

Complaints Handling Annual Report 2022/23



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Introduction

At Moray Council, we aim to provide the highest level of service however there are times when things go wrong and we don't meet the expectations of our customers. When this happens, it is important we learn from complaints to help us improve our service delivery.

The Scottish Public Services Ombudsman (SPSO) is the responsible body for complaints handling for the public sector in Scotland. Their Model Complaints Handling Procedure (MCHP) defines how they expect complaints to be dealt with. In line with this, all complaints we receive are managed under the two Stage Complaints Handling Procedure:

Stage 1 - Also known as *Frontline Resolution*

These complaints should be straightforward. A Stage 1 complaint could mean immediate action to resolve the matter. These complaints should be answered within 5 working days. Most complaints will should be dealt with at Stage 1.

Stage 2 – Also known as *Investigation Stage*

A Stage 2 complaint may be a concern that has not been successfully resolved at Stage 1 and is therefore escalated or refers to a matter that is more complex and requires a full and detailed investigation. These complaints should be answered within 20 working days.

We aim to resolve as many complaints as possible at Stage 1 as this helps improve the customer experience and our service provision. However if a customer remains dissatisfied following the 2 Stage process, we advise the customer the complaint can be passed to the SPSO for further consideration.

All complaints, including the learning outcomes we have actioned, are recorded on our Complaints Management System. Details are shared with our Corporate Management Team and Heads of Service on a quarterly basis and with our Service Committees every six months. Our Complaints Officer also holds regular meetings with Complaints Administrators to monitor and address any concerns.

Complaints Performance Indicators

As part of a revised MCHP issued on 1 April 2021, local authorities are expected to record and publish complaints performance, including trends, outcomes and actions taken, against 4 Key Performance Indicators (KPIs).

How we performed against these KPIs in 2022/23 is set out below. For comparison purposes, we have also included our performance from the previous two years and the 2022/23 national averages for Scotland.

Indicator 1: Total number of complaints received (including complaints per 1,000 population)

This indicator records the total number of complaints received at both Stage 1 and Stage 2. To allow for consistent benchmarking across all local authorities in Scotland, the figure per 1,000 population is included.

Table 1: Complaints received including per 1,000 population

	Moray Council			Scotland
	2020-21	2021-22	2022-23	2022-23
Total Complaints Received (Stage 1 and Stage 2)	513	541	593	58,845
Population	95,710	96,410	96,410	5,047,300
Complaints per 1,000 population	5.36	5.61	6.15	11.66

(Moray Council population based on NRS Population Mid-Year Estimates 2021, Scotland population based on Mid-Year Estimates 2021 for those areas where complaints data was returned)

During 2022/23, we received 593 complaints, 10% more than in 2021/22 and 16% more than 2020/21. Despite this increase, our complaints remain well below the 738 received prior to the Covid pandemic in 2019/20 and against the latest national average, our rate of complaints per 1,000 population also continues to be low.

As in previous years, Environmental and Commercial Services and Housing and Property received the most complaints, accounting for 32% each. A notable change this year is the proportion relating to Financial Services which has increased to 6%.

Table 2 Number and % of Complaints received by Department

	2020-21		2021-22		2022-23	
Environmental and Commercial Services	195	38%	168	31%	191	32%
Housing and Property Services	163	32%	157	29%	191	32%
Education	22	4%	66	12%	64	11%
Financial Services	1	0%	7	1%	36	6%
Children and Families and Criminal Justice	31	6%	23	4%	29	5%
Economic Growth and Development	36	7%	37	7%	23	4%
Health and Social Care Moray	29	6%	24	4%	22	4%
Governance, Strategy and Performance	24	5%	35	6%	21	4%
Education Resources and Communities	9	2%	18	3%	14	2%
HR, ICT and Organisational Development	3	1%	6	1%	2	0%
Grand Total	513		541		593	

NB percentages may not total 100% due to rounding

Looking at complaints made to Financial Services in 2022/23, 32 related to Council Tax and Non Domestic Rates. In previous years, complaints of this nature were reported under Legal and Democratic Services (now Governance, Strategy and Performance). In April 2022, the Complaints Management System was updated to reflect our new Department Structure and as a result Taxation is now reported as part of Financial Services.

Alongside this change, there has also been a notable increase with Council Tax complaints, up from 11 in 2021/22 to 29 in 2022/23. There are various reasons why complaints are made to the Council Tax Service however a common issue is matters around arrears. Although there have been no recent changes to policy, good communication is key to helping people understand the procedures being followed. Actions have been taken within the Service to reinforce best practice for handling customer enquiries and complaints will be monitored going forward.

Table 3: Taxation Related Complaints

Council Tax Complaints	2018/19	2019/20	2020/21	2021/22	2022/23
Not Upheld	6	4	6	9	19
Partially Upheld	0	0	1	2	2
Upheld	1	2	2	0	8
Total	7	6	9	11	29

Indicator 2: Number and Percentage of complaints at each stage that were closed in full within set timescales of 5 and 20 working days

The MCHP requires complaints be closed within 5 working days at Stage 1 and 20 working days at Stage 2. While the aim is to handle complaints as quickly as possible, the main consideration must always be to deliver a quality decision based on facts and evidence.

Table 4: Number and Percentage of Complaints at each Stage that were closed in full within set timescales

	Moray Council						Scotland	
	2020-21		2021-22		2022-23		2022-23	
	No. within set timescales	% within set timescales	No. within set timescales	% within set timescales	No. within set timescales	% within set timescales	No. within set timescales	% within set timescales
Stage 1	296	79%	310	77%	377	81%	37,121	75%
Stage 2	79	65%	89	81%	54	68%	3,268	70%
Escalated Stage 2	8	67%	4	31%	8	31%	1,342	58%
Total	383	75%	403	76%	439	77%	41,731	74%

In 2022/23, 81% of our Stage 1 complaints were closed within target timescales, up from 77% in 2021/22. Although the proportion of Stage 2 complaints closing within 20 working days fell, overall, more of our complaints met MCHP targets and we remain above the national average.

Due to the complex nature of the issues involved in Stage 2 complaints, they can take longer to investigate fully. Our Complaints Officer monitors live complaints and highlights any late cases to Complaints Administrators and Heads of Service. One area where an issue has been identified is Education where complaints can take longer if received immediately prior to a school holiday period. Through the Local Authority Complaint Handler Network (LACHN), our Complaints Officer requested holiday dates be excluded from expected timescales however this was not supported by the SPSO. Instead, guidance has been issued for the use of authorised extensions.

Indicator 3: Average time in working days for a full response to complaints at each stage

This indicator details the average time in working days for a full response to be provided to a complaint at each stage.

Table 5: Average Response Times (Working Days)

	Moray Council			Scotland
	2020/21	2021/22	2022/23	2022/23
Stage 1	5.6	5.1	6.26	7.00
Stage 2	21.9	20.9	27.45	19.40
Escalated Stage 2	20.3	26.2	28.73	23.70

Our average response times increased in 2022/23 with Stage 2 and Escalated Stage 2 complaints above national averages. As highlighted with Indicator 2, less Stage 2 complaints met target timescales which does impact our average times.

Following a periodic check of data held on our Complaints Management System we identified an issue with how some complaints were closed. As a result, our Complaints Manual has been revised with clearer guidelines. A new template for Administrators has also been introduced to ensure customers are signposted correctly and advised of their right to escalate a complaint if need be.

Indicator 4: The outcome of complaints at each stage

Once a complaint has been investigated, we are required to contact the customer to provide an explanation of the findings and record the outcome. This could be;

Upheld – when a complaint is found to be true or is confirmed.

Partially Upheld - where several issues have been raised and some, but not all, are upheld.

Resolution - where a complaint includes a number of issues but we manage to agree an outcome without the need to investigate and respond on each separately. This outcome was introduced in April 2021.

Not Upheld - when a complaint is found to be untrue or where a reasonable standard of service has been provided.

Indicator 4 reports the number and percentage of our complaints closed at each stage against the outcome decision.

Table 6: The outcome of complaints at each Stage

	Moray Council						Scotland	
Stage 1	2020/21		2021/22		2022/23		2022/23	
Not Upheld	170	45%	184	46%	202	43%	13,476	28%
Partially Upheld	40	11%	50	12%	36	8%	8,021	16%
Upheld	167	44%	151	37%	212	45%	19,448	40%
Resolution	0	0%	19	5%	16	3%	7,975	16%
Total Closed at Stage 1	377		404		466		48,920	
	Moray Council						Scotland	
Stage 2	2020/21		2021/22		2022/23		2022/23	
Not Upheld	62	51%	61	55%	39	49%	1,964	42%
Partially Upheld	50	41%	25	23%	22	28%	932	20%
Upheld	10	8%	21	19%	19	24%	1,417	30%
Resolution	0	0%	3	3%	0	0%	357	8%
Total	122		110		80		4,670	
	Moray Council						Scotland	
Escalated Stage 2	2020/21		2021/22		2022/23		2022/23	
Not Upheld	4	33%	3	23%	10	38%	990	43%
Partially Upheld	5	42%	5	38%	13	50%	565	24%
Upheld	3	25%	5	38%	3	12%	520	22%
Resolution	0	0%	0	0%	0	0%	249	11%
Total	12		13		26		2,324	

NB percentages may not total 100% due to rounding

In 2022/23, the proportion of our Stage 1 complaints that were Upheld has increased to 45% against a national average of 40%. Overall, 56% of Stage 1 complaints were Upheld in some way (Upheld, Partially Upheld or closed as Resolution) compared to 72% nationally.

24% of our Stage 2 complaints were Upheld compared to 30% nationally. Overall, 52% at this Stage were either Upheld, Partially Upheld or closed as Resolution compared to the national average of 58%.

62% of our Escalated Stage 2 complaints were either Upheld, Partially Upheld or closed as Resolution compared to a national average of 57%.

We are lower than the national average for complaints closed as Resolution with just 3% recorded with this outcome in 2022/23 compared to 16% nationally. When the option for Resolution was introduced, it was anticipated it would help reduce the number of complex Stage 2 investigations, however most complainants continue to request a full investigation.

The Complaints Officer reviews complaints resulted as Resolution on a monthly basis to ensure they are CHP compliant. Staff training has also been provided on new aspects of the CHP, including the correct use of Resolution. Most councils have not carried out these steps and perhaps this accounts for the national difference.

Customer Satisfaction

In December 2021, as part of our plans for recovery and renewal from the Covid pandemic, we replaced paper copies of our survey with a link, direct to an online questionnaire, sent to those supplying an email address.

In 2022/23, 309 links to our survey were issued resulting in 26 responses. This gives a return rate of 8% which is the lowest in recent years (with 12% in 2021/22 and 15% in 2020/21) however similar low response rates are evident nationally. Alternative methods, within available resources, that could increase responses are kept under review.

Our survey requests feedback on the process of dealing with a complaint as opposed to the complaint outcome. Improvement areas identified from responses received in 2022/23 are around communication of timescales and the next stage of a complaint as well as clearer replies. The new signposting template, introduced to help Administrators reduce our average response times, should help address these issues.

What we do well when dealing with complaints:

- *Our process for making a complaint is easy*
- *We give people the opportunity to fully explain their complaint*

What we can improve when dealing with complaints:

- *We need to ensure we fully understand the complaint and address all points raised*
 - *We need to communicate better on timescales and the next stage of a complaint and make our responses easier to understand*
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Learning from Complaints

Learning from complaints is a continuous process. We aim to identify trends and emerging issues and improve the services we provide. Some examples of changes we have implemented in 2022/23 are provided below.

Temporary and Supported Accommodation

We identified an issue with the handover condition of some temporary and supported accommodation. We reviewed our cleaning procedures and introduced regular inspections and a 7 day call back service. We also ensured our staff were made aware of required standards through tool box talks and new check sheets.

Health & Safety

During a spell of bad weather, concerns were raised regarding the gritting of school playgrounds. Our Health & Safety Advisors worked with Education to ensure a consistent gritting programme across all schools in Moray helping to improve safety.

Roads Maintenance

From complaints received, it was clear we needed to improve how we dealt with enquiries to our Roads Maintenance Team. We reviewed the process and introduced a new system ensuring all enquiries are automatically acknowledged and sent for processing.

Recycling Centres

We were made aware that information relating to our Recycling Centres could be improved. We updated signage which included clearer details of opening hours.

Education

To ensure the educational needs of pupils absent long term are met, steps have been introduced by Education to develop plans and involve other services as required, to support pupils when returning to a school setting. Staff have also received systems training to ensure time spent in school is recorded accurately.

Housing Repairs

To reduce complaints relating to housing repairs, the Housing Investment Budget was increased. The recruitment of additional staff was approved and a repairs group established to follow up the scheduling process. To help improve communication, Housing worked closely with the Contact Centre to ensure initial calls are dealt with correctly and all work instructions now include contact details of the customer.

Household Collections

To minimise reported missed bin collections, the Waste Team worked with the Contact Centre to improve communication and promote Service Alerts. These Alerts now include details of why collections have been disrupted and when they will next take place. Crews also receive more information about each route including maps identifying new build areas and rural properties.

Sport and Culture

Following a Transportation difficulty relating to the Music Service, a communication protocol was introduced and emergency contact details are now provided to all service users.

Conclusion

This Annual Report complies with the SPSO's requirement to publish complaints information and highlights our performance against their 4 key performance indicators. It also shows some of the recent issues we've addressed and where our Complaints Handling Procedure has been improved.

We are committed to learning from the views and experiences of our customers. To do this, we aim to record complaints accurately and adhere to the Complaints Handling Procedure. We will continue to welcome customer feedback and work towards providing the best service possible.

Contact Us

Complaints regarding services provided by Moray Council can be made in person at any one of our local access points in Elgin, Buckie, Forres or Keith or we can be contacted by telephone on 01343 543451 or email complaints@moray.gov.uk. More information is also available online at www.moray.gov.uk/complaints.