

PERTH AND KINROSS COUNCIL

Scrutiny and Performance Committee

30 November 2022

**COUNCIL COMPLAINTS PERFORMANCE REPORT
FOR 2021-22**

Report by Head of Legal and Governance Service
(Report No 22/292)

1. PURPOSE

- 1.1 The purpose of this report is to provide assurance that the Council has an adequate and effective Complaints Handling Procedure (CHP) in place, and to advise the Committee of work undertaken to improve our performance in relation to the Council's handling of complaints.
- 1.2 This report also satisfies public performance reporting requirements in accordance with the Scottish Public Services Ombudsman's (SPSO) performance measures for local authorities.

2. RECOMMENDATIONS	
2.1	<p>It is recommended that the Committee:</p> <ul style="list-style-type: none">(i) Considers the content of this report and provides constructive comment(ii) Notes that the Council's Complaints Handling Procedure (CHP) is considered to be adequate and effective(iii) Notes that the CHP will continue to be monitored and reviewed throughout the year and work undertaken to further improve performance.

3. STRUCTURE OF REPORT

- 3.1 This report is structured over the following sections:
- Section 4: Background/Main Issues
 - Section 5: SPSO Performance
 - Section 6: Conclusion
 - Appendices

4 BACKGROUND / MAIN ISSUES

- 4.1 This report covers the reporting period 2021-22.
- 4.2 The Council's [Complaints Handling Procedure](#) (CHP) follows the standard model which is in place across all 32 local authorities. It is considered to be appropriate and effective; its performance is within acceptable limits and is line with the Scottish Public Services Ombudsman's (SPSO) requirements for a complaints process.
- 4.3 During the period 2021-22 there were 1784 complaints recorded at Stage 1 and Stage 2 of the procedure during 2021-22, representing an increase of 34.34 % on the previous year.
- 4.4 It should be noted that the number of complaints recorded in a year is greater than the number of those complaints actually processed, i.e., completed, within the year. This is due to some cases being withdrawn or not being finalised within the same reporting year. The number of complaints closed in 2021-22 was 1676.
- 4.5 The increase in the number of complaints in 2021-22 when compared to 2020-2021, is indicative of services returning to a more usual level following two years of COVID-19 disruption. It is noted however that the total amount of complaints in 2021-22 is 19% less than the figures for the pre-covid period 2019-2020.
- 4.5 The average response times for the year have increased marginally especially at Stage 2 when compared to last year.
- 4.6 The CHP provides for escalation of any complaint to Stage 2 of the CHP if the complainant remains dissatisfied after receiving a response to their Stage 1 complaint. In some cases, the complexity or sensitivity of the complaint is such that it is considered at Stage 2 of the CHP in the first instance.
- 4.7 Where an individual remains dissatisfied with the outcome at Stage 2 then they have recourse to the Scottish Public Services Ombudsman (SPSO).
- 4.8 In summary of the 1784 complaints recorded in 2021-22:
- 1621 complaints were handled at Stage 1
 - 1523 (94%) of these complaints were resolved at Stage 1 and did not escalate to stage 2
 - 98 (6%) of complaints were escalated from Stage 1 to Stage 2
 - On average, Stage 1 complaints were responded to within 5 working days as is required in the CHP
 - In addition to the 1621 complaints initially logged at Stage 1, a further 55 complaints were handled directly at Stage 2 due to the complexity of the issue being raised, giving a total of 1676 complaints dealt with.
 - The difference between this figure and the total number of complaints received (1784) is as a result of complaints being withdrawn (73) or

remaining open at the end of the reporting period which in this case is 31 March 2022. See para 4.4

- Public authorities are required to respond to Stage 2 complaints within 20 working days. During 2021-22 Stage 2 complaints were responded to in an average of 28.3 working days, compared with a target of 20 days. This is largely attributable to resources still requiring to be directed un response to response to the Covid 19 pandemic during 2021-22.

4.9 The Corporate Complaints Group, made up of a number staff who deal with complaints across the services, continues to meet throughout the year. Monitoring of complaints activity and themes raised within complaints is monitored both at a corporate and Service level.

5. SPSO PERFORMANCE INFORMATION

5.1 The Scottish Public Services Ombudsman Act 2002 and the Public Services Reform (Scotland) Act 2010 give the SPSO the authority, in defined circumstances, to investigate complaints about Scottish public authorities, including local authorities.

5.2 Since April 2017 this has included social work complaints and covers services delivered by the Health & Social Care Partnership on behalf of the Council.

5.3 The SPSO, in conjunction with all Scottish local authorities, has developed six quantitative performance indicators, against which authorities assess and monitor their complaints handling performance. The Council's figures for these indicators for 2021-22 are shown in Appendix 1.

5.4 The SPSO reports on complaint investigation decisions in two ways:

- A Decision Report is issued for each complaint considered; these are published on the [SPSO's website](#).
- If a complaint is considered of national significance, an Investigation Report is laid before the Scottish Parliament. The SPSO did not lay any such reports regarding the Council before Parliament in 2021-22.

5.5 The SPSO is currently advising complainants that due to the impact of Covid 19 there is currently a delay of up to 11 months in allocating complaints to one of their complaints reviewers. This means that figures for 2022-23 when reported are likely to include some historical complaints activity

SPSO Action in relation to Referrals about PKC Complaints	2020-21	2021-22
Provision of advice	8	9
Early resolution	25	13

Investigation	4	0
Total	37	22

- 5.6 A summary of the subject area of complaints considered by the SPSO in respect of the Council and across the sector is shown in Appendix 3.
- 5.7 The complete SPSO statistics are available on their [website](#).

6. CONCLUSION

- 6.1 The Council has an appropriate and effective Complaints Handling Procedure and will continue to ensure that revisions are made in line with any further SPSO recommendations.
- 6.2 Performance statistics from 2021-2022 demonstrate that our complaints handling is appropriate and effective although performance is slightly down on the previous year regarding meeting timescales at Stage 2. (Appendix 1)
- 6.3 Performance information and the subject matter of complaints received is considered and monitored to identify any particular trends, issues or service areas which require focussed improvement efforts.
- 6.4 The Corporate Complaints Group will review and identify areas where performance can be improved, particularly in relation to the timescales for responding to Stage 2 complaints.

Author(s)

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Approved

Name	Designation	Date
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APPENDICES

- Appendix 1 - SPSO Performance Indicators
- Appendix 2 - Recommendations made by the SPSO
- Appendix 3 - Local Authority complaints received by the SPSO

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You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.

1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	None
Corporate Plan	None
Resource Implications	
Financial	None
Workforce	None
Asset Management (land, property, IST)	None
Assessments	
Equality Impact Assessment	None
Strategic Environmental Assessment	None
Sustainability (community, economic, environmental)	None
Legal and Governance	None
Risk	None
Consultation	
Internal	None
External	None
Communication	
Communications Plan	None

1. Strategic Implications

Community Plan/Single Outcome Agreement

1.1 Not applicable.

Corporate Plan

1.2 Not applicable.

2. Resource Implications

Financial

2.1 Not applicable.

Workforce

2.2 Not applicable.

3. Assessments

3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans

and policies allows the Council to demonstrate that it is meeting these duties. The Equality Impact Assessment undertaken in relation to this report can be viewed clicking [here](#).

(i) Assessed as **not relevant** for the purposes of EqIA

3.2 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.

3.3 However, no action is required as the Act does not apply to the matters presented in this report. This is because the Committee are requested to note the contents of the report only and the Committee are not being requested to approve, adopt or agree to an action or to set the framework for future decisions.

Sustainability

3.4 Not applicable.

Legal and Governance

3.4 Not applicable.

Risk

3.6 Not applicable.

4. Consultation

Internal

4.1 Service Complaints Co-ordinators were consulted in the preparation of this report.

External

4.2 Not applicable.

5. Communication

5.1 Not applicable.

2. BACKGROUND PAPERS

None