

**WEST DUNBARTONSHIRE COUNCIL****Report by Chief Officer- Citizen, Culture & Facilities****Audit Committee: 13 December 2023**

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**Subject: Scottish Public Services Ombudsman Complaints Report 2022-23****1. Purpose**

- 1.1** The purpose of this report is to present the Scottish Public Services Ombudsman (SPSO) report on complaints handling by West Dunbartonshire Council for the year 1 April 2022 – 31 March 2023.

**2. Recommendations**

- 2.1** It is recommended that Committee:

- Notes the contents of the report and the ongoing commitment at a service and strategic level to monitor complaints and ensure compliance with Scottish Public Services Ombudsman (SPSO) timelines.

**3. Background**

- 3.1** West Dunbartonshire Council administers the SPSO complaint handling model operating in line with all other Local Authorities. Complaints continue to be managed centrally by the Customer Relations team for all Council services. Complaints regarding West Dunbartonshire Health and Social Care Partnership (HSCP) are managed independently by the partnership.
- 3.2** Statutory appeals and reviews, such as planning decision appeals, continue to be directed to the relevant decision making body, and are not processed through the SPSO office.
- 3.3** The Complaints Handling Process is well established and understood by both Citizens and staff. Centralised complaints handling ensures an open and transparent process. Complaints are valued because they provide an insight into services, and how the Council is performing. The feedback offers valuable information helping to inform service planning, improve how services are delivered and ensure customer's voices are heard and views considered. Customers who remain dissatisfied with the final outcome of their complaint are openly directed to the SPSO to have their case considered for review.
- 3.4** West Dunbartonshire Council acts as factor for the buildings where we retain an interest with tenanted properties. Anyone who remains dissatisfied with the outcome of their complaint may be also signposted to the First-tier Tribunal for Scotland (Housing and Property Chamber). The Tribunal is an independent and impartial judicial body whose function is to review complaints

from homeowners who consider their property factor has failed to perform its factoring duties or failed to comply with the Property Factors' Code of Conduct.

- 3.5** As a member of the Local Authority Complaints Handlers Network, the Council continues to fully engage in sharing of good practice and developing consistent approaches to complaints handling and reporting. Network meetings are held regularly, with SPSO in attendance at each meeting.

#### **4. Main Issues**

- 4.1** The SPSO delivers an annual report to each Local Authority detailing the number of complaints reported to its office. **Appendix 1** provides a breakdown of enquiries handled by SPSO relating to West Dunbartonshire Council for 2022-23 together with comparison data for 2021-22. **Appendix 2** is a summary breakdown of complaints received by the Council in 2022-23. **Appendix 3** shows Social Work complaints handled by the HSCP for the same period.
- 4.2** In the year 2022-23, SPSO received 17 complaints regarding the Council, an increase of 2 from 2021-22. The highest proportion of complaints made by West Dunbartonshire citizens related to housing matters.
- 4.3** Of the 17 complaints to SPSO, 10 were handled at the Advice stage where 3 were deemed as premature, which is terminology used by the SPSO when the complainant has not exhausted the Council's complaints process. A further 7 were closed by SPSO following advice, this included 1 complaint which was mature and so could be responded to by SPSO, but following advice was not taken further. 6 complaints were handled at the Early Resolution Stage of which SPSO applied discretion in 2 cases where it deemed insufficient benefit would be achieved by investigation. There were 3 complaints closed as the subject matter was not in SPSO jurisdiction and a further 1 was referred back to the Council.
- 4.4** An investigation was carried out on one complaint raised against West Dunbartonshire Council. Following investigation the complaint was deemed fully upheld.
- 4.5** The low number of complaints considered by SPSO is positive and reflects on the high level of effective complaints handling within West Dunbartonshire Council. The SPSO investigated a complaint received regarding the handling of a Council Tax Account which related to an application for single person discount. Following investigation SPSO made 2 recommendations, firstly for the Council to apologise for the delays and lack of response. The SPSO also requested the Council to provide information on acceptable forms of evidence to support the single person discount application and for the application to be reassessed.

- 4.6** As outlined in Appendix 2, the Council handled 642 complaints internally in 2022-23. Of these, 549 were closed within 2022-23. The difference in complaints handled and closed is due to complaints being received during the reporting period, but still being worked on. The remaining 93 were closed in 2023-24 and will be included in appropriate reporting periods. When registering a complaint, residents' preferred method is by telephone which accounted for 41% of all complaints received. The online complaints form is the next preferred method accounting for 40%.
- 4.6** As noted above, the number of complaints received in 2022-23 was 642. This represents a decrease of 39% when compared to complaints received in 2021-22 (891). It is important to continue to encourage capturing expressions of dissatisfaction. Complaints data provides services with valuable information to inform service improvement and understand the expectations of Customers.
- 4.7** Of the 549 complaints closed, 80% were resolved within SPSO timescales, including with extension where applicable, representing an increase of 16% from 2021-22 (64%). Customer Relations maintain a focus on right first time and is committed to ensuring the quality of responses remains high whilst seeking to improve response times again in 2023-24.
- 4.8** In line with this, the service continues to work to encourage a culture of welcoming complaints and ensuring services across the Council use the data provided to identify and progress complaints improvement activity.

## **5. People Implications**

- 5.1** There are no people implications arising from this report.

## **6. Financial and Procurement Implications**

- 6.1** There are no financial implications arising from this report.

## **7. Risk Analysis**

- 7.1** There is a reputational risk in not responding to complaints in defined time periods within the two stage process. Complaints data is closely monitored, including response times and quality of response from services. Customer Relations continue to work to support services to improve response timescales and maintain quality of complaints management.
- 7.2** There is a risk that services do not learn from the complaints received and do not adapt processes or policies to stop it happening again. To reduce this risk complaints data is reported quarterly to Performance, Monitoring and Review Group. Complaints data is also shared with Chief Officers and included within service delivery plans to ensure visibility and to assist in informing service improvements.

## **8. Equalities Impact Assessment (EIA)**

- 8.1** The two stage process has been equality impact assessed at a national level. locally, all aspects have been considered and assistance to navigate the complaints process is available for all customers.

## **9. Consultation**

- 9.1** Not applicable to this report.

## **10. Strategic Assessment**

- 10.1** Effective complaints handling contributes to all four of the Council's strategic priorities.

Amanda Graham  
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**Citizen, Culture and Facilities**  
**Date: 21/11/23**

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**Appendices:** Appendix 1 – SPSO Complaints Data  
Appendix 2 - Summary of Council Complaints 2022-23  
Appendix 3 - Summary of HSCP Complaints 2022-23

**Background Papers:** None

**Wards Affected:** All Wards