



ORKNEY
ISLANDS COUNCIL

Annual Complaints Handling Report 1 April 2019 to 31 March 2020

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1. Introduction

1.1. Local authorities in Scotland have adopted the Model Complaints Handling Procedure produced by the Scottish Public Services Ombudsman (SPSO) to ensure that there is a standardised approach across all Scottish councils, to implement a consistent process for customers to follow which makes it simpler to complain, to ensure staff and customer confidence in complaints handling and to encourage organisations to make the best use of lessons learned from complaints.

1.2. The Indicators within this report have been produced by the SPSO in consultation with local authority stakeholders and Audit Scotland.

1.3. The points below are key to a successful complaints process:

1.3.1. We should:

- Identify service failures and take appropriate action.
- Identify where services need to improve.
- Identify poor complaints handling practice and put it right.
- Examine good practice and understand how we might repeat it in other areas.
- Identify trends in complaints and proactively address any issues.

1.4. The Model Complaints Handling Procedure sets out three types of complaint:

- **Frontline Resolution Stage One:**

- Frontline resolution should be attempted where there are straightforward issues potentially easily resolved with little or no investigation. This should be completed within 5 working days.

- **Investigation Stage Two:**

- Where complaints cannot be resolved at the frontline stage or where complaints are complex, serious or high risk, a thorough investigation will be undertaken. This typically requires more thorough examination in order to establish facts prior to reaching a conclusion. This should be completed within 20 working days.

- **Escalated Investigation Stage Two:**

- Where the complainant remains dissatisfied with the way the Council dealt with their complaint at frontline resolution, the complainant can request a detailed investigation under stage two of our complaints handling procedure. This must be undertaken before the complainant can take their complaint to the SPSO to review.

1.5. Until 31 March 2018, Social Work services had a different Complaints Handling Procedure. Since 1 April 2018, local government social work teams now use the Model Complaints Handling Procedure.

1.6. The Local Government Network of Complaints Handlers has Family Groups which bring together broadly similar councils. Orkney Islands Council is part of Family Group One (FG1) with Shetland Islands Council, Scottish Borders Council, Aberdeenshire Council, Comhairle nan Eilean Siar, Argyll and Bute Council, Dumfries and Galloway Council and Highland Council. Throughout the report, the statistics for Orkney Islands Council have been compared with the average for Family Group One in 2018/19 because not all the figures for 2019/20 are available yet.

2. Executive Summary

- The number of complaints received in 2019/20 was 121, which is higher than the previous year (101).
- The Council responded to 77% of complaints within the target times, which is a significant improvement on the figure for 2018/19 (62%).
- 57% of complaints handled at Stage Two (requiring investigation) were responded to within the target time. This is less than 2018/19 when 62% were responded to on time, but still a significant improvement on the 2017/18 figure when only 33% of Stage Two complaints were responded to on time. However, only 6% of Complaints were handled at Stage 2.

3. Indicators

3.1. Indicator 1: Number of Complaints received per 1,000 population

The population of Orkney is about 22,190.

In 2019/20, the Council handled 121 new complaints from service users. This means that, on average, 5.5 complaints were received per 1,000 residents in Orkney.

Expressed in another way, 1 in every 183 residents registered a complaint about the Council's services.

Comment

This is identical to the average for FG1 (2018 to 2019 figures).

3.2. Indicator 2: Number of Closed Complaints

In 2019/20, the Council received 121 complaints and concluded the responses to 119 complaints. The Council aims to resolve complaints as soon as possible. Complaints that do not need investigation are called Stage One and the Council aims to resolve these within 5 working days. 88% of the complaints received by the Council (105) were determined at this initial stage.

Some complaints are more complex and need investigation and the Council aims to resolve these within 20 working days. These are called Stage Two complaints and 6% of the Complaints received by the Council (7) were dealt with at this Stage.

A further 6% of complaints (7) were initially dealt with as a Stage One complaint and then 'escalated' to a Stage Two complaint because it was decided that further investigation was needed.

Comment

The Council is satisfied that the vast majority of complaints were able to be determined under Stage One.

3.3. Indicator 3: Number of Complaints Upheld, Not Upheld or Partially Upheld at Each Stage

Stage One

- 54% of Stage One complaints were upheld (Family Group 1: 35%).
- 33% were not upheld (FG1: 52%).
- 12% were partially upheld. (FG1: 13%).

(Percentages are rounded up and down, and therefore may not appear to add up to 100%).

Stage Two

- 0% of Stage Two complaints were upheld. (FG1: 21%).
- 43% were not upheld. (FG1: 63%).

- 57% of complaints were partially upheld. (FG1: 16%).

Escalated complaints

- 29% of escalated complaints were upheld. (FG1: 28%).
- 14% were not upheld. (FG1: 52%).
- 57% of complaints were partially upheld. (FG1: 21%).

3.4. Indicator 4: Average Number of Working Days to Provide a Full Response to Complaints at Each Stage

Stage One: average response time was 4 days (was 6.3 days for the Council in 2018/19, 8 days for FG1 in 2018/19).

Stage Two: average response time was 32 days (was 23.5 days for the Council in 2018/19, 18 for FG1 in 2018/19).

Escalated cases: average response time was 23 days (was 17 days for the Council in 2018/19, 20 FG1 in 2018/19).

3.5. Indicator 5: Number and Percentage of Complaints Which Were Closed Within the Set Timescales (5 working days for Stage One, 20 working days for Stage Two)

Stage One: 81% (was 63% for 2018/19).

Stage Two: 57% (was 62%).

Escalated complaints: 43% (was 100%).

Total for all complaints: 62% (was 62%).

Comments for 3.4 and 3.5

There has been a significant improvement in the response times for Stage One complaints. The times to respond to Stage Two and Escalated Complaints have increased and a priority for the Council's Complaints Officers Group will be to increase the proportion of these categories of complaints that are responded to within the deadlines.

3.6. Indicator 6: Number and Percentage of Complaints at Each Stage Where an Extension to the 5 or 20 Working Day Timetable Has Been Authorised

Stage One: 19% of complaints closed at stage one were granted an extension of time to reply (was 37% for 2018/19).

Stage Two: 43% of complaints closed at stage two were granted an extension of time to reply (was 38.5% for 2018/19).

Escalated cases: 57% of escalated complaints were granted an extension of time to reply (was 0% for 2018/19).

Comments

The Council is satisfied that the overall number of complaints being dealt with promptly is increasing. However, as indicated above, a number of complaints that are complex, serious or high risk, i.e. requiring a thorough investigation, are taking longer to resolve. The view of the SPSO remains that it is important that a complaint is investigated properly and fully even if this sometimes means that they take longer to resolve than less complex complaints.

3.7. Indicator 7: Customer Satisfaction with the Complaints Handling Process

Not as many Feedback Forms as the Council would have wished were able to be sent to complainants at the end of the Financial Year (i.e. 31 March 2020) in light of competing priorities arising from the Covid-19 Pandemic. Nonetheless, seven Feedback Sheets were received by the Council.

Five complainants said that the complaint had been resolved completely and that the staff who dealt with the complaint were very helpful.

One complainant had said that the problem had been partially resolved and that the staff who dealt with the complaint were reasonably helpful.

One complainant said the complaint had not been resolved at all and that the staff who dealt with the complaint were not helpful at all.

Comments

Seven Feedback Sheets are insufficient to enable a reasonable view to be formed on how the public view the Authority's handling of complaints. The Council will ensure that Feedback Sheets are issued throughout the year so that there is a greater number of responses to consider.

3.8. Indicator 8: Learning from Complaints

Lessons learnt from handling complaints are reported to the Council's Senior Management Team (the Chief Executive, the four Executive Directors, the Head of Executive Support and the Head of Finance) every quarter.

Complaints Officers in the different services provide feedback to their colleagues on any lessons learnt that relates to their services.

The Complaints Handling Procedure helps Council staff better understand how the way they deliver their services affects service users. It helps the Council improve how it provides services and its communication with service users.

Most of the lessons learnt related to the work of different small teams of staff delivering many different services to residents, but for those teams, the lessons were very valuable:

- The feedback from members of the public helped staff understand that the way they deliver information to members of the public can sometimes be even more important than the substance of the information and as a result the relevant

members of staff have worked to improve the way in which they communicate with the public. These concerned both written and verbal communications.

- The Housing Team received a number of complaints about repairs. Some of these related to the quality of the work, which were straightforward to resolve but others were about communication, especially from Contractors engaged by the Council. Contractors were reminded of the importance of keeping tenants up to date with progress with repairs and of providing tenants with appropriate notice of when they would be in attendance.
- A number of services received complaints because they had not responded to email messages from members of the public. The messages had gone to Junk Folders and these services now regularly check these Folders.
- The team leading on the Customer Service Platform have found the feedback from the public very helpful in improving the service, including feedback received via complaints.

The Council also received complaints regarding the steps it took to ensure that the county's graveyards were made safe. These led to the Convener and the Chief Executive making public apologies and an investigation by the Council's Internal Audit Service being instructed. The Internal Audit Report made 22 recommendations that were accepted by the Council.