service was experiencing backlogs due to a system upgrade. To respond to changes in volume and demand for service, a temporary centralised processing team was set up throughout the busier periods of the year to concentrate resources on this area of work.

There was a complaint as a result of data breach due to mail being issued to an out-of-date correspondence address. Additional checks are now built into the EDMS process maps prompting staff to check that any correspondence addresses on our Council Tax or Benefit records are accurate and up-to-date. Finally, there was a complaint as a result of a customer being advised that they must make a complaint in writing. Increased awareness is being promoted amongst staff on the various ways a complaint can be made, including verbally.

Children's Services

Between November 2015 and January 2016 a series of training events took place, led by a representative of the SPSO. These events covered both stage one and stage two complaints handling. Stage 1 training was well attended by the majority of head teachers employed by the Council, as well as some central staff. Issues covered in the training sessions included the distinction between a complaint and an enquiry, the requirement to meet timescales, responding to vexatious and other difficult complaints and how to make an apology if appropriate. Stage 2 training was attended by central staff and covered issues such as the investigation process, the complaints experience, defining a complaint, reaching a decision, apologies and managing unreasonable behaviour.

The Early Years Admission Policy has been clarified following a complaint received from a parent regarding siblings being admitted to the same educational establishment. In Community Learning and Development, there were improvements made to various processes for working with vulnerable people as a result of a complaint. This included developing new strategies.

Data on the complaints/enquiries received is considered on a regular basis by Children's Services Management Team. Information about issues arising from the complaints data is used to update and revise policies and procedures at the Centre and in schools. The complaints data also informs School Reviews, Improvement Meetings, HMIe Inspections and the monitoring of the priority schools.



Complaints Considered by the SPSO

During 2015/16, 20 new complaints were notified to the Council by the SPSO. These are broken down by Service area in the table below. This compares favourably with the 25 complaints reported to the SPSO in 2014/15.

Corporate & Housing Services - Finance		
Number of new complaints received		
2015/16	2014/15	Difference
4	3	+1

Corporate & Housing Services - Housing		
Number of new complaints received		
2015/16	2014/15	Difference
9	13	-4

Development Services		
Number of new complaints received		
2015/16	2014/15	Difference
4	4	0

Children's Services		
Number of new complaints received		
2015/16	2014/15	Difference
1	4	-3

Social Work Adult Services		
Number of new complaints received		
2015/16	2014/15	Difference
2	1	+1

Total		
Number of new complaints received		
2015/16	2014/15	Difference
20	25	-5

Subject: Complaints - Revenues and Benefits
Meeting; Scrutiny Panel
Date: 31st January 2017
Author: Lorna Chisholm

Introduction

- 1.1 This report will outline the volume of complaints received within Revenues & Benefits by category, how performance and issues are communicated to staff and management, and the learning that takes place as a result of complaints.

Background

- 2.1 The table below categorises the complaints received by Revenues and Benefits between April and December 2016, resolved at stage one of the process.

Category	Number of Complaints	Percentage
Benefits	25	19%
Council Tax	77	57%
Data Protection	1	1%
NDR	3	2%
Rent	8	6%
Staff	16	12%
Sundry Accounts	5	4%
Grand Total	135	100%

Complaints Reporting

- 3.1 Statistical information on complaints volumes, split by office, with performance against timescale, is recorded by a dedicated team within Revenues & Benefits and reported to all staff on a monthly basis through the issue of a Performance Scorecard covering all aspects of the services work.
- 3.2 Complaints handling is also a standing item on the monthly Senior Management Team / Area Office Managers meeting agenda where more detailed information about the outcomes, nature of the complaints and cases that have escalated to Stage 2 are discussed.
- 3.3 On a day to day basis, complaints within Revenues and Benefits are investigated and responded to by a manager. Senior management are made aware of complaints which are upheld due to a process failure or error, or where the complaint is about a member of staff. They also ensure that appropriate remedial action is taken where necessary.
- 3.4 Where a complaint has been escalated to stage two, senior management are also involved in the investigation as a matter of course.

Improvement actions resulting from the complaints process

- 4.1 Listed below are some examples of where, during 2016/2017, the investigation into a complaint has identified that a process has failed, or that the level of service provided has not met the customer's expectation. There is evidence that the remedial action that has been taken has reduced the level of complaints being received in these areas, as we have significantly improved our customer waiting times at our counters and the phones.
- 4.2 The service recognised that the previous mechanism for issuing Annual Council Tax bills, Rent Notices, Housing Benefit Notifications and Council Tax Reduction Award letters separately gave rise to an increase in the number of complaints made in March / April each year. A bespoke combined billing and benefit notification process was developed in house and for the last 2 years this has proven to dramatically reduce the volume of contact from customers. It is planned to continue with this revised process this year again.
- 4.3 Following an upgrade of our Council Tax, Housing Benefit and Council Tax Reduction software, we experienced a high volume of complaints in respect of the delays in processing changes / new claims. The service now makes full use of an electronic document management system which enables the workload to be more closely monitored and resources allocated according to priority which in turn has improved our speed of processing performance.
- 4.4 Revenues & Benefits have processed claims for Free School Meals & Clothing Grants on behalf of Children's Service for 4 years, however, Customer First dealt with the face to face contact with claimants, taking in applications, evidence etc. In anticipation of the withdrawal of Customer First staff from the One Stop Shops in June 2016, we reviewed and revised the claiming process, producing a simpler application form, making full use of the information we already held for Housing Benefit to reduce the amount of information that the customer was expected to supply and overall improved the processing timescales for circa 2,500 customers.
- 4.5 The service recognises that whilst a written response is required to a formal complaint, we are actively trying to engage directly with the customer by phone or arranging a face to face meeting to give the opportunity to fully discuss the issues and then follow up with the written response to confirm the outcome of that discussion.
- 4.6 Work is currently underway to develop a standard proforma to record the investigation and the outcome to ensure a consistent approach across the service to learning from complaints and maximising the opportunity to improve our service delivery.
- 4.7 The service also has representation in various forums looking at improving customer service, including the Better Supporting Customers workgroup and the local Customer Representative Group run by the DWP.
- 4.8 In house training on identifying Complaints and Complaints Handling has been delivered to all Revenues & Benefit staff and will continue on an ongoing basis.

COMPLAINTS SCRUTINY PANEL – 31 JANUARY 2017

OVERVIEW OF COMPLAINTS - HOUSING SERVICES

Housing Services receive complaints on a wide variety of issues each year, the majority of which are resolved and dealt with at the first stage of the complaints procedure. Complaints and our performance in handling these are regularly overseen by housing management, and officers and managers are aware of the importance of handling complaints effectively and within timescales wherever possible.

Volume of Complaints

During the year 2015/16, the following numbers of complaints were handled by Housing Services:

- 1st Stage – 718 complaints
Of these, 594 (83%) were closed within the 5 working days timescale. We upheld 286 (40%) of complaints, partially upheld 102 (14%) and did not uphold 328 (46%).
- 2nd Stage – 75 complaints
Of these, 60 (80%) were closed within the 20 working days timescale. We upheld 13 (16%) of these complaints, partially upheld 30 (37%) and did not uphold 47%.

From 1 April to 31 December 2016, the following complaints were handled by Housing Services:

- 1st Stage – 522 complaints
Of these, 463 (87%) were closed within the 5 working days timescale. We upheld 190 (36%) of complaints, partially upheld 70 (13%) and did not uphold 262 (50%).
- 2nd Stage – 54 complaints.
Of these, 44 (81%) were closed within the 20 working days timescale. We upheld 7 (13%) of complaints, partially upheld 14 (26%) and did not uphold 32 (60%).

Categories of Complaints

The following themes can be seen across complaints received by Housing Services:

- Repairs
Over 50% of first stage complaints received relate to repairs. These range from one-off issues such as an appointment not being kept, to ongoing dissatisfaction with a range of repairs issues within a property. In many first stage complaints, it is most appropriate for the customer to be visited by a member of staff from Property Services to review and discuss the issue, and a response given verbally. It is notable that the number of complaints about repairs at Stage 2 is a lower proportion than those at Stage 1.
- Staff Conduct
Between April and December 2016, these comprised almost 14% of first stage complaints. This is a relatively new addition to the categories on Customer First; however, we have had a number of complaints on this matter from one customer which has increased this figure. Action was taken under our Unacceptable Actions Policy

against this customer to reduce the unacceptable manner in which they contacted us. This is an example of where multiple complaints received from one customer can take up a significant amount of staff time, and can in some cases be complaints of a vexatious nature.

- **Neighbour Nuisance**

This represented 12% of first stage complaints between April and December 2016.

These complaints can sometimes be difficult to fully answer to the complainant's satisfaction, as we are limited on information that can be provided to a third party.

- **Garden Aid**

These are approximately 7% of first stage complaints between April – December 2016, with the main issues being the garden being missed, length of time between cuts, and poor condition of gardens following a cut. We work with our contractors to resolve these complaints.

Reporting to Management and Improvement Actions

Performance on complaints handling is regularly reported to management, through the Housing KPI report, the Peer Report and also as part of the Scottish Social Housing Charter.

Senior management within housing are advised on a weekly basis of the outstanding complaints within the service, to ensure that any issues about timescales or collecting information are highlighted at a senior level. In addition, where the draft responses for second stage complaints are not received within ten working days, the Service Unit Manager is made aware of this to ensure that the case is being investigated and responded to within timescale.

Improvement Actions as a Result of Complaints

The information provided to us by customers through their complaints is used on a local level to make changes to practices or to resolve difficulties. Where a complaint about repairs is dealt with by Property Services, this is collated centrally and common themes or issues can be identified. An example of this is when a number of complaints about the timescales for fitting new windows were received, and communications were sent to customers awaiting these to advise when they could expect the work to be carried out.

We have identified within Housing Services that overall learning from complaints could be improved, and work has recently started to collect information centrally from local offices. The intention is to combine the results of this with other forms of customer feedback on our service, such as tenant satisfaction surveys, provide a positive outcome to complaints to us which have been upheld.

Training has been carried out with a number of employees within Housing Services on the Complaints Procedure and usage of the Customer First system. Previous training has also been carried out on letter writing and investigation skills, to obtain a consistent approach to responses, and the possibility of further training in this area is currently being considered. In addition, other forms of training are carried out to improve service, such as that on our Billing Team procedures.



Falkirk Council

Development Services

Briefing Note

Title: Development Services Complaints

Date: January 2017

1. INTRODUCTION

- 1.2 Development Services values complaints as important customer feedback and as a learning opportunity. We recognise that when changes are made to service delivery this can cause an increased number of complaints as new ways of working settle in and as people adjust to the revised service.
- 1.3 This briefing note summarises Development Services performance in relation to complaints received into Development Services in the period 1st April to 30th November 2016 and the most common categories of complaint. It also includes examples of where the service has learned from complaints and made improvements as a result and positive feedback received.

2. COMPLAINTS PERFORMANCE INFORMATION

	01/04/16 to 30/11/16	01/04/15 to 30/11/15
Total number of stage 1 & stage 2 complaints received by Development Services	719	604
% closed at Stage 1	92%	95%
% closed at Stage 2	8%	5%
% upheld or partially upheld at stage 1	46%	55%
% not upheld at stage 1	54%	45%
% of complaints closed at stage 2 upheld or partially upheld	35%	53%
% of complaints closed at stage 2 not upheld	65%	47%
% of stage 1 complaints closed within 5 working days	93%	92%
% of stage 2 complaints closed within 20 working days	70%	82%

- 2.1 Development services received a total of 719 complaints during this period representing 41% of the total number received by the Council. The number of complaints for Development Services during this period in 2016 is 19% more than in the same period in 2015.

2.2 The top ten reasons for complaints are shown in this table

Category	Number of complaints 01/04/16 to 30/11/16
Household waste collection	270
Household waste containers	43
Staff conduct	38
Road maintenance	35
Household waste assisted collection	24
Household garden waste	23
Grass cutting	19
School transport	19
Bulky household waste collections	19
Road closures and diversions	19

2.3 Waste Services

2.3.1 Further breakdown of the data in relation to Waste Services shows an increase in complaints during two periods; April to May 2016 and October to November 2016.

2.3.2 The increases in complaints during these two periods have a direct correlation to the periods of collection service change conducted to meet budget savings agreed by Members. These were namely:

- Apr to May 2016: Change from a fortnightly collection cycle to a 4-weekly cycle for garden waste.
- Oct and Nov 2016: Change from a 3-weekly collection cycle to a 4-weekly cycle for residual waste.

2.3.3 Further analysis of Waste Services complaints during the period revealed around 20 from residents on the Assisted (or 'Rear Door') Collection Service. This is a service area noted for improvement

2.3.4 For context, the waste and recycling collection service, between April and November 2016 was required to make up to 180,000 collections per week from the households in Falkirk. This includes the green, blue, brown bins and the grey caddy and black box collection.

2.4 Staff Conduct

2.4.1 Out of 38 complaints about conduct, one was actually a compliment. The majority of these type of complaints related to waste collection services and 13 of 37 were upheld.

2.4.2 Complaints were about service as well as about poor standards in service delivery e.g. missed collections, bin lorries causing temporary obstructions, damaged bins. A very small number were complaints about the behaviour of individual employees.

2.5 Road Maintenance

2.5.1 There are 974 km of road network in the Falkirk Council area with 35 complaints over the 8 month period. The road network is used by all of our citizens, if not directly as drivers or pedestrians, then for deliveries, and does attract a high degree of public scrutiny. It is often the case that public expectations of service levels far exceed the services that can be provided. Where the Council's website complaints facility is the source of the enquiry these will normally be recorded as complaints

particularly as enquirers often start with “I wish to complain about” when in fact they are making a request for service. The number of complaints could be reduced by more careful labelling when communications are received and by providing greater clarity regarding the service standards that can reasonably be expected.

3. LESSONS LEARNED

- 3.1 Having assessed the 35 listed complaints listed for roads maintenance it is clear the majority of these could have been logged as enquiries or requests for service and not complaints. More training for Council employees logging these calls would enable the correct categorisation of the customers enquiry and also enable the expectation of the enquirer to be managed.
- 3.2 The two changes made to the waste collection service affected a significant number of households. By its nature, any service change is likely to lead to a rise in complaints which has been shown in the breakdown of the Waste Services data.
- 3.3 There is requirement for improved screening of complaints to ensure they are correctly assigned e.g. is the customer making a service request rather than a complaint. Additionally, enhanced information recording with respect to what the complaint directly relates to would allow for improved analysis and future planning e.g. is it a green bin, blue bin or brown bin issue.
- 3.4 The Assisted Collection Service is an area noted for improvement. Utilising ‘In-Cab’ technology on the waste collection vehicles is one way the service to improve this area of concern.

4. POSITIVE FEEDBACK

- 4.1 Development Services also receives positive feedback from the public. These are most often about staff conduct and show the public’s appreciation of when employees, operational staff in particular, go that extra mile even in unpleasant conditions.
- 4.2 During this period 15 positive comments were logged in the corporate feedback system. Most of these were about waste services;
 - e.g. feedback about the Household Waste Recycling Centre at Kinneil
“No matter the weather or how busy they are there is always a smiling, helpful operative to point you in the right direction.”
 - Praise also for the conduct of the waste collection crews e.g.
Customer overslept and had not put his bin out in time so lorry had passed and was several hundred yards long the street. When the crew saw the customer the lorry was reversed back to the house to collect the bin. “The driver was polite and extremely helpful.”
 - And praise for street cleansing staff e.g.
“I have to praise the gentleman who walks about the town centre (Falkirk) collecting the rubbish that people leave in the street. He is out in all weather and is always checking to make sure he has not missed a piece of rubbish.”

Complaints Report for Scrutiny Panel (31/01/17)

Service: Children's Services (Education)

Compiled by: Paul Wilcox

Introduction

This report details the volume of complaints received by Education, primarily schools, and provides an overview of the areas in which complaints are most often received. Furthermore, this report will outline the current process for schools complaints and forthcoming changes to how complaints are recorded within Education and the benefits that these changes should bring.

Volume of Complaints

During the 2016/17 financial year to date (25/01/17), there have been 183 complaints received by Education. From these complaints, 152 were dealt with at Stage 1 and 31 were dealt with at Stage 2 – 16 of which had escalated from Stage 1 to Stage 2. The following table indicates the top five categories against which Complaints are recorded in Education (both Stage 1 and Stage 2).

<u>Category</u>	<u>Number of Complaints</u>	<u>Percentage of total complaints received</u>
Local Schools	93	51%
School Bullying and Harassment Policy	38	21%
School Assessment and Performance	9	5%
School Complaints Procedure	7	4%
Free School Meals	5	3%

It should be noted that the category of 'Local Schools' is incredibly vague and is often used when the complaint in question is not suited to any of the categories listed. This is due to the restrictive nature of the SSL list for Education complaints and also that many of the categories within the SSL list are not reflective of Scottish Education (e.g. the category of School Governors).

Current Procedure

Currently within Education, Stage 1 complaints are responded to by schools. Whilst each individual school will make their own internal decisions as to who is best placed to respond to any given complaint, for primary schools this would usually be the Headteacher or Depute Headteacher, and for secondary schools, this could be the Headteacher, Depute Headteacher, Principal or Pastoral teacher or Resource Manager.

Stage 2 complaints are responded to by Senior Officers/Managers at Sealock House. This includes both Stage 2 complaints which have not been resolved at Stage 1, and initial complaints which are complex/high-risk which require an immediate Stage 2 investigation.

It is crucial to note however that the current process for recording complaints does not enable us to gauge the totality of complaints received by schools or any associated patterns/trends. Presently, schools do not record their own complaints. It is staff at the centre who record Stage 1 complaints on the Customer First system on behalf of schools. However, the complaints recorded are only complaints which staff at the centre are aware of. Therefore, unless each individual school informs the centre of complaints which they receive and respond to directly, this will not be recorded on the Customer First system. As a result of this process, the aforementioned statistics should be viewed as a snapshot as opposed to a true reflection of Education complaints.

Forthcoming Changes

The current procedure for recording complaints is in the process of change. Staff at Sealock House have worked with colleagues who develop/maintain the Customer First system in order to create a 'Schools' Portal' which will enable school-based staff to record complaints against their own school. The 'Schools' Portal' is part of the Customer First system and provides increased security which will ensure that school-based staff will only have access to their own schools' information/complaints data. The 'Schools' Portal' went live at the start of December and has been used by staff at Sealock House since its introduction. Therefore, all complaints relating to schools are now only accessible via the new portal.

Training on the use of the 'Schools' Portal', core Customer First system and the Council's Complaints Procedure is already underway with the first training session taking place on 23rd January 2017. There are further training sessions scheduled for the coming weeks. These training sessions are aimed at Headteachers, Depute Headteachers, Resource Managers, Admin Staff and any other member of staff for whom each school think is appropriate to attend. The training will provide school-based staff with increased knowledge of the Council's Complaints Procedure as well as illustrating the various functions on the 'Schools' Portal' which school-based staff will use in the aftermath of the training.

Once training on the 'Schools' Portal' and on what constitutes a complaint is delivered to all relevant school-based staff, schools will be responsible for recording their own complaints on the system. Therefore, in all probability, there will be an upsurge in complaints received by Education in the forthcoming months. However, this will provide us with an accurate representation of Education complaints as well as enabling us to examine any patterns, trends, specific categories of complaints etc. more efficiently. Furthermore, the increased data will help in identifying future improvement actions, whether that be within an individual school, at school cluster level, or at the centre.

Reporting of Complaints to SLT and Improvement Actions

Children's Services Senior Leadership Team regularly consider complaints data and may well be involved in complaints which are dealt with at the investigation stage (Stage 2). This may involve 'signing off' complaints or actively responding to complaints. Complaints received help inform the update/changes to policies and procedures, whether within the school or at the centre. An example of this would be alterations to the Early Years Admission Policy in the aftermath of a complaint. The changes provided parents/carers with greater clarity regarding the admission of children into the same educational establishments as their siblings. There have also been improvements made to processes for working with vulnerable people within Community, Learning and Development.

Complaints data is also routinely used when schools are being inspected by HMIE or for school reviews. Schools often contact the centre to obtain summary reports for a forthcoming inspection. However, it is hoped that, with the roll-out of the 'Schools' Portal', schools will be able to obtain these reports and data themselves.