

REPORT TO: POLICY COMMITTEE 30 APRIL 2008

SUBJECT: COMPLAINTS PROCEDURE – MONITORING REPORT

BY: CHIEF EXECUTIVE

1. REASON FOR REPORT

- 1.1 The Committee is asked to scrutinise the Complaints Procedure Monitoring Report for the fourth quarter of the 2007/8 financial year and note performance against targets.
- 1.2 This report is submitted to Committee in terms of Section A (59) of the Council's Administrative Scheme relating to formulating and reviewing Council wide policy, strategies, priorities and objectives in standards and levels of service.

2. RECOMMENDATION

- 2.1 **The Committee is asked to scrutinise the Complaints Procedure Monitoring Report for the period 1 October 2007 – 31 December 2007 and note performance against targets.**
- 2.2 **Approve the Annual revision of the Complaint Policy**

3. BACKGROUND

- 3.1 This is the final quarter monitoring report for the 2007/2008 financial year and concludes the first year of reporting in this revised format. More detailed comment on performance is reported below.

The Complaint Policy has also been revised over the year to accommodate changes to working practice. The 2008/9 version is attached to this report. Members are invited to scrutinise the document and if acceptable approve the revised version.

Changes have been introduced as a result of scrutiny by members and in year targets were adjusted with effect from 1 January 2008 to bring those for acknowledgements in line with the Customer Care Policy. These are:-

Acknowledgements	100%
Responses	85%

Performance has been measured against the new targets for the fourth quarter.

- 3.2 Further revisions are included for acknowledgments with a new standard for response time for acknowledgements. This has been set at two working days again to comply with the Customer Care Policy. These are included in the 2008/2009 Revision of the Complaints Policy and will become operational from the start of the second quarter on 1st July 2008.
- 3.3 Updating the Complaint Database continues and work is currently ongoing to ensure that all complaints are logged on the old system. This is to verify the outputs identified by services as being required by the new system. This does represent an amount of duplication of work but will ensure the new system is properly tested and evaluated. The project is currently on schedule to meet the deadline for roll out and for being operational by 30th June 2008.

4.0 COMPLAINT ANALYSIS 1 JANUARY 2008 – 31 MARCH 2008

- 4.1 The Committee is asked to scrutinise the analysis of complaints received throughout the Council during the period 1 January 2008 – 31 March 2008 contained in **Appendix 1**. The main issues can be summarised as follows:
- 4.2 Stage One Complaint - carried out by Service Directors - Table 1
Stage one complaints are reported in detail to Service Committee however overall totals are provided for reference. Figures show a slight dip compared with last quarter but maintain an upward trend for the second half of the year. Distribution of complaints across services remains constant and work is ongoing to identifying areas of possible under reporting.

The target for acknowledgements is now 100% and actual performance was 97%. A number of factors emerged as contributing to this. Cover for leave and the confidential nature of some correspondence, together with the geographical layout of the Council and the time taken for mail to circulate does cause delays in processing

The target for responses remains at 85% and was missed, actual performance was down against last quarter at 76% but has maintained an upward trend for the second half of the year. We are currently exploring those cases that miss the 20 working day deadline and where extensions are agreed to complete investigations. Reasons have been identified such as the complexity of the investigation, workloads, peak leave periods and staff shortages however maintaining contact with complainants is important and providing interim responses is an important aspect of complaint handling. The extent to which it used

varies at present and it has been included as a standard in the Revised Policy for 2008/09.

4.3 Outcomes

2 complaints were upheld during the quarter and 11 partly upheld. The remedy offered to the majority of the upheld and part upheld complaints was an apology together with an offer to put right what had gone wrong which involved compliance with existing procedures. There were two service improvements (a) review of current anti-bullying policy for primary school and (b) review of all clients attending day services and risk assessments being carried out on use of transport for each client.

4.4 Complaints Stage Two - Table 2

The target for acknowledgements 100% was achieved. Mail handling procedures have been revised and have helped to meet acknowledgement targets. However low numbers of appeals to the Chief Executive means that individual variations amplify performance when expressed as a percentage. This is reflected in responses which achieved 100% last quarter but because an extension was agreed to complete 2 more complex cases, performance fell to 66% in this final quarter. Apart from a slight dip in quarter 2 Appeals to the Chief Executive remained consistent over the year.

4.5 Outcomes

There were 6 stage two appeals in this quarter. None was upheld by the Chief Executive.

There was one referral to the Complaint Review Committee – Statutory Social Work Complaints. This was withdrawn at the request of the complainant.

4.6 Enquiries made through MP/MSP - Table 3

Numbers were lower this quarter and acknowledgements missed the target 86%. This was a combination of confidentiality and staff availability - the target having been missed by one day. Response times exceeded target 94%. One complaint was upheld and one part upheld. Both offered an apology and corrective action was taken within existing procedures- no service improvement was necessary.

However neither complaint had been through the complaints system previously and an amendment to current procedures for handling MP/MSP procedures has been introduced. This is included in the revised 2008/2009 Complaint Policy.

In future enquiries made through MP/MSP's to the Chief Executive about matters that have not been through the complaints procedure will be referred to the appropriate Service Director who will treat the matter as a formal complaint. The Chief Executives Office will acknowledge the enquiry advising both the MP/MSP and the complainant that the Service Director will respond to the complaint.

4.7 Ombudsman Cases - Table 4

The Ombudsman considers complaints once they have exhausted the Council's Complaints procedures. There are currently 13 cases in this quarter which have been, or are being, considered by the Ombudsman.

One service improvement was agreed as a result of a report laid before the Scottish Parliament. The Development Services Manager produced a Planning Enforcement Protocol for submission to Committee by 31 March 2008. However as a result of further case which the ombudsman decided not to investigate a further provision was to consider whether the protocol should include guidelines on dealing with Permitted Development. This is currently out for consultation but will be finalised by 30 April 2008.

4.8 Restricted Access - Table 5

These cases involve unacceptable behaviour on the part of a complainant and where it has been deemed necessary to restrict their contact with the Council. The cases have been reviewed by the Complaint Officer and senior staff from the Services involved.

One case has escalated and arrangements have been put in place for pre booked appointments with nominated male staff and for police support should removal from the building be required.

Only one other existing case was active during the period and dealt with by the Complaint Officer.

The policy remains to normalise contact at the earliest opportunity without compromising the safety or security of staff.

5. **SUMMARY OF IMPLICATIONS**

(a) Corporate Development Plan/Community Plan/Service Improvement Plan

This report relates to working principle 10 (Accountability) in the Corporate Development Plan.

(b) Policy and Legal

The Complaints Policy has been revised in line with improvements identified during the quarterly Complaint User Group reviews. There have also been changes to targets as a result of scrutiny by Councillors including bringing response times for acknowledgements into line with The Customer Care Policy. These changes have been incorporated into the 2008 /2009 version of the Complaint Policy.

(c) Resources (Financial, Risks, Staffing and Property)

There are no resource implications arising from this report. However to assist staff to deal with complainants who behave in an unreasonable or threatening manner the risk associated with future contact is now being assessed. Contact is being controlled and monitored to contain any danger to staff and will be reported in Complaint Monitoring Reports

(d) Consultations

Services have been involved in the preparation and collation of data for this report. Feedback from the Complaint User Group is included in the revised Complaint Policy.

6. CONCLUSION

6.1 The Committee is asked to:-

6.1.1 Scrutinise the Complaints Procedure Monitoring Report for the period – 1 January 2008 – 31 March 2008 and to note:-

- **Our performance against targets.**
- **Progress with the Complaint Database**
- **The change to handling procedures for MP/MSP enquiries about complaints**
- **The measures taken to contain risks to staff dealing with complaints**

6.1.2 Approve the revised Complaint Policy for 2008/09

Author of Report: I Augustus, Corporate Complaints Officer

Background Papers: Held by Author

Ref: