

REPORT TO: SCRUTINY COMMITTEE - 14 DECEMBER 2016
REPORT ON: BI-ANNUAL REPORT ON COMPLAINTS
REPORT BY: CHIEF EXECUTIVE
REPORT NO: 417-2016

1. PURPOSE OF REPORT

To report on complaints statistics for the first half of 2016/2017, with comparisons to previous periods, and on the action which continues to be taken to ensure that complaints are handled well and to learn from complaints.

2. RECOMMENDATIONS

It is recommended that Committee notes:

- (a) the key performance indicators on complaints closed between 1 April 2016 and 30 September 2016, with trends from previous periods.
- (b) the latest update from the Complaints Review Group which meets quarterly to check the quality of complaints handling and to promote learning and process improvement from complaints.
- (c) the results of the satisfaction survey sent to everyone who made a complaint closed during the first two quarters of 2016/2017, with trends from previous surveys.
- (d) a summary of the annual letter from the Scottish Public Services Ombudsman on complaints received about the Council during 2015/2016.

3. FINANCIAL IMPLICATIONS

None.

4. BACKGROUND

- 4.1 Since 1 October 2012, the Council has been operating the model Complaints Handling Procedure for Local Authorities as required by the Scottish Public Services Ombudsman. Part of that procedure is that regular reports are produced for the Council's management team and elected members.
- 4.2 This latest report covers complaints closed during the year from 1 April 2016 to 30 September 2016, and includes performance on key indicators as well as the results of the satisfaction survey sent to all those who made complaints closed during this period, with charts showing the trends compared to previous periods.
- 4.3 The report also updates Committee on the work of the Complaints Review Group which meets quarterly to check that the complaints handling procedure is being followed correctly and to promote learning and process improvement from complaints.
- 4.4 To clarify, this report does not analyse every instance of dissatisfaction, only those where people have used the complaints process. There has been discussion about whether issues raised through councillors are counted and members are reminded that they or their constituents can ask for any such issues to be recorded as complaints. To capture useful information about recurring topics in councillor enquiries and consider any process improvements required, it is proposed to arrange periodic 'snapshot' surveys and members will be contacted in the near future with specific details.

5. COMPLAINTS STATISTICS: 1 APRIL 2016 - 30 SEPTEMBER 2016

5.1 In the first half of 2016/2017:

- 234 complaints were closed (this excludes complaints about Social Work as they are not subject to the model Complaints Handling Procedure).
- 60.1% of complaints at the frontline stage were closed within the target of 5 working days and a further 7.3% within an extended target time.
- the aim of the Complaints Handling Procedure is for as many complaints as possible to be resolved at the frontline stage (stage 1) with as few as possible going for further investigation (stage 2). During the first half of 2016/2017, our ratio of complaints dealt with at stage 1 compared to 2 was 82.5% to 17.5% - close to the Ombudsman's 'good practice' ratio of 85/15.
- 70.7% of complaints at the investigation stage were closed within the 20 working days target and a further 19.5% within an extended target time.
- the average number of working days taken to close complaints was 7.5 days at the frontline stage and 17 days at the investigation stage (combining 'opened at' and 'escalated to' figures). The Ombudsman has emphasised that the 5 and 20 day targets are designed to drive improvement rather than absolute standards which must be complied with. It is acknowledged that some complaints take longer to resolve and missing the targets is not regarded as a 'fail'. In particular, complaints relating to schools tend to take longer to resolve as they often involve arranging meetings with parents or investigations according to agreed procedures for teachers.
- at the frontline stage, 31.6% of complaints were upheld and a further 14.0% were partially upheld.
- at the investigation stage, 31.7% were upheld and 19.5% were partially upheld.
- the percentage of complaints recorded in each category is shown below (with the figure for 2015/2016 in brackets):

- delay in responding to enquiries and requests	-	19.3%	(16.0%)
- failure to meet our service standards	-	12.0%	(18.4%)
- treatment by, or attitude of, a member of staff	-	24.9%	(25.6%)
- failure to provide a service	-	24.1%	(18.0%)
- dissatisfaction with our policy	-	11.6%	(14.0%)
- failure to follow the proper administrative process	-	7.6%	(6.8%)
- refusal to give advice or answer questions	-	0.4%	(1.2%)

Complaints categorised as relating to treatment by or attitude of staff continue to be the highest group. Although our overall customer satisfaction survey continues to score highly for the courtesy, friendliness and helpfulness of staff, action is taken in response to complaints and the 'planned service improvements' recorded on upheld complaints identify where action has been taken to speak to members of staff. We also propose to:

- analyse whether the proportion of such complaints which are upheld or partially upheld is in line with the overall figure.
- focus specifically on "staff attitude" complaints when a random sample of complaints is next reviewed, to try to establish if there are any underlying issues.
- review whether any further customer service training requires to be planned.
- 9 people made more than one complaint during the first half of 2016/2017 - 8 made two complaints, and 1 made three complaints.

- by service, the number of complaints recorded were for:
 - Corporate Services (52)
 - Children & Families
 - Education (46)
 - Neighbourhood Services
 - Housing (67)
 - Environment (50)
 - City Development (17)
 - Chief Executive's (2)

A breakdown of each service's figures is given in Appendix One.

5.2 To put the number of complaints received into context, the Council manages a huge volume of transactions with customers. For example, in a typical year we:

- manage over 13,000 Council houses and relet over 1,400 of these.
- carry out around 55,000 repairs 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 Revenue transactions to over 600,000.
- educate over 17,000 pupils (over 3.2 million 'pupil days') 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.
- carry out around 800 food inspection visits, 600 occupational health and safety visits and 7,000 pest control visits.
- empty over 6 million bins.
- provide home care to over 1,800 people and residential care to 1,000 service users.
- receive over 1,400 requests under Freedom of Information Legislation and Environmental Information Regulations.
- register around 4,000 births and deaths and conduct around 600 weddings.
- receive over 100,000 service requests on our website (job applications, requests for wheelie bins, book renewals etc).
- process more than half a million payments valued at around £150 million.
- process 1,100 Building Warrant applications and 900 planning applications, and investigate over 150 planning enforcement complaints.
- maintain over 500 Km of roads and almost a million Km of footpaths, and travel about 30,000 Km treating priority roads in the winter.
- process over 17,000 recruitment applications via the Talentlink portal.
- provide over 5,000 interpretation and translations per year.
- deliver 3,700 adult learning opportunities and deliver a youth work programme to almost 3,500 young people.

- have 29,169 attendances at community centre activities by children aged 5-10.
- have 8,000 attendances at community events.

5.3 Key quarterly trends from the analysis of performance indicators are shown in the charts in Appendix Two.

6. **QUALITY CHECKS AND LEARNING FROM COMPLAINTS**

6.1 A Complaints Review Group, made up of complaints administrators from a number of services and officers with a remit for performance and improvement from the Chief Executive's service, meets every quarter to review a sample of complaints and check if these were well recorded, investigated and responded to. The group also looks at all 'open' complaints which are beyond the target date for response, and at the planned service improvements identified by officers when they close complaints as upheld or partially upheld. A key aim is to identify any lessons learned from complaints which can be generalised and lead to better practices and processes being adopted.

6.2 The group continues to find evidence that complaints are generally being recorded, investigated and responded to well, along with evidence that complainants are being contacted to keep them informed of progress if complaints are taking longer than the target number of days to investigate. However, the group does still see some cases where targets have been missed, complainants have not been advised about escalating complaints if still dissatisfied and clearer explanations and apologies could have been given where complaints were upheld. The importance of dealing with complaints quickly, keeping complainants informed and advising complainants what to do if still dissatisfied continues to be emphasised to staff through guidance on the intranet, reminder messages on the complaints system, emails and presentations.

6.3 The Complaints Review Group has also begun to assess the effectiveness of the Council's complaints handling arrangements using a Performance Assessment Tool developed by the Complaints Standards Authority within the Ombudsman's service. This tool allows organisations to assess their performance in relation to six themes of good practice and to identify any areas requiring improvement action. As a result of the initial assessment, the following priorities have been identified:

- repeat the training programme implemented when the model Complaints Handling Procedure was introduced, and ensure that training continues to be refreshed on a 3-year cycle.
- ensure that dealing with complaints is among the competencies considered in Employee Performance and Development Reviews for relevant staff.
- make further efforts to establish the 'root cause' of complaints and ensure that any improvements made in response to individual complaints are communicated across the service and the Council. In particular, the Performance Assessment Tool highlights the importance of identifying key themes from complaints and being able to demonstrate improvement actions as a result. The Complaints Review Group noted that a number of complaints had arisen relating to the information given to tenants on housing repairs and the communication between the services involved, and noted that a group was reviewing processes and responsibilities with a view to resolving these issues.
- make sure that independent advice agencies are aware of the Council's procedures so can advise and assist complainants where required.
- ensure that reports such as this are cascaded to staff involved in dealing with complaints.

- 6.4 Most of the 'planned service improvements' identified as a result of complaints in the first half of 2016/2017 involved speaking to individuals about errors or arranging training for teams to remind them of procedures and customer care standards. However, over the six months there were also a number of service improvements identified, for example:

A customer complained that	We listened, we acted
There wasn't a proper waiting system at an office.	A new queue management system was introduced.
They were not given appropriate information after the death of a relative.	A review of Corporate Appointeeship processes tightened processes on identifying 'next of kin'.
They did not have information in advance on the cost of pest control.	Information about charges on the website was clarified.
They were disappointed not to receive a brown garden waste bin.	A review of waste collection routes is being carried out.
Their child's photo appeared in the press and on social media.	Procedures for parents giving permission for use of photos have been reviewed.
Language used when describing a pupil becoming unwell caused distress.	School has reviewed procedures for dealing with seizures and communication with parents.
There was a delay in dealing with water coming through his ceiling.	Roles of officers involved in chasing up repairs have been clarified and steps taken to improve communication.

- 6.5 The electronic complaints recording system also has a feature which sends an automatic 'follow-up' email to those who record planned service improvements when closing complaints. The aim is to ensure that these improvements are implemented. Officers are prompted to give further updates a month after the complaint was closed, and these are also reviewed by the Complaints Review Group.
- 6.6 Analysis of complaints will now be used systematically to inform decisions on topics for STEP reviews. STEP (Systems Thinking Empowers People) is the Council's approach to service improvement based on the principles of lean service and customer insight, and it is felt that this approach lends itself well to learning from complaints and improving processes to prevent recurrence.
- 6.7 We also learn from complaints about other authorities. Each month the Scottish Public Services Ombudsman issues a newsletter highlighting complaints and we draw these reports to the attention of relevant services to ensure they are aware of any criticisms of other Councils or examples of good practice. Examples in the past six months include policy and procedures on anti-social behaviour, management of tied houses and adjustments for people with disabilities.

7. **SATISFACTION WITH THE COMPLAINTS HANDLING PROCEDURE**

- 7.1 The model Complaints Handling Procedure requires that the Council reports on a measure of customer satisfaction with its complaints process. To achieve this, we issue surveys to all those who have made a complaint in the previous three months.
- 7.2 Trends in satisfaction are highlighted in the charts in Appendix Three. Since the survey sample always consists entirely of people who have made complaints about the Council, the majority of which are not upheld, it is not surprising that satisfaction levels are not always high. Samples each quarter are also small.
- 7.3 Points to note from the survey trends include the need to continue to reinforce the importance of:
- responding quickly to complaints, and keeping complainants informed when that is not possible.
 - giving complainants information and explanations that are clear and easy to understand.
- 7.4 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. Nevertheless, our 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.
- 7.5 Performance will continue to be monitored and messages about good complaints handling will continue to be reinforced. Overall trends since the Council adopted the model Complaints Handling Procedure are positive, but those responding to the survey still indicate high levels of dissatisfaction with certain aspects of how we have dealt with their complaints so efforts to improve will continue. It should be noted, however, that overall levels of customer satisfaction with contact with the Council remain high, as evidenced by the results of the annual citizen survey. In particular, our survey continues to show high satisfaction with the friendliness, courtesy and helpfulness of employees.

8. **ANNUAL LETTER FROM THE SCOTTISH PUBLIC SERVICE OMBUDSMAN**

- 8.1 The annual letter from the Scottish Public Services Ombudsman, providing statistics on complaints to the SPSO about the Council during 2015/2016, was received in September.
- 8.2 35 complaints about Dundee City Council were received by the Ombudsman in 2015/2016, 1 more than in 2014/2015. The total number of complaints received about the Council represents 2.0% of those received by the Ombudsman about local authorities in the year, slightly up on last year's figure of 1.8%.
- 8.3 Of the 35 complaints received, 11 were about Housing; 7 about Social Work; 4 each about Education and Planning; 3 about Welfare Fund Grants; and 1 each about Roads and Transport and Legal and Admin. 2 are categorised as 'other' and in 2 cases, the subject is listed as 'unknown' or 'out of jurisdiction'.
- 8.4 Of the 39 complaints determined during the year:
- at the 'advice' stage, 14 are recorded as being premature and 8 as not duly made or withdrawn.
 - at the 'early resolution' stage, 9 are listed as out of jurisdiction, 1 as not duly made or withdrawn, 2 as outcome not achievable and 1 as premature.
 - at the 'investigation' stage, 1 was partially upheld, 2 not upheld and 1 not duly made or withdrawn. There were no fully upheld complaints.

- 8.5 The partially upheld complaint concerned a late response to a complaint which the Ombudsman found was due to human error rather than systematic failure, and the substantive complaint was not upheld.

9. **POLICY IMPLICATIONS**

- 9.1 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.

- 9.2 The complaints recording system includes a feature that asks complaint handlers to highlight any complaint relating to an equalities issue - age, disability, gender, LGBT, race or religion. In the first half of 2016/2017, four such complaints were recorded, all regarding LGBT issues. Three people complained about the removal of flowers, candles etc from City Square following a vigil to remember the people killed in a gun attack on a gay nightclub in Orlando. The other complaint alleged that employees had been heard making derogatory remarks about gay people. All have been drawn to the attention of the Council's Equality and Diversity Co-ordinator, and he had no concerns about how they were dealt with.

10. **CONSULTATIONS**

The Executive Director of Corporate Services, Head of Democratic and Legal Services, Head of Chief Executive's Service and Performance and Improvement Manager have been consulted in the preparation of this report.

11. **BACKGROUND PAPERS**

None.

David R Martin
Chief Executive

28 October 2016

BREAKDOWN OF DATA ON KEY PERFORMANCE INDICATORS FOR 1/4/2016 TO 30/9/2016

Corporate Services													
Stage	Total		Within Target		With Extension		Upheld		Not upheld		Partially upheld		Average days to resolve
	Count	% age	Count	% age	Count	% age	Count	% age	Count	% age	Count	% age	
Frontline	43	82.7	25	58.1	3	7.0	18	41.9	18	41.9	7	16.3	5.3
Opened at Investigation	4	7.7	3	75.0	1	25.0	1	25.0	2	50.0	1	25.0	3.9
Escalated to Investigation	5	9.6	4	80.0	1	20.0	1	20.0	3	60.0	1	20.0	25.7

Children & Families - Education													
Stage	Total		Within Target		With Extension		Upheld		Not upheld		Partially upheld		Average days to resolve
	Count	% age	Count	% age	Count	% age	Count	% age	Count	% age	Count	% age	
Frontline	31	67.4	11	35.5	2	6.5	5	16.1	16	51.6	10	32.3	17.2
Opened at Investigation	13	28.3	10	76.9	2	15.4	4	30.8	7	53.8	2	15.4	15.6
Escalated to Investigation	2	4.3	1	50.0	1	50.0					2	100.0	21.1

Neighbourhood Services - Housing													
Stage	Total		Within Target		With Extension		Upheld		Not upheld		Partially upheld		Average days to resolve
	Count	% age	Count	% age	Count	% age	Count	% age	Count	% age	Count	% age	
Frontline	56	83.6	43	76.8	6	10.7	14	25.0	38	67.9	4	7.1	4.8
Opened at Investigation	2	3.0			1	50.0	1	50.0			1	50.0	21.5
Escalated to Investigation	9	13.4	7	77.8	1	11.1	4	44.4	5	55.6			18.5

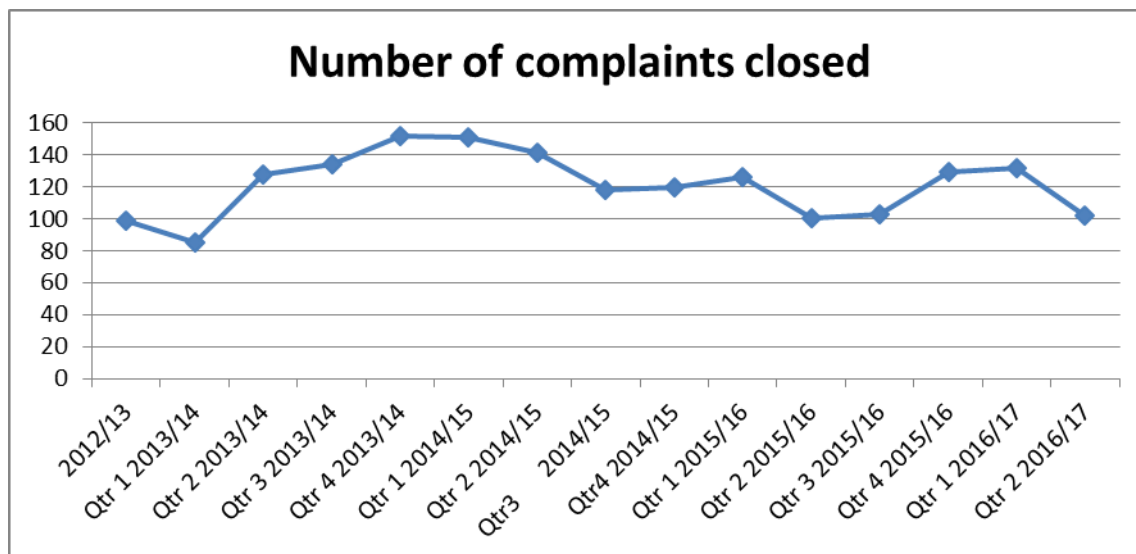
Neighbourhood Services - Environment													
Stage	Total		Within Target		With Extension		Upheld		Not upheld		Partially upheld		Average days to resolve
	Count	% age	Count	% age	Count	% age	Count	% age	Count	% age	Count	% age	
Frontline	48	96.0	30	62.5	2	4.2	22	45.8	20	41.7	6	12.5	5.7
Opened at Investigation	1	2.0			1	100.0			1	100.0			42.5
Escalated to Investigation	1	2.0									1	100.0	36.0

City Development													
Stage	Total		Within Target		With Extension		Upheld		Not upheld		Partially upheld		Average days to resolve
	Count	% age	Count	% age	Count	% age	Count	% age	Count	% age	Count	% age	
Frontline	15	88.2	7	46.7	1	6.7	2	13.3	13	86.7			9.6
Opened at Investigation													
Escalated to Investigation	2	11.8	2	100.0			1	50.0	1	50.0			1

Chief Executive's													
Stage	Total		Within Target		With Extension		Upheld		Not upheld		Partially upheld		Average days to resolve
	Count	% age	Count	% age	Count	% age	Count	% age	Count	% age	Count	% age	
Frontline													
Opened at Investigation	1	50.0	1	100.0			1	100.0					18.1
	1	50.0	1	100.0					1	100.0			1

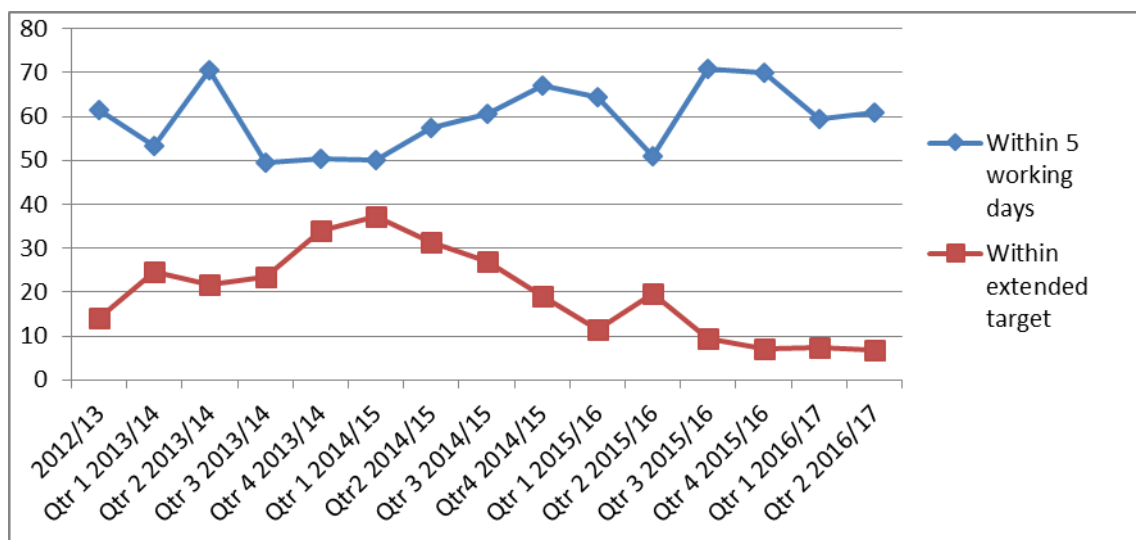
Totals													
Stage	Total		Within Target		With Extension		Upheld		Not upheld		Partially upheld		Average days to resolve
	Count	% age	Count	% age	Count	% age	Count	% age	Count	% age	Count	% age	
Frontline	193	82.5	116	60.1	14	7.3	61	31.6	105	54.4	27	14.0	7.5
Opened at Investigation	21	9.0	14	66.7	5	23.8	7	33.3	10	47.6	4	19.0	15.3
Escalated to Investigation	20	8.5	15	75.0	3	15.0	6	30.0	10	50.0	4	20.0	18.8

COMPLAINTS STATISTICS



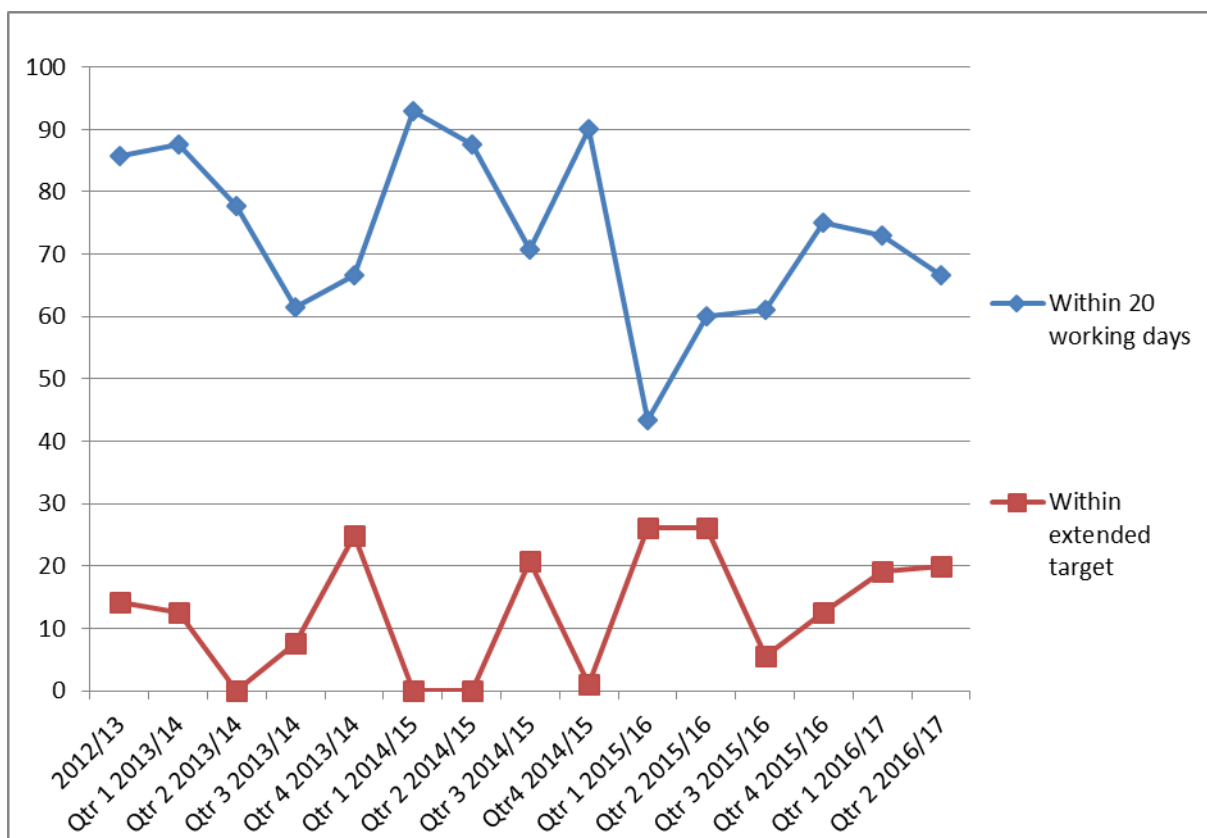
While the overall trend has risen since 2012, we believe this reflects greater use of the electronic complaints recording system rather than any increase in actual dissatisfaction. The Council should continue to emphasise that it welcomes complaints as a valuable source of customer feedback and an opportunity to identify improvements, rather than something negative.

% of stage 1 complaints closed within target



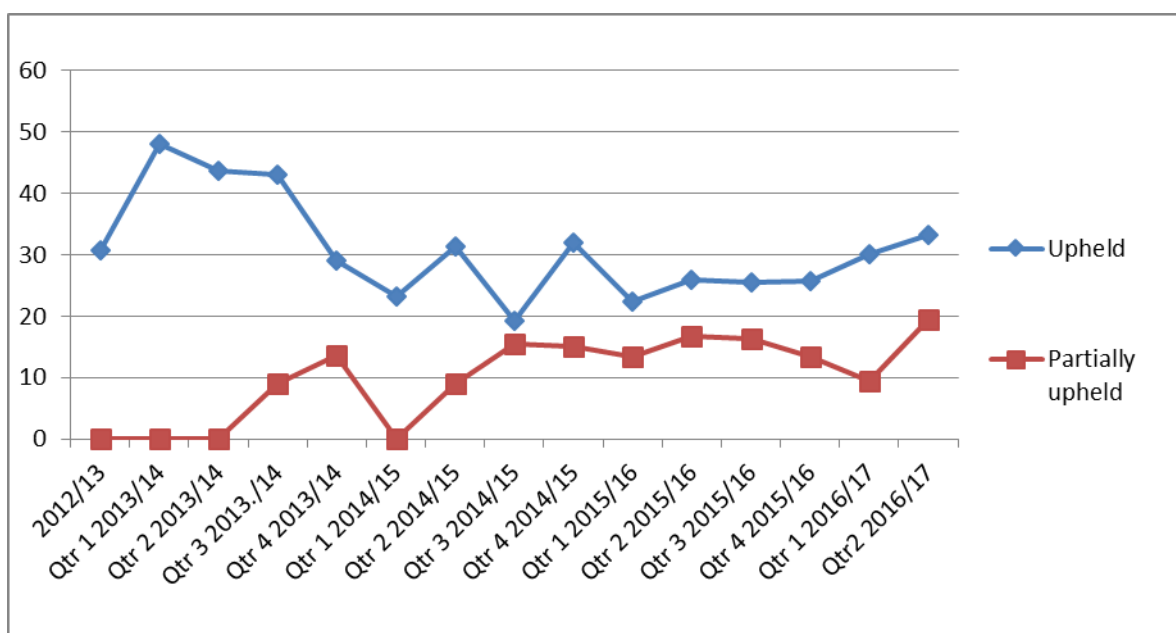
We continue to emphasise to staff the importance of responding to complaints within target (or contacting customers to agree extended targets if a quick response is not possible).

% of stage 2 complaints closed within target



A very small number of complaints go to stage 2, so % figures will fluctuate considerably from one quarter to the next due to individual cases. Chief officers and managers receiving stage 2 complaints have been reminded that these should be acknowledged within 3 days as well as responded to within 20 days or an agreed extended target timescale.

% of stage 1 complaints upheld and partially upheld



'Partially' upheld was not originally included as an option in the indicators specified by the SPSO, so these figures are only available from 1 October 2013. The % of complaints being upheld or

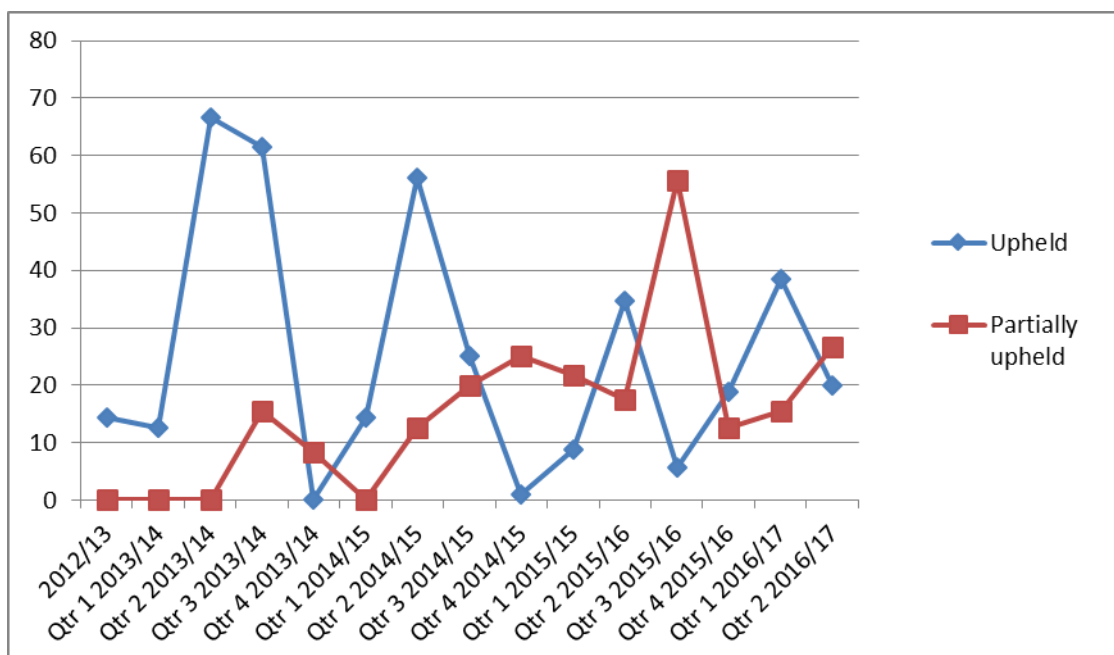
partially

upheld

appears

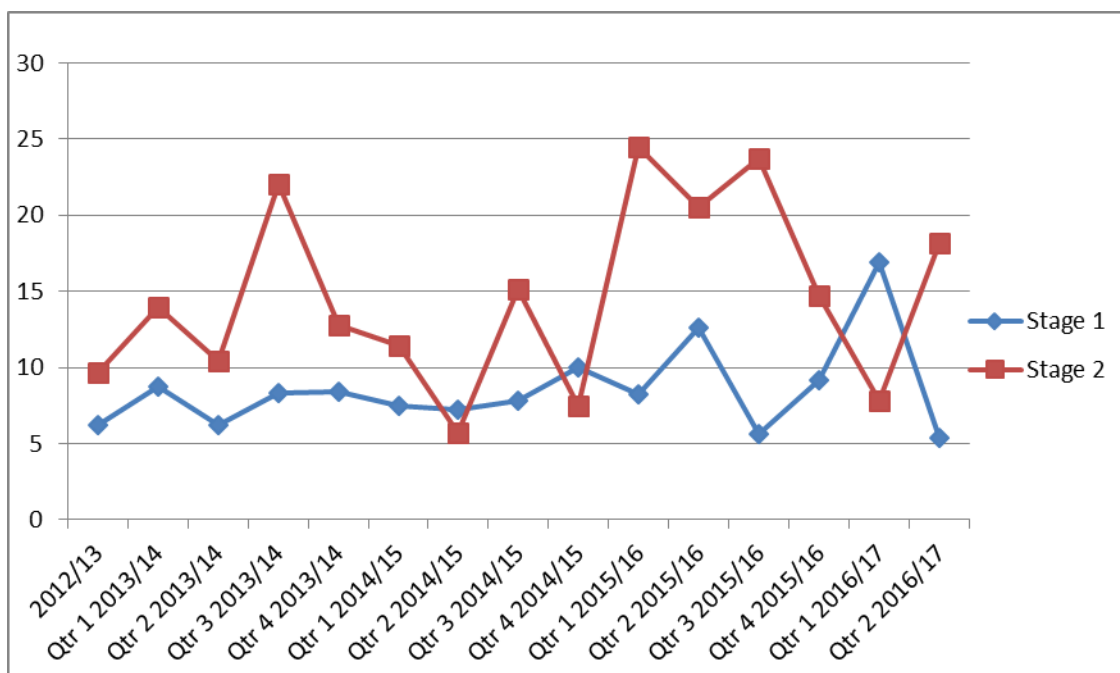
reasonable.

% of stage 2 complaints upheld and partially upheld



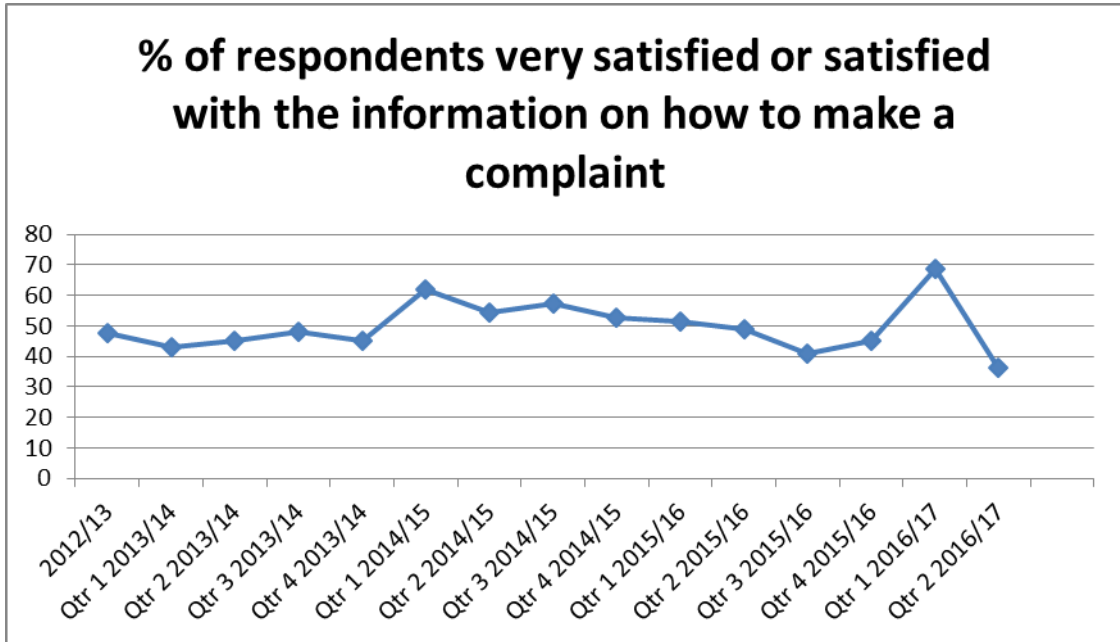
A very small number of complaints go to stage 2, so % figures will fluctuate considerably from one quarter to the next due to individual cases.

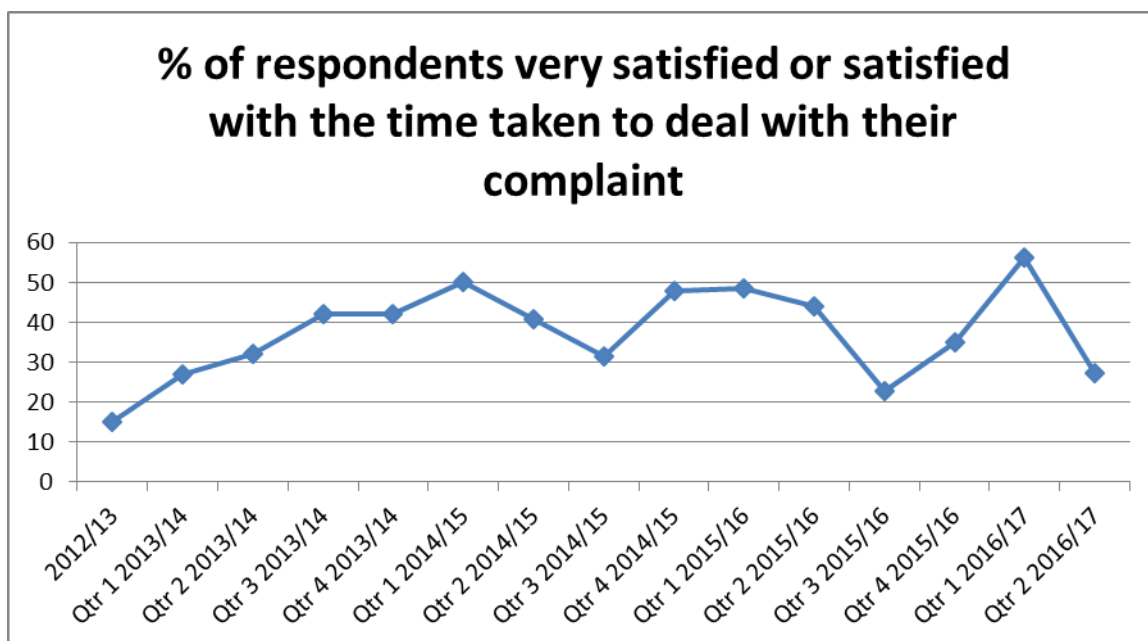
Average number of days to close complaints



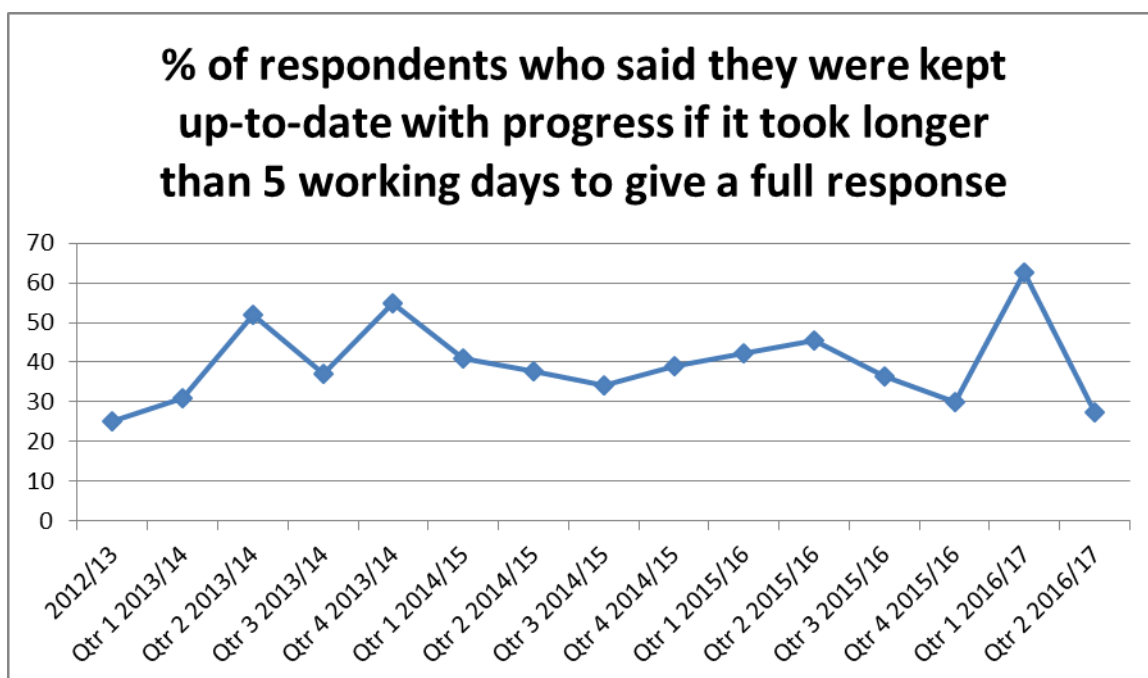
All services should aim to respond quickly to complaints, although it is acknowledged that some are complex and resolving these is likely to drive up the 'average number of days to close' performance.

RESULTS OF SATISFACTION SURVEY OF THOSE WHO MADE COMPLAINTS

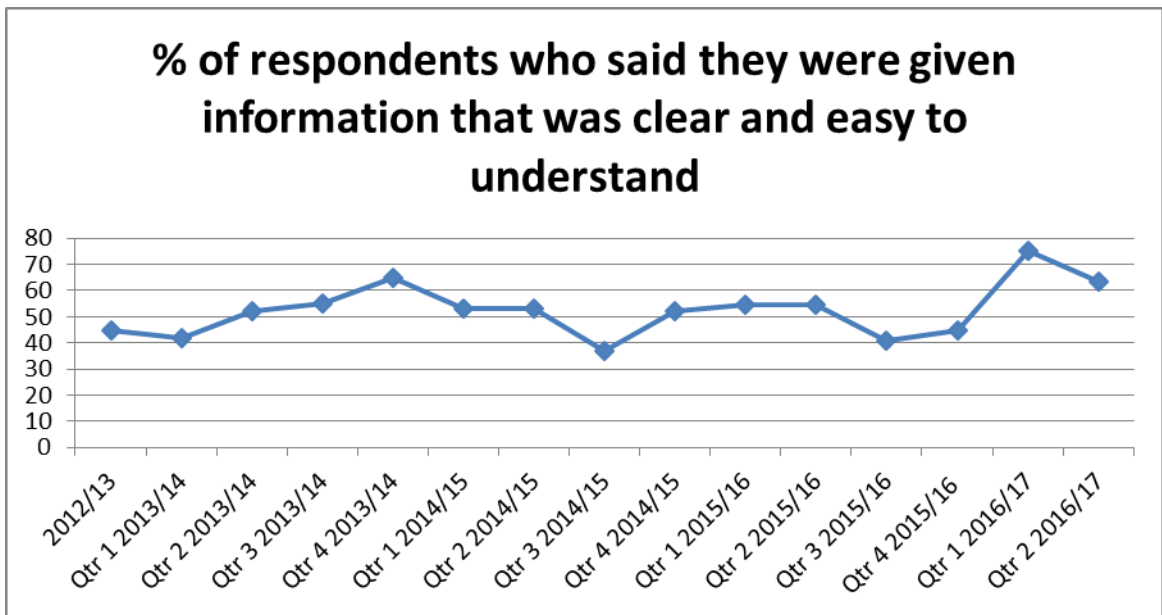




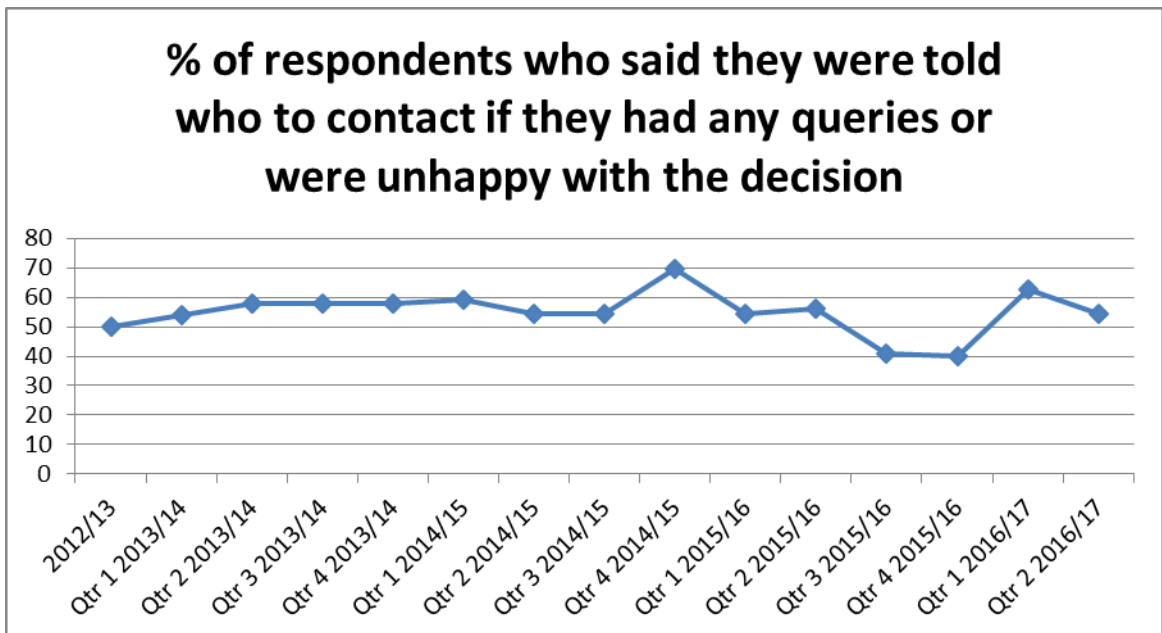
The % of those responding in the latest quarter who said they were 'very dissatisfied' with the time taken to deal with their complaint was 27%. Chief officers have been asked to continue to reinforce to officers the importance of dealing with complaints as quickly as possible, and explaining to customers where this is not possible – see next result also



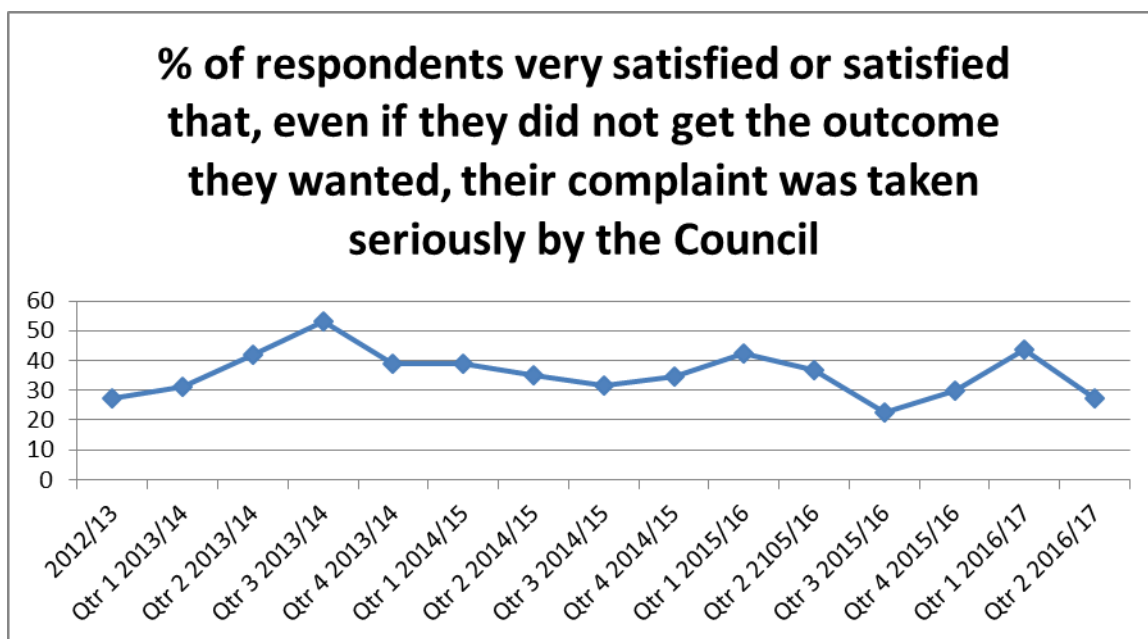
Chief Officers have been asked to reinforce to staff the importance of keeping complainants up-to-date with progress on complaints which take longer than the target number of days to resolve.



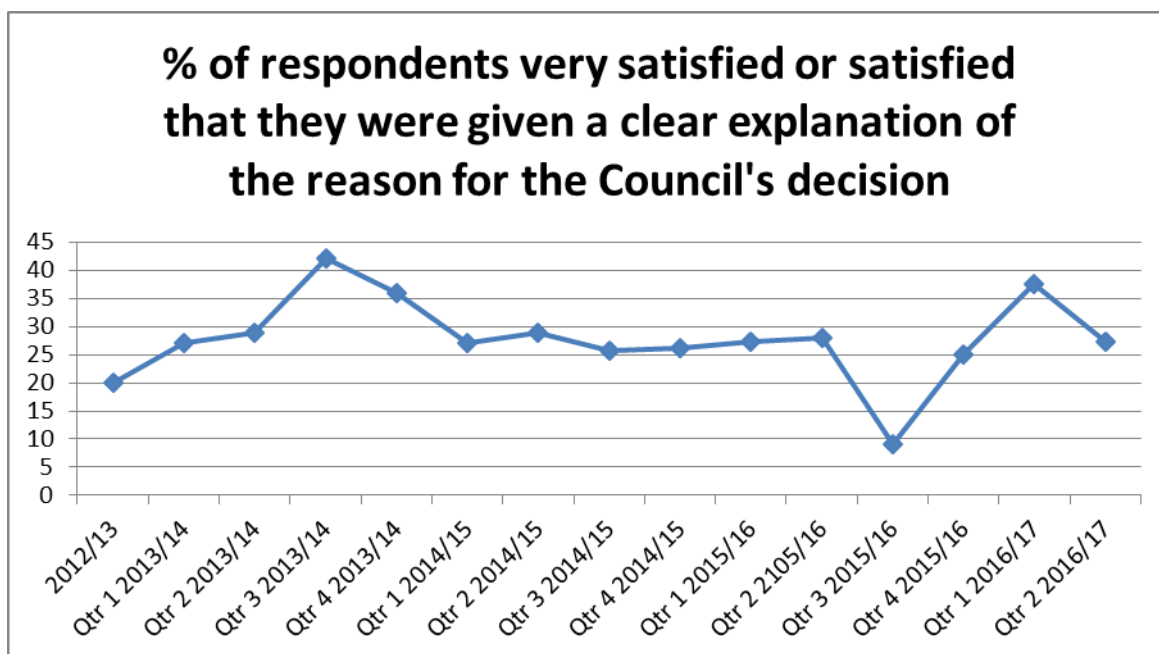
We continually reinforce to staff the importance of using plain English and techniques such as bullet points, headings etc to make complex explanations easier to read and understand.



It should be clear to all complainants who to contact in every case. We continue to reinforce the importance of telling complainants who to contact if dissatisfied with a response, and to monitor a sample of cases to check this is being done.



36% of respondents in the latest survey said they were 'very dissatisfied' that their complaint had been taken seriously. Although based on a small sample, and less than in the previous period, this suggests that we still need to make more effort to assure complainants that their concerns have been taken seriously even where their complaint is not upheld.



36% of respondents in the latest survey said that they were 'very dissatisfied' with this aspect of the process. Again this is an improvement on the previous period but indicates we must continue to emphasise to staff the importance of clearly explaining decisions on complaints.