

Moray Council

Complaints Handling Annual Report



2020/21

FENVAAL

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1. Chief Executive's Foreword

Scotland's public sector has a duty to the people it serves, and part of that duty involves responding positively to complaints. This annual report serves three purposes:

- to comply with a national requirement to report against a suite of eight Scottish Public Service Ombudsman (SPSO) Performance Indicators (PIs);
- internally to inform management to help us learn from complaints and improve services; and
- externally to provide information and feedback to the public who engaged with us during the complaints process.

In this report you will find details of how we have performed in dealing with complaints, the outcomes of some investigations and how we have changed our services as a result. I am pleased to see many work practices modified as a result of a complaint, which I feel shows we are listening to the public when they're not happy.

Naturally, not every complaint is upheld, but clearly, they are all addressed at either frontline stage or through a more detailed, thorough investigation within respective timescales including authorised extensions. We take our commitment to the SPSO framework seriously and I am confident that our customer care will continue to improve as we implement the learning outcomes from the complaints we receive.

Covid 19 impacted greatly on how we delivered services and managed complaints throughout this entire reporting period.

Roddy Burns
Chief Executive

2. Introduction

- 2.1 This Complaints Handling Annual Report summarises the council's performance in terms of handling customer complaints received between 01 April 2020 and 31 March 2021.
- 2.2 The 2020-2021 reporting period provides the seventh full year of data under the new model Complaints Handling Procedure. This annual report is presented in accordance with the National Performance Framework, which was published in August 2013. The Complaints Standard Authority developed a suite of eight performance indicators in association with the Local Authority Complaint Handlers Network on which we are represented. These indicators are a valuable source of information about council services as this helps to identify recurring or underlying problems, derive learning from complaints and highlight potential areas for improvement.
- 2.3 The council always aims to provide the highest possible quality of service to our community, but we recognise that there are times when we get things wrong and we fail to meet the expectations of our customers. The council welcomes feedback as it provides information that helps services learn from complaints and to modify and improve the way services are delivered. Complaints are viewed as a positive communication tool and are encouraged.

We regard a complaint as any expression of dissatisfaction, by one or more members of the public, about our action or lack of action, or about the standard of service provided by us or on our behalf.

- 2.4 Our complaints procedure has two stages:

- **Stage one** – 'frontline resolution': we will always try to resolve complaints quickly, within five working days, and in exceptional circumstances extend for a further five days.

- **Stage two** – ‘investigation’: if customers remain dissatisfied with our stage one response, they can escalate their complaint to stage two. Complaints that are complex or need detailed investigation from the outset can be looked at immediately at stage two. These complaints will be acknowledged within three working days and a written response provided within twenty working days; this can be extended in exceptional circumstances.

- 2.5 Following completion of our complaints process, if a customer remains dissatisfied, they can ask the SPSO to consider their complaint further and we advise them of this entitlement.
- 2.6 In support of the Complaints Handling Procedure, the council has a Complaints Management System enabling us to record, track and report on complaints information across all services. Within this system, we record how we have dealt with and responded to complaints.
- 2.7 Monitoring complaints information, the preparation and publication of quarterly reports and this annual report helps to provide a clear basis for identifying service failures (‘learning from complaints’) and information on how effectively the council is handling complaints (‘complaints performance’).
- 2.8 Complaints analysis is reported to the Corporate Management Team quarterly and to Service Committees half yearly in accordance with the Council’s Performance Management Framework.
- 2.9 The Performance Indicators covered in this report provide a tool that the council and the public can use to judge objectively how well complaints are being handled and how they inform service improvement activity.
- 2.10 The complaints performance data in this report will also inform our Annual Public Performance Report summarising our performance against the Statutory Performance Indicators.
- 2.11 Compliance with the Complaints Handling Procedure is monitored by Audit Scotland in conjunction with the SPSO and in line with the principles of the Best Value Shared Risk Assessment arrangements.
- 2.12 A new two stage statutory social work complaints process was introduced on 1 April 2017 and social work complaints administered under the new process were incorporated into last year’s annual report and are included again in this one.

3 Executive Summary

- 3.1 This report is written against the backdrop of the Covid-19 pandemic and its associated lockdown measures required to be implemented by Moray Council. These have impacted significantly on some Service areas during the reporting period requiring the way services have been delivered to be amended or curtailed to meet the guidelines. However, it would appear the public have accepted these changes as a necessary factor in protecting the work-force and reducing the risk of catching and spreading Covid-19 as the number of complaints was 30% lower than the previous year.
- 3.2 The impact on complaint handling arising from the pandemic cannot be understated. Staff who normally dealt with their service complaints were assigned to other roles. The majority of staff reverted to home working and it took a considerable amount of time for our IT department to set up access to systems, including those systems required to manage complaints. Services were required to deviate from our CHP, with complaints normally dealt with at front line (stage 1) put to investigation (stage 2) and on occasions authorised extensions had to be applied. This was

recognised at a national level and the SPSO issued a statement advising councils that only Covid related complaints should be dealt with expeditiously in accordance with the CHP.

- 3.3 The breakdown of services referred to in the Appendix tables and narrative in this report relate to our organisational structure prior to October 2019 as work to our complaint database remains outstanding. Categorised as a lower priority for our IT department due to the impact of Covid on their service, the new organisational structure will be updated on the complaints database by 1 April 2022.
- 3.4 The number of complaints received this year reduced from last year, in contrast to the increasing trend of the previous three years. The rate reduced to 5.36 per 1,000 population compared to 7.7 in 2019-20 and 6.4 in 2018-19. The rate across Scotland in 2020-21 was 9.87.
- 3.5 Perhaps due to the problems faced, there has been slight slippage to complaints performance in relation to some areas of stage one complaints :
- 74% of complaints received are being closed off at stage one, just short of the 80% proportion in the previous 2 years.
 - 44% of stage one complaints were upheld, an increase from 38.2% and 26.4% in 2019/20 and 2018/19 respectively.
 - 71% of stage one complaints were closed off within the five working day target, a result unchanged from last year but a decrease from 77% in 2018/19.
 - 34% of the 109 overdue stage one complaints had authorised extensions, in-line with 33% last year.

This shows that we are still dealing with complaints at the point closest to service delivery in most cases. However, it also may be an indicator of increasing workload, with fewer staff to respond to complaints, it suggests that it will not be easy to maintain the culture that has gradually been built up in recent years. Another factor during the reporting period is staff, who normally dealt with their service complaints, may have been assigned to other roles to manage responses to the pandemic.

- 3.6 Schools and Curriculum Development continue to close the majority of their complaints through stage one (53%), albeit a slight decrease compared to 60% in 2019-20.

The appointment of an Education complaints officer contributed to a 46% increase in Schools and Curriculum Development recorded complaints in 2019-20. However, possibly due to the many measures schools had to introduce to deal with the impact of the Covid-19 pandemic, there were just 22 complaints in 2020-21, similar to the 28 in 2018-19, and less than half the 52 complaints recorded in 2019-20. Thirteen of the complaints received in 2020-21 were resolved at stage two (59%), similar to the proportion in 2019-20 (52%).

The complaints officer continues to provide guidance and specific training sessions to social work and education staff involved in complaint handling, with the aim of increasing their recording of minor complaints.

- 3.7 Performance in resolving stage two complaints within the 20-working day timescale shows a slight improvement to 57% compared to 53% last year. However, of those complaints being closed off beyond 20 working days, 35% had authorised extensions, down from 46% in 2019-20.
- 3.8 Gaining approval to extend our response times is an ongoing area of improvement. The Complaint Officer, through meetings with department complaint administrators and weekly complaint report

monitoring, aims of further improve performance on authorised extensions of stage 1 and stage 2 complaints.

- 3.9 Whilst upheld or partially upheld complaints demonstrate that there is recognition and acknowledgement where service delivery falls short, with 55% frontline and 51% investigation complaints falling within this category, organisational change where there commonalities exist presents an opportunity that will receive increased scrutiny in monitoring processes over the coming year.
- 3.10 We continue to provide quarterly data to the Local Authority Complaint Handlers Network along with 30 other councils (one council does not submit data) for benchmarking purposes. The network is working to further refine council recording practices to improve data robustness..
- 3.11 Feedback received through the complaints survey was similar to previous years with high levels of dissatisfaction expressed in a high percentage of survey responses. This may reflect a misconception that the survey is seeking views on the complaints process and not complaint outcomes.

4 Complaints Performance Indicators

The aim of the model Complaints Handling Procedure is for as many complaints as possible to be resolved at the frontline (i.e. at stage one) with as few as possible requiring progression to investigation (i.e. stage two) in order to improve both the customer's experience and the council's service provision.

The SPSO Performance Indicators provide the minimum requirement for a local authority to self-assess, report on performance and to undertake benchmarking activities. These indicators are:

- Indicator 1 – complaints received per 1,000 of population
- Indicator 2 – closed complaints
- Indicator 3 – complaints upheld, partially upheld and not upheld
- Indicator 4 – average times
- Indicator 5 – performance against timescales
- Indicator 6 – number of cases where an extension is authorised
- Indicator 7 – customer satisfaction
- Indicator 8 – learning from complaints

A breakdown of 2020-21 figures for relevant indicators will be explained in this section together with 2019-20 figures and some data from previous years to allow for benchmark comparisons. A breakdown of indicator figures for services is included as an appendix.

4.1 Indicator 1

This indicator records the total number of complaints received by the council. This is the sum of the number of complaints received at stage one (frontline resolution) and the number of complaints received directly at stage two (investigation). To allow for a fair comparison across all 32 councils in Scotland, the figure of complaints per 1,000 of population is used.

Table 1: Number of complaints received by Moray Council (per 1,000 population)

Complaints received by Moray Council	2019-20	2020-21
Total number of received	738	513
Population (mid-year population estimate)	95,820	95,710
Number of complaints per 1,000 population	7.70	5.36

*Some of the complaints dealt with during the period relate to complaints raised before April 2020, and some raised in March 2021 would be unresolved before the end of March 2021. Thus there will not be a direct correlation between numbers received and numbers responded to.

Compared to the 2019-20 figures, there has been a decrease of 30.5% in the number of complaints received and a slight decrease of around 0.1% in the population size. Consequently, the number of complaints per 1,000 population has decreased by 30.4% compared to 2019-20 (Table 1).¹

Most complaints continue to be received by Environmental Services (77%), to be expected given areas of responsibility include roads, waste management and planning. Education and Social Care were the next highest – 91 (18%); the former Corporate Services – 24 (5%) received the remaining complaints. (See Table A: Indicator 2 – Appendix).

The proportion of complaints to Direct Services, one of the services that has most direct contact with Moray residents, has shown a 5% decrease from 2019-20. Whereas, Housing & Property Services has recorded a 2% increase in the proportion of complaints compared to 2019-20.

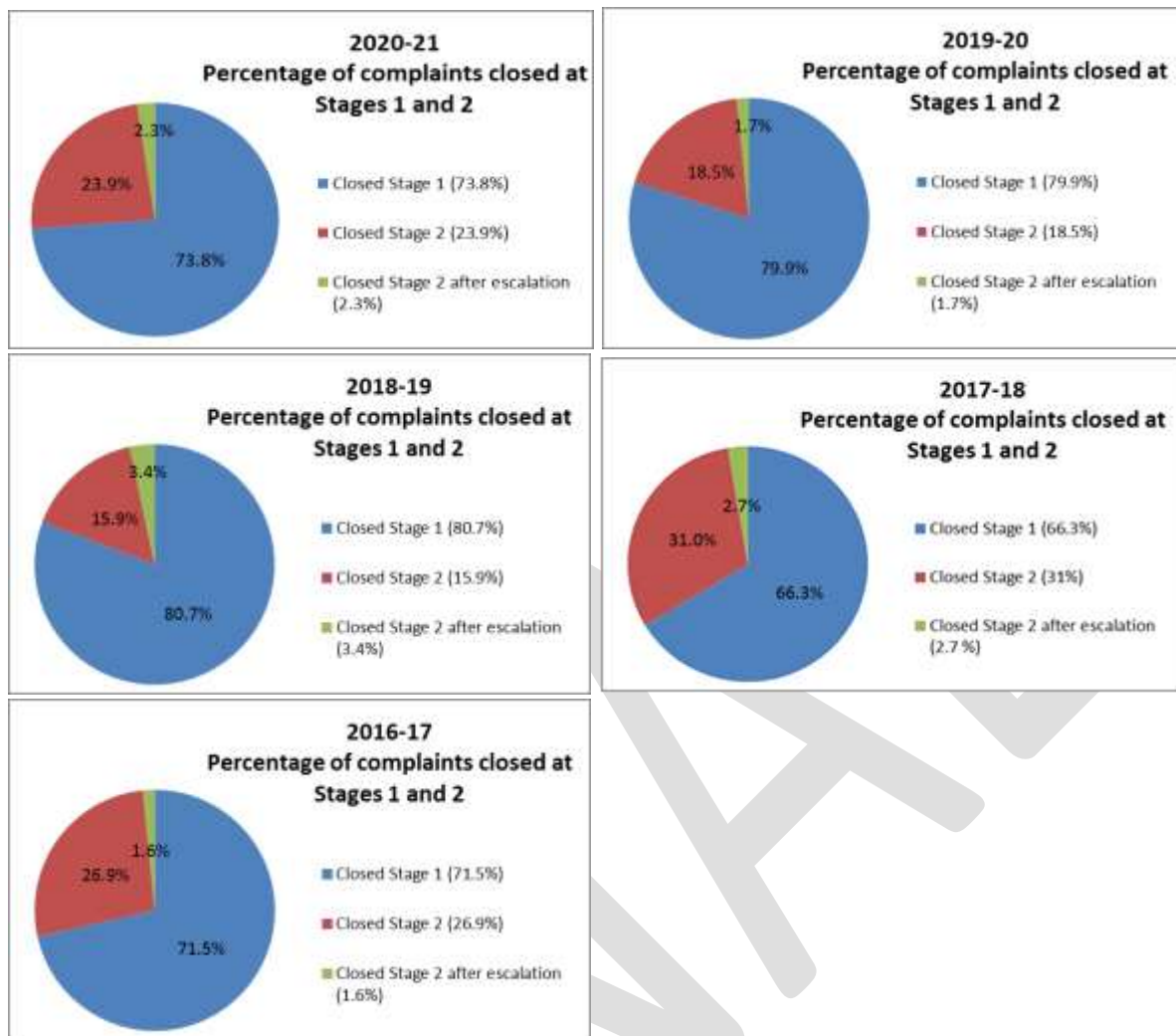
4.2 **Indicator 2**

This indicator provides information on the number of complaints closed at stage one and stage two as a percentage of the 511 closed complaints (note that there were 513 complaints received with 2 not closed during the reporting period). The term 'closed' refers to a complaint that has had a response sent to the customer and at the time no further action is required.

This indicator will report:

- the number of complaints closed at stage one as % of all complaints,
- the number of complaints closed at stage two as % of all complaints, and
- the number of complaints closed at stage two after escalation as % of all complaints

Figure 1: Percentage of complaints closed at Stages One and Two (2016-17 through to 2020-21)



During 2020-21, 74% of complaints were dealt with at frontline resolution stage compared to 24% dealt with at the investigation stage. This maintains the performance of recent years. It is heartening to see that most complaints continue to be dealt with at frontline, as suggested by the SPSO’s guidance on the Model Complaints Handling Procedure to “take every opportunity to resolve service users’ complaints at the first point of contact if at all possible.” Continued emphasis is placed on highlighting the complaints model to individual services at the Complaints Administration Group meetings and providing complaints handling inputs to department staff, including the sharing of best practice.

Notably, Direct Services continue to lead the way in resolving the majority of complaints at frontline – 184 (94%). Although there has been slight decreases in some service areas, generally services continue to resolve the majority of complaints at the first point of contact.

Figure 2: Complaints closed at Stage One as a % of all complaints closed (2018-19 through to 2020-21)

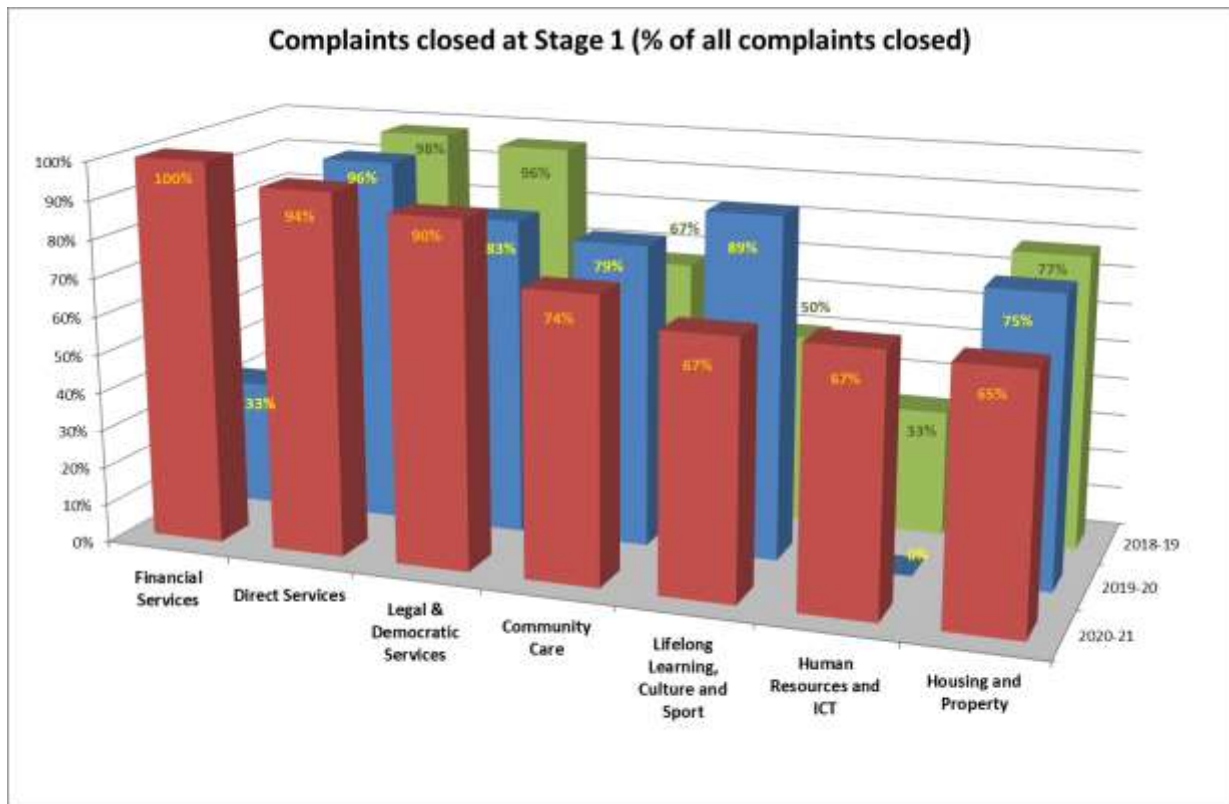
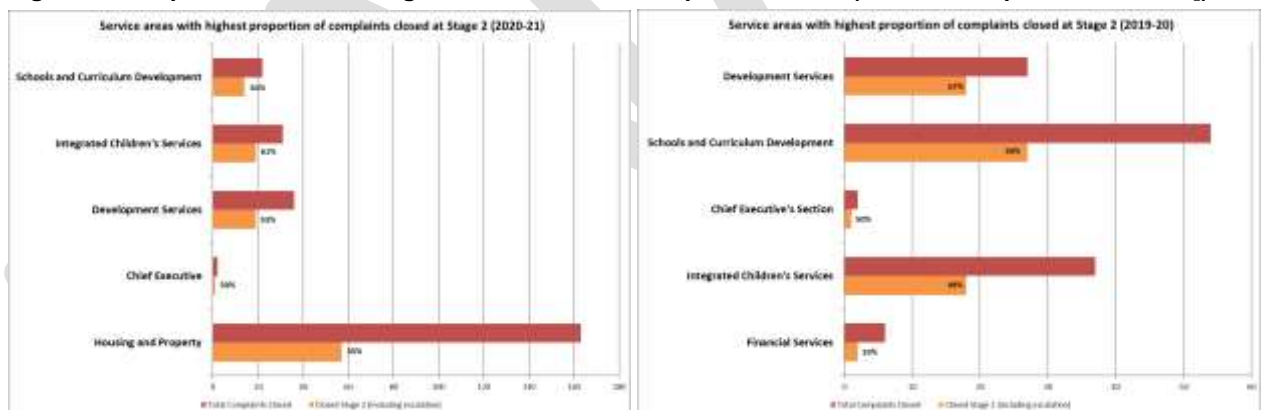


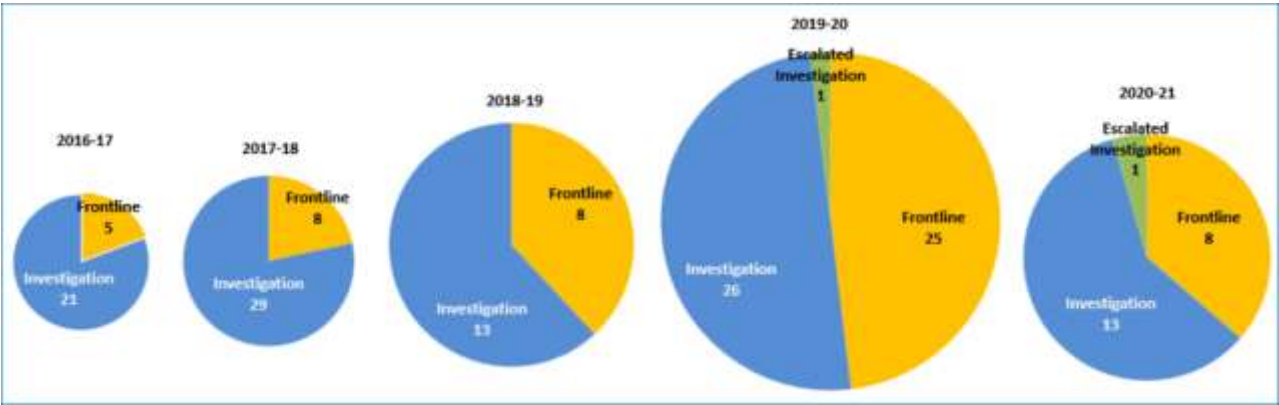
Figure 3: Complaints closed at Stage Two as a % of all complaints closed (2020-21 compared to 2019-20)



Stage two complaints often involve speaking with several witnesses, meeting with complainants and liaising with partner agencies. In such circumstances, concluding these enquiries and providing a written response to a complainant normally exceeds five working days.

There were 58% fewer complaints against Schools and Curriculum Development compared to 2019-20, perhaps due to the impact of home-schooling and the additional support measures put in place. However, despite the work to emphasise the importance of resolving complaints at Stage 1 frontline, the percentage being closed at Stage 1 decreased this year from 48% to 36%.

Figure 4: Schools and Curriculum Development complaints resolved (2016-17 through to 2020-21)



4.3 Indicator 3

There is a requirement for a formal outcome (upheld, partially upheld or not upheld) to be recorded for each complaint.

This indicator will report:

- the number of complaints upheld at stage one as % of all complaints closed at stage one
- the number of complaints not upheld at stage one as % of all complaints closed at stage one
- the number of complaints partially upheld at stage one as % of all complaints closed at stage one
- the number of complaints upheld at stage two as % of all complaints closed at stage two
- the number of complaints not upheld at stage two as % of all complaints closed at stage two
- the number of complaints partially upheld at stage two as % of all complaints closed at stage two
- the number of escalated complaints upheld at stage two as % of all escalated complaints closed at stage two
- the number of escalated complaints not upheld at stage two as % of all escalated complaints closed at stage two
- the number of escalated complaints partially upheld at stage two as % of all escalated complaints closed at stage two

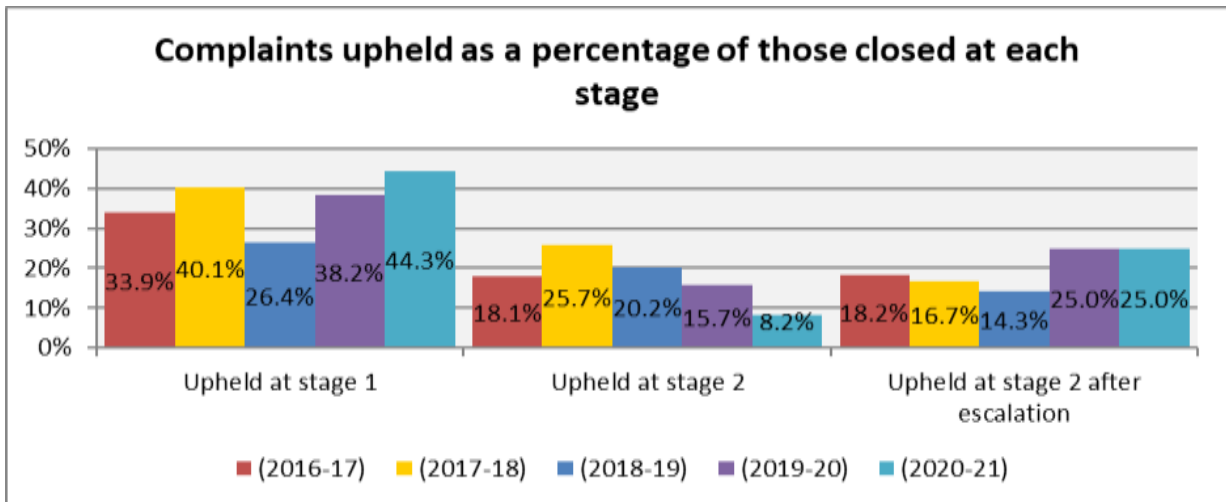
A complaint is defined as ‘upheld’ when it is found to be true or confirmed. A ‘partially upheld’ complaint results when there are several complaint issues raised and some, but not all, of them are upheld. Complaints are ‘not upheld’ when they are found to be untrue or that the service provided was of a reasonable standard in line with typical expectations. The council reviews all complaints and each customer is contacted to confirm to them whether their complaint has been ‘upheld’, ‘partially upheld’ or ‘not upheld’ together with an explanation of the findings.

55% of frontline (stage one) complaints were ‘upheld’, or ‘partially upheld’ (Figures 5 & 6) in 2020-21, a 3% increase on 2019-20, demonstrating that where an anticipated level of service falls short, it is acknowledged, learning and improvement outcomes are identified and implemented.

For stage two complaints ‘upheld’ or ‘partially upheld’ at the investigation stage, the proportion in 2020-21 of 51%, was marginally higher (3%) compared to last year. Over the past 5 years the proportion of stage two complaints (including after escalation) ‘upheld’ or ‘partially upheld’ has consistently been between 40% and 50%.

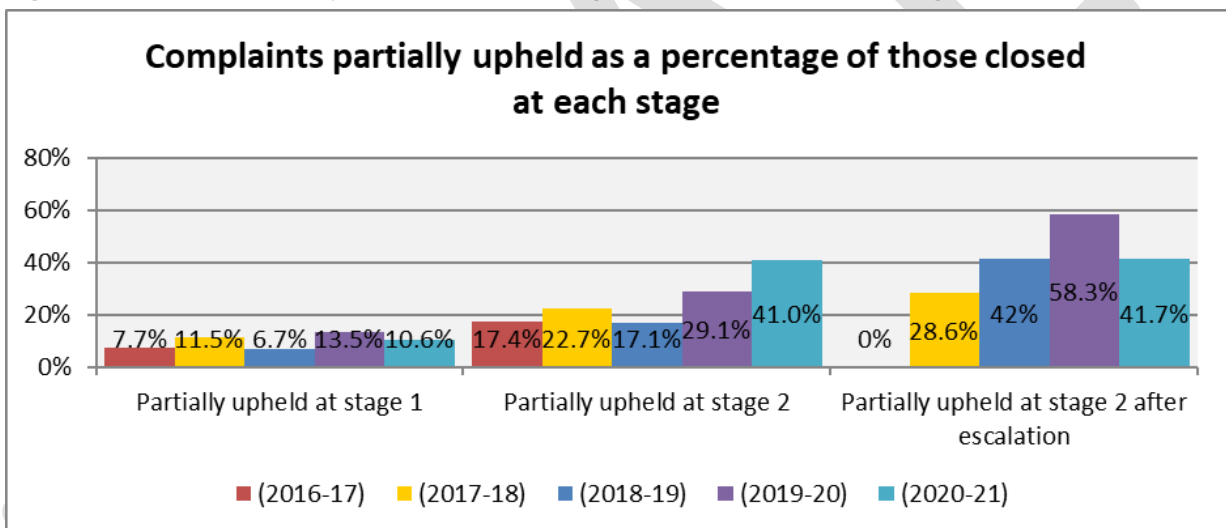
Upheld Complaints

Figure 5: Complaints upheld as a percentage of those closed at each stage (2016-17 through to 2020-21)



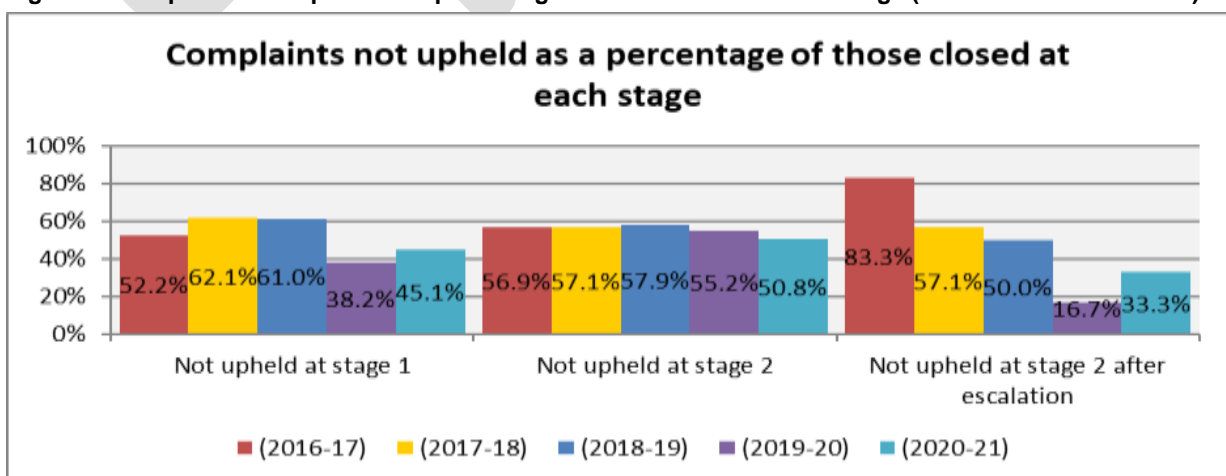
Partially Upheld Complaints

Figure 6: Complaints partially upheld as a percentage of those closed at each stage (from 2016-17 to 2020-21)



Not Upheld Complaints

Figure 7: Complaints not upheld as a percentage of those closed at each stage (from 2016-17 to 2020-21)



For all the complaints closed during 2020-21, at both stages one and two, 54% were fully 'upheld' or 'partially upheld' overall, slightly higher than in 2019-20 (51%). This shows that a significant

proportion of complaints require the council to review and improve the way services are being delivered.

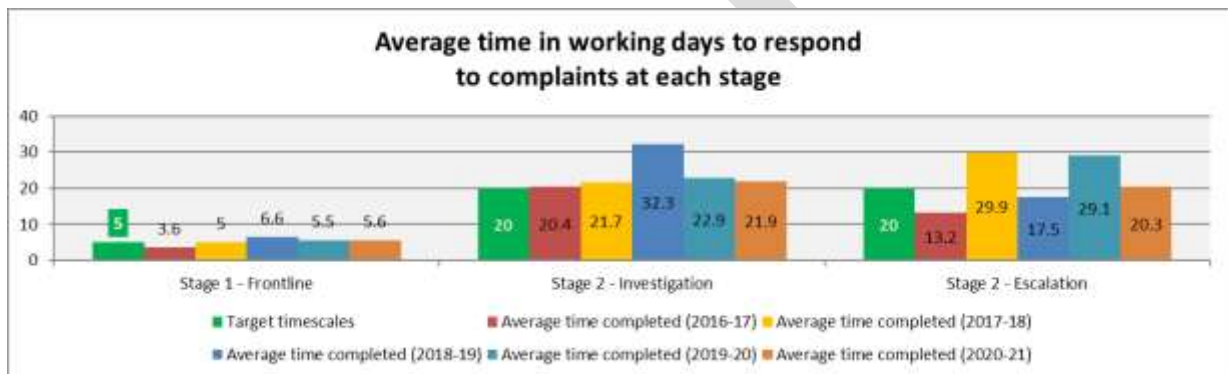
4.4 Indicator 4

This represents the average time in working days to close complaints at stages one and two of the model CHP.

This indicator will report:

- the average time in working days to respond to complaints at stage one
- the average time in working days to respond to complaints at stage two
- the average time in working days to respond to complaints after escalation

Figure 8: Average time in working days to respond to complaints at each stage (2016-17 through to 2020-21)



The average time taken to respond to frontline complaints remains just exceeding the SPSO’s target 5 working day timescale (5.6 days). 268 (71.0%) frontline complaints closed on time compared to 410 (71.2%) in 2019-20 (Figure 9).

The average time for resolving stage two investigation complaints was lower in 2020-21 at 21.9 days, compared to 22.9 days in 2019-20; slightly outside the Model Complaint Handling Procedures’ guidelines of 20 working days. The time taken on average to resolve the escalated stage two investigations improved to 20.3 days from 29.1 days in 2019-20. 78 (58%) investigation complaints closed on time compared to 77 (53%) in 2019-20.

Although the majority of frontline complaints are dealt with within 5 working days, the proportion exceeding the maximum extension period of a further 5 working days rose to 9% from 7%. Complaints extended should be closed as a frontline complaint (stage one) and escalated to investigation (stage two) in line with Handling Procedures.

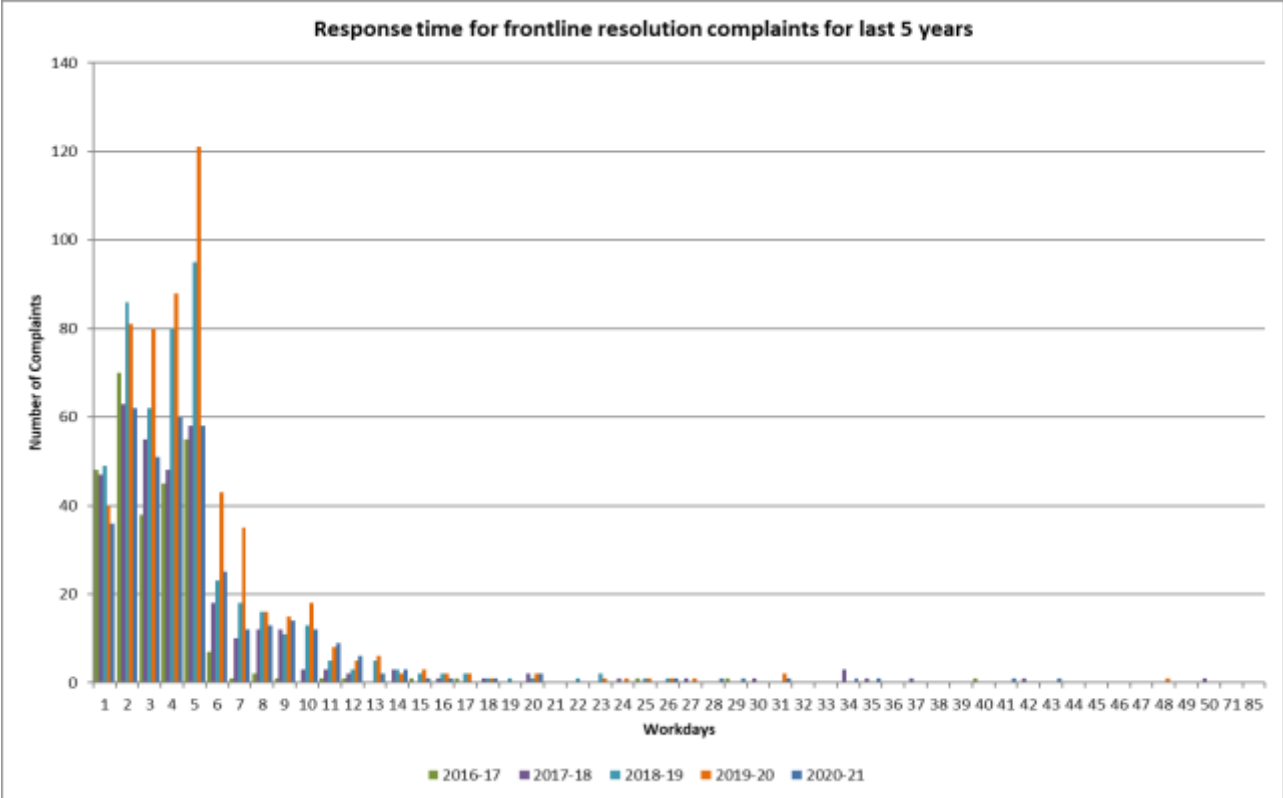
In the past 3 years the number of frontline complaints that take longer than 5 working days to close has been much higher than in previous years, and the indication was the trend was increasing. In 2016-17 there were 18 complaints that took longer than 5 days to resolve, 23 in 2015-16 and 30 in 2014-15. However, in 2017-18 there were 77 overdue frontline complaints, in 2018-19 the number rose significantly to 111, and in 2019-20 this figure rose again to 169. However, although the proportion of frontline cases taking longer in 2020-21 compared to 2019-20 remained the same (29%) the number of late frontline complaints reduced to 109. The trend may be indicative of the increasing workload on staff and the continuing pressures on services.

Five services account for the majority taking longer than the SPSO requirement of 5 working days to resolve: 37 complaints relating to Direct Services, 28 for Housing & Property Services, 16 for Community Care, 8 for Legal & Democratic Services and 7 for Integrated Children’s Services. The

frontline complaint that took the longest time to resolve (66 working days) was raised against Financial Services.

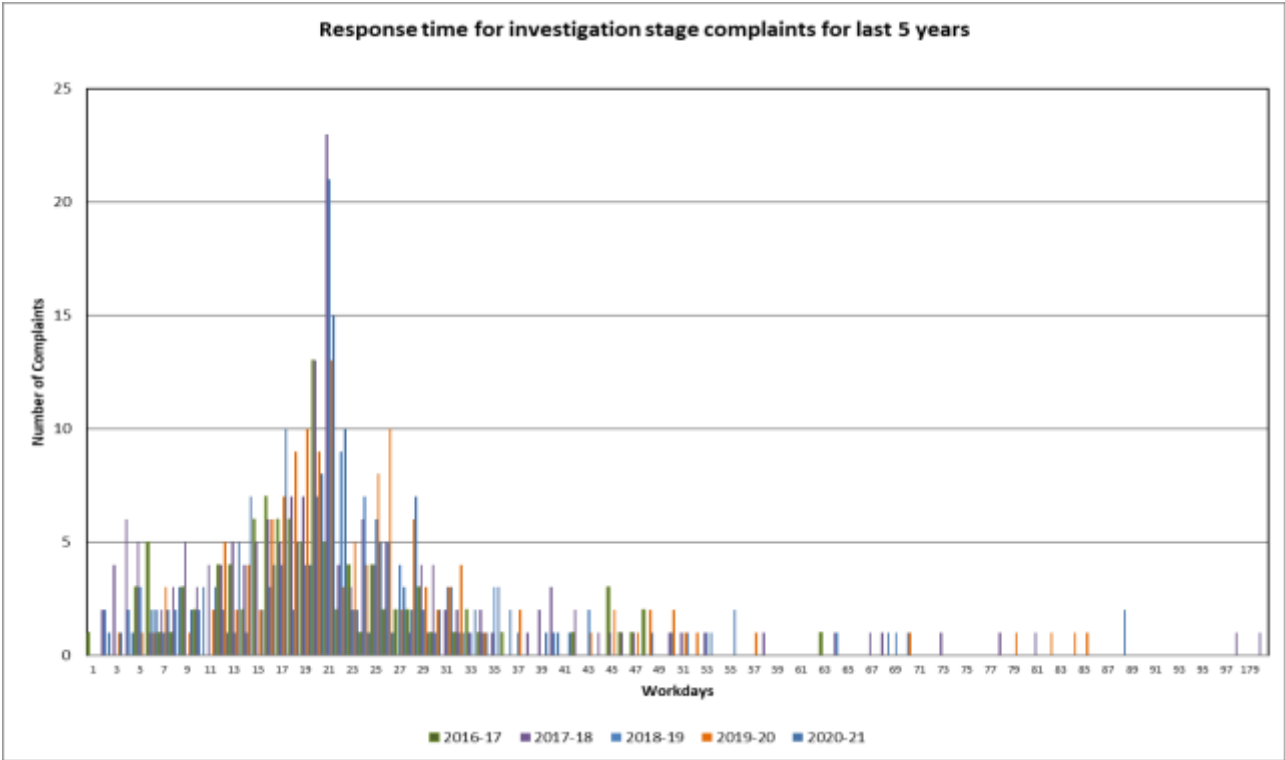
Weekly monitoring continues to take place with complaint administrators for relevant departments being reminded to ensure they follow the correct database timeline process for stages.

Figure 9: Response Time for frontline resolution complaints (2016-17 through to 2020-21)



Most investigations (59%) were responded to within the 20-day timescale or within agreed extension periods (Figure 10). Of the 134 complaints closed at stage two (investigation and escalated), 56 (42%) took longer than the target response time. Integrated Children’s Services complaints often require investigation of lengthy and complicated issues, accounting for 12 of their 19 investigations taking more than 20 days to complete. In addition, 14 of Housing and Property Services’ complaints took longer than 20 days. The longest resolution time in 2020-21 was 87 days. This applied to 2 investigations: one relating to a complaint against Community Care and another for a complaint against Human Resources.

Figure 10: Response time for Investigation Stage Complaints (including Escalated Investigations) (2016-17 through to 2020-21)



4.5 Indicator 5

The number and percentage of complaints at each stage which were closed in full within the set timescales of five and 20 working days.

The model Complaints Handling Procedure requires complaints to be closed within five working days at stage one and 20 working days at stage two. This indicator will report:

- the number of complaints closed at stage one within five working days as % of total number of stage one complaints
- the number of complaints closed at stage two within 20 working days as % of total number of stage two complaints
- the number of escalated complaints closed within 20 working days as a % of total number of escalated stage two complaints

The analysis provided for Indicator 4 is equally applicable for this indicator.

Table 2: Indicator 5 - Closure timescales (2016-17 through to 2020-21)

Performance Against Timescales		Number of complaints closed at stage one within 5 working days as a %	Number of complaints closed at stage two within 20 working days as a %	Number of escalated complaints closed at stage two within 20 working days as a %
2020-21	Total no. of complaints	377	122	12
	No. of complaints within timescales	268	70	8
	Meeting target times	71%	57%	67%
2019-20	Total no. of complaints	579	134	12
	No. of complaints within timescales	410	71	6
	Meeting target times	71%	53%	50%
2018-19	Total no. of complaints	482	95	20
	No. of complaints within timescales	372	50	9
	Meeting target times	77%	53%	45%
2017-18	Total no. of complaints	482	177	20
	No. of complaints within timescales	271	114	4
	Meeting target times	56%	64%	20%
2016-17	Total no. of complaints	274	103	6
	No. of complaints within timescales	271	63	5
	Meeting target times	99%	61%	83%

In the past 2 years the Council has maintained its performance (71%) for closing frontline complaints within target timescales. The impact of the Covid-19 pandemic cannot be discounted as a reason for complaints taking longer to close, especially in the early part of 2020-21 while home-working measures were still being developed. There has been a slight improvement in performance in closing stage two complaints within 20 working days (57%) compared to last year (53%). Similarly, performance for escalated complaints has improved slightly (50% to 67%) albeit numbers for this are low.. Performance issues continue to be discussed with complaint administrators and highlighted through quarterly management reporting. Closer monitoring and reinforcement continues to encourage further improvement.

4.6 **Indicator 6**

The number and percentage of complaints at each stage where an extension to the five or 20 working day timeline has been authorised.

The model Complaints Handling Procedure allows for an extension to the timescales to be authorised in certain circumstances. This indicator will report:

- the number of complaints closed at stage one where extension was authorised, as a % of all complaints at stage one

- number of complaints closed at stage two where extension was authorised, as a % of all complaints at stage two

Table 3: Indicator 6 – Extensions (2016-17 through to 2020-21)

Number of cases where an extension is authorised		% of complaints at stage one where the extension was authorised	% of complaints at stage two where the extension was authorised
2020-21	Total no. of overdue complaints	109	55
	No. of complaints with authorised extensions	37	19
	Percentage with extensions	34%	35%
2019-20	Total no. of overdue complaints	158	68
	No. of complaints with authorised extensions	52	31
	Percentage with extensions	33%	46%
2018-19	Total no. of overdue complaints	111	56
	No. of complaints with authorised extensions	24	9
	Percentage with extensions	22%	16%
2017-18	Total no. of overdue complaints	77	63
	No. of complaints with authorised extensions	4	11
	Percentage with extensions	5%	17%
2016-17	Total no. of overdue complaints	42	37
	No. of complaints with authorised extensions	4	11
	Percentage with extensions	10%	30%

The council always aims to respond to complaints as quickly as possible. There are, however, times when a complaint is particularly complex, and it is identified that a thorough investigation of the issues will require time out with the prescribed timescales. In these situations, the council agrees with a complainant to extend the timescale for closing the complaint and will detail the reasons such as having to interview several potential witnesses and for a need to gather reports from a variety of sources. A senior manager must always approve such an extension before it is granted, and this is recorded with revised time limits on our complaints database.

However, as the data in Table 3 testifies, in 2020-21, there were 108 (66%) complaints taking longer than the stipulated timescales where complainants received no notification of an authorised extension.

Figure 11 gives a breakdown by service where frontline complaints were extended without authorisation. As can be seen 37 overdue frontline complaints (34%) had authorised extensions mainly by the Housing and Property team, and Direct Services. None of the complaints resolved in

more than 5 days at frontline by Community Care, Integrated Children’s Services or Development Services received an authorised extension. Human Resources and Financial Services each had a frontline complaint that took longer then 5 days to resolve; neither had an authorised extension.

Similarly, figure 12 gives a breakdown by service where complaints were extended without authorisation for investigations. For the third consecutive year Housing and Property Services had the highest proportion of authorised extensions for investigations that took longer than 20 working days to resolve with 12 out of 17 (70%). Schools and Curriculum Development had the next highest number with 5 out of 6 (83%).

Despite the revised complaints database, which was introduced in April 2017, the expectation that this would allow for closer monitoring to identify complaints that have extended beyond 20 days without authorisation continues to prove challenging. Senior management are still being notified of such cases and administrators reminded weekly to update the database and raised quarterly at administrator meetings, but there remains scope for significant improvement.

Figure 11: Frontline complaints not responded to in stipulated timescales, without authorised extensions (2020-21)

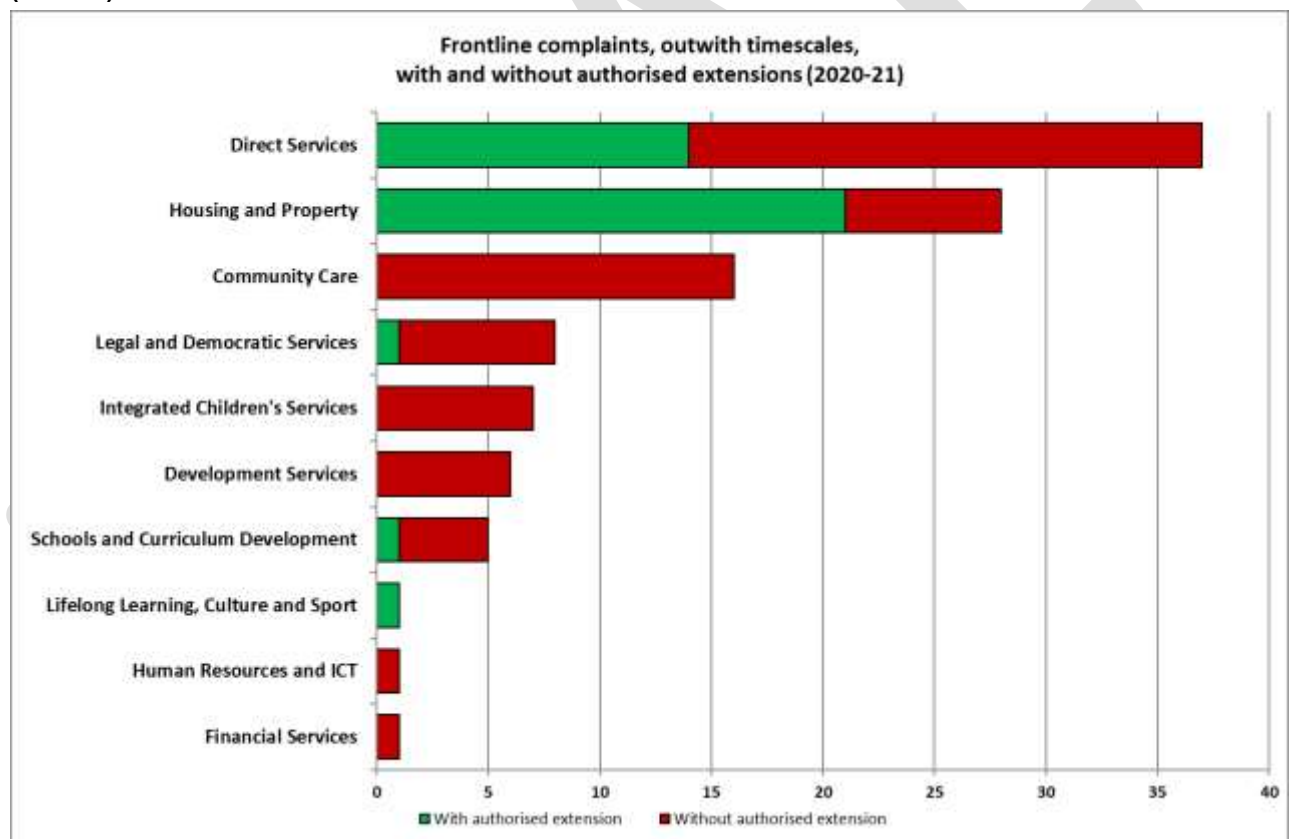
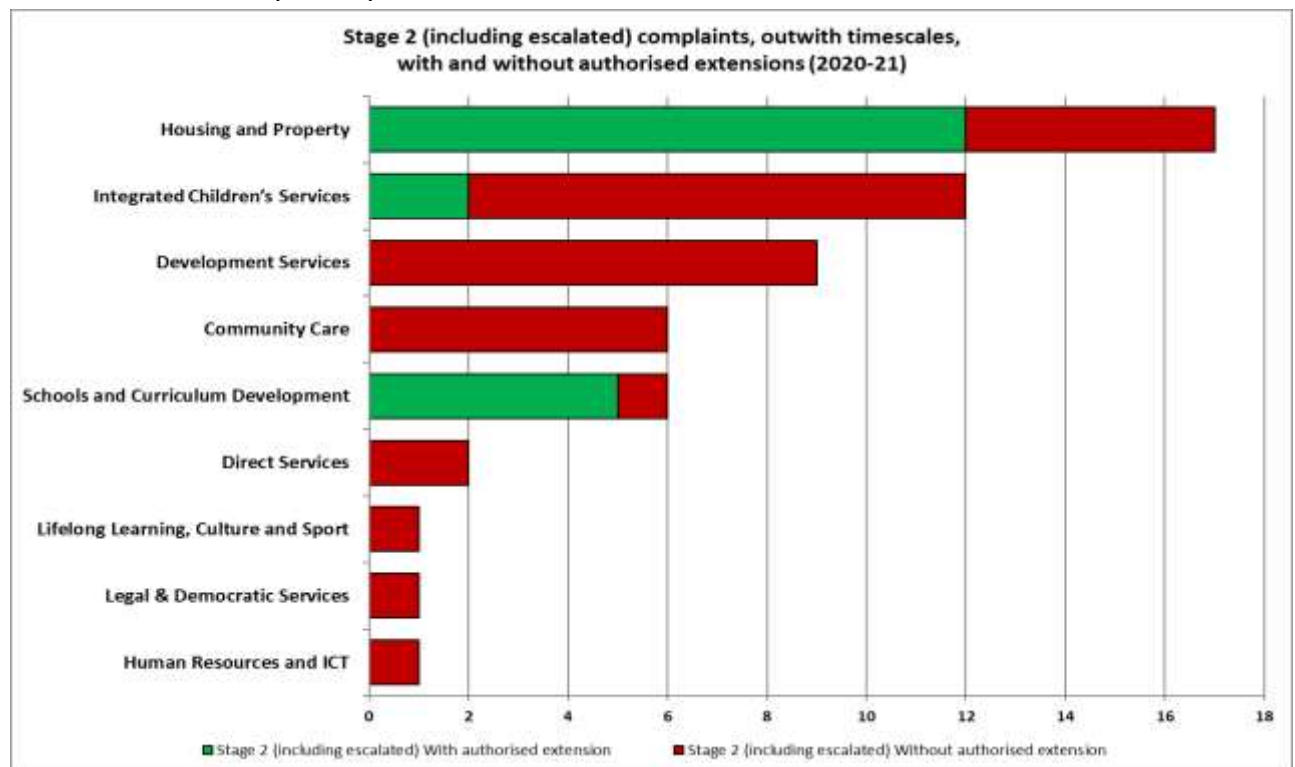


Figure 12: Stage two (including escalated) complaints not responded to in stipulated timescales, without authorised extensions (2020-21)



4.7 Indicator 7

The SPSO requires a statement to report on customer satisfaction with the complaints service provided.

A customer satisfaction survey was sent out to customers with the aim of helping the council focus on areas where improvements or change could be made to our complaints handling procedure and service provision.

In assessing customer satisfaction within the complaints service, complainants are asked to consider:

- how satisfied they were with the way their complaint was handled
- how easy the complaints process was to follow
- how well we complied with the CHP
- how well we provided service delivery, timeliness and information
- how professional the attitude of staff was

The SPSO currently requires a statement to report on customer satisfaction with the complaints service provided although this is currently being reviewed as part of the SPSO revision of the Model Complaint Handling Procedure. A brief report is included on customer satisfaction.

Customer Satisfaction Feedback Survey.

Complaints Handling Customer Feedback Surveys were sent to complainants when they were informed of the outcome of their complaint. Due to Covid, no surveys were sent out during the first six months of this reporting period as staff did not have access to the necessary IT applications to facilitate this.

In 2020-21, 249 surveys were sent out, 187 by email and 62 by post. We received 11 postal responses and 28 online responses, giving an overall poor survey response of 39. This was a 41% decrease from 2019-20.

Arising from the survey, the main dissatisfactions are:

- not contacting customers to confirm complaints and outcomes sought;
- not updating customers;
- not adhering to policy timescales;
- not taking the issues seriously;
- not apologising for poor service provision;
- having to chase up a response;
- only receiving a single sentence response;
- staff rudeness;
- poor work by contracted service providers

In 2020 -21, some positive feedback comments were received. These included:

- several customers expressed their satisfaction on how customer service staff dealt with them;
- one customer praised the very thoughtful reply to their reported concern;
- one customer expressed their satisfaction that following making their complaint, a good service was quickly provided;

4.8 **Indicator 8 – Lessons learned: a statement outlining changes or improvements to services or procedures as a result of the consideration of complaints.**

The council has a clear commitment to listen to our customers and act on their feedback. Learning from complaints is a continuous process that helps the council to resolve common issues and further improve the services that are provided. The council is continually working on learning from complaints and implementing changes to working practices as a direct result of investigating complaints.

During this reporting year, SPSO made a number of recommendations regarding two public reports about our social work practices. This led to a lengthy review by our social work department who changed their practices to the satisfaction of both the customers and SPSO.

4.8.1. **Learning Outcomes**

Managers review complaints that are upheld or partially upheld to determine if change or improvement would prevent re-occurrence. When a complaint is upheld or partially upheld, the remedies offered will generally fall into one or more of the following four categories:

- **Redress** – Putting things right where they have gone wrong, admitting where mistakes have been made.
- **Reimbursement** – Covering vouched actual costs incurred as a direct result of mistakes made by the council.
- **Reinforcement** – Recognising that a correct council policy/procedure has not been followed or we have fallen short of what could be expected. Training and instructing staff to prevent re-occurrence.
- **Revision** – Reviewing current practice to amend and improve working practices.

The Complaints Management System has a specific learning outcome section for managers to complete when complaints are closed. Where they have been upheld or partially upheld, any learning outcomes and service improvements are recorded.

Complaints Officer monitoring and database processing by Complaint administrators have ensured that more detailed closures are being recorded. The below information provides a quarterly breakdown of completion of the learning outcomes section in the complaints database.

FINAL

Quarter 1	<i>Upheld</i>	<i>Partially Upheld</i>	<i>Not Upheld</i>
Number of Complaints Closed	20	15	42
Learning Outcomes Completed	20 <i>100%</i>	13 <i>87%</i>	<i>Nil</i>

Quarter 2	<i>Upheld</i>	<i>Partially Upheld</i>	<i>Not Upheld</i>
Number of Complaints Closed	58	25	73
Learning Outcomes	57 <i>98%</i>	23 <i>92%</i>	<i>Nil</i>

Quarter 3	<i>Upheld</i>	<i>Partially Upheld</i>	<i>Not Upheld</i>
Number of Complaints Closed	53	24	65
Learning Outcomes	50 <i>94%</i>	24 <i>100%</i>	<i>Nil</i>

Quarter 4	<i>Upheld</i>	<i>Partially Upheld</i>	<i>Not Upheld</i>
Number of Complaints Closed	49	31	56
Learning Outcomes	48 <i>98%</i>	29 <i>94%</i>	<i>Nil</i>

2020/21	<i>Upheld</i>	<i>Partially Upheld</i>	<i>Not Upheld</i>
Number of Complaints Closed	180	95	236
Learning Outcomes	175 <i>97%</i>	89 <i>94%</i>	<i>Nil</i>

The following is a summary of some learning outcome actions taken to resolve complaints that were upheld or partially upheld in 2020-21:

Table 4: Actions taken in response to complaints upheld (2020-21)

Department	You said...	We listened and took action on the following upheld complaints...
Revenues	Staff placed your enquiry into the incorrect IT process leading to unnecessary delay.	In upholding your complaint, we apologised, resolved your complaint issue and revised our process to prevent re-occurrence.
Lifelong Learning, Culture and Sport	Staff did not respond timely to an enquiry.	In upholding your complaint, we apologised and reminded all department staff of the importance of responding in a timely manner.
Housing and Property	A staff member didn't follow Covid protocols during a house call to discuss maintenance repairs.	In upholding your complaint, we apologised and briefed the staff member on protocols to be followed. This was also brought to the attention of other department staff.
Community Care	Staff poorly consulted with the family when moving a family member to an alternative care setting.	In upholding your complaint, we apologised and introduced staff training with the aim of improving the quality of engagement with families during the assessment process and pre-discharge care planning.
Integrated Children's Services	Staff didn't provide the appropriate level of planning and support when returning a child home from a care placement.	In upholding your complaint, we apologised and revised and improved our process regarding and planning and support when returning young people home from a care setting.

5. Scottish Public Services Ombudsman/Benchmarking

National benchmarking statistics for 2020-21 are:

Complaints Received	2019-20	2020-21
Moray Council	738	511 (1%)
Nationally	56,119	53,534

Complaints Received Per 1000 Population	2019-20	2020-21
Moray Council	7.7	5.36
Nationally	10.34	9.87

Complaints Closed	2019-20	2020-21
Moray Council	725	511
Nationally	54,562	50,742

Nationally there was a 5% reduction in the number of complaints recorded in 2020-21. In contrast, Moray Council had a 31% decrease in complaint recording. This is reflective of the impact of pandemic where there was a public acceptance that service delivery would be affected.

Average Time in Working Days – Stage one	2019-20	2020-21
Moray Council	5.5	5.6
Nationally	10.2	6.5
Average Time in Working Days – Stage two	2019-20	2020-21
Moray Council	22.9	21.9
Nationally	23.9	22.9

In 2020-21, there was a significant improvement nationally by Councils with a 36% reduction in resolving stage one complaints within 5 working days. Moray Council marginally increased the time taken by 2% and fell just short of the target time.

Both nationally and locally the stage two complaints target times of 20 working days were not met although the 4% decrease by both demonstrates that they are striving to achieve the 20 working day target.

6. Summary

The council is committed to customer service and values feedback from our service users. Customer views and experiences are important to us as they help us to understand what we do well and identify where we need to improve. We want our customers to feel that their feedback is valued, that we will listen and act on lessons learned in order to improve service provision. Use of digital technology complements written survey requests providing additional opportunity to receive public feedback. A higher percentage continues to be received online.

By utilising the Complaint Handling Procedure and adhering to the robust performance management framework, will we learn from complaints, improve services and increase customer confidence in our service provision. Staff are making good use of the new database to demonstrate learning from complaints. Our Complaints Officer continues to highlight the importance of this to services through complaint administrator meetings and staff training.

It is important that we aim to deal with complaints quickly, keep complainants informed and advise them what to do if they remain dissatisfied. Staff training, intranet guidance and Complaints Officer monitoring is used to help achieve this aim. The complaints section in the Moray Council website provides the public with policies, reports and general information on how a complaint can be reported and dealt with.

The results of the complaints survey were the lowest yet with a 16% return rate some however some useful feedback was given. It remains the case that satisfaction with the complaints handling process appears to be influenced by how satisfied the customer was with the outcome of their complaint. We used the easy-to-use online option and sent paper copies; however, this produced a similarly low number of survey responses meaning we were restricted in assessing the effectiveness of it as a learning tool. We will continue to use both online and hard copy methods for our survey.

Recording of customer satisfaction varies greatly across Councils making it difficult to benchmark. The Local Authority Complaints Handlers Network in consultation with the SPSO Complaints Standard Authority have recognised this and agreed a consistent set of national survey questions that should allow meaningful benchmarking in the future. Our survey has been amended to reflect this, the results of which will be seen in reporting period 2021-22.

Welcoming, recording, managing and resolving complaints in an effective manner will increase public confidence in our application of the Complaint Handling Procedure and afford us opportunity to learn and improve our service provision.

APPENDIX

Please note that due to rounding, some totals may add up to slightly more or less than 100%.

Table A: Indicator 2 – Complaints closed at stage one and stage two as a percentage of all complaints closed

Indicator 2 by service	2019-20				2020-21			
	Stage 1 – Front line resolution	Stage 2 – Investigation	Stage 2 – Escalated Investigation	Total	Stage 1 – Front line resolution	Stage 2 – Investigation	Stage 2 – Escalated Investigation	Total
All Council	578 80%	134 19%	12 2%	724	377 74%	122 24%	12 2%	511
Chief Executive's Office	0 0%	1 100%	0 0%	1	1 50%	0 0%	1 50%	2
Chief Executive's Section	0 0%	1 100%	0 0%	1	1 50%	0 0%	1 50%	2
Corporate Policy Unit	0 #DIV/0!	0 #DIV/0!	0 #DIV/0!	0	0 n/a	0 n/a	0 n/a	0
Community Planning & Development	0 n/a	0 n/a	0 n/a	0	0 n/a	0 n/a	0 n/a	0
Corporate Services	38 81%	8 17%	1 2%	47	21 88%	3 13%	0 0%	24
Financial Services	4 67%	2 33%	0 0%	6	1 100%	0 0%	0 0%	1
Human Resources and ICT	0 n/a	0 n/a	0 n/a	0	2 67%	1 33%	0 0%	3
Legal and Democratic Services	34 83%	6 15%	1 2%	41	18 90%	2 10%	0 0%	20
Environmental Services	468 85%	76 14%	9 2%	553	307 78%	77 20%	10 3%	394
Development Services	9 33%	18 67%	0 0%	27	17 47%	18 50%	1 3%	36
Direct Services	298 96%	11 4%	2 1%	311	184 94%	11 6%	0 0%	195
Housing and Property	161 75%	47 22%	7 3%	215	106 65%	48 29%	9 6%	163
Education and Social Care	72 59%	49 40%	2 2%	123	48 53%	42 46%	1 1%	91
Community Care	20 80%	5 20%	0 0%	25	22 76%	7 24%	0 0%	29
Integrated Children's Services	19 51%	17 46%	1 3%	37	12 39%	19 61%	0 0%	31
Lifelong Learning, Culture and Sport	8 89%	1 11%	0 0%	9	6 67%	3 33%	0 0%	9
Schools and Curriculum Development	25 48%	26 50%	1 2%	52	8 36%	13 59%	1 5%	22

Table B: Indicator 3 by service – The number of complaints upheld/partially upheld/not upheld at each stage as a percentage of complaints closed in full at stage one

Indicator 3 by service – Stage 1	2019-20				2020-21			
	Upheld	Partially Upheld	Not Upheld	Total	Upheld	Partially Upheld	Not Upheld	Total
All Council	221 38%	78 13%	279 48%	578	167 44%	40 11%	170 45%	377
Chief Executive's Office	0 0%	0 0%	0 0%	0	0 0%	0 0%	1 100%	1
Chief Executive's Section	0 0%	0 0%	0 0%	0	0 0%	0 0%	1 100%	1
Corporate Policy Unit	0 0%	0 0%	0 0%	0	0 0%	0 0%	0 0%	0
Community Planning & Development	0 0%	0 0%	0 0%	0	0 0%	0 0%	0 0%	0
Corporate Services	14 37%	5 13%	19 50%	38	6 29%	2 10%	13 62%	21
Financial Services	1 25%	0 0%	3 75%	4	1 100%	0 0%	0 0%	1
Human Resources and ICT	0 0%	0 0%	0 0%	0	0 0%	1 50%	1 50%	2
Legal and Democratic Services	13 38%	5 15%	16 47%	34	5 28%	1 6%	12 67%	18
Environmental Services	190 41%	59 13%	219 47%	468	149 49%	24 8%	134 44%	307
Development Services	0 0%	2 22%	7 78%	9	2 12%	1 6%	14 82%	17
Direct Services	98 33%	42 14%	158 53%	298	87 47%	13 7%	84 46%	184
Housing and Property	92 57%	15 9%	54 34%	161	60 57%	10 9%	36 34%	106
Education and Social Care	17 24%	14 19%	41 57%	72	12 25%	14 29%	22 46%	48
Community Care	3 15%	10 50%	7 35%	20	1 5%	5 23%	16 73%	22
Integrated Children's Services	7 37%	1 5%	11 58%	19	2 17%	6 50%	4 33%	12
Lifelong Learning, Culture and Sport	1 13%	1 13%	6 75%	8	4 67%	2 33%	0 0%	6
Schools and Curriculum Development	6 24%	2 8%	17 68%	25	5 63%	1 13%	2 25%	8

Figure 20: Stage one – % of Complaints Upheld, Partially Upheld, and Not Upheld (2016-17 through to 2020-21)

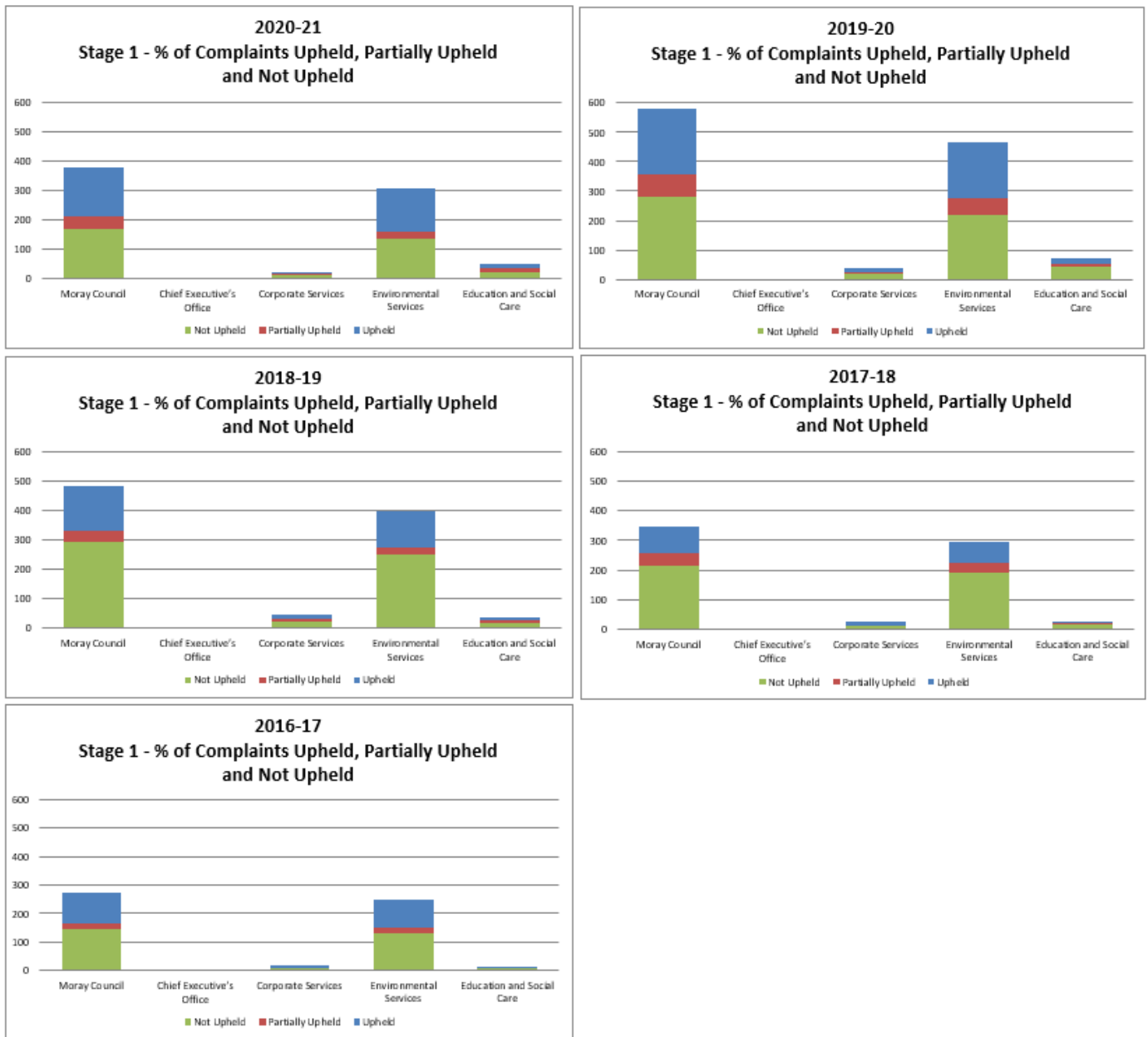


Table C: Indicator 3 by service – The number of complaints upheld/partially upheld/not upheld at each stage as a percentage of complaints closed in full at stage two (including escalated complaints)

Indicator 3 by service – Stage 2 (including escalated)	2019-20				2020-21			
	Upheld	Partially Upheld	Not Upheld	Total	Upheld	Partially Upheld	Not Upheld	Total
All Council	24 16%	46 32%	76 52%	146	13 10%	55 41%	66 49%	134
Chief Executive's Office	0 0%	0 0%	1 100%	1	0 0%	0 0%	1 100%	1
Chief Executive's Section	0 0%	0 0%	1 100%	1	0 0%	0 0%	1 100%	1
Corporate Policy Unit	0 0%	0 0%	0 0%	0	0 0%	0 0%	0 0%	0
Community Planning & Development	0 0%	0 0%	0 0%	0	0 0%	0 0%	0 0%	0
Corporate Services	2 22%	4 44%	3 33%	9	1 33%	1 33%	1 33%	3
Financial Services	1 50%	1 50%	0 0%	2	0 0%	0 0%	0 0%	0
Human Resources and ICT	0 0%	0 0%	0 0%	0	0 0%	0 0%	1 100%	1
Legal and Democratic Services	1 14%	3 43%	3 43%	7	1 50%	1 50%	0 0%	2
Environmental Services	13 15%	29 34%	43 51%	85	6 7%	33 38%	48 55%	87
Development Services	2 11%	3 17%	13 72%	18	0 0%	1 5%	18 95%	19
Direct Services	6 46%	2 15%	5 38%	13	1 9%	3 27%	7 64%	11
Housing and Property	5 9%	24 44%	25 46%	54	5 9%	29 51%	23 40%	57
Education and Social Care	9 18%	13 25%	29 57%	51	6 14%	21 49%	16 37%	43
Community Care	2 40%	3 60%	0 0%	5	1 14%	6 86%	0 0%	7
Integrated Children's Services	0 0%	6 33%	12 67%	18	2 11%	12 63%	5 26%	19
Lifelong Learning, Culture and Sport	0 0%	1 100%	0 0%	1	0 0%	0 0%	3 100%	3
Schools and Curriculum Development	7 26%	3 11%	17 63%	27	3 21%	3 21%	8 57%	14

Figure 21: Stage two – % of Complaints Upheld, Partially Upheld, and Not Upheld (2016-17 through to 2020-21)

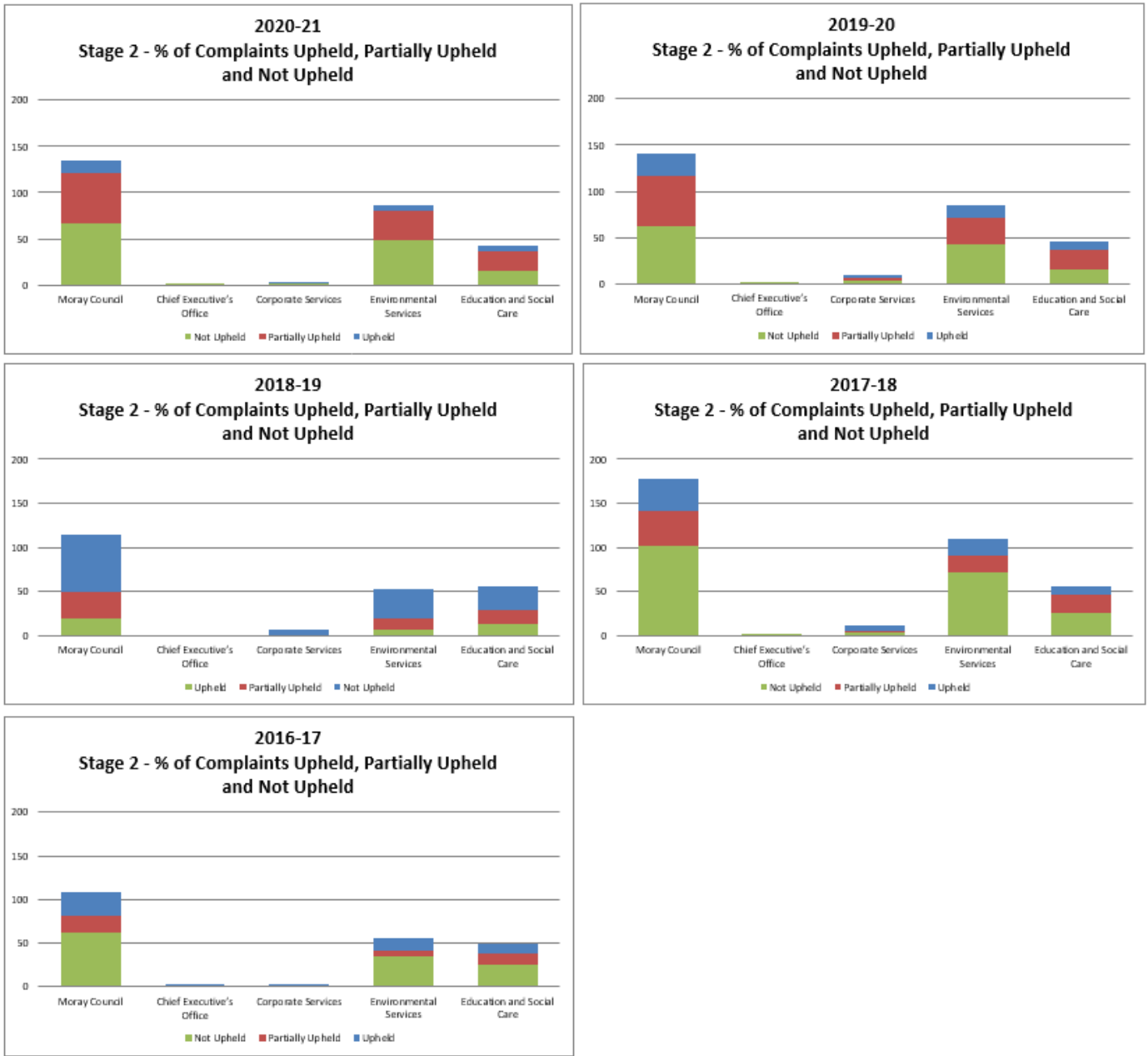


Table D: Indicator 4 by service – The average time in working days for a full response to complaints at each stage

Indicator 4 by service	2019-20			2020-21		
	Stage 1 – Front line Resolution	Stage 2 – Investigation	Stage 2 – Escalated Investigation	Stage 1 – Front line Resolution	Stage 2 – Investigation	Stage 2 – Escalated Investigation
Target timescales (number of working days)	5	20	20	5	20	20
All Council	5.5	22.9	29.1	5.6	21.9	20.3
Chief Executive’s Office	2.0	0.0	n/a	4.0	n/a	7.0
Chief Executive’s Section	2.0	0.0	n/a	4.0	n/a	7.0
Corporate Policy Unit	n/a	n/a	n/a	n/a	n/a	n/a
Community Planning & Development	n/a	n/a	n/a	n/a	n/a	n/a
Corporate Services	5.2	18.3	81.0	9.2	40.3	n/a
Financial Services	5.0	13.0	n/a	71.0	n/a	n/a
Human Resources and ICT	n/a	n/a	n/a	9.5	87.0	n/a
Legal and Democratic Services	5.3	20.0	81.0	5.7	17.0	n/a
Environmental Services	5.0	22.1	26.0	4.5	19.3	22.0
Development Services	11.4	23.4	n/a	5.0	20.9	19.0
Direct Services	4.9	20.6	25.5	4.0	12.8	n/a
Housing and Property	4.7	21.9	26.1	5.2	20.1	22.3
Education and Social Care	9.1	25.2	17.0	11.0	25.5	17.0
Community Care	12.0	38.0	n/a	17.1	36.4	n/a
Integrated Children’s Services	14.3	22.1	13.0	6.7	23.7	n/a
Lifelong Learning, Culture and Sport	3.9	17.0	n/a	3.8	20.7	n/a
Schools and Curriculum Development	4.6	25.2	21.0	6.3	23.5	17.0

Figure 22: Average time in working days for a full response to complaints at each stage (2016-17 through to 2020-21)

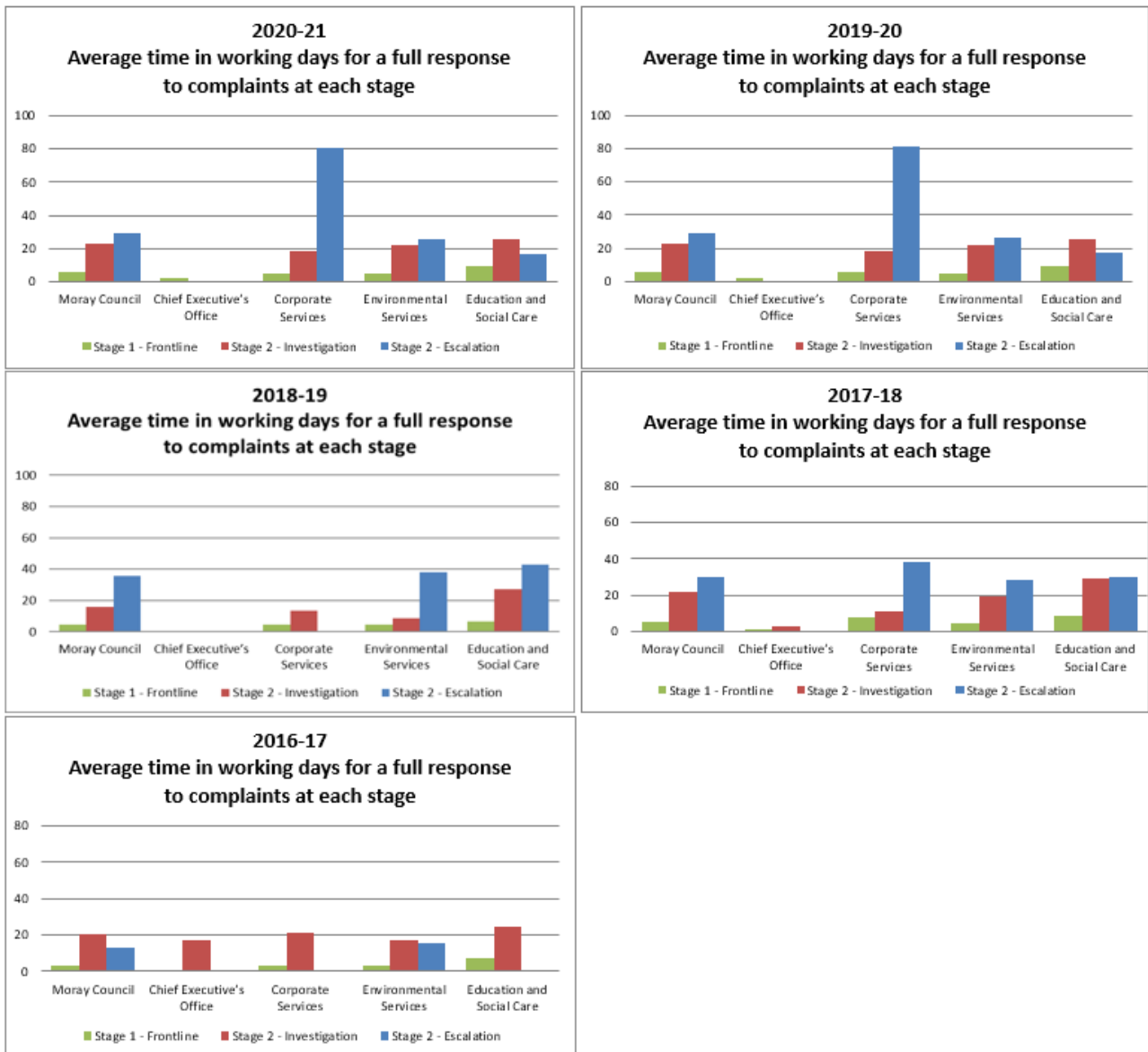


Table E: Average Time in working days to respond to complaints at each stage

Average Time in working days to respond to complaints at each stage	2019-20			2020-21		
	No. of complaints	Total time (workdays)	Average time (workdays)	No. of complaints	Total time (workdays)	Average time (workdays)
Average time in working days to respond to complaints at stage one	578	3185	5.5	377	2093	5.6
Average time in working days to respond to complaints at stage two	134	3062	22.9	122	2677	21.9
Average time in working days to respond to complaints after escalation	12	349	29.1	12	244	20.3

Table F: Indicator 5 by service – The number and percentage of complaints at each stage which were closed in full within the set timescales of five and 20 working days

Indicator 5 by service (Refer to Table A for Totals)	2019-20			2020-21		
	Stage 1 – Front line Resolution	Stage 2 – Investigation	Stage 2 – Escalated Investigation	Stage 1 – Front line Resolution	Stage 2 – Investigation	Stage 2 – Escalated Investigation
Target timescales (number of working days)	5	20	20	5	20	20
All Council	410 71%	71 53%	6 50%	268 71%	70 57%	8 67%
Chief Executive’s Office	1 100%	1 100%	0 n/a	1 100%	0 n/a	1 100%
Chief Executive	1 100%	1 100%	0 n/a	1 100%	0 n/a	1 100%
Corporate Policy Unit	0 n/a	0 n/a	0 n/a	0 n/a	0 n/a	0 n/a
Community Planning & Development	0 n/a	0 n/a	0 n/a	0 n/a	0 n/a	0 n/a
Corporate Services	23 110%	4 50%	0 0%	11 52%	1 33%	0 n/a
Financial Services	1 100%	2 100%	0 n/a	0 0%	0 n/a	0 n/a
Human Resources and ICT	0 0%	0 0%	0 n/a	1 50%	0 0%	0 n/a
Legal and Democratic Services	22 65%	2 33%	0 0%	10 56%	1 50%	0 n/a
Environmental Services	344 74%	43 57%	5 56%	237 77%	52 68%	7 70%
Development Services	4 44%	8 44%	0 n/a	12 71%	9 50%	1 100%
Direct Services	214 72%	6 55%	1 50%	147 80%	9 82%	0 n/a
Housing and Property	126 78%	29 62%	4 57%	78 74%	34 71%	6 67%
Education and Social Care	42 58%	23 47%	1 50%	19 40%	17 40%	0 0%
Community Care	6 30%	2 40%	0 n/a	6 27%	1 14%	0 n/a
Integrated Children’s Services	9 47%	7 41%	1 100%	5 42%	7 37%	0 n/a
Lifelong Learning, Culture and Sport	7 88%	1 100%	0 n/a	5 83%	2 67%	0 n/a
Schools and Curriculum Development	20 80%	13 50%	0 0%	3 38%	7 54%	0 0%

Table G: Overdue complaints with formal extensions or holding letters issued

Overdue complaints that have holding letters issued, or been granted a formal extension – by service (Refer to Table A for totals)	2019-20			2020-21		
	Stage 1 – Frontline Resolution	Stage 2 - Investigation	Stage 2 - Escalated Investigation	Stage 1 – Frontline Resolution	Stage 2 - Investigation	Stage 2 - Escalated Investigation
Total number of complaints investigated	579	134	12	377	122	12
Total number of late responses	158	62	6	109	52	3
All Council	52 33%	27 44%	4 67%	37 34%	16 31%	3 100%
Chief Executive’s Office	- n/a	- n/a	- n/a	- n/a	- n/a	- n/a
Chief Executive	- n/a	- n/a	- n/a	- n/a	- n/a	- n/a
Corporate Policy Unit	- n/a	- n/a	- n/a	- n/a	- n/a	- n/a
Community, Planning & Development	- n/a	- n/a	- n/a	- n/a	- n/a	- n/a
Corporate Services	2 n/a	0 0%	0 n/a	1 n/a	0 0%	0 n/a
Financial Services	1 33%	0 n/a	- n/a	0 0%	0 n/a	- n/a
Human Resources and ICT	- n/a	0% 0%	- n/a	0 0%	0 0%	- n/a
Legal and Democratic Services	1 8%	0 0%	- n/a	1 13%	0 0%	- n/a
Environmental Services	46 40%	17 51.5%	4 100%	35 50%	9 36%	3 100%
Development Services	1 20%	2 20%	- n/a	0 0%	0 0%	- n/a
Direct Services	17 23%	3 60%	1 100%	14 38%	0 0%	- n/a
Housing and Property	28 82%	12 66.7%	3 100%	21 75%	9 64%	3 100%
Education and Social Care	4 14%	10 40%	0 0%	1 3%	7 29%	- n/a
Community Care	0 0%	0 0%	- n/a	0 0%	0 0%	- n/a
Integrated Children’s Services	0 0	2 20%	- n/a	0 0%	2 17%	- n/a
Lifelong Learning, Culture and Sport	0 0%	0 1	- n/a	0 100%	0 0%	- n/a
Schools and Curriculum Development	4 80%	8 67%	- n/a	1 20%	5 83%	- n/a

Note: N/A indicates that a service had no overdue complaints at that particular stage

Table H: Percentage of complaints by department (2016-17 to 2020-21)

Given the types of service provided by each department, it is not surprising that the proportion of complaints dealt with by each department in 2020-21 is broadly similar to previous years. Environmental Services has the most direct contact with users of council services and receives the largest share of complaints.

Figure 23: Percentage of complaints by department (2016-17 to 2020-21)

