

WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead- Communications, Culture, Communities & Facilities

Audit Committee: 18 November 2020

Subject: Scottish Public Services Ombudsman Complaints Report 2019/20

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 2019 – 31 March 2020.

2. Recommendations

- 2.1** It is recommended that Committee:

- Support a commitment to improve response times for complaints to ensure compliance with Scottish Public Services Ombudsman (SPSO) timelines
- Encourage an improvement culture that welcomes complaints in any form so that we capture all expressions of dissatisfaction and use this information to drive future improvements
- Ensure each service uses the data provided to identify and progress improvement activity
- Ensure time is allocated at regular management teams for complaints analysis to allow Performance & Strategy Business Partners to support and capture improvement and learning activity for progress reporting

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 with the exception of HSCP.

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 by West Dunbartonshire Council because they provide an insight to 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 views are heard. 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 carry out their 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, West Dunbartonshire 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. The LACHN continues to work on development of benchmarking criteria based on the reporting requirements from the Complaints Handling Model and this continues to be reviewed and discussed at meetings.

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 2019-20 together with comparison data for 2018-19. **Appendix 2** is a summary breakdown of complaints received by West Dunbartonshire Council in 2019/20. **Appendix 3** shows Social Work complaints handled by Health & Social Care Partnership (HSCP) for the same period.
- 4.2** In the year 2019/20, SPSO received 25 complaints regarding West Dunbartonshire Council, compared with 26 in the previous year, a decrease of 4% from 2018-19. The highest number of complaints made by West Dunbartonshire citizens again related to housing matters.
- 4.3** Of the 25 complaints received by SPSO, five were deemed as premature, which is terminology used by the SPSO when the complaint has not exhausted the Council's complaints process. The remaining complaints were considered to be not duly made or withdrawn, outwith the jurisdiction of the SPSO or closed as the desired outcome was not achievable for the citizen or the Council.
- 4.4** No complaints raised against West Dunbartonshire Council were considered for re-examination by the SPSO Investigation team. This is very positive and reflects on the high level of complaints handling within West Dunbartonshire Council.

- 4.5** As outlined in Appendix 2, the Council handled 805 complaints internally in 2019/20. Of these, 659 were closed within 2019/20. The difference in complaints handled and closed is due to complaints being received during the reporting period, but still being worked on. The remaining 146 were closed in 2020/21 and will be included in appropriate reporting periods. When registering a complaint our residents preferred method is the online complaints form and telephone, each accounting for 34% of all complaints received. Email is the next preferred method accounting for 29%.
- 4.6** Of the 659 complaints closed, 75% were resolved within SPSO timescales, including with extension where applicable, representing a 15% decrease from 2018/19. This decrease can be explained by an increased number of complaints and a focus on right first time within our service. We will ensure our quality of response remains high whilst improving our response times again in 2020/21.
- 4.7** As noted above, the number of complaints received in 2019/20 was 805. This represents an increase of 26% when compared to complaints received in 2018/19. This increase in complaints data is positive for the organisation as it provides services with valuable information on service improvement and the expectations of our Citizens.
- 4.8** In line with this, we continue to work to encourage a culture of welcoming complaints and ensuring each service uses the data provided to identify and progress complaints improvement activity.
- 4.9** Work will be ongoing throughout 2020/21 to ensure the importance of learning from complaints is fully embedded into service improvement and planning and can be evidenced. More detailed reports now provide service specific analysis of issues from complaints and this information forms part of the regular performance reporting provided at Strategic Lead level.

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 within 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 Strategic Leads and included within service Delivery Plans to ensure good 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 2019/20
Appendix 3 - Summary of HSCP Complaints 2019/20

Background Papers: None

Wards Affected:

All Wards