

Inverclyde Council Annual Complaints Report April 2017 – March 2018

CONTENTS

Item	Heading	Page
1	Introduction	
1.1	Background	
1.2	Current Procedures	
1.3	Governance	
2	Summary of Performance	
2.1	Number of complaints	
	received	
2.2	Complaint trends	
2.3	Timescales	
2.4	Complaint Outcomes	
2.5	Complaint themes	
2.6	Learning from complaints	
2.7	Appeals	
3	Future Developments	
4	Conclusion	

1. Background

In April 2013 the Council introduced a revised complaints handling procedure moving from a three stage to a two stage process in line with the guidance by the Scottish Public Services Ombudsman. At the same time a new corporate wide system for recording complaints through LAGAN was rolled out across the Council.

In 2015 an audit was undertaken to provide management and the Audit Committee with an assessment of the adequacy and effectiveness of the governance, risk management and controls surrounding a number of key risks faced by both the Council and Inverclyde HSCP regarding complaints. There was a requirement to improve on a number of areas.

A corporate working group was established following the audit with representation across all services and chaired by a Corporate Director. The purpose of the working group was to address areas in the Council's complaint handling.

The Council's internal objectives to address issues that were identified in historic complaint handling were agreed to ensure that the Council has a robust approach to complaint handling. The complaint officer post has strengthened the robustness of the Council's complaint handling approach in the following areas:

- Increased awareness of the Council's complaint handling procedures.
- Ensuring training needs of staff with responsibility for complaint handling are identified and addressed.
- Improved corporate oversight of the complaints process.
- Improved monitoring of complaints.
- Regular review of the Council's complaint handling procedures for effectiveness.

The local authority complaint handler network (LACHN) is a national forum for local authority complaint handlers to meet quarterly to assist in the development of professional practice in relation to complaint handling. Inverclyde Council are represented at this forum by the complaint officer alongside representatives from 32 Scottish Local Authorities. The SPSO attend these meetings to support the ongoing development of complaint handling within local authorities and to achieve consistency in approach.

Inverclyde Council uses Inverclyde Leisure to deliver council services in the leisure industry and Riverside Inverclyde for urban regeneration within the area. While these organisations are separate to the Council they are subject to its control and the Council is responsible for ensuring the services provided meet the required standards and adhere to the complaint handling procedure. In doing this we must establish mechanisms to identify and act on complaint handling performance issues found.

The Council's regulators treat Inverclyde Community Development Trust (ICDT) as an ALEO but complaint handling procedures are not required as ICDT is constituted differently from the other two ALEOs, Inverclyde Leisure and Riverside Inverclyde

The SPSO through LACHN network issued a survey to all local authorities to complete regarding complaint handling reporting being submitted to the network to review prior to formal reporting being issued to SPSO. The survey questions highlighted the requirements for Council's to report complaint handling performance for ALEOs. Inverclyde Council have two ALEO's they are Inverclyde Leisure and Riverside Inverclyde and they are required to adhere to reporting on complaints handled although they were not included at the time of the implementing the model complaint procedure. Actions have been taken to address this

and Inverclyde Council are now adhering to the reporting requirements set out by the SPSO.

Following the results of the survey that was completed by all of the local authorities, the SPSO confirmed that they would be moving to a quarterly submission of complaint handling statistical data from all Councils. This was intended to ease the collation of management information on annual basis. Inverclyde Council agreed to supply this statistical data each quarter, as it is currently prepared for the CMT on a quarterly and annual basis. The draft report is issued to the LACHN for discussion at the network meeting and any inconsistences in data interpretation and analysis is resolved before the formal annual submission to the SPSO each year.

1.2 Current Procedures

Inverclyde Council co-ordinates the reporting of complaints to the SPSO this includes the HSCP, both ALEOs, Inverclyde Leisure and Riverside Inverclyde. Each area is responsible for recording their complaints and providing their management information to Inverclyde Council to enable the consolidated statistical report to be produced quarterly and annually.

Inverclyde Council, the HSCP and both ALEOs, Inverclyde Leisure and Riverside Inverclyde follow the Model Complaint Handling procedure although there are slight differences between the health and social work complaints the procedure provides a quick, simple, streamlined process with a strong focus on local, early resolution. This enables issues or concerns dealt with close to the event which gave rise to making the complaint.

As far as possible the complainant should be actively and positively engaged with the process from the outset.

Frontline resolution stage one: Frontline resolution should be attempted where there are straightforward issues potentially easily resolved with little or no investigation. This should be completed within 5 working days.

Investigation stage two: Where complaints cannot be resolved at the frontline stage or those which are complex, serious or high risk, a thorough investigation will be undertaken. This typically requires more thorough examination in order to establish facts prior to reaching conclusion. This should be completed within 20 working days.

Escalated investigation stage two: Where the complainant remains dissatisfied with the way the Council dealt with their complaint at frontline resolution, the complainant can request a detailed investigation under stage two of our complaints handling procedure. This must be undertaken before the complainant can take their complaint to the SPSO to review.

Scottish Public Service Ombudsman: Appeals of complaint outcomes are reviewed by the SPSO.

1.3 Governance Arrangements

Governance arrangements are in place to report and analyse complaints within Inverclyde Council as follows:

Heads of Service Meetings Service Review Meetings Corporate Management Team Meetings Inverclyde Council and HSCP log their complaints into LAGAN system. Health and social work complaints are logged in two systems – datix for health complaints and LAGAN for social work complaints. Inverclyde Leisure and Riverside Inverclyde record their complaints on a complaint log spreadsheet.

This is supported by the Information Governance and Complaint Officer who promotes the complaint handling procedure and provides strategic direction for complaint handling to ensure a responsive, efficient and improved complaint handling service which meets the regulatory standards. Oversight and monitoring of complaint handling performance is undertaken to ensure the feedback mechanism is delivering continuous improvement. Quarterly recommendations on improvement areas are discussed with the Corporate Management Team.

2. Summary of Performance

2.1 Number of complaint received and closed

In the reporting period 1 April 2017 – 31 March 2018 Inverclyde Council, Inverclyde Leisure and the HSCP received and handled **351** complaints in the period and closed **326** complaints within this period.

The Scottish Public Services Ombudsman (SPSO) requires Invercive Council to include ALEOs and HSCP complaint statistical information in the quarterly and annual reports. It should be noted that oversight and day to day matters relating to complaints are supported separately.

This is the first year that the Council have reported a collective report on complaint handling performance that includes Inverclyde Council, Inverclyde Leisure and the HSCP. In the coming year 1 April 2018 – 31^{st} March 2019 Riverside Inverclyde will be included in the statistical reporting.

Inverclyde Leisure had a loss of data for the period 1 January 2018 – 31 March 2018 this is a low volume based on their average number of complaints received; however impacts the extent of complaint finally recorded in 2017/18.

	Num	ber complaints rece	eived
	2017/18	2016/17	2015/16
Inverclyde Council	288	181*	146
HSCP	55		
Inverclyde Leisure	8		

*Members are reminded that essential changes were made to the LAGAN in order to improve the complaint management system in preparation for it to be adopted as the universal complaint recording system for the Council. During this process closed complaint data was lost which impacts on the extent of complaints finally recorded in 2016.

Inverclyde Council's complaints received volumes have increased when comparing to the complaint data for 2016/17 and 2015/16 as outlined in the graph below. The period 2017/18 reflects a full year of accurate recording of complaints which will support accurate benchmarking of future years.



The table below outlines closed complaint breakdown by investigation stage and comparable data volumes for the periods in 2017/18 and 2016/17.

Closed complaint breakdown by investigation stages							
	No of frontline resolution stage 1		No of co investig stag	ations	No of escalated investigations stage 2		
	2017/18	2016/17	2017/18	2016/17	2017/18	2016/17	
Inverclyde Council	225	121	17	23	21	7	
HSCP	33	31	26	25	0	0	
Inverclyde Leisure	7	1	0				

In respect of the complaints received there are occasions where they partially investigated and either withdrawn or found not be appropriate for the complaint handling procedure and removed from the overall numbers. These are noted in the table below.

Complaints removed from the overall volumes								
	Service	requests	Witho	drawn	Not Council related / Invalid			
	2017/18	2016/17	2017/18	2016/17	2017/18	2016/17		
Inverclyde Council	6	8	25	8	4	13		
HSCP	0		4		0			
Inverclyde Leisure	0		0		0			

2.2 Complaint Trends

The table below provides a breakdown of complaints received within each service over the period 1 April 2017 to 31 March 2018.

	April 17	May 17	June 17	July 17	Aug 17	Sept 17	Oct 17	Nov 17	Dec 17	Jan 18	Feb 18	Mar 18	Totals
Chief Executive Office	0	0	0	0	1	0	0	0	0	0	0	0	1
Education	4	11	12	1	1	9	8	5	3	6	5	5	70
Environmental & Commercial Services	5	7	11	7	11	4	6	9	4	8	6	7	85
Finance/CSC	8	9	9	15	22	5	3	6	8	4	6	2	97
ICT	0	0	0	0	0	0	0	0	0	0	0	0	0
Legal & Property Services	0	1	1	0	0	0	0	0	1	0	1	0	4
Libraries & Museums	0	0	0	0	0	0	0	2	0	0	0	0	2
Regeneration & Planning	0	1	1	1	0	0	0	0	1	1	1	0	6
Safer & Inclusive Communities	1	3	3	1	0	1	2	2	3	1	1	3	21
HR, OD & Communications	0	0	0	1	1	0	0	0	0	0	0	0	2
Inverclyde Leisure	0	2	4	1	0	0	0	0	1				8
HSCP													55

Outlined in the chart below is the percentage of complaints received by each service compared against the total number of complaints received.



Complaint data for year on year comparison will be formulated going forward to enable trends on incoming volumes to be tracked and compared for Inverclyde Council, HSCP and both ALEOs, Inverclyde Leisure and Riverside Inverclyde.

2.3 Timescales

We aim to resolve complaints quickly and close to where we provided the service. Where appropriate this could mean an on-spot-apology and explanation if something has clearly gone wrong and immediate action to resolve a problem. We have 5 working days to respond to your complaint within the stage one process

Sometimes we will have to make some enquiries before we can respond to complains if we cannot resolve the complaint at this stage, we will explain why, we may decide it is appropriate to extend the time to deal with the complaint by a further five days or we move to stage two investigation if this is felt to be appropriate. In either scenario we will keep you informed and manage your expectations on timescales

Stage two deals with two types of complaint: those that have not been resolved at stage one and those that are complex and require a more detailed investigation.

Where you have escalated your complaint to stage two because you remain dissatisfied with the outcome of our handling of your complaint, we refer to this as Escalated Investigation.

When handling a complaint using stage two we will

- Acknowledge receipt of your complaint within three working days;
- Where appropriate, discuss your complaint with you to understand why you remain dissatisfied and seek clarification on what outcome your looking for; and
- Provide you a full written response to your complaint as soon as possible and within 20 working days

If our investigation is likely to take longer than 20 working days, we will agree revised time limits with you and keep you updated on progress.

Investigating Officers are advised of the required dates for timescales on receipt of the complaint. Additional reminders are in place to support timely completion.

The table below outlines the Inverclyde Council's collective performance measures on timescales management across all stages of the complaint procedure.

Performance measures	Collective Inverclyde Council 2017
No of complaints – closed at stage 1 within 5 days	214
% Complaints Meeting timescale	80.8%
Ave working days taken stage 1 complaints	4.4
No of complaints – closed at stage 2 within 20 days	31
% Complaints Meeting timescale	77.5%
Ave working days taken stage 2 complaints	15.5
No of complaints – closed at escalated stage 2 within 20 days	18
% Complaints Meeting timescale	85.7%
Ave working days taken escalated stage 2 complaints	13.8

The table below outlines the management of complaints within the prescribed timescale broken down by each areas complaint. The comparable data is not available for Inverclyde Leisure as they have adopted the reporting of complaints within the period 2017/18.

		Inverclyde Council consolidated			H	Inverclyde Leisure***	
	Performance Area	2017/18	2017/18	2016/17	2017/18	2016/17	2017/18
Stage 1 Frontline resolution	No of complaints – closed at stage 1 within 5 days	214	182*	104	22	30	5
age 1 I resol	% Complaints Meeting timescale	80.8%	78%	86%	88%	96%	83%
ŭ	Ave working days taken stage 1	4.4	3.81	3	4.1	Not available	3
Stage 2 Investigation	No of complaints – closed at stage 2 within 20 days	31	9**	20	18	15	2
Invest	% Complaints Meeting timescale	77.5%	90%	85.7%	78.5%	60%	66.7%
Stage 2	Ave working days taken stage 2	15.5	16.3	11.7	18.2	Not available	13.3
		10	4.0	<u>_</u>		â	<u>^</u>
Stage 2 Escalated Investigation	No of complaints – closed at esc stage 2 within 20 days	18	18	0	0	0	0
age 2 Escalat Investigation	% Complaints Meeting timescale	85.7%	85.7%	0	n/a	0	n/a
Staç In	Ave working days taken esc stage 2	13.8	13.8	0	0	Not available	0

*One complaint has been included within stage one resolution as time extension was granted allowing 10 days for the complaint to be resolved and reported within timescales.

** Two complaints have been included in the stage two resolutions as time extension was granted allowing 25 days for the complaint to be resolved and reported within timescales

*** Inverclyde Leisure data only available for the period 2017/18

Services must maintain focus on ensuring complaints received are recorded and that the complaint handling procedure is followed by officers, in particular with regards to timescales to resolve complaints at stage one and stage two. When comparing in isolation Inverclyde Council's complaint handling performance we have seen timescales to resolve complaints increase in both frontline resolution stage one complaints and stage two complaints investigations which impacts the average days.

2.4 Complaint Outcomes

The graph below outlines the outcomes following complaint investigation at each of the 3 stages a complaint may be taken through.



The pie chart outlines the collective outcomes of all complaint investigations at each of the stages the complaint for all areas.



2.5 Complaint themes

The 127 complaints which were upheld or partially upheld were examined for key themes. In some situations the complexity of some complaints were multi faceted although the true root cause was used to define this into a single theme.

The top complaint themes was for complaints where the service delivered was below the expectated standards at 45%. This was inflated due to receiving 26 complaints from a single incident.



2.5 Learning from complaints

Inverclyde Council is committed to reflecting on occassions when we may not get it right in order to highlight opportunities for improvement. As such where a complaint has been upheld or partially upheld, the service determines what actions are required to support continuous improvement and prevent a repeat of circumstances that led to the complaint.

Service improvement recording commenced in November 2016 for Inverclyde Council only. Service improvement tracking requires to be developed for both ALEOs and the HSCP as this is not currently in place.

The Service Improvement table overleaf provides an overvew of the type of complaints received together with a update on the service improvements that have been implemented during the reporting period.

Period	Service	Improvements Made
Apr 20		A few complaints were received with regards to delays in obtaining appointments with Registrars for registering deaths.
		A change was introduced that adjusted the appointment time allocated following the transition of a new process within the customer services centre to streamline the approach for all service users. A reminder on the Tell Us once procedure for registering deaths was undertaken at the same time.
Apr 20 to J 2017	17 Education un	At the end of a school day the school bus left the school without some of the pupils from a class. The bus firm did not follow the schools procedure to wait for the teacher to give permission for the journey to commence. Preventative contact was made with parents to highlight the matter.
		A review of the issue was undertaken with SPT and internal discussions took place with the staff involved in the school. Procedures were reviewed.
Apr 20 to J 2017	17 Education un	A pupil had an accident with some hot liquid during a class cookery lesson.
		Reviews of risk assessments, accident procedures and consent forms have been undertaken.
	17 HR OD & Policy ept Communication	Following the P1 Powerboat event a complaint was received from a resident about the provision of parking access passes for residents in the area impacted.
		Post implementation review will include a review of the methods of communication when planning future events that will impact the residents of Inverclyde parking at their property ensuring everyone is provided with parking access passes.
		Review of the process that takes account of any properties where a parking access passes could not be delivered with solutions that take account of the unexpected scenarios that may arise.
	17 Finance ept	An error was made when processing a Council Tax payment as a result of this the payment was incorrectly deducted from a previous years balance resulting in a reminder being issued in error.
		A reminder note was issued to all staff involved in the processing of payments about the care to be taken when allocating payments to specific years

July to 2017	2017 Sept	Environment & Public Protection Services	Commercial premises were leaving their commercial waste for collection at midnight the day prior to their allotted collection. As a result of this the seagulls were foraging in the waste leaving an unsightly mess which was causing concerns for residents. Collection arrangements were reviewed by the service with the commercial proprietor and appropriate adjustments made to alleviate the extent of the issues.
July to 2017	2017 Sept	Roads	Road works were scheduled in a specific area and residents should have been notified by letter of what they should expect during this period given the early start time of works. Notices were on website and all other standard notices were in place. The resident who complained did not receive the letter and complained as the works had a significant impact on the resident. A review of internal process and instructions when officers are delivering letters to residents to ensure clear instructions are given to the officers. Any issues that are experienced with particular properties where a letter could not be issued should be noted in order to consider any alternative options that could be taken.
July to 2017	2017 Sept	Finance	A number of residents who pay their Council Tax by Direct Debit were issued reminders for previous years Council Tax arrears. They had previously been incorrectly excluded from these reminders. A fix was implemented to the system for Council Tax billing/reminders to ensure customers with a payment profile for Direct Debit are included when assessing payment status - this will prevent a similar issue arising in the future. When it is discovered that a Direct Debit payer is behind with their Council Tax payments, rather than issuing a Council Tax reminder the bill payer will receive an explanation as to how the arrears have arisen and a Council Tax bill will be issued with standard payment options. This will prevent customers feeling the Council have let matters go too far before pursuing them for payment. Customer service officers have been advised to offer payment proposals which would result in a timely resolution without need to complain.

July	2017	Roads	A complaint was raised following the allocation of a
to 2017	Sept		Disabled Person Parking Permit and the formal marking out of the allocated space took longer than the individual was anticipating.
			Learning was taken from this complaint to improve the communication in the letter issued notifying individuals of the next steps to ensure the Council manage expectations clearly.
July	2017	Environment &	A resident complained about the position of the dog
to 2017	Sept	Public Protection Services	fouling bin in the area not being in an appropriate location that would encourage dog owners to use it. As a result of this individuals are leaving the dog waste in the surrounding area.
			The location was inspected and the dog fouling bin was moved to an appropriate position that would encourage its use and alleviate the issues being experienced.
Oct to 2017	2017 Dec	Finance	Customers experienced delays in registrars responding to emails and telephone messages relating to death registration appointments following the loss of a registrar at short notice. This placed constraints on their resources whilst the recruitment of a replacement was taking place
			A review has been undertaken to improve the ways of working with the customer service centre to assist in managing customer experience during busy periods and make better use of the resources available
Oct to 2017	2017 Dec	Environment & Public Protection Services	A service user who has a weekly residual collection for his refuse experienced issues regularly with his refuse not being collected as per the arrangement in place. The service established through their investigation of the matter that the crew were only pulling the service users refuse when it was full.
			The crew was instructed to ensure they empty the refuse weekly. The service will monitor the arrangement for a short period of time to ensure the new arrangement is embedded.
Oct to 2017	2017 Dec	Libraries	A complaint was received about the position of the date labels on talking books.
			The library sampled some of the books and established that for some of the books the content was covered by the labels. A communication was issued to all staff to ensure that the content detail of the book is not covered when attaching the date labels. Current stock levels will also be reviewed and labels moved as appropriate.

Jan 2018 – Mar 2018	Education	A complaint from a parent was received in connection with an issue with the recording and transfer of a pupil's records.A reminder was issued to schools of all processes in place and a best practice document will be produced.
Jan 2018 – Mar 2018	Finance	A complaint was received from a resident who had issues with correspondence being issued to them after more than a year for an overpayment of housing benefit. Whilst the resident agreed the recovery could be taken, due to a lack of maintenance of our records it has resulted in an administration error.
		As a result of this complaint a learning has been taken and reminders have been issued to staff in the Finance Team on the importance of writing to the customer once an overpayment has been taken to confirm what the balance is (if applicable) and the importance of looking at the period of time that has lapsed from contacting the landlord seeking client permission to take the payment. Consideration will be given to a four week follow-up
		process to aide smoother recovery and timely remedy of overdue amount.
Jan 2018 – Mar 2018	Roads	A complaint was received about the condition of the footpath in area just beyond the resident gate. The tarmac is broken up and covered in moss; it is covered in apples from a nearby fruit tree which is causing a hazard. Due to condition of the area owners are allowing dogs to foul and are not picking up and disposing the waste appropriately
		The Roads service is inspecting the area and undertaking appropriate works to improve the tarmac and remove moss from the area. Further remedial actions that require to be taken once these repairs are completed.

2.6. Scottish Public Services Ombudsman right to appeal

Following a stage two investigation and written response, if a complainant remains dissatisfied with the outcome they have the right to appeal that decision with the Scottish Public Services Ombudsman (SPSO).

The table below outlines the number complaints received at the SPSO for Inverclyde Council.

	Complaints rece	ived at the SPSO
	2018/17	2017/16
Inverclyde Council	15	21

2.6.1 SPSO Reviews

The Ombudsman reviewed one complaint for Inverclyde Council which went through to full investigation, some aspects of that complaint were upheld. In particular the Council did not correctly follow their complaint handling proedure as we did not advise the complainant of their rights to bring the complaint to the SPSO to review I the response letter issued to the complainant. An apology was provided to the complainant as recommeded by the SPSO and the evidence was submitted to the SPSO within the required timescales.

The Ombudsman review one complaint for the HSCP. The complaint related to NHS services for the perdiod 2015/16, and resulted in a Serious Clinical Incident Review which in turn informed the complaint outcome in relation to the points raised. Following review, in February 2018 the SPSO upheld the complaint and highlighted 4 improvement recommendations for the HSCP. These have been covered in detail in the HSCP Annual complaint report.

3.0 Future Developments

The SPSO has recommended that all Local Authorities should be completing customer satisfaction surveys regularly to gain true insight on how well they are handling complaints. They are creating a model satisfaction survey which we are looking to introduce as part of our ongoing quality assurance of complaint handling. This will provide valuable insight on how well we are managing our complaint handling procedure and highlight opportunities to strengthen our approach.

The SPSO have confirmed that they will be working to assess the effectiveness of the model complaint handling procedures in place across the public sector in Scotland in the coming year. The Council will have an opportunity to provide feedback on areas where the procedure works well and where it may be improved. This may bring some changes to the current practices and reporting that this is provided.

Inverclyde Council will be publishing the complaint handling statistical reports on a quarterly which meets the expectations and standards set by the SPSO.

4.0 Conclusion

Inverclyde Council is committed to investigating, learning from and taking action as a result of individual complaints where it is found that standards have fallen below the level we expect and where services could be improved. By listening to the views of service users who make a complaint, we can improve our services.

Going forward, additional reporting requirements from the SPSO will require complaint information to be published on a quaterly basis which will focus on learning across Inverclyde Council.