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**REPORT TO: CORPORATE COMMITTEE ON 8 NOVEMBER 2022**

**SUBJECT: COMPLAINTS ANNUAL REPORT 2021-22**

**BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES & ORGANISATIONAL DEVELOPMENT)**

**1. REASON FOR REPORT**

- 1.1 The Committee is asked to consider the Complaints Annual Report 2021-22.
- 1.2 This report is submitted to the Corporate Committee in terms of Section III (B) (39) of the Council's Scheme of Administration relating to developing and monitoring public relations, public reporting, publicity and corporate communications.

**2. RECOMMENDATION**

**2.1 The Committee is asked to:**

- i) consider the contents of the Complaints Annual Report;**
- ii) scrutinise performance as indicated in the report; and**
- iii) approve the report for submission to the Scottish Public Services Ombudsman (SPSO).**

**3. BACKGROUND**

- 3.1 All councils are required to publish their performance against the national performance indicators set by the SPSO. The attached report presents performance against these performance indicators for the 2021-22 reporting period. **(Appendix 1)**
- 3.2 Complaints handling is part of the council's performance management framework. Members receive updates on complaints performance through routine reports to service committees.

- 3.3 Compared to the 2020-21 figures, there has been an increase in the number of complaints received. Despite the slight increase, complaints remain well below that received prior to the COVID pandemic and are nearly half the Scottish average per 1,000 population. As substantial providers of customer-facing services, Environmental and Commercial Services and Housing and Property Services continue to receive the largest proportion of complaints.
- 3.4 During 2021-22, 77% of complaints were dealt with at frontline (stage 1) and 23% were dealt with at investigation (stage 2) including those escalated to investigation. This is a slight improvement from 74% dealt with at front line in 2020-21 but below the national average (89%). It is heartening to see that most complaints continue to be dealt with at frontline, as suggested by the SPSO's guidance on the Model Complaints Handling Procedure to "take every opportunity to resolve service users' complaints at the first point of contact if at all possible". Opportunities to improve performance continue through staff training, routine reporting and discussion with senior managers and complaint administrators.
- 3.5 A new category of resolution was added to the complaint handling procedure in 2021-22, with a small proportion of complaints being dealt with this way. Resolution is used when agreeing a resolution outcome with the customer without the need to fully enquire into their complaint issues. The option remains for the customer to change their mind and have their complaint dealt with through stage 1 and stage 2 of the complaint handling procedure.
- 3.6 54% of frontline (stage 1) complaints were recorded as 'upheld', 'partially upheld' or 'resolution' in 2021-22, similar to 2020-21 performance. National averages show a significantly higher proportion of complaints with resolution as an outcome, however similar levels of upheld and part upheld. This demonstrates where an anticipated level of service falls short, it is acknowledged, learning and improvement outcomes are identified and implemented.
- 3.7 45% of investigation (stage 2) complaints were recorded as 'upheld', 'partially upheld' or 'resolution' in 2021-22, marginally lower (4%) than 2020-21 performance and 5% below the national average. Over the past 3 years the proportion of stage two complaints (including after escalation) 'upheld', 'partially upheld' or 'resolution' has consistently been between 40% and 50%.
- 3.8 Our average response times have improved for Stage 1 complaints (5.1 days) and Stage 2 complaints (20.9 working days) to only just above SPSO target response timescales of 5 and 20 working days respectively.
- 3.9 In certain circumstances, an extension to response times can be applied. Focusing on complaints not meeting target timescales, where perhaps extensions would apply most, performance highlights communication with complainants as an area for improvement in the year ahead. In 2021-22, the proportion of complaints not meeting response timescales that did not have an authorised extension increased across all stages.

- 3.10 The impact on complaint handling arising from the pandemic remained. Some staff who normally dealt with their service complaints were assigned to other roles. A high percentage of our staff continued to work from home necessitating additional work for our IT department to ensure they had access to systems, including those systems required to manage complaints. Services in the main adhered to our Complaint Handling Procedure (CHP). There was a similar impact for other councils at a national level and at the SPSO.
- 3.11 Learning from complaints is essential if we are to improve the way we deliver services. Monitoring of complaint database closure e-forms shows that learning outcomes are being completed for individual complaints and summaries providing relevant complaint detail and lessons learned is provided in routine service performance reporting. However increased scrutiny to look for commonalities that may contribute to organisational change. This is tabled as an agenda item at the December 2022 Local Authority Complaint Handlers Network meeting to establish what other councils do to capture, report and utilise their learning outcomes information.

## **4 SUMMARY OF IMPLICATIONS**

**(a) Corporate Plan and 10 Year Plan - Local Outcomes Improvement Plan (LOIP)**

This report supports the Scottish Government's national outcomes, in particular the commitment to be accountable to the community as stated: "Our public services are high quality, continually improving, efficient and responsive to local people's needs."

Effective complaints reporting is used to ensure the efficient and sustainable delivery of services to meet the Council's priorities in 'Moray 2026: A Plan for the Future'.

**(b) Policy and Legal**

The SPSO have made it a statutory requirement to have all local authorities publish a Complaints Annual Report.

**(c) Financial implications**

It is not anticipated that there will be any financial implications.

**(d) Risk Implications**

Failure to adhere to the statutory SPSO requirement may result in SPSO making a declaration of non-compliance against the Council. Non-compliance with the statutory duty relating to national standards being adopted would present risk in terms of reputational damage and a loss of public confidence in reporting complaints.

**(e) Staffing Implications**

There are no staffing implications related to this report.

**(f) Property**

There are no property implications related to this report.

**(g) Equalities/Socio Economic Impact**

The Equal Opportunities Officer has been consulted in the preparation of this report and recommended that where services are experiencing high volumes of complaints, common complaint issues and any learning arising should be identified. This will help to ensure that complaints are not arising from situations where customer diversity needs have not been considered or addressed, e.g. disability or cultural issues. Further recommending that where there is evidence or a suspicion that a complaint is related to characteristics protected under the Equality Act 2010 (race, disability, sex, religion/belief, sexual orientation, age, gender reassignment, pregnancy/maternity), services make contact the Council's Equal Opportunity Officer.

**(h) Climate Change and Biodiversity Impacts**

No climate change or biodiversity implications related to this report.

**(i) Consultations**

The Corporate Management Team have been consulted on the contents of the Complaints Annual Report 2021-22.

**5. CONCLUSION**

**5.1 That the Committee approve the publishing of the Complaints Annual Report 2021-22 to comply with the SPSO statutory requirement.**

Author of Report:	John Black, Complaints Officer
Background Papers:	Held by Author
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