

REPORT TO: POLICY & RESOURCES COMMITTEE – 15 JANUARY 2013

SUBJECT: COMPLAINTS ANALYSIS AND PERFORMANCE INDICATORS

BY: CHIEF EXECUTIVE

1. REASON FOR REPORT

1.1 Policy and Resources committee are asked to consider the attached Complaints Analysis Report and approve the steps necessary to develop revised performance targets following the introduction of a new corporate Complaints Handling Policy and Procedure.

1.2 This report is submitted to Committee in terms of Section (A) (66) of the Council's Administrative Scheme regarding matters relating to Public Performance Reporting.

2. RECOMMENDATION

2.1 It is recommended that members:

- **Consider the content of the attached statistical analysis**
- **Consider the adoption of the proposed national performance indicators summarised at 3.4 below, and**
- **Approve the proposal to gather performance data for one year before setting local targets**

3. BACKGROUND

3.1 The attached report provides an analysis of complaints performance since 2008/2009. The report presents data relating to our performance against a number of measures, and sets local targets against those measures. The report identifies a year on year decrease in the number of complaints received. This reflects reductions associated with double counting of complaints, and in particular those handled at Stage 2 and submissions to the Ombudsman. It also shows those services where complaints are more prevalent and further analysis compares our performance against locally set targets which again shows a generally improving trend (Appendix 1).

3.2 The Complaints Handling Policy which this analysis derives from is in the process of being replaced by a statutory national Complaints Handling Policy. Implementation of this new Complaints Handling Policy was approved at the meeting of Full Council on 19 September 2012 (Item 12 refers).

3.3 Implementation of the new Corporate Complaints Policy commenced on 14 November 2012 and will be reviewed and rolled out by 31 March 2013.

3.4 The attached report (Appendix 1) is the final statistical analysis of complaints performance based on the old complaints handling policy.

3.5 The introduction of the new statutory Complaints Handling Policy requires the introduction of standardised national performance measures. These are broadly similar to our existing local performance measures, and will be derived from those listed below:

- the total number of complaints received
- the number and percentage of complaints considered at the frontline resolution stage of the Complaints Handling Policy
- the number and percentage of complaints closed at the frontline resolution stage within 5 working days
- the number and percentage of complaints where an extension to the 5 working day timeline has been authorised
- the number of complaints upheld / not upheld at the frontline resolution stage as a percentage of all complaints closed at this stage
- the time in working days to resolve complaints at the frontline resolution stage
- the number and percentage of complaints considered at the investigation stage of the Complaints Handling Policy
- the number and percentage of complaints acknowledged at the investigation stage within 3 working days
- the number and percentage of complaints resolved at the investigation stage within 20 working days
- the number and percentage of complaints where an extension to the 20 working day timeline has been authorised
- the number of complaints upheld, part upheld and not upheld at the investigation stage as a percentage of all complaints closed at this stage
- the time in working days to resolve complaints at the investigation stage
- the remedies offered and a summary of the outcomes where improvements to services or procedures can be identified as a result of the outcomes of complaints
- a measure to assess customer satisfaction with the complaints service provided (as opposed to the outcome of their complaint).

- 3.6 National discussion will confirm adoption of these indicators over the next year, and will provide further guidance on how performance information is used to foster service improvements. The Scottish Public Services Ombudsman (SPSO) intends to take this discussion forward through a network of local authority complaints handlers which will be established from the SPSO's local authority working group.
- 3.7 At present it should be noted that these performance measures are subject to revision and clarification over the coming year and in order to provide meaningful analysis we must set local performance targets against these developing national measures.
- 3.8 In the interim our complaints database is in the process of being configured to provide data on these revised national performance indicators with effect from 14 November 2012 and they will be amended as required. We will therefore be able to provide data based on these proposed national measures with effect from Quarter 2, 2013.

- 3.9 At present, without an accumulation of data from the new complaints process, to benchmark against it is not possible to establish local performance targets. In order to develop these local targets the intention, subject to Committee's approval, is for the Complaints Officers in collaboration with the Complaints Sub Group and the Performance Management and Quality Assurance Manager to develop draft targets for approval by Heads of Service and ultimately Corporate Directors, before submitting them to Policy and Resources Committee for approval. It is anticipated that in order to allow sufficient data to be captured it will take approximately one year before these targets are presented to Committee. This timescale will also allow the national performance measures described at 3.4 above to be confirmed integrated.
- 3.10 The adoption of the new Corporate complaints Policy also places a requirement on the Council to develop and publicise Public Performance Reporting information. This will be developed in collaboration with the Performance Management and Quality Assurance Manager and will also be submitted to Policy and Resources Committee for approval. Thereafter, Policy and Resources Committee will be expected to continue to provide scrutiny of performance information.
- 3.11 In the interim, in order to develop realistic local targets reporting to Policy and Resources will continue and will consist of performance based on the statutory Complaints Handling Procedure.
- 3.12 In addition there is a both a requirement and an opportunity to capture performance in relation to organisational learning, service improvement derived from complaints and how effective the Council is in implementing the outcomes of complaints to improve service delivery.
- 3.13 In addition to developing local performance information and analysis we also need to develop systems both to capture organisational learning derived from complaints and, in particular the translation of this organisational learning into actions to improve service delivery. Adoption of the new complaints handling process provides an opportunity to reinforce this work which is already ongoing under the auspices of the Customer Satisfaction Group chaired by Richard Hartland.

4. **SUMMARY OF IMPLICATIONS**

(a) **Single Outcome Agreement/ Service Improvement Plan**

The Complaints Policy supports national outcome 15 “Our public services are high quality, continually improving, efficient and responsive to local people’s needs”. In particular, it addresses the commitment to be accountable to the community.

(b) **Policy and Legal**

There is a statutory requirement to implement the corporate complaints handling policy. The SPSO whose service was established by the Scottish Public Services Ombudsman Act 2002 (as amended by the Public Service Reform (Scotland) Act 2010) has this year laid before parliament and obtained approval for a model complaint handling policy and procedure and a statement of principles for complaint handling.

Complaints against elected members will continue to be handled in accordance with the policy and procedure on ‘How to make a Complaint against a Moray councillor approved at the Council meeting of 4 July 2012.

(c) **Financial implications**

It is not anticipated that there will be any financial implications as the recommendations in this report relate to developing and publicising performance information.

(d) **Risk Implications**

Performance Reporting is a statutory requirement of the new Complaints Handling Policy. Failure to adopt the policy may result in SPSO making a declaration of non-compliance against the Council. Non compliance with the statutory duty relating to national standards being adopted would present risk; in terms of reputational damage and a loss of public confidence; to our ability to deliver quality improvements based on complaints analysis, and ultimately to maintaining and improving service standards. In addition, the Ombudsman lays investigation reports before the Scottish Parliament and also has the power to lay before Parliament the outcome of decision letters where Council have failed to implement their recommendations. If this was to occur the Ombudsman has sanctions at his disposal which include financial penalties which could be applied to the Council. The Council has recently been assessed as compliant by the Ombudsman regarding our state of readiness for introducing the new corporate Complaints Policy. The risk of non compliance increases if we do not develop local performance targets by this time next year.

(e) Staffing Implications

Whilst the roll out of the revised Complaints Handling Policy may have an impact upon staffing resources across the Council, these will be assessed during the implementation phase, there are no staffing implications linked to the development of new performance reporting measures outlined in this report.

(f) Property

There are no property implications.

(g) Equalities

There is no Equalities impact arising from the recommendation for this report.

(h) Consultations

The Performance Management & Quality Assurance Officer and the Equal Opportunities Officer have been consulted in the preparation of this report and their comments have been incorporated in the report.

The Performance Management & Quality Assurance Officer has advised that the figures contained in Appendix 1 are referenced in performance reporting through Service Committees quarterly.

5. CONCLUSION

5.1 It is recommended that members:

- **Consider the content of the attached statistical analysis**
- **Consider the adoption of the proposed national performance indicators summarised at 3.4 below, and**
- **Approve the proposal to gather performance data for one year before setting local targets**

Authors of Report: Alan Smailes and Ivan Augustus

Background Papers:

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