

FALKIRK COUNCIL

Subject: COUNCIL COMPLAINTS HANDLING PROCEDURE
Meeting: SCRUTINY COMMITTEE
Date: 31 OCTOBER 2014
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1. INTRODUCTION AND BACKGROUND

- 1.1 At the Scrutiny Committee on 18th August, Members asked for an update on complaints handling within the Council to be prepared for the October Scrutiny Committee. The purpose of this report is provide information on the Council's approved complaints handling procedure (CHP) and its implementation within the Council. It covers the requirement to adopt the model CHP developed by the Scottish Public Services Ombudsman (SPSO), the training provided to staff, recording and monitoring of complaints performance and how Services address learning points from complaints.
- 1.2 The Council's CHP was approved by Policy & Resources Committee on 7th August 2012. The procedure follows the model developed by the SPSO which is now in place in all 32 local authorities. The model CHP applies to all local authorities and all local authority services, with the exception of Social Work. Social Work has retained its previous procedure, although this is likely to be reviewed by the Scottish Government. The procedure also applies to arm's length organisations and has been adopted by Falkirk Community Trust.

2. THE COMPLAINTS PROCEDURE

- 2.1 In line with SPSO requirements, the Council's CHP is based on a two stage process, the first being frontline resolution and the second being investigation. The CHP is attached at Appendix One and defines these as follows: (NB the term "frontline" is used to mean the first stage of the complaints procedure, not a job role within an authority)
 - **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 definitive response is provided within 20 working days following a thorough investigation of the points raised. Responses are signed off by senior management. Senior management are expected to have an active interest in complaints and to ensure the information gathered is used to improve services.

- 2.2 To support the introduction of the procedure, a number of issues were addressed. These included:
- Review of the documentation supplied by the SPSO and adaptation to fit local circumstances, including incorporation of guidance in relation to vexatious or repeated complaints.
 - Review of current complaints processes, role and responsibilities within Services to ensure that they would support the CHP two-stage model.
 - Staff awareness and training.
 - Introduction of a new bespoke system for recording complaints and enquiries to ensure that performance information can be more easily accessed for reporting purposes.
- 2.3 The implementation of a two-stage process required a change in the way the Council processes complaints. The second stage investigation is now the Council's final opportunity to address a complaint before it is considered by the SPSO. Under the procedure, second stage investigations are carried out at Service Unit Manager level, with the final complaints responses signed off at Head of Service level or above.
- 2.4 Prior to the introduction of the CHP, a programme of training in complaints handling and complaints investigation was put in place for employees at all levels across the Council. The free e-learning package developed by the SPSO's Complaints Standard Agency was installed on the Council's internal e-learning platform and all employees in a frontline role were expected to complete modules 1 and 2. An employee guide has been developed and is accessible via the intranet.
- 2.5 In addition to this, the SPSO's Good Complaints Handling and Investigation Skills courses were delivered within the Council by SPSO training personnel and over 50 employees have attended these courses. Internal training has also been carried out by nominated Service complaints officers.
- 2.6 Each Service has a nominated lead officer for complaints and a Complaints Officers' Working Group has been set up to discuss and find solutions to complaints. As part of this, the group will be looking at standardising responses to customers, collecting customer opinions on their experience of submitting complaints and developing common templates for collating service information.
- 2.7 At a national level, a Local Authority Complaints Handlers network has been established in conjunction with the SPSO and a Knowledge Hub forum has been set up so that Councils can share good practice and common queries. Falkirk Council is part of this group, which meets on a quarterly basis and aims to develop a common framework for evaluation complaints data from each local authority during 2014-15. This should ensure that meaningful benchmarking about complaints performance can take place between Councils and is likely to cover issues such as:
- the total number of complaints received
 - the number and percentage of complaints considered at the frontline resolution stage of the CHP
 - the number and percentage of complaints closed at the frontline resolution stage within five working days

- the number and percentage of complaints where an extension to the five working day timeline has been authorised
- the number of complaints upheld / not upheld at the frontline resolution stage as a percentage of all complaints closed at this stage
- the average time in working days to resolve complaints at the frontline resolution stage
- the number and percentage of complaints considered at the investigation stage of the CHP
- the number and percentage of complaints resolved at the investigation stage within 20 working days
- the number and percentage of complaints where an extension to the 20 working day timeline has been authorised
- the number of complaints upheld at the investigation stage as a percentage of all complaints closed at this stage
- the average time in working days taken to resolve complaints at the investigation stage
- a statement outlining changes or improvements to services or procedures as a result of the consideration of a complaint
- a measure to assess customer satisfaction with the complaints service provided (as opposed to the outcome of their complaint).

3. COMPLAINTS PERFORMANCE – FRONTLINE RESOLUTION

- 3.1 The new recording system for complaints was developed in-house in close consultation with Service complaints officers and with the requirements of the SPSO at the forefront.
- 3.2 During the period 1/04/2014 and 30/8/2014 a total of 753 complaints were received by the Council. Of these, 695 were addressed at stage one. The target for complaint responses at stage one is 5 working days, with an extension to 10 working days available depending on circumstances. Overall, 75% of complaints were responded to within the 5 day target and 82% within 10 working days. The table below summarises the Council's stage one performance.

Total complaints considered at stage 1	695	92%
Total complaints closed at stage 1	664	88%
Total closed at stage 1 - upheld	201	30%
Total closed at stage 1 – partially upheld	85	13%
Total closed at stage 1 – not upheld	275	41%
Total resolved at stage 1	102	15%
Complaints closed within 5 working days	521	75%
Complaints where extension authorised	50	7%

4. COMPLAINTS PERFORMANCE – INVESTIGATION STAGE

- 4.1 Fifty eight of the 753 complaints received by the Council during the period 1/04/2014 and 30/8/2014 were investigated at stage two. This represents only 8% of complaints submitted at stage one and indicates that resolution at stage one is working relatively effectively in minimising the number of complaints requiring investigation. The CHP specifies that stage two complaints are acknowledged within 3 working days and should receive a response within 20 working days. The table below summarises the Council's stage two performance.

4.2

Total complaints considered at stage 2	58	8%
Total complaints closed at stage 2	55	7%
Total upheld at stage 2	9	16%
Total partially upheld at stage 2	13	24%
Total not upheld at stage 2	26	47%
Total resolved at stage 2	7	13%
Complaints closed within 20 working days	47	81%
Complaints where extension authorised	6	10%

- 4.3 Of the 58 complaints considered at stage 2, 81% of them were closed within 20 working days. National benchmarking arrangements are still being put in place but early indications are that this compares relatively favourably with other Councils.

5. LEARNING FROM COMPLAINTS

- 5.1 One of the strong themes from the SPSO is that Councils should put in place processes that enable them to learn lessons from the complaints they receive and review and change service delivery if required. This is an ongoing process across the Council and this section provides information about the headline issues which have arisen recently within Services.
- 5.2 Within Corporate & Neighbourhood Services, the majority of complaints are received within Housing Services and Operational Services. During the first two quarters of 2014, the total number of complaints received by the Service at the first stage was 430, with a further 41 escalating to the second stage. Despite the volume received, 71% of stage 1 complaints were answered in the five working day timescale, and 66% of stage 2 complaints.
- 5.3 The Service maintains a constant focus on performance in complaints handling, with complaints followed up on a regular basis if cases are overdue or reaching their due date. Reports are sent twice a week to the Director of Corporate & Neighbourhood Services, the Head of Housing Services, and other senior managers, for them to review and query further where required. We also regularly report our service performance in complaints handling. Housing Services is further scrutinised by having to report annually on our complaints performance, which is published publicly for comparison against other local authorities.

- 5.4 For Housing Services, over half of the complaints received relate to housing repairs and communal repairs, at 191 of stage 1 complaints, and 16 of 35 stage 2 complaints. Other areas where complaints are received include allocation of council homes, neighbour nuisance cases, and Garden Aid.
- 5.5 In Operational Services, the most common complaints relate to household waste and bin collections, followed by pest control issues.
- 5.6 At present, service improvements identified as a result of complaints are usually dealt with on a case-by-case basis, and not reported formally. This is an area that we are looking to improve on, and introduce a more formalised method of collecting and reporting on this information.
- 5.7 It is recognised that a large number of complaints are received, and often resolved, by frontline staff in Customer First and the Contact Centre. We are committed to maintaining a focus on complaints and how to handle these at the frontline. To assist this, training sessions have recently been carried out for these staff and some Housing staff, to ensure they are aware of how to identify complaints and the importance of recording these on the complaints management system.
- 5.8 Within Development Services, the most frequent recent areas for complaints have concerned waste collection, school and public transport and environmental health. Complaints are scrutinised by Development Services' senior management team on a fortnightly basis and improvement action put in place if required. For example, the following improvements have recently been put in place within the Service in response to complaints:
- Waste Collection - a "priority list" of addresses where bins had been missed has been developed to highlight these to the drivers, along with the provision of maps to the drivers.
 - School and public transport - complaints may result in small operational changes e.g. to timetables, to methods or timing of communications to customers. They are also considered when bus contracts are being reviewed, as far as procurement procedures allow.
 - Environmental Health - following a long-running issue, improvements were made to the logging process noise officers use, and to the Service's response letters, ensuring that complainants were made aware of how their enquiry was being handled e.g. as a service request or as a complaint. We are still refining this with the development of new templates.
- 5.9 Prior to the introduction of the new CHP, Education Services updated their Service Circular (Appendix Two) on how the new procedure would be implemented across teams at the centre, schools and establishments. Other internal changes to the procedures within Education mean that complaints and enquiries are now handled by individual teams rather than centrally by the Complaints Officer. Under the new complaints procedures, all enquiries that have not been addressed in the first instance by the school/establishment are referred back to schools/establishments. A revised procedure has also been developed which outlines the way in which elected representatives' enquiries will be processed.

- 5.10 The new electronic Customer First system has been rolled out across teams at the centre and work is currently ongoing to implement this across schools and establishments as well. This new phase will see the beginning of data collection on complaints/enquiries from schools and establishments which has not previously been collated.
- 5.11 During the period April to September 2014, the top five areas of complaints related to actions by staff, alleged bullying, Additional Support Needs, exclusions and the School Prom.
- 5.12 Data on the complaints/enquiries received is considered on a regular basis by Education 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.
- 5.13 Within Revenues & Benefits between April and August 2014, 102 complaints were received and 99 were answered on time, i.e. 97%. Of those 102, six were considered at Stage 2, three already answered on time and the remaining three are still within the 20 day timescale.
- 5.14 The most common area of complaint relates to Council Tax recovery action, discount and exemption applications and Housing Benefit evidence requirements and processing times. The service has a dedicated team who manage the logging and allocation of complaints to appropriate senior officers for responses to ensure that we meet the timescales. The statistics are reported by the Chief Finance Officer to the Chief Executive on a monthly basis, discussed at our Senior Management Team meetings and are also reported to the Performance Panel.
- 5.15 A record is kept of the nature of the complaint and the outcomes so that Revenues & Benefits ensure that any identified gaps in training or procedures are addressed and remedial action taken and documented to prevent further occurrences.
- 5.16 The Governance Division receives relatively few complaints in comparison with front line Services. Nonetheless it is committed to efficient complaints handling and to learning from those complaints that are received. Key staff (in particular managers and front line staff) have received training by the SPSO on complaints handling.
- 5.17 In the period 1 April to 30 August, 2 complaints were received and both were completed within the relevant timescales. One complaint referred to another Service and the second related to an application for a market operator licence. It was dealt with at stage 1 and was not upheld.
- 5.18 Information on complaints handling is reviewed periodically by the Divisional Management Team and lessons cascaded to staff as appropriate.

6. RECOMMENDATIONS

It is recommended that Committee:

- 6.1 Notes the work undertaken to implement the model Complaints Handling Procedure within the Council, including training provided to staff, the new system for recording and monitoring complaints performance and how Services address learning points from complaints;
- 6.2 Notes that each Service has a lead officer for complaints and that a Corporate Working Group has been set up to look at common issues relating to complaints handling, including standardising responses to customers, collecting customer views and developing templates; and
- 6.3 Notes that a national Local Authority Complaints Handlers Network has been set up in conjunction with the SPSO. Falkirk Council is part of this network which meets quarterly and is currently looking at a common framework for evaluating complaints performance.

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Date: 31 October 2014

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BACKGROUND PAPERS

More information can be found at www.valuingcomplaints.org.uk