

PERTH AND KINROSS COUNCIL

Scrutiny Committee – 18 September 2013

COMPLAINTS HANDLING PROCEDURE PROGRESS REPORT

Report by Head of Legal Services

PURPOSE OF REPORT

This report outlines the performance of the new Council Complaints Handling Procedure (CHP) during the first three months of implementation - April 2013 to June 2013.

1. BACKGROUND / MAIN ISSUES

- 1.1 The Public Services Reform (Scotland) Act 2010 gave the Scottish Public Services Ombudsman (SPSO) the authority to lead the development of a simplified and standardised complaints handling procedure to be adopted and implemented across the public sector. The Act built on the work of the Crerar and Sinclair reports that sought to improve the way complaints were handled in the public sector.
- 1.2 In March 2012 the SPSO published his [Local Authority Model Complaints Handling Procedure](#) (CHP). This was based on the [Complaints Handling Principles](#) he had published the previous year and described a two-stage process. This coincided with the publication of the Scrutiny Committee's review report "Learning from Complaints and Customer Feedback" (Report No 12/148 refers) (see Section 6 of this report) which presented recommendations to further improve service delivery and increase customer satisfaction through effective complaints handling.
- 1.3 At that time, the Ombudsman outlined a clear intention for implementation of the two-stage CHP from March 2012; however, a degree of flexibility with this date was also intimated. The expectation was that all local authorities implement the model, or have demonstrable plans which evidenced progress towards implementation, during 2012/13. Full implementation was expected by the SPSO from 1 April 2013. The Council complied with both of these requirements and the new CHP has now been in operation for over four months at the time of writing this report.

2. COUNCIL COMPLAINTS HANDLING PROCESS

- 2.1 The Council's definition of a complaint is "an expression of dissatisfaction about the council's action or lack of action, or about the standard of service provided by us or on our behalf".

- 2.2 All expressions of dissatisfaction should now be captured by the complaints handling process, including some that were previously classified as 'service requests'. Although 'service requests' continue to be dealt with in the same way they are now recorded as complaints and, apart from 'missed bins,' are included in the regular complaints reports. A separate process for identifying complaints that are recorded on other Council computer systems, but are not classified as complaints is being developed and this information will be detailed in the three-monthly CHP report presented to the Executive Officer Team and Senior Management Teams for July to September 2013.
- 2.3 The CHP process has two internal stages; a Front Line Resolution stage and an Investigation stage. Social Work complaints have separate legislative requirements and complainants have the possibility of a third Internal stage; Complaints Review Committee.
- 2.4 The number of complaints recorded during the first three month period since April 2013 is given below.

Period	FLR	Investigation	Percentage Escalated
April to June 2013	180	29	16

2.4 Stage 1 – Front Line Resolution

- 2.4.1 There are two main routes to make a complaint at the Front Line Resolution stage; either through the Customer Service Centre (CSC) or directly to the relevant Council staff.
- 2.4.2 The Customer Service Centre has been the main point of contact for Front Line Resolution complaints. The CSC record all complaints received and issue them electronically to relevant Managers/Team Leaders/Head Teachers to deal with. Service Complaints Co-ordinators and the Corporate Complaints Team have access to the information recorded by the CSC. They are able to monitor the number and type of complaints and provide advice to staff when required.
- 2.4.3 Employees as close to the point of service delivery as possible are responsible for attempting to resolve complaints. If a complainant makes contact directly with an employee rather than the CSC and they can't resolve the complaint, they then pass the complaint as quickly as possible to their Manager/Team Leader/Head Teacher to resolve. A form is available on **eric** for staff to record the complaint details including the resolution.
- 2.4.4 The process allows five working days to resolve, or put forward a resolution to, a complaint. In exceptional circumstances this is extended to ten working days.

- 2.4.5 Front Line Resolution appears to be working well and there have been no serious problems in its implementation. The timescale for resolution for FLR complaints was expected to be difficult to achieve and this is reflected in the first three monthly figures.

Period	FLR	No completed within 5 working days	Percentage
April to June 2013	180	72	40%

2.5 Stage 2 - Investigation

- 2.5.1 If a complainant remains dissatisfied after the FLR stage they can escalate to the Investigation stage. A complaint can also be escalated to this stage at the outset if it is apparent that it is sufficiently serious to warrant immediate investigation. The complainant will normally have one month from the Front Line Resolution to escalate the matter.
- 2.5.2 If the complaint was not recorded at the Front Line Resolution stage, it is added to the central recording system. The relevant Service Complaints Co-ordinator is notified of the complaint and allocates an Investigating Officer to undertake the complaint investigation. The Investigating Officer normally comes from a different area of the Service to try to ensure objectivity and independence. All Investigating Officers have received Complaints Training from the Corporate Complaints Team.
- 2.5.3 The Corporate Complaints Team (CCT) undertakes a quality assurance role in relation to all investigations and continues to undertake complaint investigations, when necessary. The CCT has reviewed all twenty nine investigations undertaken during this period and made a number of suggestions to the Investigating Officers in regard to each complaint Investigation plan and draft response letter. These suggestions have generally been accepted. The draft complaint letter and file is reviewed and authorised by the relevant Head of Service.
- 2.5.5 The Council has 20 working days to complete a complaint investigation and respond to the complainant. The Investigation stage is working well and there have been no major problems in its implementation. Twenty Nine complaints were registered as Investigations during the first three months and the results of the twenty three completed from this period are recorded below.

Period	Investigation	No completed within 20 working days	Percentage
April to June 2013	23	17	73%

- 2.5.6 All the information from the investigation and the response, including recommendations and subsequent actions, is stored centrally as part of the electronic complaints record. Detailed below are the outcomes of the completed April to June 2013 Investigations.

	Chief Executives	Education & Children's Services	Environment Services	Housing & Community Care	Total
Complaints	4	1	13	5	23
Complaint Points	19	1	43	12	75
Point Upheld	5	-	8	0	13
Points Partially Upheld	0	-	6	0	6
Points No conclusion	1	-	7	3	11
Points Not Upheld	13	1	22	9	45

3. SOCIAL WORK COMPLAINTS

- 3.1 The legislation relating to Social Work complaints is currently under review and currently includes an additional stage to the Complaints Handling Procedure, i.e. the opportunity for the complaint to be reviewed by the Complaints Review Committee. It is anticipated that the new Complaints Handling Procedure will be able to cater with any changes made.

4. SPSO

- 4.1 There has been no change to the procedure once a complaint has been considered at the Investigation stage or by the Complaints Review Committee. The complainant still has the option to refer the matter to the SPSO if they remain dissatisfied.

5. REPORTING

- 5.1 Services report complaints recorded at both stages to their Service Management Teams on a monthly basis. Following on from this Progress Report it is proposed that an annual performance report will be produced for consideration by the Scrutiny Committee as part of the Council's commitment to public performance reporting.

6. IDENTIFIED IMPROVEMENTS

- 6.1 Further Front Line Training is to be provided to staff in the form of an e-Learning course which is to be launched in September. This training has been delayed due to development problems. In addition the Corporate Complaints Team is to set up a series of one-to-one meetings with staff to provide additional training and advice.
- 6.3 Further development work is required to improve Front Line Resolution reporting but this work is expected to be completed in early September.
- 6.2 The SPSO decision on reporting categories was not made until June this year and so further work is required to the management information systems to ensure that they can produce the necessary reports for all areas.
- 6.3 The existing central computer system has been modified and is working well but further minor amendments have been identified and will be carried out over the next few months. This will ensure that systematic reporting of all complaints, resolution actions and recommendations is carried out.

6. PROPOSALS

There are no proposals in regard to this report.

7. CONCLUSION AND RECOMMENDATIONS

It is recommended that the Scrutiny Committee:

- (i) Note the progress made with the implementation of the Complaints Handling procedure.
- (ii) Consider and comment on this report for its interest.
- (iii) Note that an annual performance report will be submitted to the Scrutiny Committee.

Author(s)

Name	Designation	Contact Details
Pamela Dickson	Complaints & Governance Officer	(4)75527

Approved

Name	Designation	Date
Ian Innes	Head of Legal Services	22 August 2013

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Council Text Phone Number 01738 442573

1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

The undernoted table should be completed for all reports. Where the answer is 'yes', the relevant section(s) should also be completed. Where the answer is 'no', the relevant section(s) should be marked 'not available (n/a)'.

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	No
Corporate Plan	No
Resource Implications	
Financial	No
Workforce	No
Asset Management (land, property, IST)	No
Assessments	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	No
Sustainability (community, economic, environmental)	No
Legal and Governance	No
Risk	
Consultation	
Internal	Yes
External	No
Communication	
Communications Plan	No

2. Equalities Impact Assessment (EqIA)

- 2.1 It has been assessed that equalities monitoring of complaints would be relevant to ensure that no group is being disadvantaged. An assessment is to be carried out during late Autumn 2013 by the Corporate Complaints Team and the Service Complaints Co-ordinators.

3. Consultation

Internal

- 3.1 Each Service's Complaints Co-ordinator was consulted during the preparation of this report.

