



COMHAIRLE NAN EILEAN SIAR
COMPLAINTS HANDLING PROCEDURE
ANNUAL REPORT 2020/21

Complaints Procedure

We regard a complaint as an expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf. We take all complaints seriously. Our staff are trained in handling complaints and in focusing where possible on resolution at the first point of contact.

The Public Services Reform (Scotland) Act 2010, (the Act) gave the SPSO the authority to lead the development of model complaint handling procedures across the public sector. The Act took forward the recommendations of the Sinclair Report which sought to improve how complaints were handled through the development of simplified, standardised Complaint Handling Procedures.

This local authority Complaint Handling Procedure (CHP) has now been in place within the Comhairle since 2012. It has provided a standardised approach to dealing with customers complaints across the local authority sector and has improved the Comhairle's capacity to scrutinise its approach to complaints and also to benchmark with similar authorities.

The CHP has standardised the definition of complaints; the number of stages; the timescales associated with each stage; and the requirement to record, report and publicise complaints information. This standardised approach, supported by in-house training has built awareness of how to manage complaints effectively for the benefit of both the complainant and the Comhairle. The CHP has provided customers with a consistent approach to complaints which has made it simpler to submit a complaint. This has promoted a customer focused approach and encouraged services to learn from complaints.

Social Work complaints were not included in the 2012 implementation of the Complaint Handling Procedure and there remained a separate complaints procedure for all complaints related to social work matters. Subsequently the Public Services Reform (Social Work Complaints Procedure) (Scotland) Order 2016 formally brought social work complaints in line with local authority complaints by bringing it under the remit of the Act.

The Complaints Handling Procedure for Social Work Complaints was approved by the Comhairle in March 2017 in time for its formal implementation on 1 April 2017. The procedure has been developed specifically for our social work services, so that employees have all the information they need to handle social work complaints effectively. The procedural elements tie in very closely with those of the Local Authority and National Health Service complaints handling procedures, so where complaints cut across services, they can still be handled in much the same way as other complaints.

The SPSO has developed a revised Complaints Handling Procedure which fully incorporates Social Work Complaints into the local authority procedure. This procedure was implemented by the Comhairle on 1 April 2021.

COVID-19 has had an impact on the Comhairle's capacity to respond to complaints received. There were some complaints received which had to be put on hold as a result of the COVID-19 outbreak and lockdown response. Some of the complex investigations were challenging as offices were shut and it was difficult to access some records – there were a small number of complaints which took a long time to respond to and this impacted on our 2020/21 stage 2 response times.

Our Complaints Handling Procedure has two stages

Stage 1

We always try to resolve complaints quickly, and at Stage One within five working days. These complaints are often resolved by front line staff and service managers who know and understand their service well and are able to put things right quickly.

Stage 2

If customers are dissatisfied with our response at Stage One, they can escalate their complaint to Stage Two. We also escalate some complaints immediately to stage two if it is clear that they are complex and will require a detailed investigation. We aim to acknowledge all Stage Two complaints within three working days and provide a response to customers within twenty working days unless there is clearly a good reason for needing additional time to investigate. If more time is required, we will aim to communicate this with the complainant and get their agreement to an extension. Where customers are dissatisfied with our decision regarding a Stage Two complaint, they can ask the Scottish Public Services Ombudsman (SPSO) to consider it. We provide the details for the SPSO in all our Stage Two decision letters.

Our Performance

The Scottish Public Services Ombudsman (SPSO) has provided local authorities with a number of performance indicators for councils to use when monitoring the performance, compliance and effectiveness of their complaint's procedure.

The Comhairle publicly reports complaints information quarterly on its website and is required to complete an annual report.

The Comhairle has not met its targets for the closure of stage 1 or stage 2 complaints within the allocated timeframes. 73% of stage one complaints were closed within five working days but only 42% of stage two complaints were closed within 20 working days. This is very similar to last year's statistics. Further analysis of the reasons behind the number of stage two complaints closed within the allocated timeframe reveals that in addition to the 10/24 stage two complaints that were closed within 20 working days, a further 11 complaints had an extension to the timeframe authorised.

The following sections provide detailed information on our performance against these indicators.

Indicator 1 - The total number of complaints received per thousand of population

There were 2.57 complaints logged per thousand of population in 2020/21. This is a calculation of the total number of complaints received (69) divided by the population estimate (26,830) and multiplied by 1,000.

There were 2.80 complaints logged per thousand of population in 2019/20.

Indicator 2 - Complaints closed at stage one and stage two as a percentage of all complaints closed.

There were 69 complaints closed, 44 (64%) at Stage One, 24 (35%) at Stage Two and 1 (1%) at Stage Two after escalation.

Indicator 3 - The number of complaints upheld, partially upheld or not upheld at each stage as a percentage of all complaints closed in full at each stage.

Stage One:

11 (25%) Upheld
3 (7%) Partially Upheld
30 (68%) Not Upheld

Stage Two:

7 (29%) Upheld
7 (29%) Partially Upheld
10 (42%) Not Upheld

Stage 2 Escalated

1 (100%) Upheld

Indicator 4 - The average time in working days for a full response to complaints at each stage

The total time in working days to respond to Stage One complaints was 276 days. This worked out at an average time of 6 working days for responding to a Stage One complaint.

The total time in working days to respond to Stage Two complaints was 1132 days. This worked out at an average time of 47 working days for responding to a Stage Two complaint.

The total time in working days to respond to Escalated Stage Two complaints was 19 days. This worked out at an average time of 19 working days for responding to a Stage Two escalated complaint.

Dealing with complaints took up 1427 working days of Comhairle staff time in 2020/21 which is clearly significant. This time has increased slightly from the 1308 working days spent dealing with complaints in 2019/20.

Learning from complaints is an important tool to improve customer satisfaction but also for improving business efficiency by getting it right first time.

Indicator 5 - The number of complaints which were closed in full within the set timescale of 5 working days and 20 working days.

32 (73%) of Stage One complaints were closed within 5 working days.
10 (42%) of Stage Two complaints were closed within 20 working days.
1 (100%) of Stage Two escalated complaints were closed within 20 working days.

Indicator 6 - The number and percentage of complaints at each stage where an extension of 5 or up to 20-day timelines has been authorised.

There were 2 complaints (5%) closed at Stage One which had been recorded on the system with an authorised extension

There were 11 complaints (46%) closed at Stage Two which had been recorded on the system with an authorised extension.

Indicator 7- Customer satisfaction survey

The Comhairle recognises that it is best practice to engage with customers who have made a complaint and to seek their views on the complaints process. The Comhairle has a Customer Satisfaction Survey which should be sent out to all customers who use the Comhairle's Complaints Procedure. Customers can access the survey online and it is also sent out in hard copy with decision letters.

Despite promotion of the complaints survey, analysis for 2020/21 shows that there continues to be a low uptake of the complainant online survey and no hard copy returns have been received.

Learning from Complaints

There continues to be a significant number of Stage two complaints where an extension has been requested. An extension is a reasonable tool for use occasionally where there are difficulties gaining access to required information or where the complainant is unavailable, however it is not a tool that should be used regularly. Analysis undertaken in 2020/21 to establish reasons for extensions concluded that investigations were delayed due to school holidays, potential police investigations and Covid-19.

Looking at learning from the complaints themselves highlights that communication is often at the heart of complaints that are received.

All Complaint Handling Officers will receive a briefing regarding the requirement to meet the 20-working day deadline when managing a Stage 2 complaint.

Initiate a discussion with Internal Training Team on updating customer service and communication training to encourage good communication and to help employees understand the impact of poor communication.

Please note that this data may be subject to change following end of year quality assurance analysis