



AUDIT AND SCRUTINY

18 JUNE 2024

COMPLAINTS ANNUAL REPORT

Report by Chief Executive

PURPOSE

- 1.1 The purpose of the Report is to inform the Comhairle of the publication of the Complaints Annual Report for 2023/24.

EXECUTIVE SUMMARY

- 2.1 The Comhairle is required by the Scottish Public Services Ombudsman (SPSO) to complete and publish an annual report on complaints handling and performance. Data related to annual performance is also submitted to the Local Authority Complaints Handling Network (LACHN) Family Group 1 for benchmarking purposes.
- 2.2 The Complaints Annual Report 2023/24 has been completed and is available on the Comhairle's webpage. A total of 47 complaints were closed in 2023/24: 28 at Stage 1 and 19 at Stage 2.
- 2.3 The Comhairle's performance in 2023/24, for closing stage 1 complaints within five working days has improved on last year's performance to 89%. Closure of stage 2 complaints within the allotted 20 working days has however decreased to 31.5%. In 2022/23 the percentages were 75% and 52% respectively. The Comhairle will aim to reissue briefings regarding the need to meet the required working day response timescales when managing complaints, highlighting the importance of seeking and recording of formal authorisation to extend the timescales when necessary.

RECOMMENDATIONS

- 3.1 **It is recommended that the Comhairle note the Complaints Annual Report 2023/24 and its pending publication.**

Contact Officers: Charlene Macmillan, Strategy Officer
Background Papers: None

IMPLICATIONS

4.1 The following implications are applicable in terms of the Report.

| Resource Implications | Implications/None |
|-------------------------------|---|
| Financial | None |
| Legal | Regulatory requirement for publication of local authority complaints data. |
| Staffing | None |
| Assets and Property | None |
| Strategic Implications | Implications/None |
| Risk | Reputational risk if the Comhairle does not meet its targets for closure of stage 1 and stage 2 complaints within allocated timescales. |
| Equalities | The revised Complaints Handling Procedure includes additional equality and accessibility support for people who are vulnerable. |
| Corporate Strategy | Consistent, fair and reasonable complaints handling procedures contribute to the strategic priority of being a sustainable and inclusive council. |
| Environmental Impact | None. |
| Consultation | There is no consultation required for the Report. The Annual Report is published on the Comhairle's webpage. |

BACKGROUND

5.1 The SPSO in collaboration with local government complaint handling experts has established a robust Complaints Handling Procedure (CHP). This model has continued to evolve, and the latest version was approved in March 2021 and introduced on 1 April 2021.

COMPLAINTS

- 6.1 The Complaints Annual Report, 2023/24, has been drafted by gathering together data that has been monitored and reported quarterly. This data, once verified, is benchmarked annually across Scotland. Benchmarking has still to be undertaken for 2023/24 data.
- 6.2 There were 2.18 complaints logged per thousand of population in 2022/23. This is a calculation of the total number of complaints received (58) divided by the population estimate (26,640) and multiplied by 1,000. There were 2.21 complaints logged per thousand of population in 2022/23.
- 6.3 The Comhairle's performance in 2023/24, for closing stage 1 complaints within five working days has improved on last year's performance to 89%. Closure of stage 2 complaints within the allotted 20 working days has however decreased to 31.5%. In 2022/23 the percentages were 75% and 52% respectively. The complexity and requirement to engage across a range of staff members and manage the availability of persons necessary to undertake the investigation has been noted as a key factor in the decrease in of addressing stage 2 complaints within the recommended timescales. Staff will be reissued with briefings on the importance of dealing with complaints within the allocated timescales along with the necessity to seek formal authorisation for extensions to these timescales, if required.
- 6.4 A total of 47 complaints were closed in 2023/24: 28 at Stage 1 and 19 at Stage 2.
- 6.5 Stage 2 performance at 31.5%, shows that departments continue to have problems managing their complaint investigations, with only 6 of the 19 complaints being closed within 20 working days. Stage 2 complaints can be complex requiring in-depth investigation and liaison with a number of internal and external parties.

- 6.6 Six of the Stage 2 complaints had agreed extensions. If the agreed extensions were added to the 'completed within 20 working days' key performance indicator (KPI) the total would be 63%.
- 6.7 Looking at learning from the complaints, the reoccurring theme still appears to be communication and also the application of consistent processes and policies which is at the heart of the issues being raised. Three actions have been identified:
- All Complaint Handling Officers will receive a briefing regarding the requirement to meet the 5-day working deadline when dealing with a Stage 1 complaint and the 20-working day deadline when managing a Stage 2 complaint. Officers will be reminded of the requirement to seek necessary authorisations to extend this timescale if required, and to ensure it is done in liaison with the complainant.
 - Emphasis will continue to be placed on the need for good communication with service users at all times.
 - Regular review of policies and procedures will be undertaken to ensure they are up-to-date and reflective of pertinent issues, with staff fully briefed on updates.

CONCLUSION

- 7.1 The Comhairle complaints performance remains satisfactory at stage 1 with 89% being closed within 5 working days, which is a good improvement from the previous year. The stage 2 performance KPI (31.5%) does not adequately explain that although only 6 of the 19 complaints were closed within 20 working days, 6 had an agreed extension. If the agreed extensions were added to the 'completed within 20 working days' deadline the KPI the total would be 63%. Complaints received have reduced overall in comparison to previous years, though have continued to be complex, often requiring further investigation.