

Aberdeenshire Council Complaints Performance Report 2019-2020

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Chief Executive's Foreword

Thank you for taking the time to read Aberdeenshire Council's seventh annual Complaints Report. Scotland's public sector has a duty to the people it serves, and part of that duty involves responding positively to complaints. This report provides information on dealing with complaints from our customers between 1 April 2019 and 31 March 2020.

Aberdeenshire Council provides the highest possible quality of service to our customers and service users and in this report, you will find details of how we have performed in dealing with complaints along with the outcomes of investigations.

We appreciate that we are not going to be able to resolve every complaint to the satisfaction of every complainant and not every complaint is upheld. However, when we hear our services have fallen below the standards expected, it is disappointing to know that we may have let down the people who matter most, our customers and communities. It is this valuable feedback that enables us to continuously review and identify where we can do things better. I am pleased to see work practices modified as a result of a complaint, which I feel shows we are listening to our communities when they are not happy.

We take our commitment to the Scottish Public Services Ombudsman (SPSO) framework seriously. As in previous years, the report provides information based on key performance indicators which every Local Authority in Scotland reports on, the details of which are submitted to and collated by the Scottish Public Services Ombudsman (SPSO) annually. We also include information about how we compare to other Local Authorities similar to us, as we are always keen to benchmark and learn from others.

I hope you find this latest report of interest.

Jim Savege
Chief Executive

Our Complaints Performance

Aberdeenshire Council publishes its performance of complaints handling to provide assurance in relation to our performance, to deliver continuous improvement, and to assist in benchmarking between local authorities.

The reporting of complaints is monitored by Audit Scotland in conjunction with the Scottish Public Services Ombudsman (SPSO) and in line with the principles of the Best Value arrangements.

The council's Complaints Procedure (CHP) and the performance indicators below, adhere to the requirements set out by the SPSO's Model Complaints Handling Procedure.

Aberdeenshire Council defines a complaint as:

“Any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf.”

The council aims to resolve complaints quickly and close to where the service is provided:

- Stage one – Front line resolution: aiming to resolve complaints quickly and close to where we provided the service within five working days.
- Investigation stage (Stage two) deals with two types of complaints: those that have not been resolved at Stage one and those that are complex and require detailed investigation.
- After the council has fully investigated the complaint, and if the customer is still not satisfied with the decision or the way the council dealt with the complaint, the complaint can then be referred onto the SPSO.

We publish complaints performance information quarterly and annually.

The following complaints management performance information outlines the council's annual performance for the year 1 April 2019 and 31 March 2020.

Complaints are a key way for local authorities to learn about services that are not working well and to use that feedback to make improvements. Our Service Management teams analyse complaint report information along with SPSO recommendations to ensure that they are incorporated into service business plans. Customer feedback is an opportunity to encourage real organisational learning, so repeat failings no longer occur.

There is also evidence that, as well as providing accountability and other clear benefits for service users, getting things right early saves money for the public purse. Incorporating complaint analysis findings into our day to day business activities ensures that the services we provide are high quality, continually improving, efficient, and responsive to our residents and service user's needs.

How Customers Complained

In 2019-20, we closed **1891** complaints from customers who chose the following ways to contact us with a complaint:

62 In person (2018/19: 63) In person at any of our Customer Service Points, Area Offices, Libraries and other council offices.

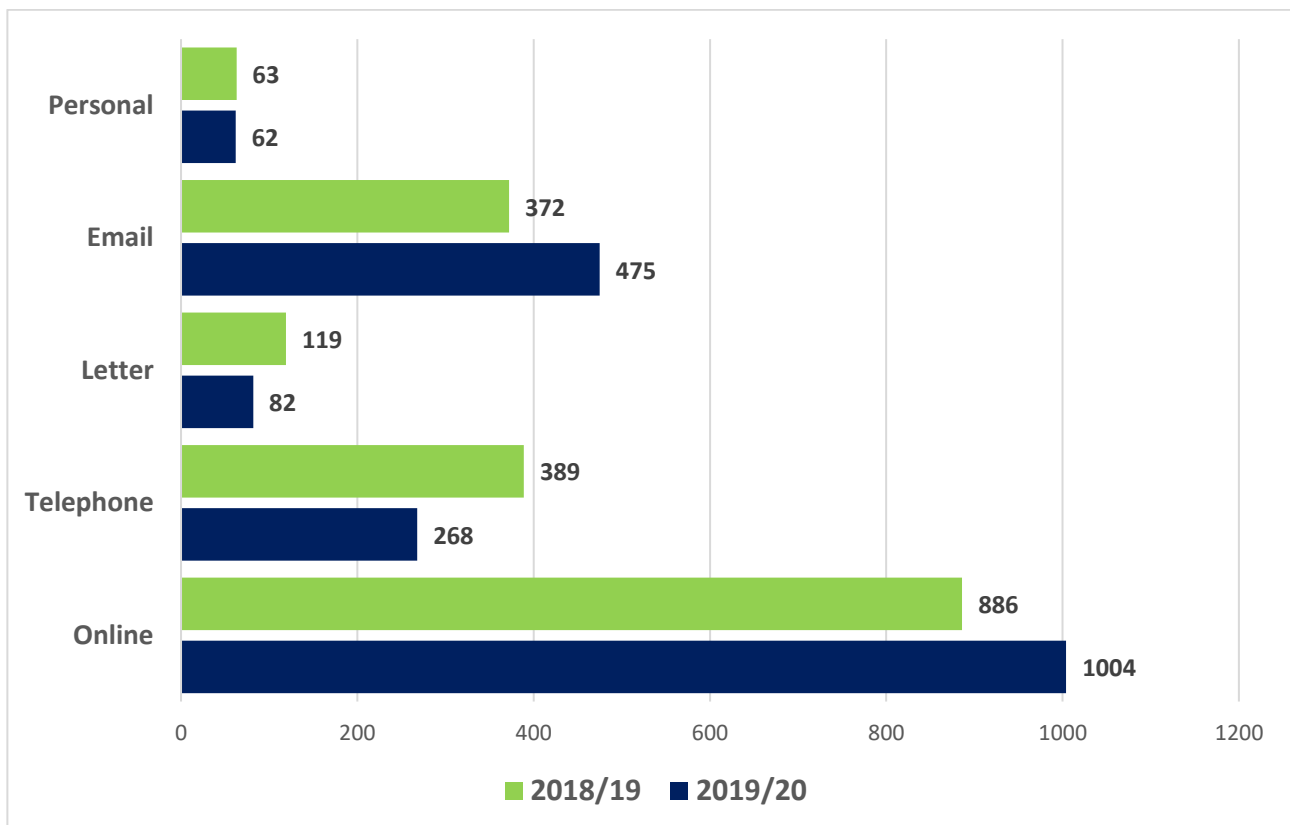
475 Email (2018/19: 372)

82 Letter (2018/19: 119)

268 Telephone (2018/19: 389) To our Contact Centre, Feedback Team or any service

1004 Online Form (2018/19: 886) Using the online form on our website

In comparison with last year and previous years, we can see that there has been a big change in the way our residents have chosen to contact us. The biggest change can be seen by the increase in customers choosing to use newer methods of contact such as the online form and email, and using less of the more traditional methods of contact, in person, by phone or by letter.



Indicator 1: Complaints received and closed per 1,000 population

This indicator records the total number of complaints received by Aberdeenshire Council in the period between 1 April 2019 and 31 March 2020. To allow for a fair comparison across all 32 councils in Scotland, the figure of complaints per 1000 of population is used.

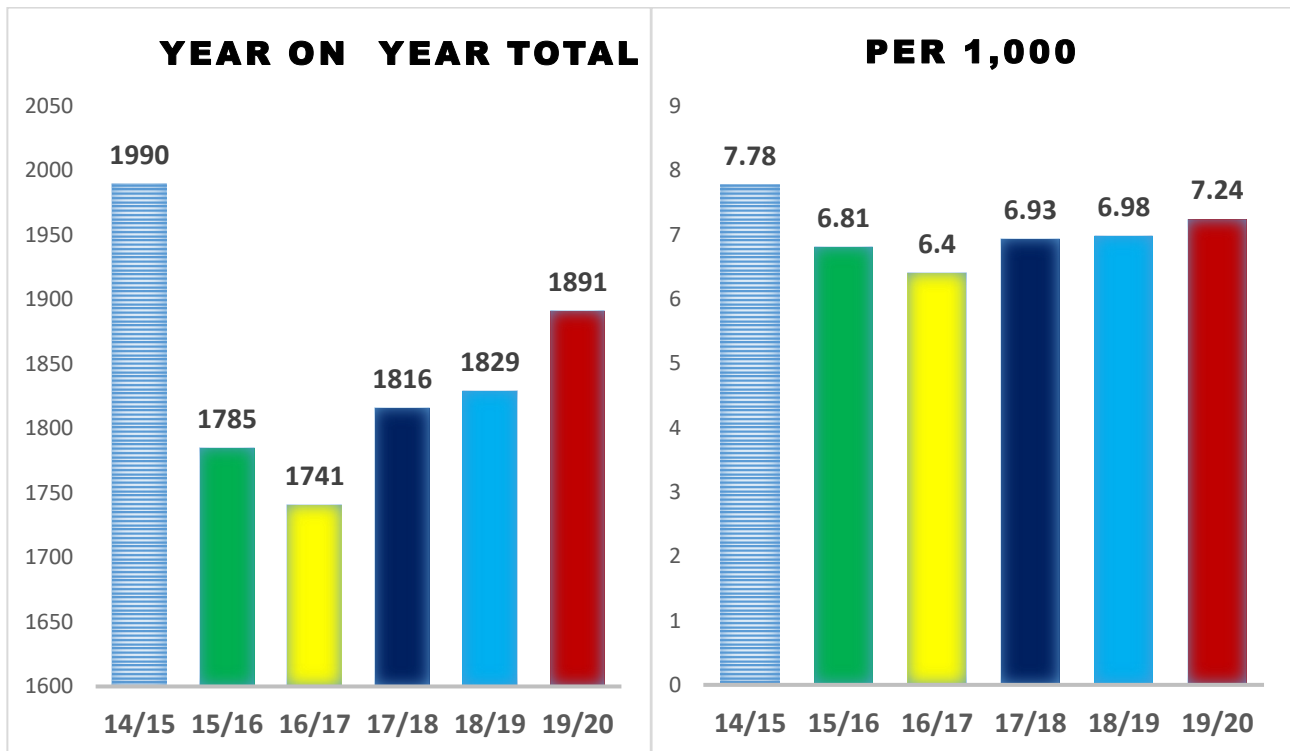
The population of Aberdeenshire is **261,210** **

In 2019/20 we closed **1891** complaints for this period. This was 62 more than last year (18/19 - 1829)

This means that an average of **7.24** complaints were received per 1,000 residents.

	Total Complaints Closed	Per 1,000 Population
16/17	1741	6.4
17/18	1816	6.93
18/19	1829	6.98
19/20	1891	7.24

** Population is taken from the National Records Office for Scotland Mid-2019 Population estimates. www.nrscotland.gov.uk/statistics-and-data



Indicator 2: Closed complaints

This indicator provides information on the number of complaints closed at Stage One and Stage Two as a percentage of all complaints closed.

	Stage One (Frontline Resolution)	Stage Two (Investigation)	Stage Two Escalated (Ombudsman)
16/17	1061	680	30
17/18	1219	597	53
18/19	1230	599	51
19/20	1452 (+)	439 (-)	40 (-)

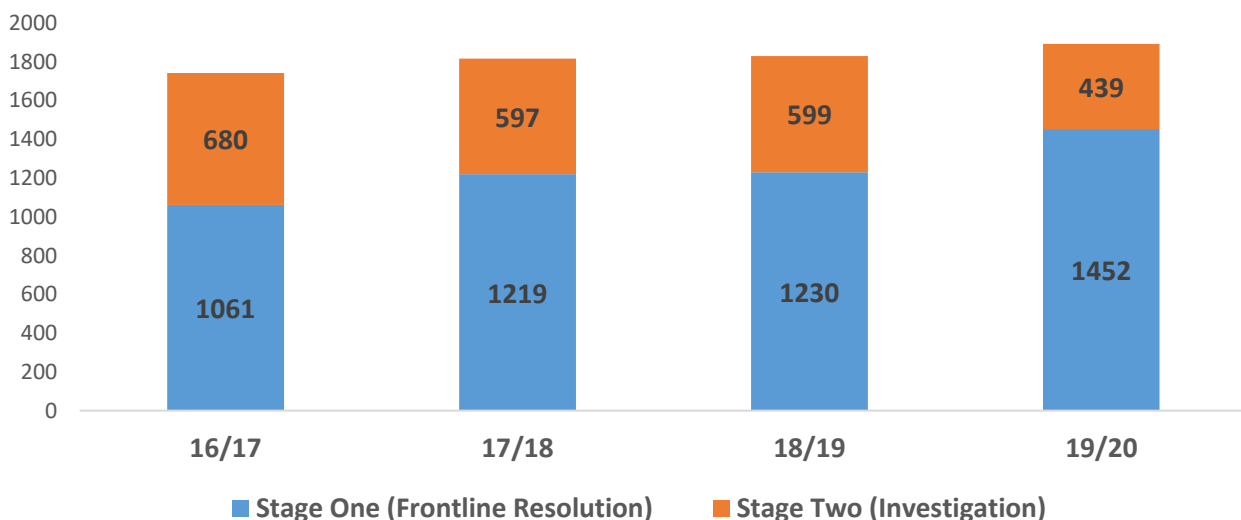
The term “closed” refers to any complaint where a response has been sent to the customer and at the time no further action is required.

77% of complaints were dealt with at Stage One at the customer’s first point of contact with a frontline member of staff. **23%** of the remaining complaints were resolved at Stage Two, the Investigation stage.

Compared to last year 18/19: 67% dealt with at Stage One and 33% dealt with at Stage Two.

We aim to deal with and resolve as many complaints as is appropriate at Stage One of our procedure, as this better for our customers and service users – resolving complaints as quickly and as close to the first point of service as possible. Over the financial year only **2%** of customer complaints have escalated to the Ombudsman.

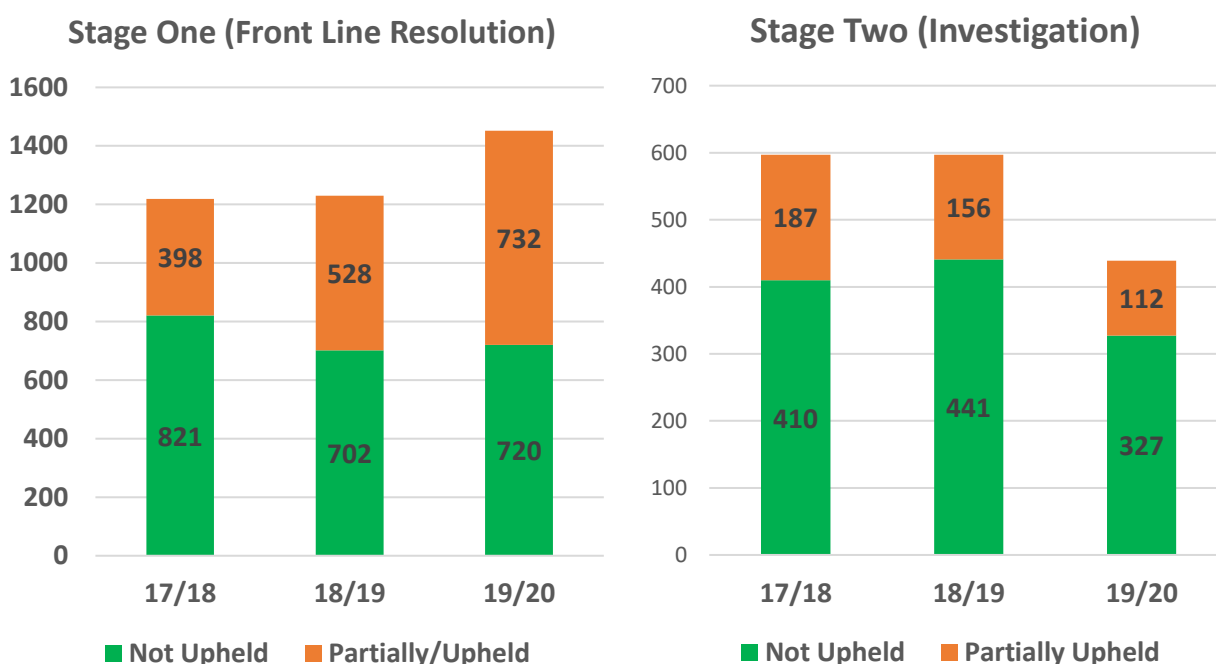
Complaints received by stage



Indicator 3: Complaints upheld, partially upheld and not upheld

There is a requirement for a formal outcome to be recorded for each complaint. These outcomes are “upheld”, “partially upheld” or “not upheld”. If it were found that procedures had been followed or the service was provided as expected, a complaint would be recorded as “not upheld”. However, if this were not the case the complaint would be recorded as “upheld”. Where there are several points to a complaint and the decisions are a mixture of “upheld” and “not upheld”, the complaint is recorded as “partially upheld” overall.

The charts below show the number of complaints upheld, not upheld and partially upheld at each stage of the complaint procedure.



The figures for 2019-20 highlighted an increase in the number of complaints which were upheld during this financial year for Stage One complaints. Whereas Stage Two complaints has seen a decrease in upheld complaints for the third year in succession. In handling complaints, Aberdeenshire Council seeks to recognise and solve problems as close to the frontline provision of service as possible and within a short timeframe. The increase in upheld Stage One complaints indicates that services are acknowledging failures and resolving complaints early, without complaints either being escalated or reaching a level of seriousness or complexity where a Stage Two complaint response is required.

Stage Two Escalated (Ombudsman)				
	Not Upheld	Partially Upheld	Upheld	Not Taken Further
17/18	4	4	0	45
18/19	2	0	2	47
19/20	0	1	2	37

In addition to the above **3** cases that escalated to the Ombudsman 19/20, there were a further **37** cases brought to the Ombudsman where complainants asked them to review our

handling of their complaint and/or our decision following the completion of our Complaints Handling Procedure, as they remained dissatisfied.

On review the Ombudsman advised that they would not take their complaints any further as they could find no maladministration on our part, or that they were unable to achieve the outcome that the complainant was looking for.

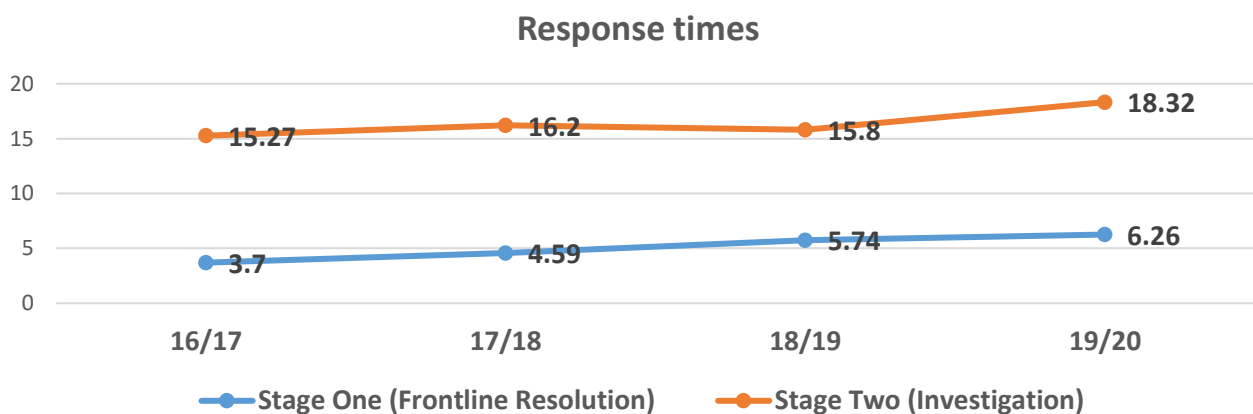
Therefore, a total of **40** cases were decided upon last year with 93% of cases not being taken further.

Indicator 4: Average Times

- We aim to respond to and close stage one complaints within 5 working days.
- We aim to respond to and close stage two complaints within 20 working days.

Indicator 4 represents the average time in working days to close complaints at Stage One and Stage Two. Most complaints are resolved within the first 5 days, within the CHP’s aims. Service areas where this is not the case are those where the nature of the complaints tend to be more complex and therefore take longer to investigate and come to an agreeable resolution.

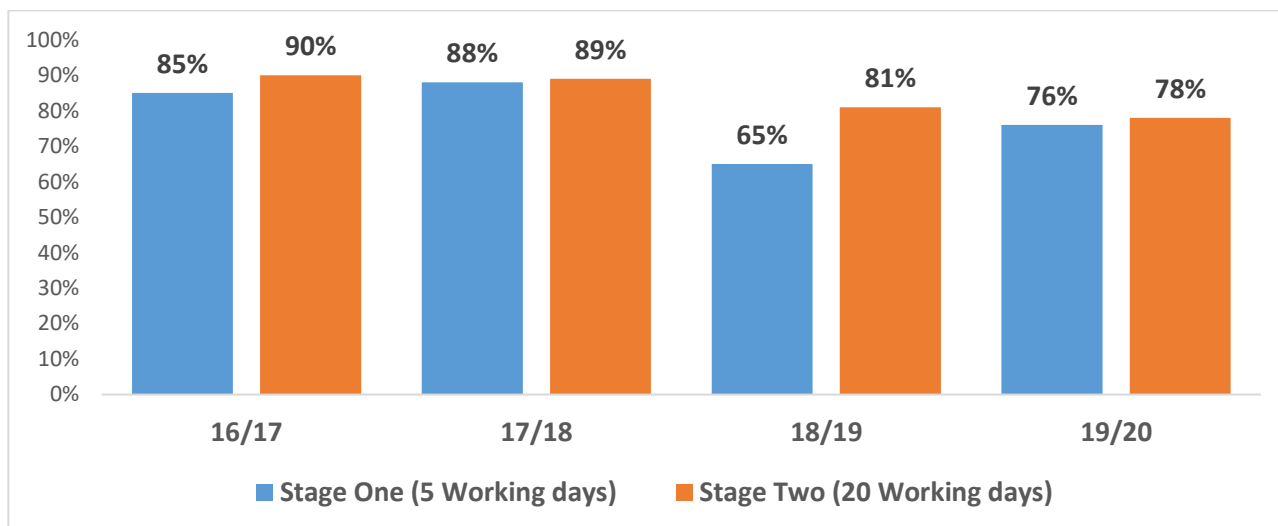
	Stage One (Frontline Resolution)	Stage Two (Investigation)	Stage Two Escalated (Ombudsman)
16/17	3.70	15.27	N/A
17/18	4.59	16.2	N/A
18/19	5.74	15.8	N/A
19/20	6.26	18.32	N/A



Indicator 5: Performance against timescales

This is the number and percentage of complaints at each stage which were closed in full within the set timescales of 5 and 20 working days.

The council have performed well in closing the majority of frontline Stage One complaints (76%). A slight increase of quicker responses on the year before.



Indicator 6: Number of cases where an extension has been authorised

An extension to the timescales is authorised in certain circumstances. This is the number and percentage of complaints at each stage where an extension to the 5 or 20 working day timeline has been authorised.

	Stage One (5 Working days)	Stage Two (20 Working days)
16/17	157	70
17/18	150	64
18/19	84	39
19/20	89	66

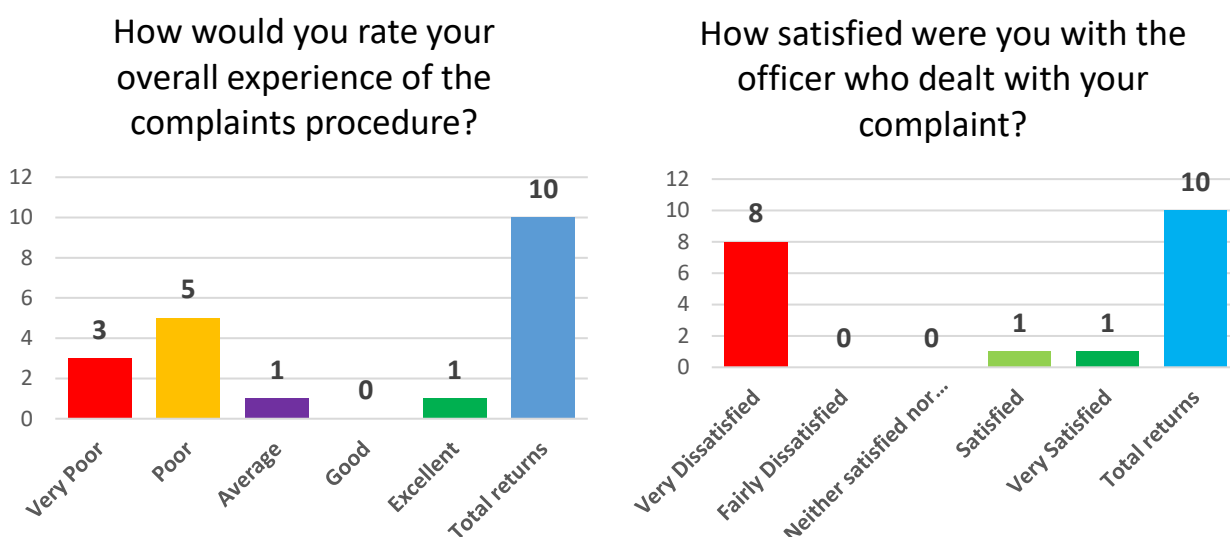
6% of all Stage One complaints (89 out of 1452) were given an authorised extension as outwith the target timescale of 5 working days. There are a variety of legitimate reasons (e.g. pending home visits, meetings or repairs) that may prevent these timescales being met without an extension being authorised.

15% of all Stage Two complaints (66 out of 439) were given an authorised extension as out with the target response time of 20 working days. Extensions in these cases are more likely to relate to the seriousness of the allegations, complexity in investigation, and a commitment of time and resources (interviewing staff, customers, witnesses, experts etc).

Indicator 7: Customer Satisfaction & Why customers complained

This indicator is an analysis of customer satisfaction with the complaints handling service provided. Consistently every year we continue to find that on analysis of the comments in conjunction with individual complaints, it is clear that the majority of those who have given negative feedback have not received the outcome to their complaint that they wanted. This may have led to negative feedback about the process, as they have not been able to separate the complaint experience - the way in which their complaint was handled - from the complaint itself and the complaint outcomes they had hoped for.

We also continue to find that, although we ask complainants to rate their experience with the way in which their complaint was handled, as opposed to the nature or outcome of their complaint itself, this is not always understood or adhered to, and this reflects in some of the comments and results.



Total surveys returned for 2019/20 was 10 which is disappointing and a considerable reduction on last year (38). However, this is largely attributed to services dealing with more Stage One complaints on their own and resolving through phone calls and visits, where the survey is only linked to emails and letters. Generally, the satisfaction level of customers was influenced by their complaint outcome. Customers who disagreed with the position of the council and the outcome of their complaint expressed low satisfaction levels.

Why Customers Complained

Below is the breakdown of complaints, per Service Directorate along with a selection of reasons for complaints.

Complaints received by Directorate			
Directorate	2018/2019	2019/2020	Trend
Business Services	258	274	▲
Education & Children's Services	389	356	▼
Health and Social Care	70	57	▼
Infrastructure Services	1112	1204	▲
Total	1829	1891	▲

Top 10 Topics of complaint	
Service standards	249
Missed refuse and recycling collections	136
Roads and footpaths	134
Primary schools	131
Parks and open spaces maintenance	97
Delay in providing service/repair times	95
Contact Centre call wait times	85
Council house refurbishment contracts	83
Staff behaviour	74
Swimming pools and leisure centres	57

Indicator 8: Learning from complaints

We take all complaints seriously and information gathered from complaints is indispensable in helping us to continuously improve our services. Since the implementation of the complaints procedure, we have made changes to our services and procedures as a result of complaints.

Learning Outcomes

Managers review complaints that are upheld or partially upheld to determine if change or improvement would prevent re-occurrence. When a complaint is upheld or partially upheld, the remedies offered will generally fall into one or more of the following four categories:

- Redress – Putting things right where they have gone wrong, admitting where mistakes have been made
- Reimbursement – Covering vouched actual costs incurred as a direct result of mistakes made by the council
- Reinforcement – Recognising that a correct council policy/procedure has not been followed or we have fallen short of what could be expected. Training and instructing staff to prevent re-occurrence
- Revision – Reviewing current practice to amend and improve working practices

In order to facilitate learning from complaints across the council, senior staff are given reports on the number of complaints received and closed during the preceding month. These reports highlight average response times for complaints closed by each service and also a breakdown on the number of complaints logged, including political area. This allows senior managers to establish any trends and identify possible areas for improvement.

Furthermore, quarterly reports are provided to each individual service outlining their own trends and response figures for the preceding three months of the financial year. These reports include the numbers of comments and compliments received also, to assist in service planning.

Case Studies

• **Case Study 1: Education – Failure to respond or action a complaint – SPSO - 201909673**

The Scottish Public Services Ombudsman (SPSO) investigated a complaint brought to them by complainant Mr B. They did not take the complaint forward nor did they offer any recommendations to the Council.

Mr B complained that the Council have not provided a suitable outcome to his complaint about his son's school following a disciplinary matter involving his son. He said that he felt the council had swept things under the carpet in an effort to protect a teacher that was involved. Mr B said he wanted the Council and the teacher to apologise to him and his son.

Following an investigation both the Council and the SPSO recognised the difficulties in determining a case that relied primarily on verbal evidence. Having received differing accounts of events from those present, the council advised Mr B that they could not uphold his complaint. However, the Council recognised the need to improve their reporting system for any similar events in future and resolved to implement changes. While Mr B was unhappy with the outcome, the SPSO agreed that the council's handling of the case was reasonable and did not consider Mr B's disagreement to have cast doubt on the reasonableness of their response, while acknowledging the difficulty in establishing the truth of the incident in question.

The handling of this complaint highlights the importance of good record keeping. It serves as a good example of where the service fully investigated a complaint, followed the correct procedures and sought further advice where necessary in order to address the concerns raised by Mr B. The SPSO said they were satisfied the Council carried out the actions they would expect when investigating a complaint such as this.

• **Case Study 2: Health and Social care – Service Provision – SPSO - 201905929**

The Scottish Public Services Ombudsman (SPSO) investigated a complaint brought to them by a complainant, Mr C. They did not take the complaint forward nor did they offer any recommendations to the Council.

Mr C was unhappy that the Council could not provide the same Health Care services he believed a neighbouring council could provide. The council response to Mr C apologised for the fact that the information on their website led to his understanding about what level of service the council could provide. The response explained the service Mr C hoped for was not deliverable given the rural nature of the community and also detailed the various efforts the Council made to provide additional support in the community, that Mr C had not participated in. The SPSO looked into Mr C's concerns and agreed that the Council's response appeared reasonable despite the fact they could not provide Mr C's desired resolution.

This is a good example of where the Council carried out a thorough investigation of a complaint, explained their reasons clearly to the complainant and gave advice on alternative

sources of support. Following a review by the SPSO, they confirmed that they were satisfied with the Council's response and would not be taking the case any further.

• **Case Study 3: Children's Services - Family Support - SPSO – 201903909**

Mrs A was concerned about the support they received from the Children and Families Social Work Team regarding concerns about their child (Child A), particularly following Child A running away from the family home.

The SPSO took independent social work advice. They found that social work did not act appropriately on a Getting it Right for Every Child (GIRFEC) referral from a GP; no call was made to a neighbouring social work office to investigate Child A's living situation; there was no closing summary to explain why it was considered appropriate to close the case to social work; the social worker in training did not appear to have been regularly supervised by a manager; and the council's own investigation did not identify the failings in the support provided to Mrs A and Child A.

Therefore, the SPSO upheld Mrs A's complaint and made some recommendations, some of which were:

- Apologise to Mrs A and Child A for failing to provide reasonable support
- Closing summaries should be completed to explain why it is considered appropriate to close a case to social work
- Social workers in training should receive regular supervision with a manager
- When a GIRFEC referral is received, the GIRFEC practice model should be implemented, and consideration should be given to holding a multi-agency meeting to assess the risk to the child and consider what level of help is required
- Where a child refuses to return home and chooses to live elsewhere, reasonable efforts should be made to investigate the suitability of that living situation

This is a good example of where the Council have learned from the feedback following the recommendations made by the SPSO and implemented changes as a result, to improve the service they provide their service users.

• **Case Study 4: Housing – Repairs and Maintenance – SPSO - 201810874**

Mr D complained about the council's response to his reports about the high electricity usage at his property. Following the SPSO's enquiries, the council acknowledged that there was a note within their records to fit an E10 timer at Mr D's property which was not actioned and would have resulted in additional cost to Mr D. The council said they were willing to offer Mr D a letter of apology and compensation. Mr D accepted this as a resolution to his complaint and as a result the SPSO concluded the complaint was closed on that basis.

This is a good example of the Council willing to put actions in place to help support the complainant, work with the SPSO to resolve matters and achieve a quick and agreeable outcome for the complainant.

• **Case Study 5: Sheltered housing – Community Care – SPSO - 201802334**

Mr E complained that the council failed to provide a reasonable level of housing support. Mr E lives in sheltered accommodation and had experienced some significant problems with his property since moving there. Mr E said that the Sheltered Housing Officer (SHO) was not on site enough and felt that he should not have to pay the housing support charge. The council had numerous meetings with Mr E and invested a considerable amount of time to try to resolve his complaint, and provided apologies for the problems he had experienced with his tenancy.

The council said that a breakdown of the care and support charges was clearly itemised on the Tenancy Agreement Mr E had signed. They also explained that the SHO was not on site all of the time but should be available to respond on the telephone if called upon. They also said that when Mr E moved into sheltered housing, he requested not to have contact with a SHO. Based on the available evidence, once the SPSO investigated they did not uphold this aspect of Mr E's complaint.

Mr E had also complained about the tone of some of the council's complaint correspondence. While the SPSO acknowledged that Mr E was upset by some of the content of the correspondence, they noted that the council were entitled to seek to limit communication where a matter has already exhausted their complaints process. The SPSO found that the council's handling of the complaint was reasonable and therefore, did not uphold this aspect Mr E's complaint.

This is another good example of where the handling of this complaint highlighted the importance of good record keeping, where the service fully investigated a complaint, followed the correct procedures and sought to do all they could to address the concerns raised by Mr E and apologising where it was appropriate to do so.

• **Case Study 6: Education – Alleged bullying – SPSO - 201810121**

This was a challenging case for the service to deal with given the history of the complainant and where, even though there was disagreement with some of the SPSO's decision making, the service were still able to learn from the experience and implement changes as a result.

Ms B complained that the Council failed to take appropriate action in response to reports of bullying of her children at primary school. Ms B said that the reports of bullying were not investigated appropriately and the council denied that many of them occurred.

The SPSO's investigation considered both Ms B's and the Council's records of Events. They recognised that the case was one that had been difficult for all involved, but found that the Council had not always appropriately logged incidents in line with their policy. The SPSO also found that on some occasions, though the school investigated incidents, they did not communicate with Ms B regarding the investigations. On this basis, they were unable to conclude that the Council had taken action in line with their anti-bullying policy and upheld the complaint and made some recommendations.

Ms B also complained about the Council's communication during the complaint process.

Having reviewed the correspondence, the SPSO found that the Council corresponded appropriately with Ms B, and handled the complaints in line with the complaint process. They did not uphold this aspect of Ms B's complaint.

Scottish Public Services Ombudsman/Benchmarking

Complaints benchmarking with other authorities in Family Groups is ongoing and meetings have been held with the Local Authority Complaint Handlers Network (LACHN) and the Improvement Service regarding this.

Links to all Annual Complaints Reports for Local Authorities in Scotland can be accessed via the SPSO Valuing Complaints Website which can be found at the following link:

<https://www.spsso.org.uk/local-authority-complaints-reporting>

Average Family Group statistics are provided below, to provide a benchmark to the performance of Aberdeenshire Council:

	Aberdeenshire 19/20	Family Group 18/19	Scottish Average 18/19
Complaints per 1,000 population	7.24	6.1	10.76
Complaint Outcomes			
Stage One – Partially & Upheld	50%	46%	66%
Stage One – Not Upheld	50%	18%	33%
Stage Two - Partially & Upheld	26%	37%	54%
Stage Two – Not Upheld	74%	63%	46%
Average Response Time (in days)			
Stage One (5 day target)	6.26	8.5	8.1
Stage Two (20 day target)	18.32	18	23.8
Performance Timescales			
Stage One	76%	66%	63%
Stage Two	78%	78%	76%

Aberdeenshire Council continues to perform well when benchmarked against the average Family Group and Scottish average findings. Work continues through the LACHN group to identify opportunities for learning and improvement.

Revised Model Complaints Handling Procedure for Local Authorities

The SPSO published a revised Model Complaints Handling Procedure (MCHP) for Local Authorities on 31 January 2020 to be implemented by 1 April 2021.

Work is under way to implement this for Aberdeenshire Council and compliance will be monitored as normal by the SPSO through their investigation, improvement and standards work.

The SPSO consulted on the update and revision of the MCHPs across all sectors (except the NHS) through a survey in December 2018/2019. This survey was sent to organisations under the SPSO's jurisdiction and publicised in the SPSO's newsletter and at complaints handling network meetings. The SPSO received responses from 156 organisations.

Following consultation, the MCHPs were revised to:

- standardise the core text across all of Scotland's public services – this will remove (and future-proof against) minor inconsistencies in how the MCHP operates within different sectors, while retaining individualised sector specific content where appropriate
- update the content in line with feedback from organisations under SPSO's jurisdiction (via the consultation survey, feedback on the draft, and individual feedback from contacts with SPSO)
- issues identified from our casework, and
- recent research and good practice in relation to using alternative resolution approaches, promoting positive complaint behaviours and improving access to complaints for vulnerable groups

The MCHP for local authorities is available at

<https://www.spsos.org.uk/the-model-complaints-handling-procedures>.

Complaints performance indicators

The Model Complaints Handling Procedure (MCHP) requires organisations to report on and publish complaints performance information in line with complaints performance indicators published by the SPSO.

The SPSO is currently developing a new set of complaints performance indicators for each sector in consultation with the complaint handling networks. This will include a core set of performance indicators, which are consistent across all public services, with some additional performance indicators for those sectors which currently undertake benchmarking through their complaint handling network.

Due to delays caused by the Covid-19 pandemic, we are waiting updates on this work.

Contact Us

If you would like to find out more about our complaint's procedure, or about our annual report, or provide any feedback on this, please contact us.

Email: feedback.team@aberdeenshire.gov.uk

Log on to: <https://online.aberdeenshire.gov.uk/haveyoursay/>

Phone: 01224 435 990

In writing to: Feedback Team, Aberdeenshire Council
Woodhill House
Westburn Road
Aberdeen AB16 5GB