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**Report to Audit Committee**

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**Date of Meeting: 30<sup>th</sup> September 2021**

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**Subject: Annual Complaints Report 2020/21**

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**Report by: Strategy & Performance Adviser**

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**1.0 Purpose**

- 1.1. This report presents an overview of performance in relation to complaints handling during the year 2020/21.

**2.0 Recommendations**

- 2.1. It is recommended that Committee note, comment on and challenge the performance of Council services in handling complaints.

**3.0 Considerations**

- 3.1. Complaints are central to corporate governance. As well as providing valuable feedback about the quality of services, complaints can also provide an early warning of critical or systemic service failures.

- 3.2. According to the Scottish Public Services Ombudsman (SPSO):

“Handled well, complaints provide a low cost and important source of feedback and learning for organisations to help drive improvement and restore a positive relationship with customers who feel let down by poor service. Handled badly, they erode public confidence and trust in public services.”

- 3.3. It is important therefore that our organisation culture recognises and truly values complaints - *Be the customer*.

**Complaints Handling Procedure**

- 3.4. Local authorities, as well as most other public sector bodies, have a duty to have a Complaints Handling Procedure (CHP) that complies with the Local Authority Model Complaints Handling Procedure (LAMCHP) developed by the SPSO. The LAMCHP was revised during 2019, and consequently our procedure was revised to remain aligned. Our new procedure was launched in April 2021.

- 3.5. The revised CHP combines the previously separate local authority and social work procedures, and brings it more in line with other public sector organisations in Scotland, including the NHS, so that where complaints cut across services, they can still be handled in much the same way.
- 3.6. The 2 stage process at the heart of the CHP remains broadly as previous:
- Stage 1 (frontline response) aims to respond quickly (within five working days) to straightforward complaints that require little or no investigation.
- Stage 2 is appropriate where:
- the customer is dissatisfied with the frontline response or refuses to engage at the frontline stage;
  - the complaint is not simple and straightforward and therefore requires investigation; or
  - the complaint relates to a serious, high-risk or high-profile issue
- 3.7. If, after the Council has fully investigated the complaint, the customer is still not satisfied with the decision or the way the Council has dealt with the complaint, then they can refer it to the SPSO.
- 3.8. The full CHP can be found on the Council website:  
<https://www.clacks.gov.uk/site/documents/customerfeedback/clackmannanshirrecouncilscomplaintshandlingprocedure/>.
- 3.9. Compliance is monitored by Audit Scotland in conjunction with the SPSO and in line with the principles of the Shared Risk Assessment arrangements.
- 3.10. Under the model CHP, councils are required to publish annual performance information against a number of indicators, including complaints volumes, outcomes and timeliness. They are also required to show how they are learning from complaints by:
- identifying the root cause of complaints;
  - taking action to reduce the risk of recurrence;
  - recording the details of corrective action taken, and
  - systematically reviewing complaints performance to improve service delivery.
- 3.11. The Complaints Performance Report for 2020/21 is shown in appendix 1.

#### **4.0 Improvement Actions**

- 4.1. Guidance for customers and the full complaints handling procedure were revised to reflect changes to our CHP. These have been posted on the Council website. Additional guidance for Parents and Guardians and (separately) Social Services customers has also been published on the website.

4.2. Information sessions, delivered by the SPSO, were run to support the roll-out of the new procedure, and changes have been made to the complaints database, to tie in with the revised CHP.

## 5.0 Sustainability Implications

5.1. There are no sustainability implications arising directly from this report.

## 6.0 Resource Implications

### 6.1. Financial Details

6.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes

6.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes

### 6.4. Staffing

## 7.0 Exempt Reports

7.1. Is this report exempt? Yes  (please detail the reasons for exemption below) No

## 7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box )

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all

Our families; children and young people will have the best possible start in life

Women and girls will be confident and aspirational, and achieve their full potential

Our communities will be resilient and empowered so that they can thrive and flourish

(2) **Council Policies** (Please detail)

Customer Charter

**8.0 Equalities Impact**

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes  No

**9.0 Legality**

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

**10.0 Appendices**

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix: Annual Complaints Performance Report 2020/21

**11.0 Background Papers**

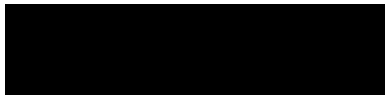
11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes  (please list the documents below) No

**Author(s)**

NAME	DESIGNATION	TEL NO / EXTENSION
Rose Hetman	Strategy & Performance Adviser	2052

**Approved by**

NAME	DESIGNATION	SIGNATURE
Stuart Crickmar	Strategic Director	

## APPENDIX 1



Clackmannanshire  
Council

[www.clacks.gov.uk](http://www.clacks.gov.uk)

Comhairle Siorrachd  
Chlach Mhanann

# Clackmannanshire Council

## Annual Complaints Performance Report 2020/21

Clackmannanshire Council aims to provide the highest possible quality of service to our customers, but we recognise that sometimes things can go wrong and we fail to meet expectations. We value all complaints and use information from them to help us improve our services.

We manage complaints in line with the Scottish Public Services Ombudsman (SPSO) Local Authority Model Complaints Handling Procedure, which consists of 2 stages:

**Stage 1:** (Frontline response) covers straightforward complaints that require little or no investigation, and should be responded to within 5 working days;

**Stage 2:** (Investigation) concerns complaints that have not been successfully resolved at Stage 1, or more complex or serious complaints that require investigation. Stage 2 complaints should be answered within 20 working days.

This report presents the Council's performance in relation to complaints handling from 1st April 2020 until 31<sup>st</sup> March 2021, against key performance indicators defined by the SPSO.

**NB At the time of writing, the most recent Scottish benchmarking data available was for 2018/19. These figures have been included to allow comparison.**

## Scottish Public Services Ombudsman Performance Indicators

### Indicator 1 Complaints received per thousand population

There has been a steady increase in the number of complaints received, although this remains well below the national average for Scotland recorded during 2018/19.

Description	2018/19		2019/20	2020/21
	Clacks	Scotland	Clacks	Clacks
1a Number of complaints received per 1,000 population	3.2	10.36	4.0	4.8
1b Number of complaints closed per 1,000 population	2.9	10.10	4.2	3.8

### Indicator 2 Complaints closed at stage 1 and stage 2 as a percentage of all complaints closed

The majority of complaints are dealt with at stage 1. The volume of complaints that went straight to stage 2 has declined significantly since 2018/19, while complaints dealt with at stage 2 following escalation have increased at a similar rate.

Complaints can be classed as stage 2 either on receipt (if they are considered to be particularly complex or serious), or they can be escalated from stage 1 (if they have not been closed after 10 days or if the customer is unhappy about the outcome of their stage 1 complaint).

Description	2018/19		2019/20	2020/21
	Clacks	Scotland	Clacks	Clacks
2a Number of complaints closed at stage 1 as % all complaints	86.8%	87.1%	84.6%	87.1%
2b Number of complaints closed at stage 2 as % all complaints	11.9%	9.7%	9.3%	2.6%
2c Number of complaints closed at stage 2 after escalation as % all complaints	1.3%	3.1%	6.1%	10.3%

### Indicator 3 Number of complaints upheld/partially upheld/not upheld at each stage as a percentage of complaints closed in full at each stage

The majority of complaints were not upheld, but there has been a steady increase in stage 2 complaints (Including escalated) that were partially upheld.

Description	2018/19		2019/20	2020/21
	Clacks	Scotland	Clacks	Clacks
3a Number of complaints upheld at stage 1 as % of all complaints closed at stage 1	28.2%	49.7%	36.5%	29.6%
3b Number of complaints not upheld at stage 1 as % of all complaints closed at stage 1	51.1%	34.6%	46.4%	53.3%
3c Number of complaints partially upheld at stage 1 as % of all complaints closed at stage 1	20.6%	14.8%	17.1%	17.2%
3d Number of complaints upheld at stage 2 as % of all complaints closed at stage 2	11.1%	37.5%	25.0%	0.0%
3e Number of complaints not upheld at stage 2 as % of all complaints closed at stage 2	55.6%	44.1%	55.0%	60.0%
3f Number of complaints partially upheld at stage 2 as % of all complaints closed at stage 2	33.3%	18.4%	20.0%	40.0%

Description	2018/19		2019/20	2020/21
	Clacks	Scotland	Clacks	Clacks
3g Number of escalated complaints upheld at stage 2 as % of all escalated complaints closed at stage 2	0.0%	28.2%	23.1%	10.0%
3h Number of escalated complaints not upheld at stage 2 as % of all escalated complaints closed at stage 2	100%	47.4%	61.5%	60.0%
3i Number of escalated complaints partially upheld at stage 2 as % of all escalated complaints closed at stage 2	n/a	24.1%	15.4%	30.0%

**Indicator 4 Average time in working days for a full response to complaints at each stage**

The average time for responding to complaints has improved at stage 1, but is still just outwith the target of 5 days. The average time for complaints that went straight to stage 2 was within the target of 20 days, an improvement on the 3 previous years, whereas the time taken to respond to complaints that had been escalated to stage 2 has worsened over the same period and remains outwith the 20 day target.

Description	2018/19		2019/20	2020/21
	Clacks	Scotland	Clacks	Clacks
4a Average time in working days to respond to complaints at stage 1	5	7.1	7.6	5.8
4b Average time in working days to respond to complaints at stage 2	24.7	29.9	20.9	19.6
4c Average time in working days to respond to complaints after escalation	9	23.0	20.7	26.9

**Indicator 5 Number and percentage of complaints at each stage which were closed in full within the set timescales of 5 and 20 working days**

The proportion of complaints closed at stage 1 within 5 working days has improved overall over the past 3 years, while the proportion of escalated complaints closed within 20 working days has fallen from 100% in 2018/19 to 70% in 2020/21.

Description	2018/19		2019/20	2020/21
	Clacks	Scotland	Clacks	Clacks
5a Number of complaints closed at stage 1 within 5 working days as % of total number of stage 1 complaints	77.1%	65.0%	69.6%	78.7%
5b Number of complaints closed at stage 2 within 20 working days as % of total number of stage 2 complaints	50.0%	58.2%	85.0%	80.0%
5c Number of escalated complaints closed within 20 working days as a % of total number of escalated stage 2 complaints	100%	67.4%	84.6%	70.0%

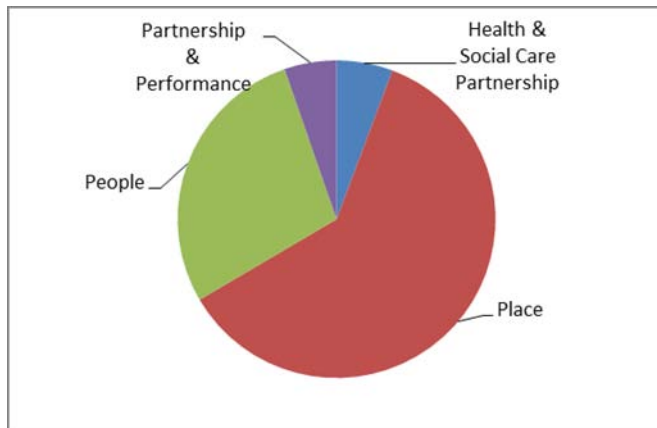
**Indicator 6 Number and percentage of complaints at each stage where an extension to the 5 or 20 working day timeline has been authorised**

Fewer extensions were authorised for stage 1 complaints last year but more extensions were given at stage 2.

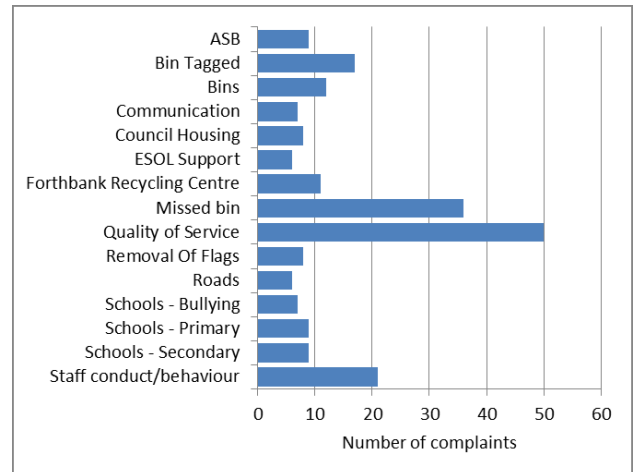
Description	2018/19		2019/20	2020/21
	Clacks	Scotland	Clacks	Clacks
6a Number of complaints closed at stage 1 where extension was authorised, as % all complaints at stage 1	7.6%	3.8%	5.5%	4.7%
6b Number of complaints closed at stage 2 where extension was authorised, as % all complaints at stage 2	27.8%	10.1%	10.0%	20.0%
6c Number of complaints closed after escalated where extension was authorised as % of all complaints escalated	0.0%	10.5%	7.7%	25.0%

**Why people complain**

**Complaints by Service**



**Complaints by Subject**





## Complaints referred to the SPSO

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During 2020/21, 14 complaints against Clackmannanshire Council were received and 10 determined by the SPSO (compared with 953 complaints for all Scottish local authorities). None of the complaints was upheld.

### Complaints received, by service

Subject Group	
Education	2
Housing	3
Social Work	7
Welfare Fund - Crisis Grants	1
Other	1
<b>Total</b>	<b>14</b>

### Outcome of complaints determined

Stage	Outcome Group	
Advice	Discretion – alternative action proposed	1
	Premature (submitted to the ombudsman before the Council's complaints process was completed)	7
	Unable to proceed	1
Early Resolution	Discretion - Good complaint handling	1
<b>Total</b>		<b>10</b>

