

Complaints Handling Annual Report 2021/22



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Introduction

At Moray Council, we aim to provide the highest possible quality of service however there are times when we get things wrong and don't meet the expectations of our customers. It is important we understand when this happens and by looking at the complaints received, we modify and improve our services to prevent a problem happening again.

We regard a complaint as any expression of dissatisfaction by one or more members of the public about our action or lack of action, or about the standard of the service provided by or on behalf of the council. This includes a failure to follow the proper administrative processes, delays in responding to service requests and enquiries, failure to provide a service to the expected standard, dissatisfaction with Council policies and treatment by, or attitude of, a member of staff.

Complaints Handling Procedure

The Scottish Public Services Ombudsman (SPSO) is the responsible body for complaints; setting and monitoring complaints handling standards for the public sector in Scotland. These standards are published as the Model Complaints Handling Procedure (MCHP) and define how they expect the public service sector to handle complaints quickly and simply, with local and early resolution by empowered and well-trained staff.

In line with the MCHP, 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 for as many complaints as possible to be resolved at Stage 1 with as few as possible requiring progression to Stage 2. This helps improve the customer's experience and our service provision. However, if following completion of this process, a customer remains dissatisfied, the complaint can be passed to the SPSO for further consideration and we advise the customer of this entitlement.

Complaints Performance Indicators

As part of the MCHP, local authorities are required to record, report and publish information on the complaints they receive. To assist with this, the SPSO developed a suite of 8 Performance Indicators that provide the minimum requirement for a local authority to self-assess, report on performance and undertake benchmarking activities.

We use data from our Complaints Management System to report how we are performing against these indicators, to monitor any issues raised and the learning outcomes taken to address these. We share this information with our Corporate Management Team and Heads of Service on a quarterly basis and our Service Committees every six months. Our Complaints Officer also holds regular meetings with Complaints Administrators to monitor and address any concerns with our Complaints Handling Procedure.

How we performed against the SPSO indicators in 2021/22 is set out below. For comparison purposes, we have also included our performance from the previous two years and the 2021/22 national averages for Scotland.

Indicator 1: Complaints received per 1,000 population

This indicator records the total number of complaints we received at both Stage 1 and Stage 2. To allow for a fair comparison across all local authorities in Scotland, the figure per 1,000 population is used.

Table 1: Complaints received per 1,000 population

	Moray Council			Scotland
	2019-20	2020-21	2021-22	2021-22
Total Complaints Received (Stage 1 and Stage 2)	738	513	541	57,015
Population	95,820	95,710	95,710	5,292,350
Complaints per 1,000 population	7.70	5.36	5.61	10.77

(Moray Council population based on NRS Population Mid-Year Estimates 2020, Scotland population based on Mid-Year Estimates 2020 for those areas where complaints data was returned)

During 2021/22, we received 5.5% more complaints than in 2020/21. Despite this slight increase, our complaints remain well below that received prior to the COVID pandemic in 2019/20 and nearly half the Scottish average per 1,000 population.

Environmental and Commercial Services has again received the highest proportion of complaints, although this has declined compared to previous years. Housing and Property complaints remain relatively static while complaints to Schools and Curriculum Development has increased, accounting for 12% of all complaints received.

Table 2: % of Complaints received by Department

% of Complaints received by Department	2019-20	2020-21	2021-22
Environmental and Commercial Services	42%	38%	31%
Housing and Property	29%	32%	29%
Schools and Curriculum Development	7%	4%	12%
Development Services	5%	7%	7%
Legal and Democratic Services	6%	4%	6%
Community Care	3%	6%	4%
Intergrated Children Services	5%	6%	4%
Lifelong Learning, Culture and Sport	1%	2%	3%
Financial Services	1%	0%	1%
Human Resources and ICT	1%	1%	1%

Looking specifically at Environmental and Commercial Services, complaints were particularly high in both 2018/19 and 2019/20. This spike can be linked to changes made to the Service at that time with complaints received covering topics such as reduction in grass cutting, introduction of garden waste permits, 3 weekly household collections and amended opening hours for recycling centres.

Table 3: % of Complaints received by Environmental and Commercial Services

% of Complaints received by Department	2017-18	2018-19	2019-20	2020-21	2021-22
Environmental and Commercial Services	36%	41%	42%	38%	31%

Indicator 2: Closed Complaints

A complaint is closed when the customer has received a response and at that time no further action is required. This indicator provides information on the number of complaints closed at both Stage 1 and Stage 2.

Table 4: Closed Complaints by Stage

	Moray Council						Scotland	
	2019-20	%	2020-21	%	2021-22	%	2021-22	%
Stage 1 Closed	579	80%	377	74%	404	77%	48,773	89%
Stage 2 Closed	134	18%	122	24%	110	21%	4,156	8%
Escalated Stage 2 Closed	12	2%	12	2%	13	2%	2,110	4%
Total Complaints Closed	725		511		527		55,039	

We aim to provide a quick response to straightforward issues and as a result the majority of our complaints are closed at Stage 1. This has increased during 2021/22 however we are below the Scottish average with more of our complaints closing at Stage 2. We will work to improve this through staff training and sharing of best practice with our Complaint Administrators and Senior Management Team.

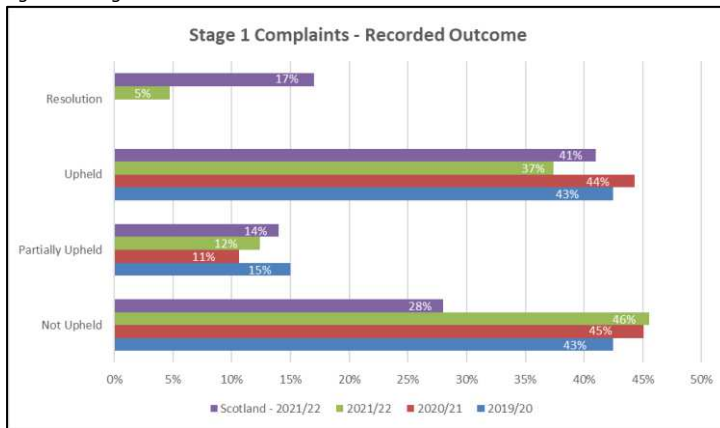
Indicator 3: Complaints upheld, partially upheld, not upheld and resolution

We are required to review our complaints and record the outcome for each. This could be upheld, partially upheld, not upheld or, since April 2021, resolution.

A complaint is defined as upheld when it is found to be true or confirmed. A partially upheld complaint is where several issues have been raised and some, but not all, are upheld. Complaints are not upheld when they are found to be untrue or where a reasonable standard of service has been provided. Resolution covers complaints that cover a number of issues but we manage to agree an outcome without the need to investigate and respond on each separately. If however during this process the customer changes their mind, then the issues raised will be fully investigated and responded to as a stage 2 complaint. Once a decision has been taken on the outcome, customers are contacted and provided with an explanation of the findings.

Figures 1-3 show the proportion of our complaints at each stage by outcome over the last three years and against the Scottish average in 2021/22.

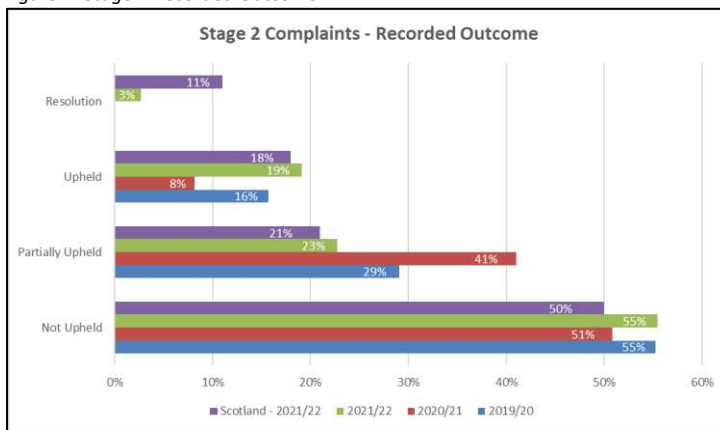
Figure 1: Stage 1 Recorded Outcome



2021/22 saw a decline in upheld Stage 1 complaints however this is likely due to the introduction of resolution as an outcome. Overall, the proportion of Stage 1 complaints closed as upheld, partially upheld or resolution has remained relatively static over the past three years, moving from 57% in 2019/20 to 54% in 2021/22.

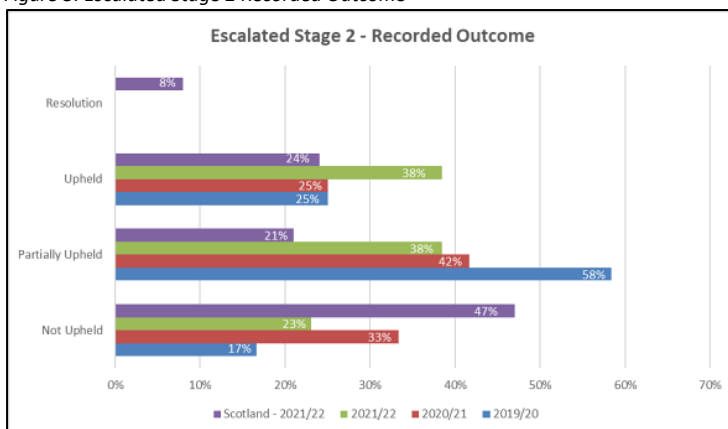
Nationally the latest average is 72%.

Figure 2: Stage 2 Recorded Outcome



Stage 2 complaints upheld in some form have also remained at a similar level over the past three years at around 45% compared to 50% nationally.

Figure 3: Escalated Stage 2 Recorded Outcome



In 2019/20, 83% of our escalated Stage 2 complaints were upheld or partially upheld. In 2021/22 this has fallen to 76%, however this is still well above the national average of 45%.

Indicator 4: Average Response Times

The SPSO response timescale for a Stage 1 complaint is up to 5 working days; for Stage 2 (including escalated complaints) it is up to 20 working days. This indicator provides the average time in working days taken to close complaints.

Table 5: Average Response Times (Working Days)

	Moray Council			Scotland
	2019-20	2020-21	2021-22	2021-22
Stage 1 Frontline	5.5	5.6	5.1	6.3
Stage 2 Investigative	22.9	21.9	20.9	20.7
Escalated Stage 2	29.1	20.3	26.2	18.6

Our average response times have improved for Stage 1 and Stage 2 complaints with both now only just exceeding SPSO response timescales and below the national average. Compared to 2020/21, we have taken longer to respond to escalated Stage 2 complaints. Due to the complex nature of these complaints, it can take more time to investigate fully however we do aim to reduce this whenever possible. Each week our Complaints Officer works with Administrators to identify and progress complaints taking longer than anticipated. Any issues around timescales are also discussed during national Complaint Handling meetings held every quarter.

Indicator 5: Performance against Timescales

The results from this indicator allow us to see how we are performing against the SPSO response time targets noted above.

Table 6: Percentage of Complaints Closed within Timescales

	Moray Council			Scotland
	2019-20	2020-21	2021-22	2021-22
Stage 1 Frontline	71%	71%	74%	67%
Stage 2 Investigative	53%	57%	69%	63%
Escalated Stage 2	50%	67%	23%	62%

This indicator confirms the response times seen with indicator 4. In 2021/22 we improved the proportion of our Stage 1 and Stage 2 complaints that were closed within SPSO target timescales, with both now above the Scottish average. We also saw a sharp decline in the proportion of our escalated complaints meeting target timescales. Complaints not meeting the 20 working day target involved complex issues with a Housing and Property complaint taking 34 days longer than anticipated due to the requirement for legal advice. We will continue to work closely with our Services and Administrators to progress complaints as quickly as possible.

Indicator 6: Number of complaints where an extension is authorised

In certain circumstances, the MCHP allows for an extension to be applied to the response time targets of 5 and 20 working days. Stage 1 complaints may be extended by up to a further 5 days. The extension for a Stage 2 complaint can vary and is determined by a number of factors including the nature of the complaint, the evidence and if it relates to more than one department. That said, the period of extension must be reasonable and justified. This indicator shows us the number of complaints closed at each stage where an extension was authorised as a % of all complaints at each stage.

Table 7: Stage 1 Closed Complaints with an authorised extension

	Moray Council			Scotland
	2019-20	2020-21	2021-22	2021-22
Stage 1				
No of Closed Complaints	579	377	404	48,788
No of Closed Complaints with an authorised extension	63	39	35	3,010
% of Closed Complaints with an authorised extension	11%	10%	9%	6%

Table 8: Stage 2 Closed Complaints with an authorised extension

	Moray Council			Scotland
	2019-20	2020-21	2021-22	2021-22
Stage 2				
No of Closed Complaints	134	122	110	4,156
No of Closed Complaints with an authorised extension	25	19	12	783
% of Closed Complaints with an authorised extension	19%	16%	11%	19%

Table 9: Escalated Stage 2 Closed Complaints with an authorised extension

	Moray Council			Scotland
	2019-20	2020-21	2021-22	2021-22
Escalated Stage 2				
No of Closed Complaints	12	12	13	2,110
No of Closed Complaints with an authorised extension	6	3	4	376
% of Closed Complaints with an authorised extension	50%	25%	31%	18%

As stated above, this indicator benchmarks our performance for authorised extensions across all closed complaints at each stage. However, we can look at just those complaints not meeting target timescales and identify whether or not an extension has been authorised. A higher proportion of authorised extensions against these late complaints would suggest a good level of communication has been maintained and a more efficient Complaint Handling Procedure.

Unfortunately during 2021/22, the proportion of our complaints that did not meet target timescales and did not have an authorised extension has increased across all three stages. In particular, figure 4 shows our late Stage 2 complaints closed without an extension, rose to 74%.

Table 10: No of Closed Complaints late or on time against target timescales

Number of Closed Complaints				
		Late	On time	Total
2021/22	Stage 1 Frontline	106	298	404
	Stage 2 Investigative	34	76	110
	Escalated Stage 2	10	3	13
2020/21	Stage 1 Frontline	109	268	377
	Stage 2 Investigative	55	67	122
	Escalated Stage 2	3	9	12
2019/20	Stage 1 Frontline	158	421	579
	Stage 2 Investigative	68	66	134
	Escalated Stage 2	5	7	12

Figure 4: 2021/22 % of Late Complaints by Authorised Extension

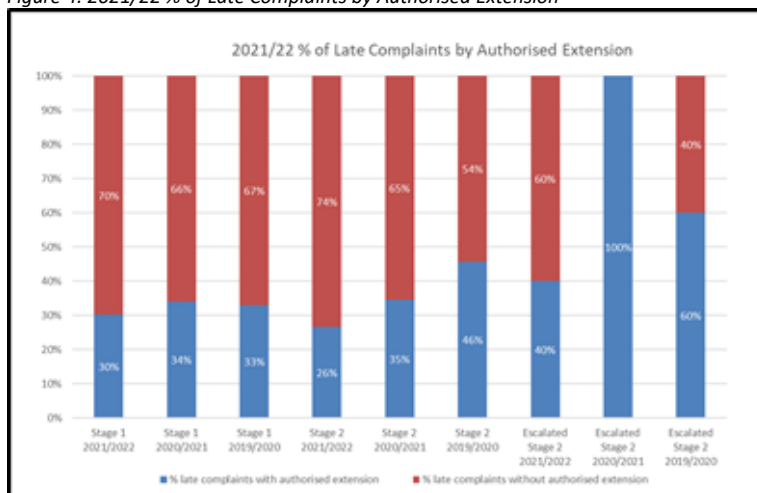
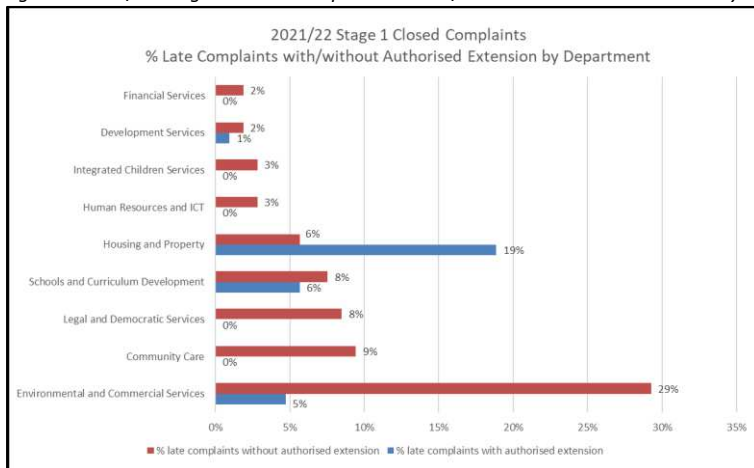
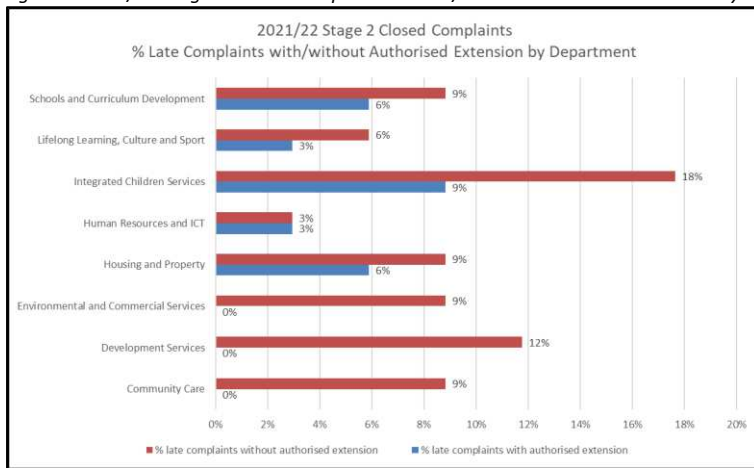


Figure 5: 2021/22 Stage 1 Closed Complaints % with/without Authorised Extension by Department



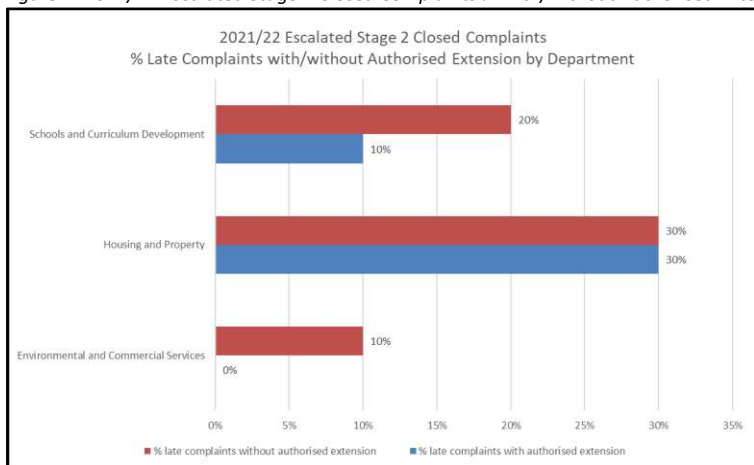
From 2021/22 data (figures 5, 6 and 7) it is clear the use of authorised extensions could be improved across all areas dealing with complaints; in particular with Environmental and Commercial Services, Community Care, Integrated Children’s Services and Housing and Property.

Figure 6: 2021/22 Stage 2 Closed Complaints % with/without Authorised Extension by Department



We will work with our Services and Senior Management to enhance the monitoring of late complaints and ensure our procedure is followed correctly.

Figure 7: 2021/22 Escalated Stage 2 Closed Complaints % with/without Authorised Extension by Department



Indicator 7: Customer Satisfaction

A customer satisfaction survey is sent to all customers of the complaints service. In 2021/22, we issued 482 surveys and received 58 responses, giving a return rate of 12%. This is the lowest in recent years with 15% recorded in 2020/21 and 13% in 2019/20.

This survey aims to highlight what we do well when dealing with a complaint and where improvements can be made. Key points raised through our latest survey are below. Perhaps not surprisingly, with our low use of authorised extensions highlighted in figures 4-7 above, we need to improve our communication regarding timescales and the next stage of a complaint.

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*
- Our staff deal with complaints politely*

What we can improve when dealing with complaints:

- We need to ensure we address all points raised in a complaint*
 - We need to communicate better on timescales and the next stage of a complaint*
 - We need to ensure our responses are easy to understand*
-

Indicator 8: 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 2021/22 are provided below.

Housing Repairs

We identified an issue with delayed repairs and the updates provided to housing tenants. We reviewed our procedures to improve communication and identified a local supplier where our tradesmen could order parts direct, minimising the risk for wrong orders that had led to the delays.

Household Collections

From complaints to our Waste Team, it was clear there were problems with the delivery of new and replacement bins. We reviewed our procedure to ensure stock levels were maintained and we improved our communication with revised delivery lead times.

Housing Needs

A customer reported issues with the response to their community emergency alarm. We reviewed our contact information and improved our Duty Warden Rota procedure.

Contact Centre

We received a complaint relating to our Contact Centre. We worked with our staff to ensure a more personal and sympathetic response is provided to those we speak to.

Council Tax

A complaint was received in relation to our Council Tax service. While investigating, it was clear backlogs had affected the system. Staff were reminded to allow extra time and check backlogs when awaiting evidence to support a claim.

Education and Social Work

To address a complaint relating to the school transition process, staff across education and social work were reminded to ensure minutes of meetings were clear and easy to understand. Teams were also advised to always signpost to additional services to ensure full support was provided.

Out of Hours Building Services

We were advised our Out of Hours procedure had not been applied correctly. To ensure compliance, staff were reminded to check records and instruct DLO to attend when appropriate, particularly when a tenant has been identified as vulnerable.

Conclusion

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 our Complaints Handling Procedure. This Annual Report complies with the SPSO's requirement to publish complaints information and highlights our performance against their 8 performance indicators. It also shows some of the recent issues we've addressed and where our Complaints Handling Procedure can be improved. 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.