

**REPORT TO: SCRUTINY COMMITTEE – 25 JUNE 2013**

**REPORT ON: COMPLAINTS HANDLING**

**REPORT BY: CHIEF EXECUTIVE**

**REPORT NO: 253-2013**

## **1. PURPOSE OF REPORT**

To report on the first six months of using the new model Complaints Handling Procedure and to advise members of steps being taken to ensure and improve the effectiveness of the Council's complaints process.

## **2. RECOMMENDATIONS**

It is recommended that members note:

- a) the implementation of the new model Complaints Handling Procedure for Local Authorities from 1 October 2012
- b) the key performance indicators on complaints between 1 October 2012 and 31 March 2013
- c) the establishment of a Complaints Review Group to check the quality of complaints handling and promote learning and improvement from complaints
- d) the results of a satisfaction survey sent to everyone who was recorded as having made a complaint which was closed between October 2012 and March 2013
- e) the key findings from a review of complaints handling carried out by Internal Audit
- f) the intention to provide further guidance and training to staff to address the areas for improvement identified in this report

## **3. FINANCIAL IMPLICATIONS**

None.

## **4. IMPLEMENTATION OF THE NEW MODEL COMPLAINTS HANDLING PROCEDURE FOR LOCAL AUTHORITIES**

- 4.1 From 1 October 2012, the Council has been operating the new model Complaints Handling Procedure for Local Authorities which was developed by the Scottish Public Services Ombudsman. The key differences from our previous complaints procedure are a change from a three stage to a two stage process (consisting of frontline resolution and investigation stages), more rigorous recording of complaints resolved at the frontline, more frequent monitoring of complaints statistics and more systematic recording of lessons learned from complaints.
- 4.2 In accordance with the remits given by the Policy and Resources Committee at its meeting on 25 June 2012 (Report No 214-2012 refers), officers have:
  - produced a booklet for the public describing the new complaints procedure, in the format and including the contents exactly as specified by the Ombudsman, copies of which are available at all reception areas

- revised the information about complaints on the Council's website
  - produced guidance for staff, encouraged relevant staff to do an e-learning module developed by the Ombudsman's training unit and provided briefings for departmental Management Teams and complaints administrators
  - revised the electronic complaints recording system to comply with the new model procedure. In particular, this reflects the new 5 and 20 day targets for responding at the frontline and investigation stages and the newly defined complaint categories, and generates data on the statistical indicators specified by the Ombudsman as part of the required performance management framework
  - taken part in the Complaint Handlers Network with the Ombudsman's staff and officers of other local authorities to share good practice in complaints handling and use of the new procedure
- 4.3 The Ombudsman has confirmed that the Council's complaints procedure complies with the model, and was the first local authority procedure in Scotland to be assessed as doing so.
- 4.4 A high priority has been attached to improving the complaints system as a key way of improving customer satisfaction, especially since the annual citizen survey showed the Council's rating on 'listening to complaints' was lower than the normally high levels of customer satisfaction. Trying to achieve high levels of satisfaction from people who have had reason to complain is a challenge, but this report signals a new approach to reaching for even higher levels of customer satisfaction and service improvement.
- 5. COMPLAINTS STATISTICS : 1 OCTOBER 2012 – 31 MARCH 2013**
- 5.1 The new Complaints Handling Procedure has been operational since 1 October 2012. Because it includes new complaint categories and new response targets, the statistics below cover complaints which were closed in the six months from October 2012 to March 2013, rather than a full year. Data from previous years is not comparable. However, it is proposed to produce quarterly reports for the Committee in future which will give members the opportunity to monitor trends. We will also be able to benchmark performance on complaints with other authorities who will use the same set of performance indicators as specified by the Ombudsman.
- 5.2 Analysis of key indicators for the first six months of using the new procedure shows that:
- 238 complaints were recorded as closed off during the six months. However, although Social Work now use the complaints recording database they are not subject to the model Complaints Handling Procedure as there are separate statutory complaints procedures for Social Work. So, the statistics below and in the Appendix are based on 199 complaints, excluding 39 recorded about Social Work. The Director of Social Work has reported separately to Committee on complaints. The figures below include 10 complaints relating to Leisure and Culture Dundee. These are included because, where local authorities use 'arms length' external organisations or trusts to deliver Council services, the authority is still responsible for ensuring that these bodies meet the requirements of the model Complaints Handling Procedure, so Leisure and Culture Dundee use the Council's complaints recording database. However, details of LACD complaints are not included in the Appendix but will instead be reported to their Board
  - 96.5% of complaints were dealt with at the frontline resolution stage and 3.5% at the investigation stage

- 61.5% of complaints at the frontline stage were closed within the 5 day target. A further 14.1% were closed within an extended target time (where complaints are expected to take longer than 5 days to respond to, officers can extend the target date but have to record the reasons for this and are expected to keep complainants informed of progress). Staff will be reminded of the importance of aiming to respond to complaints within the target times and keeping complainants informed where this is not possible
- 85.7% of complaints at the investigation stage were closed within the 20 day target, and the remaining 14.3% were closed within an extended target time
- 30.7% of complaints were upheld at the frontline resolution stage
- of the 7 complaints escalated to the investigation stage, 1 was upheld
- the average number of days taken to close complaints was 6.2 days at the frontline stage and 9.7 days at the investigation stage
- by nature of complaint, the percentage recorded in each of the new complaint categories was:
 

- delay in responding to enquiries and requests	-	21.4%
- failure to meet our service standards	-	19.7%
- treatment by, or attitude of, a member of staff	-	19.3%
- failure to provide a service	-	16.0%
- dissatisfaction with our policy	-	9.7%
- failure to follow the proper administrative process	-	7.6%
- refusal to give advice or answer questions	-	0.4%
- other (this includes previously used categories where complaints were logged before 1 October but not closed until after this date)	-	5.9%
- 13 people made more than one complaint during the six months – 1 person made three complaints and 12 made two complaints
- by department, the highest number of complaints recorded were for Housing (81), Corporate Services (44), Education (26), Environment (17) and City Development (17)

More details, including departmental breakdowns, are given in the Appendix.

5.3 To put the number of formal complaints received into context, the Council manages a huge volume of transactions with customers. For example, we:

- manage over 13,000 Council houses and relet over 1,400 of these each year
- carry out around 55,000 repairs each year and deal with over 1,500 reports of anti-social behaviour
- bill around 74,000 domestic properties for Council Tax and issue approximately 350,000 Council Tax bills and reminder notices, not including benefit notifications and other letters which would take the total number of Revenues transactions to over 600,000
- educate over 17,000 pupils and process nearly 1,500 placing requests

- process over 4,000 free school meal and clothing grant applications and over 600 applications for Education Maintenance Allowance
- uplift waste from around 74,000 households and 1,800 commercial premises
- carry out around 800 food inspection visits, 600 occupational health and safety visits and 7,000 pest control visits
- (to follow – examples from City Development)

although it must also be acknowledged that not all expressions of dissatisfaction are recorded as formal complaints e.g. customers may choose instead to ask councillors to take up their case or use other procedures such as appeal processes and insurance claims, or raise service delivery issues such as late repairs or missed services which are simply resolved without any formal response.

5.4 It was intended to include in this report an analysis of complaints made about Dundee City Council to the Scottish Public Services Ombudsman during 2012/2013. However, the Ombudsman's annual report is not expected to be received until July so it is proposed to include this in the next report to Committee in September.

## 6. **QUALITY CHECKS**

6.1 A new procedure has been introduced which involves a Complaints Review Group, made up of complaints administrators from a number of departments and officers concerned with performance and improvement from the Chief Executive's Department, meeting on a quarterly basis to review a sample of complaints. The group's remit is to consider:

- was the complaint correctly recorded on the electronic system?
- was the complaint responded to in a reasonable time?
- was the complaint investigated to a reasonable degree to establish the root cause?
- was there evidence that the complainant was satisfied?
- was the message given to the complainant satisfactory from the perspective of the Council's values?
- was a lesson learned from the complaint that can be generalised and a better practice adopted?

6.2 The group held its first meetings in April and May 2013 and reviewed in detail a random sample of 18 complaints closed during the period from October to March. The group found that complaints were generally being recorded, investigated and responded to well. As with the internal audit review reported on below, they found some incidences where complaints took longer than ideally would have been the case, without any evidence that complainants had been contacted to keep them informed of progress in the meantime, and some cases where complainants had not been given information on how to escalate their complaint if they were still unhappy. The importance of dealing with complaints quickly, keeping complainants informed and advising complainants what to do if still dissatisfied will be reinforced in further guidance being issued to staff. Among the other general issues arising from the group's review of the sample of complaints were:

- it was not always clear what the customer wanted as an outcome of their complaint, so officers dealing with complaints should aim to establish this
- there were some cases where apologies and action to put things right could have been stated more clearly, and officers need to be careful always to use plain English (for example, avoiding jargon and abbreviations)
- it was particularly helpful where those dealing with complaints had used the feature on the electronic system to attach a copy of their response letter or email, so this should become standard practice. If a response is not made in writing (e.g. because a personal visit is made or the response is made by a phone call) full details of what was said to the complainant should be entered in the system to allow this to be reviewed
- the 'planned service improvements' field on the system should be completed whenever a complaint is upheld, and further guidance will be issued to staff to ensure that the information given about such improvements is sufficiently detailed

Despite highlighting these issues, it must be emphasised that the group also found many excellent examples of complaints being thoroughly investigated and clear letters of explanation, and apology where appropriate, being sent to complainants, which will be used as 'good practice' examples in guidance to staff.

6.3 A key aim of the Complaints Review Group is to ensure that lessons are being learned from complaints to prevent recurrence and to improve our services and processes. The Council should regard complaints as providing useful knowledge and as a source of ideas and innovation. The existence of a Council-wide group allows such learning to be shared across the Council, not just within the departments concerned. Issues which have been discussed by the group include:

- a tendency to deal with a complaint in isolation and not consider the whole system, for example reacting to a complaint by training staff on current procedures rather than considering a change to the procedure. An example was a customer being given a wrong timeframe when applications for pre-school services could be received. Application of the Council's STEP principles could have suggested a process that dealt with the customer at that point of contact. Removing the need to advise a customer to go away and come back at a later date would have removed the cause of the error
- investigations tended not to go beyond the individual case to satisfy one customer and consider any statistical evidence from the service system on the number of times similar issues occur. When a complainant mentions contacting the Council several times for progress on an issue, there is an opportunity to analyse how many calls of this nature are received. There was an example of this in relation to repairs to drainage in the street, and a solution might be to introduce a progress reporting message when the procedures involve a technical survey and work instructions carried out a further date
- improvements were sometimes directed at reminding staff to take account of something rather than 'bullet proofing' the procedure; an example would be adding to a form used for site clearance a part to clearly record any specific items not to be cleared

The Complaints Review Group recognised the value in having a second look at complaints outwith the pressure of dealing with a customer in the complaints timeframe, which enabled this system-wide learning to be done. Members of the group have taken this on board and are developing a similar approach in their departments

6.4 In addition to the sample of cases reviewed by the group, departments themselves are asked to identify improvements arising from complaints by completing a 'planned service improvements' field when closing off complaints. A number of these involved speaking to individuals and teams to remind them of procedures, customer care standards etc, but examples of process improvements recorded include:

- customer's experience of applying for a national entitlement card to be fed into STEP review of customer services
- headteacher to revise school procedures to ensure incidents involving pupils are more fully recorded and reported to parents
- advice about dog fouling to be reviewed and a leaflet considered
- more notice to be given to service users about meetings concerning their children

## 7. SATISFACTION WITH THE COMPLAINTS PROCESS

7.1 Part of the performance management framework required by the Ombudsman is that the Council reports on a measure of customer satisfaction with the complaints process. To achieve this, a satisfaction survey was issued in April 2013 to all those recorded as having made a complaint which had been closed between October 2012 and March 2013. 40 completed questionnaires were returned by the deadline given.

7.2 The key results were as follows:

7.2.1 How satisfied or dissatisfied were you with:

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	No Answer
The information on how to make a complaint (e.g. our complaints procedure leaflet or the information on our website)	10%	37.5%	25%	7.5%	20%	0%
The way you were treated by the staff who handled your complaint (e.g. their politeness)	12.5%	22.5%	15%	27.5%	20%	2.5%
The time taken to deal with your complaint	5%	10%	12.5%	22.5%	47.5%	2.5%

7.2.2 Throughout the process, were you:

	Yes	No	No answer
Kept up-to-date with progress on your complaint if it took longer than 5 working days to give you a full response	25%	70%	5%
Given information that was clear and easy to understand	45%	47.5%	7.5%
Told who to contact if you had any queries, or if you were unhappy with the decision	50%	45%	5%

- 7.2.3 Even if you did not get the outcome you wanted from your complaint, how satisfied were you that:

	Very Satisfied	Satisfied	Neither Satisfied nor Dissatisfied	Dissatisfied	Very Dissatisfied	No Answer
Your complaint was taken seriously by the Council	10%	17.5%	12.5%	20%	40%	0%
You were given a clear explanation of the reasons for the Council's decision	5%	15%	10%	25%	42.5%	2.5%

- 7.3 Given that the survey sample consisted entirely of people who had made complaints about the Council, the majority of which were not upheld, it is perhaps not surprising that there are fairly high levels of dissatisfaction. 60% of those who responded to the survey said they did not get the outcome they wanted from the complaint, and it is recognised to be very difficult to get complainants to comment objectively on the complaints process, as distinct from the outcome, where their complaint was not upheld or did not result in the action they wanted.
- 7.4 Nevertheless, further guidance to be issued to staff on handling complaints will emphasise the importance of responding on time to complaints, keeping complainants informed where an early resolution is not possible, giving clear information and explanations and advising who complainants should contact if they remain dissatisfied. The aim is to increase the % of complainants who acknowledge that the process of dealing with their complaint was satisfactory even if they did not get the outcome they desired. One of the crucial issues identified from comments made by some of those expressing dissatisfaction was that their complaint had still not been fully resolved, despite being closed off on the system. This can arise, for example, where part of the resolution is to arrange an inspection or repair and it is crucial that officers follow up any action agreed to ensure that the problem is fully resolved.
- 7.5 Satisfaction surveys will continue to be issued to complainants on a quarterly basis so that trends in the results can be reported to Committee in future.

## 8. INTERNAL AUDIT REVIEW

- 8.1 Internal Audit carried out a review of the Council's complaints handling procedure as part of the 2012/13 Internal Audit Plan. The principal conclusion from the review was that there was basically a sound system of control but there were some areas where improvements could be made.
- 8.2 In particular the report recommended that, to further improve the current complaints handling framework, steps should be taken to incorporate a link to the Council's complaint handling procedures on the front page of the website. The report also recommended that completion of the 'planned service improvements' field within the complaints recording database should be made mandatory and that standardised templates for responding to complaints should be compiled and included within staff guidance. In addition, to ensure that complaints are addressed within the target timescales and that the complaint handling procedures are followed, independent periodic checks of a sample of completed complaints should be performed.
- 8.3 All of the recommendations in the Audit report have been agreed, a number have already been actioned and the remainder will be implemented by September 2013.

## 9 FURTHER STAFF GUIDANCE AND TRAINING

- 9.1 Both the internal audit review and the sample check by the Complaints Review Group have confirmed that the Council has a good approach to handling complaints. Complaints are being recorded and investigated and there are many examples of excellent responses to complainants and of lessons being learned from complaints in order to improve services.
- 9.2 However, in response to the areas for improvement highlighted above – from the performance statistics, quality checking, satisfaction survey and internal audit review – it is proposed to issue further guidance to officers dealing with complaints. This will emphasise the importance of responding quickly to complaints, keeping complainants informed of progress, providing information on how to escalate complaints, recording details of responses made to complainants, following up action agreed as part of resolving complaints, and fully recording service improvements planned as a result of complaints. The examples of good practice found by the audit and the complaints review group will also be used as part of this guidance.
- 9.3 It is also proposed to arrange in-house training sessions on complaint investigation skills for appropriate staff, covering issues such as planning an investigation, evaluating evidence and communicating decisions.

## 10. POLICY IMPLICATIONS

- 10.1 This report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality and Risk Management. There are no major issues.
- 10.2 The complaints recording system includes a feature that asks complaint handlers to identify whether or not the complaint related to any equalities issue – age, disability, gender, LGBT, race or religion. In the period from 1 October 2012 to 31 March 2013 only one complaint was identified as relating to an equalities issue. The details have been brought to the attention of the Council's Equality and Diversity Co-ordinator.

## 11. CONSULTATIONS

The Director of Corporate Services, Head of Democratic and Legal Services and all chief officers have been consulted in the preparation of this report.

## 12. BACKGROUND PAPERS

None.

David K Dorward  
Chief Executive

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18/06/2013



## APPENDIX

## BREAKDOWN OF PERFORMANCE DATA ON INDICATORS SPECIFIED BY THE SCOTTISH PUBLIC SERVICES OMBUDSMAN

## SPSO report (1/10/2012 to 31/3/2013) ( Totals )

Stage Description	Total		Within Target		With Extension		Upheld		Not Upheld		Average Days to Resolve
	Count	%age	Count	%age	Count	%age	Count	%age	Count	%age	
Frontline (inc Stage 1)	192	96.5	118	61.5	27	14.1	59	30.7	133	69.3	6.2
Investigation	7	3.5	6	85.7	1	14.3	1	14.3	6	85.7	9.7

## SPSO report (1/10/2012 to 31/3/2013) (Corporate Services - Revenues and Customer Services)

Stage Description	Total		Within Target		With Extension		Upheld		Not Upheld		Average Days to Resolve
	Count	%age	Count	%age	Count	%age	Count	%age	Count	%age	
Frontline (inc Stage 1)	40	95.2	32	80.0	2	5.0	9	22.5	31	77.5	3.7
Investigation	2	4.8	2	100.0					2	100.0	12.5

## SPSO report (1/10/2012 to 31/3/2013) (Chief Executive - Corporate)

Stage Description	Total		Within Target		With Extension		Upheld		Not Upheld		Average Days to Resolve
	Count	%age	Count	%age	Count	%age	Count	%age	Count	%age	
Frontline (inc Stage 1)	2	100.0			2	100.0	2	100.0			15.2

## SPSO report (1/10/2012 to 31/3/2013) (Corporate Services - Finance and Procurement)

Stage Description	Total		Within Target		With Extension		Upheld		Not Upheld		Average Days to Resolve
	Count	%age	Count	%age	Count	%age	Count	%age	Count	%age	
Frontline (inc Stage 1)	1	100.0							1	100.0	7.8

## SPSO report (1/10/2012 to 31/3/2013) (Education Department)

Stage Description	Total		Within Target		With Extension		Upheld		Not Upheld		Average Days to Resolve
	Count	%age	Count	%age	Count	%age	Count	%age	Count	%age	
Frontline (inc Stage 1)	26	100.0	23	88.5	2	8.0	7	26.9	19	73.1	3.8

**SPSO report (1/10/2012 to 31/3/2013) (Human Resources)**

Stage Description	Total		Within Target		With Extension		Upheld		Not Upheld		Average Days to Resolve
	Count	%age	Count	%age	Count	%age	Count	%age	Count	%age	
Frontline (inc Stage 1)	1	100.0							1	100.0	2.6

**SPSO report (1/10/2012 to 31/3/2013) (Housing)**

Stage Description	Total		Within Target		With Extension		Upheld		Not Upheld		Average Days to Resolve
	Count	%age	Count	%age	Count	%age	Count	%age	Count	%age	
Frontline (inc Stage 1)	76	93.8	43	56.6	13	17.1	24	31.6	52	68.4	8.2
Investigation	5	6.2	4	80.0	1	20.0	1	20.0	4	80.0	8.6

**SPSO report (1/10/2012 to 31/3/2013) (Environment)**

Stage Description	Total		Within Target		With Extension		Upheld		Not Upheld		Average Days to Resolve
	Count	%age	Count	%age	Count	%age	Count	%age	Count	%age	
Frontline (inc Stage 1)	17	100.0	5	29.4	4	23.5	8	47.1	9	52.9	6.1

**SPSO report (1/10/2012 to 31/3/2013) (City Development)**

Stage Description	Total		Within Target		With Extension		Upheld		Not Upheld		Average Days to Resolve
	Count	%age	Count	%age	Count	%age	Count	%age	Count	%age	
Frontline (inc Stage 1)	17	100.0	6	35.3	4	23.5	3	17.6	14	82.4	7.9

**SPSO report (1/10/2012 to 31/3/2013) (Chief Executive - Communities and Policy)**

Stage Description	Total		Within Target		With Extension		Upheld		Not Upheld		Average Days to Resolve
	Count	%age	Count	%age	Count	%age	Count	%age	Count	%age	
Frontline (inc Stage 1)	2	100.0	1	50.0					2	100.0	4.8