

REPORT TO: Policy and Performance Review Committee

MEETING DATE: 3 October 2016

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Customer Complaints and Feedback

1 PURPOSE

- 1.1 To report on the use of the Council's Complaints Handling Procedure for the year 2015/2016.

2 RECOMMENDATIONS

- 2.1 To consider and note this report and, where appropriate highlight areas for further consideration. To authorise officers to sign the Learning and Improvement Statement attached to the letter of 25 August 2016 from the SPSO committing the Council to ensure that all SPSO recommendations are complied with and appropriate action taken, to learn from complaints to prevent repeat failings and to ensure relevant systematic reviews of internal and external governance arrangements.

3 BACKGROUND

- 3.1 East Lothian Council complies with the model complaints handling procedure (CHP) for local authorities introduced by the Scottish Public Services Ombudsman (SPSO):

Stage 1 (Frontline Resolution) - Complaint dealt with at point of service within 5 working days

Stage 2 (Investigation) – Complaint investigated; acknowledged within 3 working days and response provided within 20 working days

If complainants remained dissatisfied after completing this process they have a legal right of appeal to the SPSO. Those complaining about social work issues at present have the option of asking for their complaint to be referred to a Social Work Complaints Review Committee (SWCRC).

- 3.2 Complaints, comments and compliments are recorded on the Council's Customer Relationship Management system (CRM), which provides data on the types of complaints customers make about Council services, as well as complaint handling performance. This system also records comments and compliments from customers.
- 3.3 The Council records and reports on complaints received by the Contact Centre, local area offices and the Customer Feedback Team. Service areas are encouraged to report complaints they receive through these channels to ensure recording is as accurate as possible.

This report covers all council services.

3.4 YEARLY OVERVIEW 2015/2016

3.4.1 For the year 2015/2016, East Lothian Council received **940** complaints, a significant decrease from the 1205 complaints received in 2014/2015 although 421 of these complaints related to a campaign about a single issue.

3.4.2 Complaints received broke down as follows

Stage 1: 630 complaints

Stage 2: 310 complaints

What is encouraging to note is that this is the third successive reporting year where stage 1 complaints have exceeded stage 2 numbers although this is the first year where the difference has been more notable.

This is due to the Customer Feedback team / services working together to try and resolve complaints at the first complaint level which gives the customer a faster outcome and is less time consuming for staff.

3.4.3 The number of complaints, comments and compliments received for each quarter are shown in **Appendix 1**.

3.4.4 **67%** of the overall total number of complaints were closed at Stage 1, a significant increase on the figure for 2014/2015, 52.7%. **33%** were closed at Stage 2, down on the 47.3% figure of 2014/2015.

Stage 1 resolutions included providing an agreed service, providing additional information / explanation, apologising for a service failure, manager / team leader making contact to try and resolve issue.

As shown in **Appendix 2** there was no real trend in terms of overall numbers of complaint. The peak evident in 2014 was referred to in the Customer Feedback Annual report 2014/15.

3.4.5 The council received over **285** compliments in 2015/2016. Although this is slightly down on the figure of 308 in 2014/2015 it is encouraging to note that the numbers remain at a positive level.

3.4.6 Average complaint outcomes for 2015/16 are detailed in **Appendix 3**

Stage 1 outcomes were similar to last year and indeed previous years. A higher proportion of Stage 2 complaints were not upheld compared to last year.

Where it is identified that something has gone wrong and policy / procedures were not properly followed, a complaint will either be upheld or partially upheld, depending on circumstances. An apology will be given for any identified failings and action taken to put the situation right.

If there is no evidence to suggest that policies / procedures have not been properly followed then a complaint will not be upheld. In such cases, a full and clear explanation will be given of the decision taken.

3.4.7 Acknowledgement and response times per quarter for 2015/2016 are set out in **Appendix 4**

3.4.8 There was little change in the annual acknowledgement figure, which was **92.75%** compared with **93%** for 2014/15.

3.4.9 There was a dip in response rates in Q4 largely as result of reduced resource capacity with the Customer Feedback team at that time. This is an issue which has continued in Q1 of the 2015/2016 reporting year. Recruitment of a Customer Feedback Manager is underway that that should alleviate the resource issue.

3.4.10 Resource difficulties in service areas have also had a continued impact on complaint response times; however the Customer Feedback Team will continue to work flexibly with service managers to ensure complaints are responded to in a timely manner and customers kept updated in the event of any unavoidable delays.

3.4.11 The overall number of complaints, comments and compliments received per service area for the year 2015/2016 is outlined in **Appendix 5**

3.5 **2015/16 ANALYSIS**

3.5.1 The service areas with the highest number of complaints over the year were:

- Housing Repairs/Property Maintenance (226)
- Waste Services (216)
- Transportation (88)
- Sport, Countryside Leisure (61)
- Education (41)
- Community Housing (51)
- Social Work (51)

3.5.2 Housing Repairs/Property Maintenance consistently receives the highest number of complaints (226), which is not surprising considering the nature of the service and the high level of interaction with tenants.

To put complaint numbers in context, it should be noted that as at the end of March 2016 the Council had a housing stock of **8,629** and in 2015/2016 **9,727** emergency repairs and **15,261** day to day repairs were undertaken.

It is positive to note there was a 27% decrease in the number of Housing Repairs/Property Maintenance related complaints which progress to the investigation stage this year (64), meaning more complaints are being resolved at the front line. This is the third consecutive year in a row there has been a decline in stage 2 complaints for this service. This reflects the focus which has been placed on improving the repairs service and success in resolving issues at stage 1. This positive trend is also reflected in direct feedback received from tenants in customer satisfaction surveys undertaken following completion of repairs.

3.5.3 The issues affecting the Housing Repairs/Property Maintenance issues complained about do not change significantly from year to year. Those being:

- Outstanding day-to-day repairs (various)
- Recharges (normally after moving out of a property)
- Appointments (not kept / inconvenient / length of time to wait)
- Damp / condensation

3.5.4 There was a significant rise in total number of complaints received for Waste Services in 2015/16 - **216** compared with the previous year's overall figure – **66**.

In Spring 2015 Waste Services introduced changes to its waste collection following extensive publicity across East Lothian explaining the changes.

However this did result in an increase in complaints about these changes at a stage 1 level.

It should be borne in mind that Waste Services deliver 130,000 customer contact/service deliveries every week and are the only service that connects directly with every household on a weekly basis. The total number of complaints received about the service is very small in relation to their public contact.

3.5.5 Discounting the Cockenzie Power station complaints reported in the annual report 2014/15, there has been a notable increase in complaints cases requiring investigation being received by the Economic Development service. This reflects concerns raised over the particular project involving external contractors (Keepmoat / Changeworks –

installation of cavity insulation, Musselburgh) who were operating under council supervision rather than the service directly.

3.5.6 Examples of subjects of complaint included:

- Cemetery / grounds maintenance (in particular grass cutting)
- Maintenance of roads (including potholes) and pathways
- Planning process
- Housing allocations policy
- Composite classes
- Bins not being uplifted
- Employee behaviour
- Changes to care packages
- Gas safety inspection charge due to non-access
- Council Tax administration

3.5.7 The SPSO has very recently published its statistics on the complaints referred for independent adjudication in 2015/16. The Tables attached to the letter from the SPSO (**Appendix 6**) show this information. There were 40 complaints of which 20 were rejected as premature or not properly made. 17 were resolved at early stages, 2 were partially upheld and 1 was not upheld.

3.5.8 The SPSO proposes the introduction of a Learning and Improvement Unit offering to provide support and assistance to local authorities on how to meet their recommendations with a view to preventing repeat service failings and complaints. They have asked the Council to sign the Learning and Improvement Statement attached to their letter of 25 August and the authority of PPRC is sought to do that.

3.5.9 As in previous years the service areas receiving the highest number of compliments were:

- Adult Wellbeing
- Customer Services
- Housing Repairs /Property Maintenance
- Landscape & Countryside
- Libraries

3.5.10 All customers using the complaints procedure now receive a survey card or link to an online survey to assess customer satisfaction with the

complaints service. Questions focus on the process itself rather than the complaint outcome. Return rates remain low as in previous years.

- 57% of respondents indicated satisfaction with how easy it was to make a complain
- 64% with the time taken to respond
- 64% with both the clarity of the complaint response
- 36% indicated dissatisfaction with how well their complaint was understood.

4 POLICY IMPLICATIONS

4.1 None.

5 INTEGRATED IMPACT ASSESSMENT

The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy

6 RESOURCE IMPLICATIONS

6.1 Financial - None.

6.2 Personnel - None.

6.3 Other - None.

7 BACKGROUND PAPERS

7.1 Appendix 1 Breakdown of Customer Feedback by service 2015/2016

7.2 Appendices 2 to 6

AUTHOR'S NAME	Gary Gunn
DESIGNATION	Customer Feedback Officer
CONTACT INFO	X4290 email: ggunn@eastlothian.gov.uk
DATE	22 August 2016

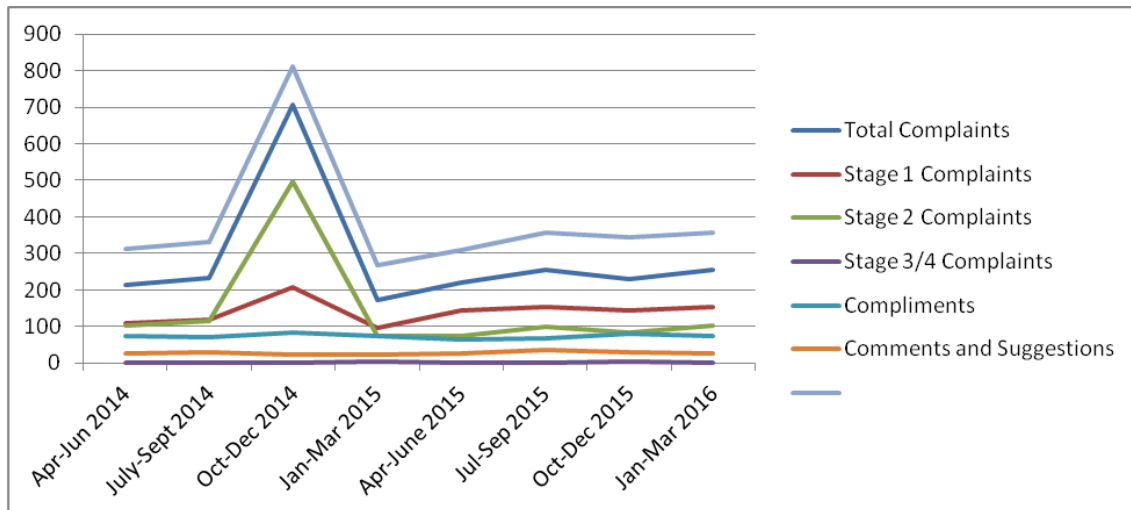
Appendix 1

Customer Feedback Q1-Q4 2015/2016

Type of customer feedback	Q1 (April – June '15)	Q2 (July – Sept '15)	Q3 (Oct – Dec '15)	Q4 (Jan – March '16)
Stage 1 complaints:	139	150	142	151
Stage 2 complaints:	73	99	83	103
Total no of complaints:	<u>212</u>	<u>249</u>	<u>225</u>	<u>254</u>
Compliments:	63	67	81	74
Comments:	27	36	31	27

Appendix 2

Feedback Quarterly Comparison April 2014 – March 2016



Appendix 3

Complaint Outcomes

Stage 1	Upheld	Partially Upheld	Not Upheld
2015/16	25%	22%	53%
2014/15	25%	19%	56%

Stage 2	Upheld	Partially Upheld	Not Upheld
2015/16	29%	23%	48%
2014/15	30%	31%	39%

Appendix 4

Customer Feedback Performance Q1-Q4

	Q1	Q2	Q3	Q4	Average
Stage 1 Response (5 working days)	86%	89%	91%	88%	88.5%
	Q1	Q2	Q3	Q4	Average
Stage 2 Acknowledgement (3 working days)	99%	97%	90%	85%	92.75%
Stage 2 Response (20 working days)	74%	81%	71%	43%	67.25%
Extension agreed	23%	5%	27%	11%	16.5%

**Customer Feedback 2015/2016
Feedback by Service Area**

Directorate	Service Area	Stage 1 Comment	Stage 1 Complaint	Stage 1 Compliment	Stage 2
Health & Social Care Partnerships	Adult Wellbeing	3	18	85	33
Partnerships & Community Services	Building Maintenance	0	2	1	0
	Building Standards	0	0	0	2
	Community Housing	8	22	16	29
	<i>Homelessness</i>	0	8	0	3
	Community Partnerships	2	4	14	0
	Corporate Policy & Improvement	3	2	6	2
	<i>Customer Feedback</i>	0	3	0	0
	<i>Media</i>	0	1	0	0
	<i>Web</i>	0	4	0	0
	Customer Services	9	14	42	2
	<i>Libraries</i>	0	12	0	0
	<i>Safer Communities</i>	0	1	0	12
	Economic Development	1	11	0	11
	Engineering Services (incl Gas Team)	1	5	5	6
	Environmental Services	1	1	6	3
	<i>Enviornmental Health</i>	0	1	0	0
	<i>Enviornmental Protection</i>	0	3	0	2
	Facilities Management	1	9	0	1
	Planning	2	6	0	12
	Property Maintenance	17	162	47	64
	Sport, Countryside & Leisure	11	43	20	18
	Trading Standards	0	0	0	1
	Transportation	22	54	12	34
	Waste Services	30	208	19	8
Resources & People Services	Children's Wellbeing	0	5	1	13
	Council Tax	0	8	1	8
	Education	1	12	0	29
	Finance	1	1	0	4
	Human Resources	0	0	0	2
	IT	0	0	1	0
	Legal & Procurment	0	1	0	3
	Licensing/Administration/Democratic Services	1	3	0	2
	Revenues and Benefits	1	6	9	6
Feedback Total			630		310

Ms Angela Leitch
Chief Executive

East Lothian Council
John Muir House
HADDINGTON
EH41 3HA

25 August 2016

Annual Letter from SPSO

Dear Ms Leitch,

I am pleased to send you our annual letter with statistics about complaints to SPSO about your organisation in 2015-16. As I informed members of our local authority sounding board at our June meeting and highlighted more widely in my June commentary, I am asking authorities to confirm that SPSO complaints are reviewed at a senior level (such as the appropriate scrutiny/ governance/ performance committees) by returning a learning and improvement statement to us. This builds on the model complaints handling procedures that set out the importance of authorities demonstrating how they 'systematically review complaints performance reports to improve service delivery'.

I am also providing an update on our learning and improvement pilot. This is an exciting project, and I hope you will take up our invitation to be involved in it by providing feedback about how you share learning from complaints within your organisation, and giving us your views on SPSO recommendations.

2015-16 complaints statistics

As you will know, in line with the model complaints handling procedure, each authority is required to report and publicise complaints information on a quarterly and annual basis, including annual reporting on how they perform against the agreed performance indicators. The enclosed statistics are part of the detailed complaints picture that your organisation is responsible for gathering and publishing. As you will be aware, all of our individual decisions are available online at www.spsso.org.uk/our-findings.

Learning and improvement unit (LIU)

Our 2016-20 draft Strategic Plan, which went to public consultation, proposed introducing a learning and improvement unit to ensure public authorities take the necessary responsibility and actions to handle complaints well and reduce the occurrence of repeat mistakes. It was the most commented on aspect of the draft plan, receiving significant support from respondents, who were mostly public authorities and advice /advocacy organisations. We

have been successful in securing funding for a one-year pilot of the LIU until the end of March 2017.

As the strategic plan outlines, the aim of the LIU is to enhance the impact of our work by helping authorities improve public services through learning from complaints. Over recent years, one of the key tools we have developed to support authorities' learning is the Complaints Improvement Framework. This is available on our Valuing Complaints website at: www.valuingcomplaints.org.uk/complaintsimprovementframework.

Through the LIU, we will be using the framework to help authorities better assess the efficiency and effectiveness of their overall complaints handling arrangements.

One of the main areas the LIU will focus on is our recommendations. A key part of this work includes providing authorities with additional support and advice on how to meet our recommendations with a view to preventing repeat service failings and complaints. In addition to this extra support we are looking to adopt a tighter escalation process for the very few cases where our recommendations are not being implemented, with the potential to lead to a Special Report.

It is likely that, as part of this work, the way we make recommendations will evolve. As well as continuing to ensure that our recommendations address individual complainants' injustices, the onus will increasingly be on making recommendations that work to support authorities to identify and develop their own solutions for bringing about learning and lasting improvement. The enclosed feedback form invites you to express interest in being involved in this work and I would be very grateful for your response.

Service satisfaction survey

We are always keen to understand your perceptions of the service we provide, and to look at ways in which we can improve this service. We intend to survey you and all the authorities we receive complaints about, specifically around how we meet our published service standards. The questions will be sent to the liaison officer in an electronic survey and we plan to begin this on a rolling basis from September onwards.

I look forward to hearing back from you soon.

Yours sincerely

A handwritten signature in black ink that reads "James B. Martin". The signature is written in a cursive style with a large, looping initial 'J'.

Jim Martin
Ombudsman

CC:

Councillor Willie Innes, Leader of the Council
Mr Gary Gunn, SPSO Liaison Contact

SPSO learning and improvement statement

East Lothian Council

We are committed to ensuring that all SPSO recommendations have been complied with and any further appropriate action taken.

We are committed to learning from complaints to prevent repeat failings.

We will ensure that relevant internal and external governance arrangements are in place to review systemic issues.

By signing this document you are agreeing on behalf of your organisation to the points above.

Signature

Designation:

Date

Please return this by 14 September 2016, by post or email, to:

Jim Martin, Ombudsman

SPSO

4 Melville Street

Edinburgh EH3 7NS

Email to: Fiona.Paterson@spsso.gsi.gov.uk

TABLE 1
Complaints Received by Subject 2015-16

Subject Group	East Lothian Council	Rank	Complaints as % of total	Sector Total	Rank	Complaints as % of total
Housing	22	1	55.0%	423	1	24.6%
Education	5	2	12.5%	173	4	10.0%
Social Work	3	3=	7.5%	231	2	13.4%
Planning	3	3=	7.5%	172	5	10.0%
Environmental Health & Cleansing	2	5=	5.0%	126	6	7.3%
Legal & Admin	2	5=	5.0%	61	8	3.5%
Finance	1	7=	2.5%	179	3	10.4%
Roads & Transport	1	7=	2.5%	120	7	7.0%
Personnel	1	7=	2.5%	9	15=	0.5%
Building Control	0	-	0.0%	54	9	3.1%
Recreation & Leisure	0	-	0.0%	32	10	1.9%
Welfare Fund - Community Care Grants	0	-	0.0%	31	11	1.8%
Land & Property	0	-	0.0%	20	12	1.2%
Other	0	-	0.0%	17	13	1.0%
Economic Development	0	-	0.0%	11	14	0.6%
Welfare Fund - Crisis Grants	0	-	0.0%	9	15=	0.5%
National Park Authorities	0	-	0.0%	6	17=	0.3%
Valuation Joint Boards	0	-	0.0%	6	17=	0.3%
Fire & Police Boards	0	-	0.0%	5	19	0.3%
Consumer Protection	0	-	0.0%	4	20	0.2%
Subject Unknown or Out Of Jurisdiction	0	-	0.0%	33	-	1.9%
Total	40	-	100.0%	1,722	-	100.0%
<i>Complaints as % of Sector</i>		2.3%		100.0%		

Complaints Received by Subject 2014-15

Subject Group	East Lothian Council	Rank	Complaints as % of total	Sector Total	Rank	Complaints as % of total
Housing	19	1	47.5%	468	1	24.9%
Social Work	5	2=	12.5%	253	2	13.5%
Planning	5	2=	12.5%	217	3	11.5%
Finance	3	4=	7.5%	174	4=	9.3%
Legal & Admin	3	4=	7.5%	76	8	4.0%
Education	2	6	5.0%	174	4=	9.3%
Land & Property	1	7=	2.5%	29	10	1.5%
Economic Development	1	7=	2.5%	8	16=	0.4%
Environmental Health & Cleansing	0	-	0.0%	148	6	7.9%
Roads & Transport	0	-	0.0%	119	7	6.3%
Building Control	0	-	0.0%	61	9	3.2%
Recreation & Leisure	0	-	0.0%	24	11	1.3%
Other	0	-	0.0%	21	12	1.1%
Welfare Fund - Community Care Grants	0	-	0.0%	14	13	0.7%
Welfare Fund - Crisis Grants	0	-	0.0%	12	14	0.6%
Personnel	0	-	0.0%	10	15	0.5%
Consumer Protection	0	-	0.0%	8	16=	0.4%
Valuation Joint Boards	0	-	0.0%	6	18	0.3%
Fire & Police Boards	0	-	0.0%	4	19	0.2%
National Park Authorities	0	-	0.0%	3	20	0.2%
Subject Unknown or Out Of Jurisdiction	1	-	2.5%	51	-	2.7%
Total	40	-	100.0%	1,880	-	100.0%
<i>Complaints as % of Sector</i>		2.1%		100.0%		

TABLE 2
Local Authority Complaints Determined 2015-16

Stage	Outcome Group	2015-16		2014-15	
		East Lothian Council	Sector Total	East Lothian Council	Sector Total
Advice	Not duly made or withdrawn	10	321	7	380
	Out of jurisdiction (discretionary)	0	6	0	29
	Out of jurisdiction (non-discretionary)	0	5	0	25
	Outcome not achievable	0	6	1	42
	Premature	10	606	14	713
	Resolved	0	0	0	4
	Total		20	944	22
Early Resolution 1	Not duly made or withdrawn	2	54	0	36
	Out of jurisdiction (discretionary)	3	104	2	56
	Out of jurisdiction (non-discretionary)	3	196	3	140
	Outcome not achievable	5	185	3	107
	Premature	1	58	0	42
	Resolved	1	29	0	35
Total		15	626	8	416
Early Resolution 2	Fully upheld	0	27	0	33
	Some upheld	0	20	0	18
	Not upheld	2	37	2	56
	Not duly made or withdrawn	0	1	0	0
	Resolved	0	1	0	3
Total		2	86	2	110
Investigation 1	Fully upheld	0	23	0	28
	Some upheld	2	36	0	26
	Not upheld	1	40	1	63
	Not duly made or withdrawn	0	4	0	1
	Resolved	0	4	1	1
Total		3	107	2	119
Investigation 2	Fully upheld	0	1	0	3
	Some upheld	0	0	0	1
	Not upheld	0	0	0	0
	Total		0	1	0
Total Complaints		40	1,764	34	1,842
Total Premature Complaints		11	664	14	755
Premature Rate		27.5%	37.6%	41.2%	41.0%
Fit for SPSO Total (ER2, Inv1 & Inv2)		5	194	4	233
Total Cases Upheld / Some Upheld		2	107	0	109
Uphold Rate (total upheld / total fit for SPSO)		40.0%	55.2%	0.0%	46.8%