

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer- Citizen, Culture & Facilities****Audit Committee: 15 June 2022**

Subject: Scottish Public Services Ombudsman Complaints Report 2020-21**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 2020 – 31 March 2021.

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 adopted the SPSO complaint handling model operating in line with all other Local Authorities on 1 April 2013. Complaints continue to be managed centrally by the Citizen Relations team for all Council services. Complaints regarding West Dunbartonshire Health and Social Care Partnership (HSCP) are managed independently by the partnership.

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.

- 3.2** 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 citizen's voices are heard and views considered. Citizens who remain dissatisfied with the final outcome of their complaint are openly directed to the SPSO to have their case considered for review.
- 3.3** 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.

- 3.4** 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. The meetings are a valuable source of information and support across the sector.

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 2020-21 together with comparison data for 2019-20. **Appendix 2** is a summary breakdown of complaints received by the Council in 2020-21. **Appendix 3** shows Social Work complaints handled by the HSCP for the same period.
- 4.2** In the year 2020-21, SPSO received 32 complaints regarding the Council, an increase of 7 from 2019-20. For the second year, the highest proportion of complaints made by West Dunbartonshire citizens related to housing matters.
- 4.3** Of the 32 complaints to SPSO, 11 were deemed as premature, which is terminology used by the SPSO when the complainant has not exhausted the Council's complaints process. A further 4 were closed by SPSO as unable to proceed. SPSO considered 10 of the complaints demonstrated good complaint handling and further investigation was not needed. A further 5 complaints were closed by SPSO as the desired outcome was not achievable for the citizen or the Council or an alternative route was available.
- 4.4** Investigations were carried out on two complaints raised against West Dunbartonshire Council. Following investigation one complaint was deemed not upheld and one was partially upheld. This is positive and reflects on the high level of effective complaints handling within West Dunbartonshire Council.
- 4.5** As outlined in Appendix 2, the Council handled 785 complaints internally in 2020-21. Of these, 577 were closed within 2020-21. The difference in complaints handled and closed is due to complaints being received during the reporting period, but still being worked on. The remaining 208 were closed in 2021-22 and will be included in appropriate reporting periods. When registering a complaint, residents preferred method is the online complaints form which accounted for 47% of all complaints received. Email is the next preferred method accounting for 35%.
- 4.6** Of the 577 complaints closed, 80% were resolved within SPSO timescales, including with extension where applicable, representing an increase of 5%

from 2019-20. Citizen 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 2021-22.

- 4.7** As noted above, the number of complaints received in 2020-21 was 785. This represents a decrease of 2% when compared to complaints received in 2019-20. While the decrease in complaints received is small 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 Citizens.
- 4.8** In line with this, the service continue 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. Citizen 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 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 citizens.

9. Consultation

- 9.1** Not applicable to this report.

10. Strategic Assessment

10.1 Effective complaints handling contributes to all five Council strategic priorities.

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Appendices: Appendix 1 – SPSO Complaints Data
Appendix 2 - Summary of Council Complaints 2020-21
Appendix 3 - Summary of HSCP Complaints 2020-21

Background Papers: None

Wards Affected: All Wards