

# **Corporate Complaints Unit**

Annual Performance Report  
On Comments, Compliments and  
Complaints

**2010 - 2011**

Presented to CMT 3 August 2011  
Agreed by Audit and Risk Committee on 25 October 2011

## 1. Introduction

Dumfries and Galloway Council is committed to listening, learning and improving when it comes to the comments and complaints made by its service users, their carers and others, on their behalf, as customers of the wide range of services provided across Dumfries and Galloway.

This Annual Complaints Performance Report 2010-2011 is the first of many future annual reports the Council aims to publish in order to provide information regarding the performance of its corporate complaints procedure in relation to the handling of comments, compliments and complaints during the period from 1 April 2010 to 31 March 2011.

Because we value what our customers tell us through their feedback, we have been able to analyse this information to identify the areas where they indicate positively that we are doing well and those areas, where we have made mistakes, and we need to learn lessons and make improvements not just in the delivery of high quality of services for customers, but more importantly, through excellent customer service, in the manner that we treat them.

Given the relatively small number of complaints, we are also conscious that a degree of caution needs to be exercised in drawing definitive conclusions from them, as complaints data should only be part of several other indicators of the quality of the service provided. The data can however provide a useful tool to highlight specific concerns, assist in the identification of key themes and trends and act as a guide to where remedial action may be required.

As the Council continues to look at ways to improve the way in which we report information about the performance of the Council's corporate complaints procedure, I am delighted that the newly dedicated Corporate Complaints Unit has managed to co-ordinate information from the Council's service departments relating to their handling of complaints in particular, in producing this annual report.

I hope you will find this Annual Report as helpful and informative, and as always, we welcome your comments or suggestions for any improvements and thank you for taking the time to read the document.



**Gavin Stevenson, Chief Executive**

Please feel free to contact the Corporate Complaints Unit, as follows:

**The Corporate Complaints Unit  
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30 Edinburgh Road,  
Dumfries, DG1 1NW**

**Telephone - 01387 260475**

**E-mail: [complaints@dumgal.gov.uk](mailto:complaints@dumgal.gov.uk)**

## 2. Background

In 2009 the decision was taken for management responsibility for customer complaints, comments and compliments to transfer from Committee and Member Support Services to Community and Customer Services. The Corporate Complaints Unit was formed in 2010 and officially assumed responsibility for all customer complaints, across the Council, from February 2011. The Unit reports directly to Justin Tracy, Director Community and Customer Services, and comprises of:

**Judex Paul** – Corporate Complaints Manager  
**Emma Snodgrass** – Principal Officer Corporate Complaints  
**Emma Craig** – P/T Administrative Support  
**Kristy Palmer** – Administrative Support

## 3. What is a Complaint?

Typically a complaint will relate to a service failure. Something that we should have done that the customer feels we have failed to do. We may also receive complaints where a customer or service user is dissatisfied with the service they have received.

A report by MORI Social Research Institute in 2004 identified the five 'key drivers of customer satisfaction' as:

**Delivery** - the service should deliver the outcome it promised and deal with any problems that may arise.

**Timeliness** – the service should respond immediately to the initial customer contact and deal with the issue at the heart of it quickly and without passing it on between staff.

**Professionalism** – staff should be competent and treat customers fairly.

**Information** - the information given out to customers should be accurate and comprehensive and they should be kept informed about progress.

**Staff Attitude** - staff should be friendly, polite and sympathetic to customers' needs.

*MORI Social Research Institute (2004) The Drivers of Satisfaction with Public Services for the Office of Public Services Reform*

Complaints will often relate to a failure to meet one or more of the above customer expectations.

Where possible, we try to resolve issues at the first point of contact. That means that the relevant service will try to put things right first. If the service is unable to resolve the issue there and then, or if the customer does not wish to complain direct to the service, the complaints process may be engaged.

There are some matters we can't deal with under the corporate complaints procedure, including:

- Complaints where the complainant has been aware of the matter of dissatisfaction for more than 12 months (unless there are exceptional reasons for the delay in raising the complaint).
- Complaints against Councillors, which have to be made in writing to The Standards Commission for Scotland.
- Complaints against the Police, which have to be made direct to the Force's Complaints and Professional Standards Unit.
- Complaints about Community Councils, which have to be made direct to the relevant Community Council.
- Where a statutory right of appeal exists such as parking tickets or housing benefit.
- Any service where you can use other methods to appeal (such as exclusions from school or pupil placements).
- Planning applications that are still being considered.
- Complaints that are in court or have already been heard by a court or tribunal.
- Dissatisfaction with Council policy, or a decision made by the Council or its committees or sub-committees. These are political decisions and should be directed to your local Councillor.
- Staff disciplinary matters or matters which may involve an offence. These will be dealt with under separate procedures in place through the Council's staff management processes.
- Insurance claims.

Sometimes a customer will say 'I want to complain....' when they are requesting a service. For example, 'I want to complain about the pot holes in my road' or 'I want to complain about a local trader'. These are operational matters and should be progressed in line with local operational procedures. These can progress to complaints about the service however if we don't follow through with the service request.

## 4. Complaints Procedure

The complaints process is currently made up of three stages:

**Stage 1** – Local Resolution

**Stage 2** – Investigation

**Stage 3** – Independent Review

When we receive a complaint, we:

### Record

All complaints should be recorded on the corporate system Respond. Respond is a database specifically designed for managing feedback. We have a number of 'complaint coordinators' across the Council who are responsible for recording, tracking and updating cases on Respond.

### Acknowledge

We contact the complainant within 5 working days to confirm we have received the complaint. This is generally done in writing and will confirm who the complaint has been allocated to and when they can expect a response.

### Reply

Stage 1: If little or no investigation is needed we will aim to get back to the complainant within 10 working days with a response. This is how most complaints are initially dealt with.

Stage 2: If we need to investigate things further we will aim to get back to the complainant within 20 working days. Complaints can enter the process directly at Stage 2 or progress to Stage 2 from Stage 1.

Stage 3: If the complainant is unhappy with the response they receive, they can ask for their complaint to be reviewed. The type of review will depend on the service they are complaining about.

In our responses, we will advise the complainant whether the points of their complaint have been upheld, partially upheld or not upheld. If the complainant is dissatisfied with our response, they can progress to the next stage of the complaints process with any points which have not been fully upheld.

## Resolve

At each stage of the complaints process, we aim to offer a resolution to the complaint. Where appropriate, this can involve offering a resolution meeting or considering mediation.

## Scottish Public Services Ombudsman

If the complainant is still unhappy after they have exhausted our complaints process, they can forward their complaint to the Scottish Public Services Ombudsman (SPSO).

The SPSO is the final stage for complaints about most organisations that provide public services in Scotland, including Councils. Their service is independent, free and confidential.

The SPSO will normally only consider a complaint after the complainant has completed the Council's complaints procedure.

The SPSO cannot normally look at complaints:

- More than 12 months after the complainant became aware of the matter they want to complain about, or
- That have been or are being considered in court

If the SPSO are investigating a complaint, they will alert us through the Chief Executive Service. The Council will normally be asked to confirm the complaint has exhausted our own complaints procedure. We will also be asked to provide documentation relating to the complaint to assist the SPSO in their investigations.

When the investigation is complete, the SPSO will prepare a 'decision letter'. A decision letter sets out the background to the complaint, the evidence that the complaints reviewer has gathered and their analysis and conclusions. It is a letter from the reviewer to the complainant. The SPSO will also let the Council know about the conclusion they have reached.

The SPSO will usually issue a decision letter if:

- The organisation accepts there have been failings, apologises and takes action to prevent the problem from happening again
- From the evidence, it appears that the organisation did not do anything wrong (to use formal language, there is no evidence of 'maladministration' or service failure by the organisation)
- The Ombudsman has decided that the substance of the complaint and the Council's decision on it do not raise particular public interest considerations

In some cases, the SPSO will send a report of the investigation to the Scottish Parliament. The SPSO will do this when they think it is in the public interest. The law says that they must also send these reports to Ministers in the Scottish Government.

Before the final report is published, the SPSO will send the complainant and the organisation a 'draft' of the report. This gives both parties a chance to highlight any factual inaccuracies. Any information received will be considered carefully but it is for the SPSO to interpret the facts and the available evidence and come to a judgement.

Once the report has been laid before the Parliament, it cannot be altered. The only way to challenge the decision is by using judicial review proceedings. Judicial review is a form of court proceeding where a judge reviews whether a decision or action made by a public body is lawful.

Some details and the outcome of complaints may be used to inform others about the SPSO's work and may, as a result, be published on our website. This means that the media have access to decisions and may publicise them. The information that the SPSO publish may name the Council but not the person who made the complaint. It will not name anyone else, unless there are very good reasons for doing so. As far as possible the information they publish will not include details that might allow any individual to be identified.

Decision letters and reports may provide recommendations for the Council. Where recommendations have been made, the SPSO will follow up with the organisation to ensure they are carried forward.

### Continuous Improvement

As well as trying to continuously improve the services we provide as a Council, we are also committed to improving how we gather and manage feedback. As part of this commitment, we work closely with the Scottish Public Services Ombudsman (SPSO) to ensure that our complaints handling procedures remain in line with their standards and recommendations.

## **5. National Changes**

The way that public services handle complaints nationally is currently under review by the SPSO and a programme of change is in progress and expected to be in place in 2012. The SPSO explain details of their plans on the website [www.valuingcomplaints.org.uk](http://www.valuingcomplaints.org.uk):

*The last few years have seen a period of significant review of the way complaints about public services in Scotland are handled. As a result, the Scottish Government and the Scottish Parliament agreed a broad programme of change to help drive improvements in public service complaints handling. This agreement added new roles and responsibilities to the Scottish Public Services Ombudsman (SPSO) as well as impacting on how each public service in Scotland responds to complaints.*

*The Public Services Reform (Scotland) Act 2010 (building on the work of the Crerar and Sinclair Reports) gave the SPSO the authority to lead the development of simplified and standardised complaints handling procedures (CHPs) across the public sector. Following consultation, a Statement of Complaints Handling Principles was developed by the SPSO. These principles were approved by the Parliament and published in January 2011. In February 2011 we published our analysis of the responses to the consultation in relation to the proposals for standardised CHPs. We also published the SPSO's 'Guidance on a Model Complaints Handling Procedure', which is based on the principles and is the basis on which we will seek to develop, in partnership with public service providers, model CHPs for the areas of public services that they deliver.*

*The SPSO has set up an internal unit, the Complaints Standards Authority (CSA), which will provide further support in improving complaints handling procedures. The CSA will work in partnership with individual public sector areas to oversee the process of developing model CHPs for each sector in line with the framework of the principles and the 'Guidance on a Model Complaints Handling Procedure'. The CSA will also work in partnership with sectors to agree the timescales for introduction of the model CHPs.*

*We look forward supporting public services in Scotland as they seek to develop procedures which comply with the principles and to build a culture across the public sector that values complaints as a driver of improvement in the delivery of public services.*

## **6. Local Changes**

Since the Corporate Complaints Unit was formed, it has made a number of improvements toward establishing a robust system, procedure and practice for handling complaints, in particular, including:

- Establishing 'Respond' as the single electronic complaints management system for monitoring comments, compliments and complaints across the Council (the system being previously available only in Social Work Services prior to 2010).
- Undertaking a basic update of staff and customer guidance on comments, compliments and complaints, including information on the website and relevant printed literature.
- Development of a specific comments, compliments and complaints 'Sharepoint' site to support managers and complaint co-ordinators.
- Reviewing the usage of Respond, data and functionality.
- Development of clear criteria for complaints that should be escalated.
- Development of a quality monitoring procedure and programme.
- Development of a draft complaints procedure for consideration by Community Councils to help them deal with complaints about their specific functions.
- Strengthening links internally with key staff, who are often the focal point for receiving complaints, such as those in the Chief Executive Service, including the Freedom of Information (FOI) Officer.
- Establishing links with complaints staff in other local authorities to allow the sharing of best practice.
- Developing regular reporting to the Chief Executive and Directors on complaints activity, including statistics, details and progress.

## **7. Learning from Complaints**

In line with our corporate commitment to continuous improvement, the Corporate Complaints Unit will continue to build on how we can learn from complaints. Currently actions for services are identified during the complaint process. Whilst there is already some evidence of services actively showing how they learn from the lessons of complaints, we recognise that we could further improve how this learning is tracked and shared. As such, we intend to enable local citizens to have wider access to this information so they may see exactly what actions are taken as a result of their feedback. This will include building on the information available to our customers and service users through the Council's website in a 'you said, we did' format for all types of feedback including complaints.

In addition to learning from individual complaints and experiences, we aim to improve further on analysing trends. This will allow us to establish 'hot spots' and to assess whether the improvements we make are responsive and effective. We also intend to take a more proactive approach which will include undertaking a 'surgery' type of engagement with local communities and representative groups. This will provide the opportunity for us to listen to and address concerns closer to the points of service, which may help prevent or reduce the amount of actual complaints being made. Such a proactive approach has been particularly

successful, where we have been able to pre-empt a high level of concerns, such as periods of extremely bad weather when we typically receive lots of concerns about gritting, and treating those as service requests rather than complaints deliver a better service to customers, in this respect.

## 8. The Year Ahead

In terms of future plans, the Unit will progress the following:

- Additional training and awareness raising programmes for staff around complaint handling, and appropriate briefings to Elected Members and other local representative groups.
- Improved compliance with corporate timescales for acknowledgements and responses.
- Improved recording of customer compliments across all services.
- Introduction of the 'front end' version of Respond (known as Touchpoint) in designated customer facing areas.
- Improved links between the Members' Portal and the Corporate Complaints Unit to ensure that complaints from their constituents are properly raised.
- Update of policies and procedures in line with the anticipated national Model Complaints Handling Procedure from the SPSO.
- Introduction of satisfaction monitoring to assess customer experience of the complaints procedure with a follow-up review of procedure and practice.
- Improved accessibility to the complaints procedure to better support hard to reach and disadvantaged groups.

Staff can keep up to date on the work of the Unit through our [Sharepoint](#) site.

## 9. Further Information

Further information on handling comments, compliments and complaints can be found:

- On [Connect](#)
- On [DumGal](#)
- On [Sharepoint](#)
- By contacting the Corporate Complaints Unit at [complaints@dumgal.gov.uk](mailto:complaints@dumgal.gov.uk) or on 01387 260 475

## 10. Performance Figures

The following pages contain a detailed summary of the feedback recorded on Respond between 1 April 2010 and 31 March 2011.

This first Annual Performance Report sets the tone for future reports, when we hope to provide a more in-depth analysis of trends relating to comments, compliments and complaints. We have however been able to identify the specific types of recorded feedback from customers in addition to comments, compliments and complaints, and these include complaints related enquiries, concerns and suggestions.

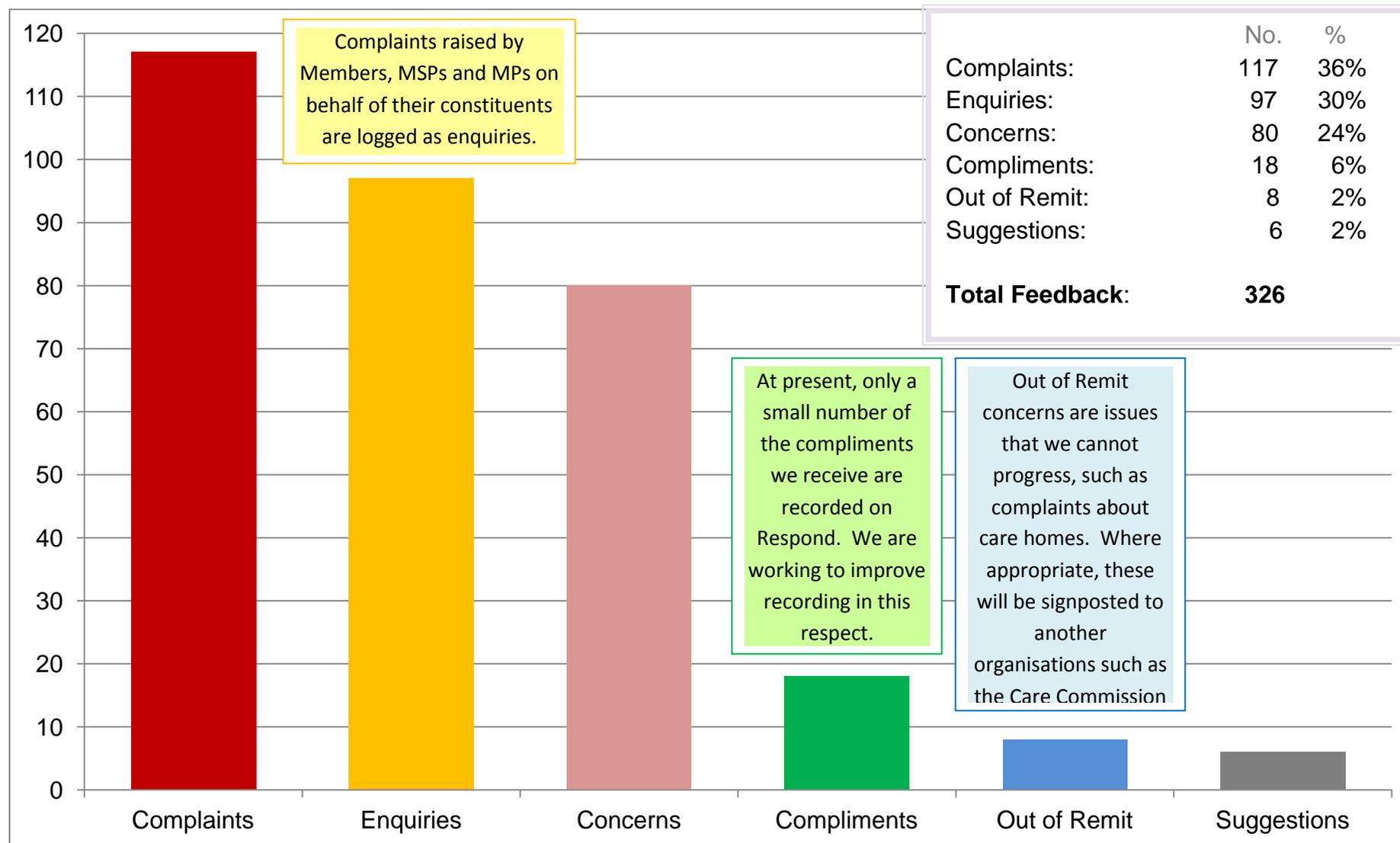
The context of customer feedback, in particular complaints, must be seen also in terms of the region's geography. Dumfries and Galloway has a population of over 148,000 covering an area of around 2,380 square miles. It would be reasonable for Nithsdale, being the most populated local area, to show as having the most complaints, but of course, this can vary. In terms of complaints received by services, Social Work is shown as having had 49% (57) of the total number of complaints received (117). This number has to be set in the context of the 10,554 referrals that the service handled during the year.

Similarly, as the chart on Page 14, headed "Complaints Per Service" indicates, the volume of planning applications and building warrants handled by Planning and Environment Services, as well as, the number of primary and secondary schools and pupils that the Education and Schools Services manage, over the same period, are relatively much higher than the number of complaints they each received.

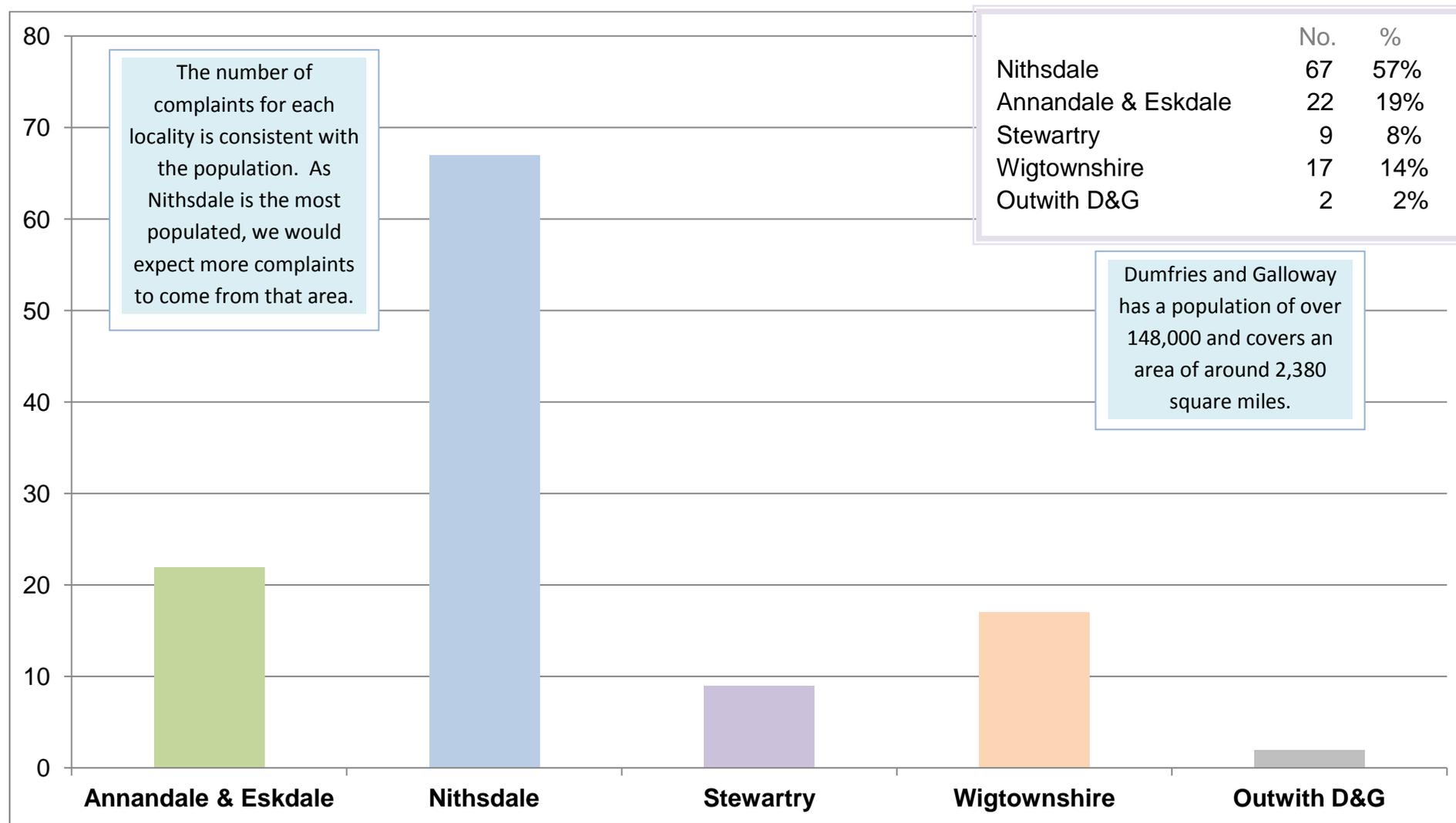
Whilst the Council takes seriously any complaint involving the Conduct and Attitude of Staff, and this being the highest (at 29%) of the 5 Top Issues complained about, it is worth noting that the Council employs around 8,000 staff, but nevertheless, staff must continue to receive appropriate training and supervision to deal with customers effectively, as a high priority.

The information in the remaining charts relate mostly to performance against local and national standards, again showing positive results in some areas and scope for further improvements in others.

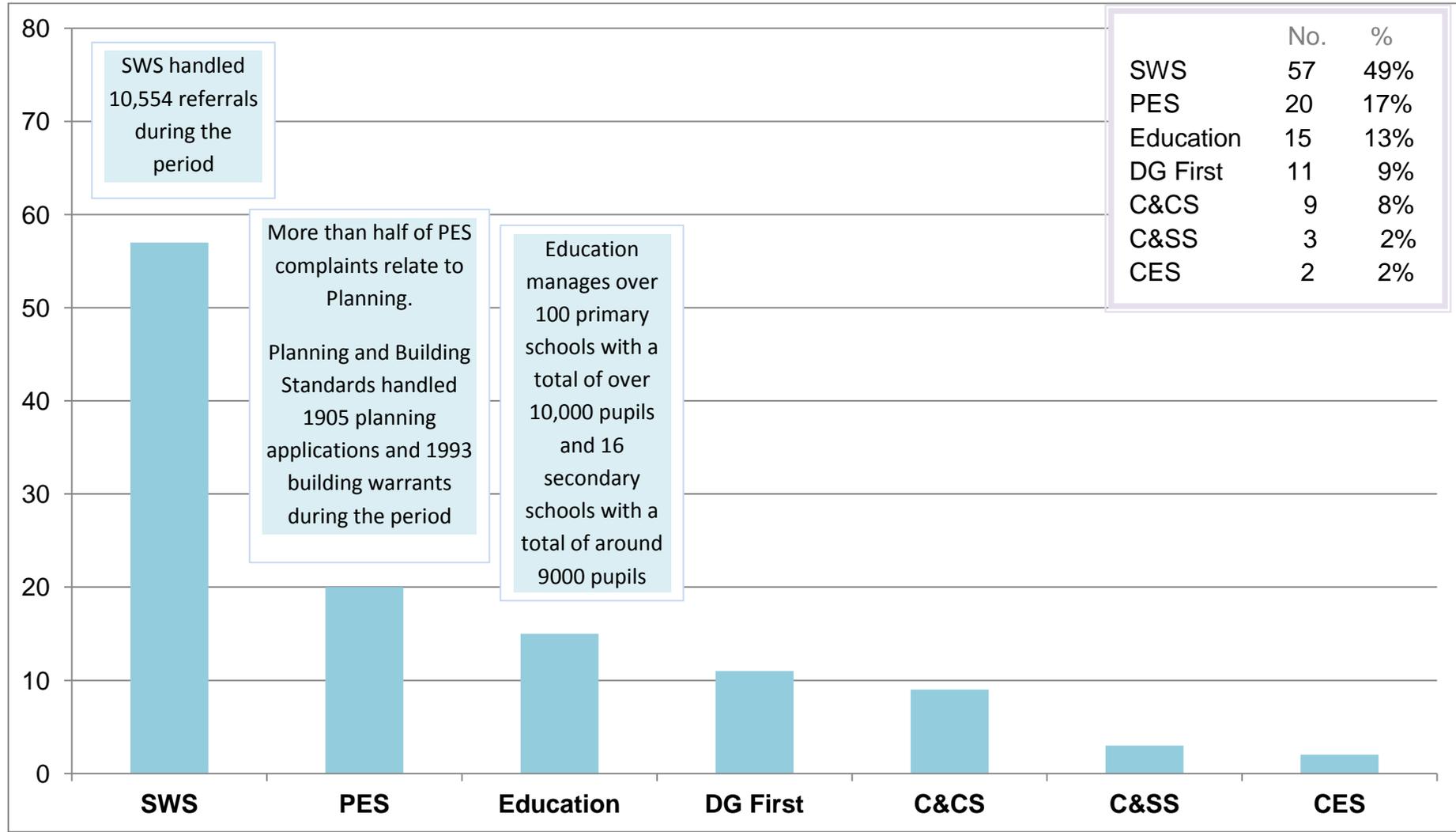
## Feedback Received Per Type



## Complaints Per Locality

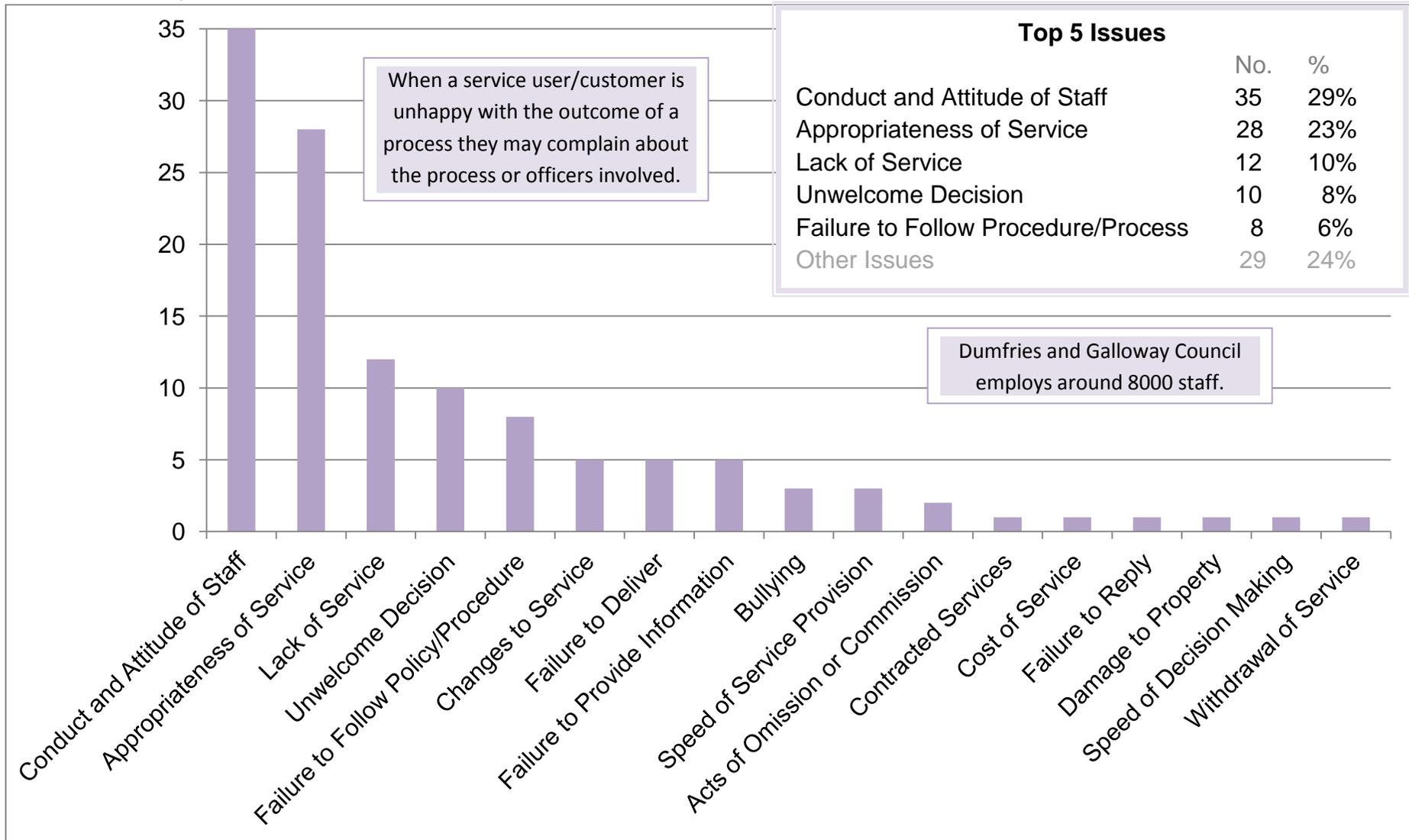


## Complaints Per Service



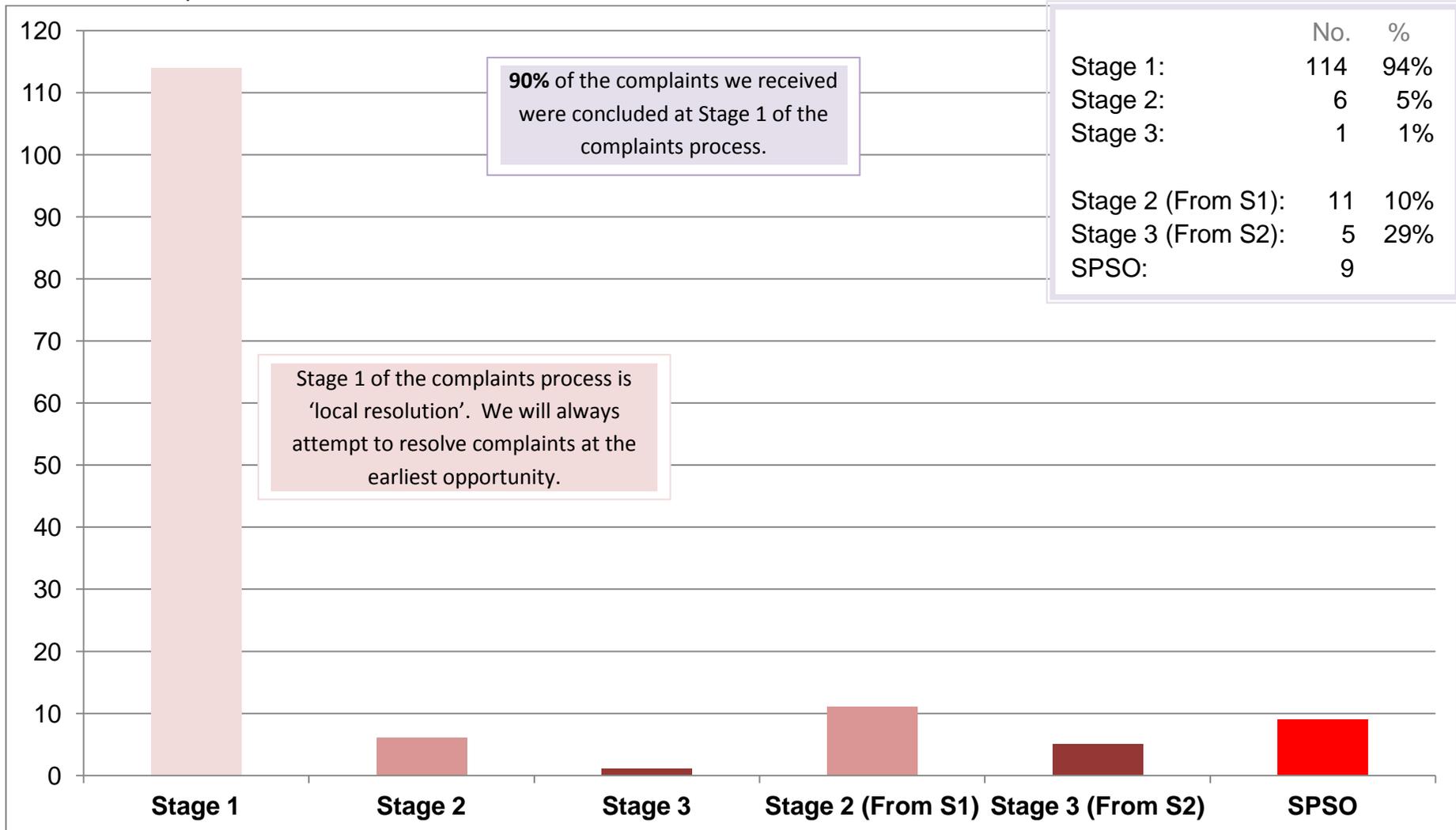
## Issue Nature – All Feedback

NB – Some complainants raised more than one issue



## Complaint Issue Stages

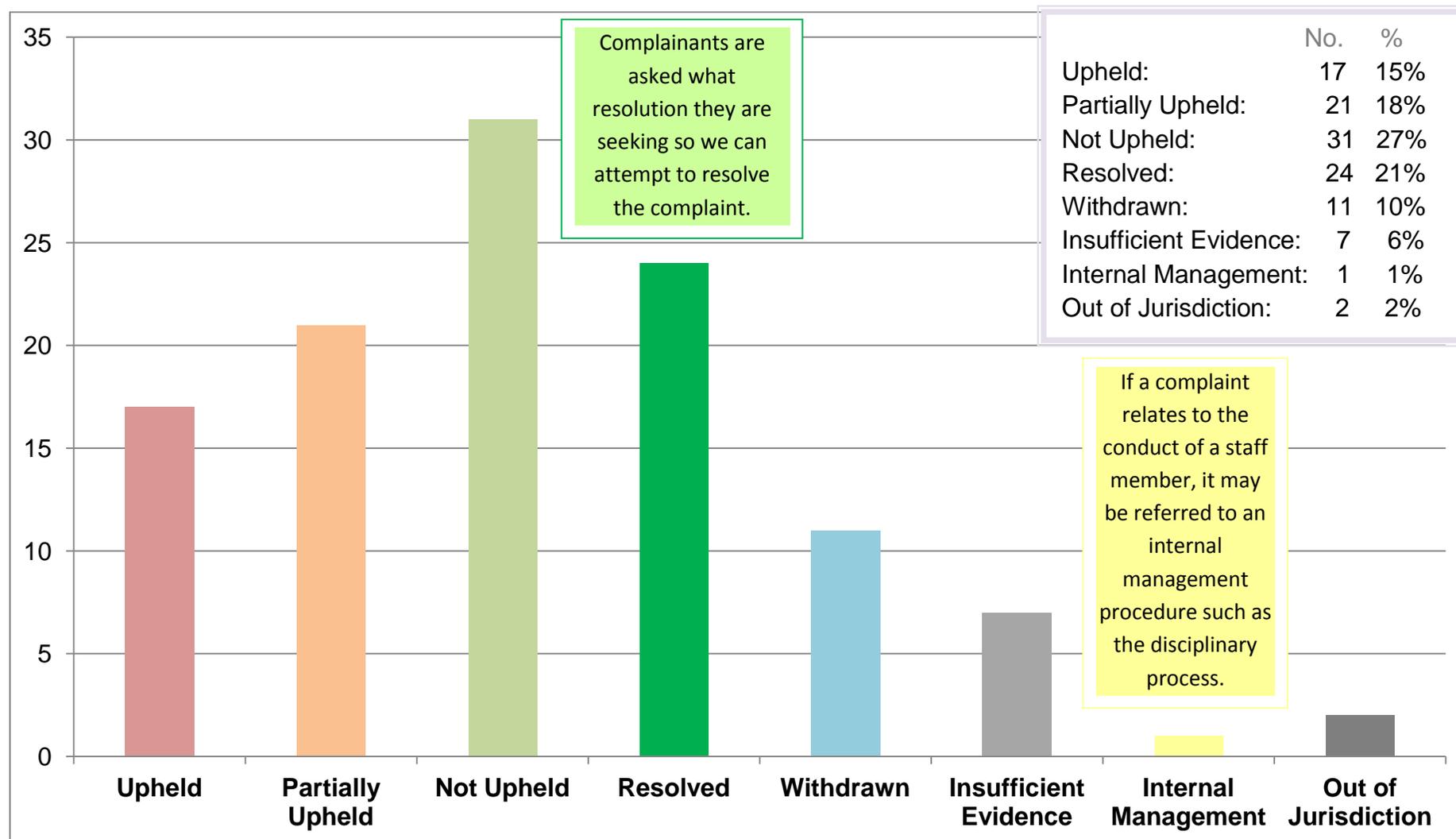
*NB – Some complainants raised more than one issue*



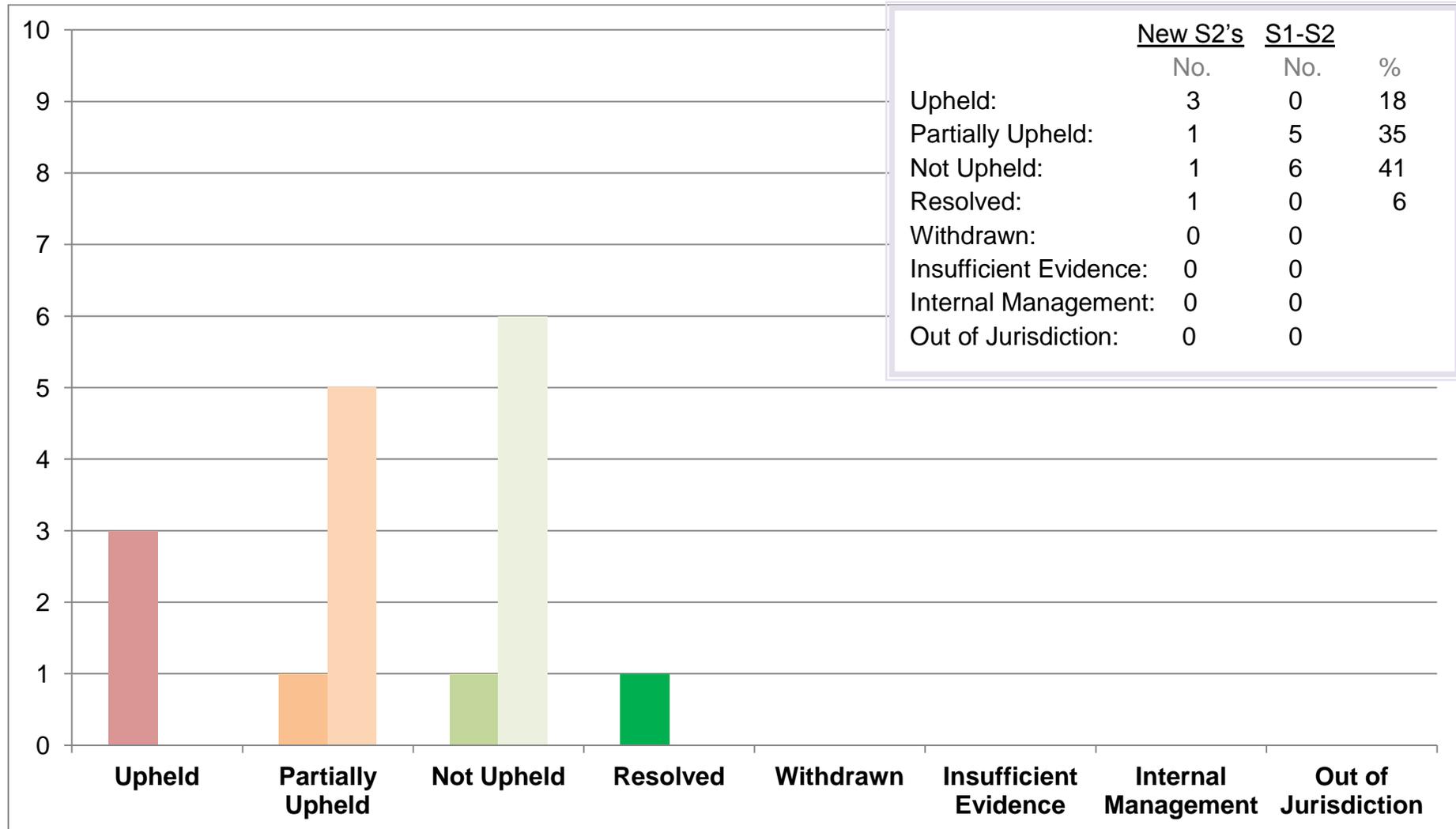
## Response Times Per Type



## Stage 1 - Issue Outcomes



## Stage 2 - Issue Outcomes



### Stage 3 - Issue Outcomes

A total of 6 complaints originating in 2010/2011 reached Stage 3:

#### Social Work Complaints

- Review 1:** **Partially upheld** by Complaints Review Panel. Report to Committee October 2010.
- Review 2:** **Partially upheld** by Complaints Review Panel. Report to Committee June 2011.
- Review 3:** **Partially upheld** by Complaints Review Panel. Report to Committee August 2011.
- Review 4:** **Partially upheld** by Complaints Review Panel. Report to Committee August 2011.
- Review 5:** Complaints Review Panel originally scheduled for August 2011 is now being rescheduled for early 2012.

#### Planning Complaint

- Review 6:** Review by Corporate Complaints Unit – **not upheld**.

## SPSO Issue Outcomes

9 complaints originating from the period 2010-2011 have progressed to the SPSO for investigation:

### Planning Complaints

- SPSO 1 -** SPSO ruled no maladministration – complaint **not upheld**.
- SPSO 2** SPSO ruled no maladministration – complaint **not upheld**.
- SPSO 3 -** SPSO ruled no maladministration – complaint **not upheld**.
- SPSO 4 -** SPSO ruled no maladministration – complaint **not upheld**.
- SPSO 5 -** Currently under consideration by the SPSO.
- SPSO 6 -** SPSO ruled no maladministration – complaint **not upheld**.

### Community Council Complaint

- SPSO 7 -** SPSO ruled no maladministration – complaint **not upheld**.

### Planning/Roads Complaint

- SPSO 8 –** Historical complaint from persistent complainant. SPSO **upheld** that complaint wasn't properly responded to but recognised complexity of issues and efforts made to resolve.

### Education Complaint

- SPSO 9 –** Currently under consideration by the SPSO.