

South Ayrshire Council

Report by Chief Governance Officer to Service and Partnerships Performance Panel of 19 November 2024

Subject: Complaints – Scrutiny Update
Period: 1 April to 30 September 2024

1. Purpose

- 1.1 The purpose of this report is to provide Elected Members with complaints performance information for the period from 1 April to 30 September 2024 and compares performance to the same reporting period in 2023. It reflects the statutory reporting categories required by the Scottish Public Services Ombudsman (SPSO), as well as information on how we improve our services following Stage 2 and Ombudsman complaints.

2. Recommendation

2.1 It is recommended that the Panel:

2.1.1 scrutinises the contents of this report; and

2.1.2 requests a further report to a future meeting of the Panel providing an update on the Council's complaints performance during the period 1 October 2024 to 31 March 2025.

3. Background

- 3.1 Our complaints procedure Listening to You, has 2 Stages. We expect most complaints received to be resolved at Stage 1. If a customer remains dissatisfied after Stage 1, they can escalate their complaint to Stage 2. If an initial complaint is complex enough to require detailed investigation, it will be handled at Stage 2 from the outset. If the complainant is not satisfied with their response at Stage 2, the next Stage in the Complaints Handling Procedure is for the complainant to approach the Scottish Public Services Ombudsman and ask that they carry out an independent review into how the Council have investigated their complaint.
- 3.2 In April 2022 the SPSO amended their key performance indicators (KPIs) for Complaints Performance. The SPSO has indicated that the consistent application and reporting of performance against these KPIs can be used to compare, contrast and benchmark complaints handling with other organisations and will help share learning and improve standards of complaints handling performance.

- 3.3 The number of mandatory KPIs has been reduced by the SPSO from eight to four. The four mandatory SPSO KPIs formed part of the previous eight mandatory SPSO KPIs. These are:
- **Indicator One: The Total Number of Complaints Received**
 - **Indicator Two: The Number and Percentage of Complaints at Each Stage that were closed in full within the set timescales of five and 20 working days.**
 - **Indicator Three: the average time in working days for a full response to complaints at each Stage.**
 - **Indicator Four: The Outcome of Complaints at Each Stage**
- 3.4 Further information on the changes made by the SPSO to Complaints KPIs can be found at: [Complaints KPIs for MCHPs \(spsos.org.uk\)](https://spsos.org.uk). Further detail on the mandatory reporting of Key Performance Indicators, information is included in [Appendix 1](#).
- 3.5 The following Report provides performance data on all Stage 1 and Stage 2 complaints closed from 1 April to 30 September 2024 and is based on updated SPSO reporting indicators, which are applicable to complaints from April 2022.
- 3.6 The Panel is asked to note that the following SPSO KPIs are no longer mandatory in terms of reporting Council complaints performance:
- **Complaints Received per 1,000 of the population.**
 - **Numbers of Complaints Where an Extension is Authorised**
 - **Customer Satisfaction**
 - **Learning from Complaints**
- 3.7 Performance information is however provided within this Report to members for these non-mandatory performance indicators, with comparison against the same reporting period in 2023.
- 3.8 [Appendix 1](#) provides an analysis of our complaints data measured against the SPSO's mandatory reporting KPIs for the period 1 April to 30 September 2024 and compares our performance to the same reporting period in 2023.
- 3.9 [Appendix 2](#) provides a breakdown of the reasons why complaints were raised against the Council, for the period 1 April to 30 September 2024. Please note the standard categories used for reasons for complaint are mandated by the Scottish Public Services Ombudsman and were updated in April 2024. Therefore, no comparative data is available.
- 3.10 [Appendix 3](#) provides analysis of our complaints data measured against the four non-mandatory reporting indicators, for the period 1 April to 30 September 2024 and compares our performance to the same reporting period in 2023.
- 3.11 [Appendix 4](#) outlines service improvement case studies relating to Stage 2 complaints that were upheld or partially upheld where a service improvement outcome was identified and implemented.

- 3.12 [Appendix 5](#) outlines details of complaints that have progressed to the SPSO during this reporting period, which have had recommendations made by the SPSO for the Council to improve service provision.
- 3.13 [Appendix 6](#) provides further information on Investigation complaints received by the Council that have been noted during the reporting period.
- 3.14 [Appendix 7](#) provides further information on the Scottish Public Services Ombudsman's Annual Statistics, comparing South Ayrshire Council performance to Councils with a similar demographic.
- 3.15 [Appendix 8](#) provides further information on statistics provided by the Scottish Public Services Ombudsman relating to the Scottish Welfare Fund.
- 3.16 [Appendix 9](#) provides information regarding complaints received following the International Air Show, during the reporting period.

4. Proposals

- 4.1 It is proposed that the Panel:
 - 4.1.1 scrutinises the contents of this report and identifies any performance concerns or required improvement actions.
 - 4.1.2 requests a further report to a future meeting of the Panel providing an update on the Council's complaints performance during the period 1 October 2024 to 31 March 2025.

5. Legal and Procurement Implications

- 5.1 There are no legal implications arising from this report.
- 5.2 There are no procurement implications arising from this report.

6. Financial Implications

- 6.1 Not applicable.

7. Human Resources Implications

- 7.1 Not applicable.

8. Risk

8.1 Risk Implications of Adopting the Recommendations

- 8.1.1 There are no risks associated with adopting the recommendations.

8.2 Risk Implications of Rejecting the Recommendations

- 8.2.1 There are no risks associated with rejecting the recommendations.

9. Equalities

- 9.1 The proposals in this report have been assessed through the Equality Impact Assessment Scoping process. There are no significant potential positive or negative equality impacts of agreeing the recommendations and therefore an Equalities Impact Assessment is not required. A copy of the Equalities Scoping Assessment is attached as [Appendix 10](#).

10. Sustainable Development Implications

- 10.1 **Considering Strategic Environmental Assessment (SEA)** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy, or strategy.

11. Options Appraisal

- 11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

12. Link to Council Plan

- 12.1 The matters referred to in this report contribute to Commitment 5 of the Council Plan: Stand up for South Ayrshire/ Increase the profile and reputation of South Ayrshire and the Council.

13. Results of Consultation

- 13.1 There has been no public consultation on the contents of this report.
- 13.2 Consultation has taken place with Councillor Ian Davis, Portfolio Holder for Finance, Human Resources and ICT, and the contents of this report reflect any feedback provided.

Background Papers: Report to Service and Partnerships Performance Panel of 21 November 2023 - [Complaints Scrutiny Update - Period 1 April to 1 September 2023](#)

Report to Service and Partnerships Performance Panel of 11 June 2024 - [Complaints Scrutiny Update – Period: 1 October 2023 to 31 March 2024](#)

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Date: 7 November 2024

Complaints Data Analysis Against SPSO Reporting Indicators

Please find below analysis of our complaints data measured against mandatory Scottish Public Services Ombudsman (SPSO) reporting indicators for the period 1 April to 30 September 2024 with comparison to the same reporting period in 2023.

Following on from changes to the Complaints Handling Procedure (CHP) in 2021, new reporting requirements were introduced by the SPSO which were applicable to complaints data from 1 April 2022 onwards. The SPSO's requirements for reporting and publicising complaints information requires all 32 local authorities in Scotland to use a standardised set of complaints key performance indicators (KPIs). There are now four mandatory KPIs which will be used in this and future reports. They are as follows:

- **Indicator One: The total number of complaints received.**
The sum of the number of complaints received at Stage 1 (including escalated complaints as they were first received at Stage 1), and the number of complaints received directly at Stage 2.
- **Indicator Two: The number and percentage of complaints at each Stage that were closed in full within the set timescales of five and 20 working days.**
The number of complaints closed in full at Stage 1, Stage 2 and after escalation within complaint timescales as % of all Stage 1, Stage 2 and escalated complaints responded to in full.
- **Indicator Three: The average time in working days for a full response to complaints at each Stage.**
The average (mean) time in working days to respond at Stage 1, Stage 2 and after escalation.
- **Indicator Four: The outcome of complaints at each Stage**
The number of complaints upheld, partially upheld, not upheld and resolved at Stage 1, Stage 2 and after escalation as % of all complaints closed at Stage 1, Stage 2 and after escalation.

SPSO Indicator One: the total number of complaints received.

		Total	Stage 1	Stage 2	Escalated
2023/24	01/04 – 30/09	325	266 (82%)	39 (12%)	20 (6%)
2024/25	01/04 – 30/09	298 ▼	209 (70%) ▼	58 (19.5%)▲	31 (10.5%) ▲

The Council received 298 complaints in this reporting period, which is a decrease of 27 complaints, compared to the same reporting period in 2023/24, i.e., a decrease of 8%.

Council services with the most significant *increase* in complaints are as follows:

- **Design Services** – 1,800% percentage increase in complaints, from 0 complaints in 2023/24 to 18 complaints in 2024/25. Complaints to this service relate to works undertaken to Gardenrose Primary School building and Victory Park, with the majority of cases relating to work undertaken to council properties.
- **Justice Services** – 400% increase from 0 complaints in 2023/24, to 4 complaints in 2024/25. Of these complaints, one related to inaccuracies recorded in a report and 3 related to different staff members, 1 of which was partially upheld and 2 were not upheld.
- **Revenues** – 75% increase in complaints, from 8 complaint in 2023/24 to 14 in 2024/25. This increase in complaints is because of changes in Council policy (Second Home Levy) and processes (Sheriff Officer now issuing notice of Summary Warrant).

Council services with the most significant *decrease* in complaints are as follows:

- **Planning** – 83% decrease in complaints, from 12 complaints in 2023/24 to 2 complaints in 2024/25. No specific trend has been identified for this reduction however the Planning & Building Standards Service has a continued focus on improving interactions with the public to ensure delivery of a quality service.
- **Building Standards** – 75% decrease in complaints from 4 complaints in 2023/24 to 1 complaint in 2024/25. No specific trend has been identified for this reduction however the Planning & Building Standards Service has a continued focus on improving interactions with the public to ensure delivery of a quality service.
- **Culture and Tourism** – 50% decrease in complaints from 22 in 2023/24 to 11 in 2024/25. A high number of complaints were received for this service in relation to the International Ayr Show - Festival of Flight 2023, particularly in relation to parking at the event. There has been a significant decrease in the number of complaints received regarding the same event in 2024.

SPSO Indicator Two: the number and percentage of complaints at each Stage that were closed in full within the set timescales of five and 20 working days.

		Stage 1	Stage 2	Escalated
2023/24	01/04 – 30/09	169 (64%)	30 (77%)	14 (70%)
2024/25	01/04 – 30/09	134 (64%) ◀▶	40 (71%) ▼	22 (71%) ▲

There has been a decrease in the performance against timescales for Stage 2 complaints. However, it should be noted that these statistics do not take into consideration extensions to timescales that can be added to allow a full and detailed investigation. When taking these extensions into account, 77% for Stage 1 complaints and 79% for Stage 2 complaints were issued on time.

SPSO Indicator Three: the average time in working days for a full response to complaints at each Stage.

		Stage 1	Stage 2	Escalated
2023/24	01/04 – 30/09	6 ▲	17	15
2024/25	01/04 – 30/09	6 ◀▶	20 ▲	17 ▲

The average time to respond to a Stage 1 complaint has remained at 6 working days which is out with the 5 working day timescale expected for Stage 1 complaints. There has also been an increase in average time in working days for Stage 2 and Escalated complaints. However, both remain within the 20-working day timescale for Stage 2 complaints.

SPSO Indicator Four: the outcome of complaints at each Stage

Outcome of Complaints Closed at Stage 1

		Upheld	Partially Upheld	Not Upheld	Resolved
2023/24	01/04 – 30/09	71 (27%)	30 (11%)	134 (50%)	31 (12%)
2024/25	01/04 – 30/09	51 (24.5%) ▼	26 (12.5%) ▲	102 (49%) ▼	30 (14%) ▲

Of the 209 Stage 1 complaints, 37% were upheld or partially upheld. This indicates that in 37 out of every 100 complaints received, our Stage 1 investigations established that our customers had let us know where we could make improvements to our services.

14% of complaints were closed as resolved, without a complaint investigation being necessary. The resolved outcome was introduced by the SPSO in April 2022, allowing public authorities to work with a customer to find a mutually agreeable resolution to a complaint, without the necessity to take forward a full complaint investigation. Additional information on this new SPSO outcome is available on pages 3 and 4 at: [LAMCHPPart3.pdf \(spsso.org.uk\)](#).

Outcome of Complaints Closed at Stage 2

		Upheld	Partially Upheld	Not Upheld	Resolved
2023/24	01/04 – 30/09	4 (10%)	2 (5%)	32 (82%)	1 (3%)
2024/25	01/04 – 30/09	7 (12%) ▲	3 (5%) ◀▶	47 (81%) ▼	1 (2%) ▼

81% of complaints investigated immediately at Stage 2 were not upheld, which indicates that 19% of complaint investigations established a failure in service provision and either upheld, partially upheld, or resolved the complaint. This is an increase of 1% where the Council has found failure to the same reporting period in the previous year.

Outcome of Escalated Complaints

		Upheld	Partially Upheld	Not Upheld	Resolved
2023/24	01/04 – 30/09	3 (15%)	4 (20%)	13 (65%)	0 (0%)
2024/25	01/04 – 30/09	4 (13%) ▼	4 (13%) ▼	23 (74%) ▲	0 (0%) ◀▶

In 2024/25, 26% of complaints that were escalated from Stage 1 to a Stage 2 investigation were either upheld or partially upheld. This figure has decreased from 35% in 2023/24, showing that more complaints were escalated to this stage by a customer which were ultimately unfounded.

The top 3 reasons for complaints received by the Council (as categorised within the Complaints Handling system) are:

		<i>01/04 to 30/09 (2024/25)</i>
Stage 1	1	Standard of service provided
	2	Conduct/attitude of staff
	3	Delay in providing service
Stage 2	1	Dissatisfaction with policy
	2	Standard of service provided
	3	Disagreement with decision

Please note that reasons for complaint categories are mandated by the Scottish Public Services Ombudsman and were updated in April 2024 and therefore no comparative data is available.

Breakdown of Complaints by Service:

Information relating to the services which have had the biggest increase and decrease in complaints is outlined above. From highest to lowest:

		2023/24	2024/25	
1	Neighbourhood Services	41	53	▲
2	Community Care	45	50	▲
3	Housing	28	40	▲
4	Leisure	44	24	▼
5	Design Services	0	18	▲
5	Golf	29	18	▼
5	Property Maintenance	34	18	▼
6	Revenues	8	14	▲
7	Schools Primary/Nursery	16	12	▼
8	Culture and Tourism	22	11	▼
9	Children and Families	11	7	▼
10	Schools Secondary	1	4	▲
10	Justice Services	0	4	▲
10	Social Care Finance	2	4	▲
11	Environmental Health	2	3	▲
11	Facilities	9	3	▼
12	Community Councils	0	2	▲

		2023/24	2024/25	
12	Education Central	3	2	▼
12	Housing Policy	0	2	▲
12	Planning	12	2	▼
13	Bereavement Services	2	1	▼
13	Building Standards	4	1	▼
13	Economy and Regeneration	0	1	▲
13	Finance	0	1	▲
13	Legal	0	1	▲
13	Scottish Welfare Fund	0	1	▲
13	Additional Support Needs	1	1	◀▶
--	Asset Management	1	0	▼
--	Benefits	1	0	▼
--	Committee Services	1	0	▼
--	Customer Services	2	0	▼
--	Fleet Management	2	0	▼
--	ICT	2	0	▼
--	Registration	1	0	▼
--	Trading Standards	1	0	▼

Alphabetically:

	2023/24	2024/25	
Additional Support Needs	1	1	◀▶
Asset Management	1	0	▼
Benefits	1	0	▼
Bereavement Services	2	1	▼
Building Standards	4	1	▼
Children and Families	11	7	▼
Committee Services	1	0	▼
Community Councils	0	2	▲
Community Care	45	50	▼
Culture and Tourism	22	11	▼
Customer Services	2	0	▼
Design Services	0	18	▲
Economy and Regeneration	0	1	▲
Education Central	3	2	▼
Environmental Health	2	3	▲
Facilities	9	3	▼
Finance	0	1	▲
Fleet Management	2	0	▼
Golf	29	18	▼
Housing	28	40	▲
Housing Policy	0	2	▲
ICT	2	0	▼
Justice Services	0	4	▲

	2023/24	2024/25	
Legal	0	1	▲
Leisure	44	24	▼
Neighbourhood Services	41	53	▲
Planning	12	2	▼
Property Maintenance	34	18	▼
Registration	1	0	▼
Revenues	8	14	▲
Schools Primary/Nursery	16	12	▼
Schools Secondary	1	4	▲
Scottish Welfare Fund	0	1	▲
Social Care Finance	2	4	▲
Trading Standards	1	0	▼

Further detailed analysis of Stage 1, Stage 2 and Escalated complaints is outlined in [Appendix 2](#)

Reasons for Complaints

The undernoted Table 1 provides a breakdown of reasons for complaints received and closed by the Council at Stage 1, between 1 April and 30 September 2024. *Please note that reasons for complaint categories are mandated by the Scottish Public Services Ombudsman and were updated in April 2024 and therefore no comparative data is available.*

Table 1 – Reasons for Stage 1 Complaints

Category		2024/25	
		Number	% Of Total Stage 1
1	Standard of service provided	63	30%
2	Conduct/attitude of staff	32	15%
3	Delay in providing service	27	13%
4	Failure to provide service	26	12%
5	Dissatisfaction with policy	22	11%
6	Disagreement with decision	21	10%
7	Failure to follow a procedure	8	4%
8	Other	7	3%
9	Failure to respond to enquiry	3	2%
	Total	209	100%

Standard of Service Provided

The Council received 63 complaints categorised as standard of service provided at Stage 1. This equates to 30% of all Stage 1 complaints. There was no one specific service received a higher proportion of complaints, and services receiving Stage 1 complaints under this category included Community Care, Design Services, Golf, Leisure, Housing, Property Maintenance, Revenues and Neighbourhood services.

Conduct/Attitude of Staff Complaints

There is no specific trend in complaints being received by one specific Council service. Council services that received complaints about employee behaviour included Schools, Leisure, Housing, Community Care and Property Maintenance. Of these complaints:

- 21 were not upheld, with an explanation provided to the customer.
- 4 were partially upheld, with an explanation and/or apology.
- 3 were resolved, with either an explanation or an apology to the customer.
- 4 were upheld, with an apology issued to the customer.

Limited information is recorded centrally regarding these complaints in compliance with data protection legislation, but as with all employee complaints Service Leads and line managers would apply the relevant Council policies to any employee whose behaviour has been found to fail to meet Council standards.

The following categories have been collated from the Council's Complaints Handling System (GOSS) based on information entered by Services handling complaints at a service level. This gives an overview of the Categories of Stage One complaints.

It is not a mandatory requirement for services to input this information when completing cases on our GOSS system - but they are encouraged to complete these fields. *As a result, the number of complaints detailed below may not equate to the total number of Stage one complaints reported.*

Service	Subject	01/04 – 30/09/23	01/04 – 30/09/24	
Community Care	Arran View	4	5	
	Arrol Park	1	2	
	Homecare	12	4	
	Ayr North Locality Team	2	0	
	Ayr South Locality Team	2	0	
	Troon Locality Team	1	2	
	Girvan/Maybole Locality Team	1	1	
	Mental Health Team	0	0	
	Telecare	3	0	
	Sensory Impairment	0	0	
	Schools	Alloway Primary	1	0
		Annbank Primary	1	0
		Ayr Academy	0	0
Ayr Grammar		0	0	
Barr Primary		0	0	
Barassie Primary		0	3	
Belmont Academy		1	2	
Braehead Primary		0	0	
Cairn Primary		0	0	
Carrick Academy		0	0	
Crosshill Primary		0	0	
Coylton Primary		0	0	
Culzean Primary School		0	1	
Dailly Primary		1	1	
Dalmilling Primary		1	0	
Doonfoot Primary	1	0		
Dundonald Primary	0	0		

Service	Subject	01/04 – 30/09/23	01/04 – 30/09/24
	Forehill Primary	0	0
	Gardenrose Primary	0	0
	Girvan Academy	0	0
	Girvan Primary	1	0
	Glenburn Primary	0	0
	Heathfield Primary	3	2
	Kincaidston Primary	0	0
	Kingcase Primary	0	0
	Kyle Academy	0	0
	Marr College	0	0
	Monkton Primary	1	1
	Newton Primary	0	0
	Prestwick Academy	0	2
	Queen Margaret Academy	0	0
	Sacred Heart	0	0
	St Cuthbert's Primary	0	0
	St John's Primary	0	0
	Struthers Primary	0	2
	Symington Primary	1	0
	Tarbolton Primary	1	0
	Troon Primary	0	0
	Childcare	0	0
	Nursery	0	0
Facilities	Catering Services	1	1
	Janitorial	0	0
	Public Convenience	4	1
	School crossing patrol	1	0
Children and Families	Children and Families Disability Team	3	1
	Ayr North Locality Team	3	0
	Ayr South Locality Team	0	0
	Girvan/Maybole Locality Team	0	2
	Prestwick/Troon Locality Team	1	1
	Initial Response Team	0	0
	Children's Houses	0	0
	Family Placement and Adoption Team	0	0
	Management Team	0	0

Service	Subject	01/04 – 30/09/23	01/04 – 30/09/24
	Young People Support and Transitions Team	1	0
Housing	Value	0	0
	Access to Housing/Support	1	0
	Customer Landlord Relations	8	21
	Neighbourhood and Community	0	1
	Policy	1	0
	Quality Maintenance	11	8
Leisure	Activity Centres	0	3
	Citadel	16	11
	Maybole Fitness Suite	0	3
	Other	0	2
	Swimming Pools	12	3
	Swimming Lessons	0	2
Golf	Belleisle/Seafield	5	2
	Dalmilling	0	4
	Girvan	0	1
	Lochgreen/Darley/Fullarton	7	2
	Other		0
Neighbourhood Services	Assisted Collection	1	0
	Missed Bin	2	11
	Bin Return	0	0
	Wheelie Bin Delivery	0	2
	Burials	0	0
	Grass Cutting	1	0
	Litter	8	1
	Beaches	0	0
	Other	0	1
	Play Areas	3	0
	Special Uplifts	0	0
	Staff	7	0
	Street Sweeping	0	0
	Waste Collection	6	10
	Waste Disposal	1	0
	Weed Removal	0	0
	Parks	0	0
	Paths	0	0
	Recycling Facilities	5	2
	Waste Recycling	0	0

Service	Subject	01/04 – 30/09/23	01/04 – 30/09/24
	Trees	0	0
Benefits	Other	0	0
	Service Delivery	0	0
Property Maintenance	Communication	2	3
	External Contractor	3	1
	Dissatisfied with Repair	21	8
	Private Owner	1	
	Staff Attitude/Behaviour	1	2
	Other	2	1
Culture and Tourism	Air Show	16	2
	Seafront Barriers	0	5
	McKechnie	1	0
	Carnegie	1	0
	Rozelle	1	0
	Other Libraries	1	1

The undernoted table provides an overview of reasons for complaints received and closed by the Council at **Stage 2** between 1 April and 30 September 2024. *Please note that reasons for complaint categories are mandated by the Scottish Public Services Ombudsman and were updated in April 2024 and therefore no comparative data is available.*

Table 2 - Reasons for Stage 2 Complaints

Category		2024/25	
Subject		Number	% Of Total Stage 2
1	Dissatisfaction with policy	24	41%
2	Standard of service provided	15	26%
3	Disagreement with decision	8	14%
4	Delay in providing service	5	8%
5	Failure to provide service	4	7%
6	Conduct/attitude of staff	1	2%
7	Failure to respond to enquiry	1	2%
--	Failure to follow a procedure	0	0%
--	Other	0	0%
	Total	58	100%

Dissatisfaction with Policy Complaints

24 complaints were recorded at Stage 2 which related to dissatisfaction with policy. These complaints mostly related to the introduction of the charge for garden waste uplifts (20), none of which were upheld.

Conduct/Attitude of Staff Complaints

There was one complaint logged at stage 2 relating to conduct/attitude of staff. This related to Criminal Justice Services, and it was not upheld.

The undernoted categories have been collated from the Council's Complaints Handling System (GOSS) using information entered by Services handling complaints at a service level. It is not a mandatory requirement for services to input this information when completing cases on our GOSS system - but they are encouraged to complete these fields. As a result, the number of complaints detailed below may not equate to the total number of Stage two complaints reported.

Service	Subject	01/04 – 30/09/23	01/04 – 30/09/24
Schools	Maidens Primary School	0	1
	Dailly Primary	1	0
	St Patrick's Primary	1	0
	Monkton Primary	1	0
Children and Families	Management Team	0	0
	Fostering	0	0
	Disability Team	0	0
	Girvan/Maybole Locality	0	0
Community Care	Homecare	1	0
	Mental Health	0	0
	Overmills	0	1
	Arran View	0	3
Housing	Customer Landlord Relationship	0	1
	Quality Maintenance	2	3
	Access to Housing/Support	0	0
	Neighbourhood and Community	0	1
	External Contractor	0	1
Neighbourhood Services	Garden Waste Charge	0	20
	Wheelie Bin	0	1
	Missed Bin	0	1
Golf	Belleisle/Seafield	12	5

Service	Subject	01/04 – 30/09/23	01/04 – 30/09/24
	Lochgreen/Darley/Fullarton	0	1
	Other	12	0
Leisure	Swimming Pools	1	0
	Other	2	0
Planning	Objection	0	0
	Other	4	0
	Planning Enforcement	1	0
	Planning Application	0	0
	Neighbour Notification	0	0
Property Maintenance	Dissatisfied with Repair	0	1
	Contact/Communication	0	0
	Private Owners	3	0
	Other	0	0

Table 3 - Reasons for Escalated Complaints

Please note that reasons for complaint categories are mandated by the Scottish Public Services Ombudsman and were updated in April 2024 and therefore no comparative data is available.

Category		2024/25	
Subject		Number	% Of Total Escalated
1	Standard of service provided	10	32%
2	Failure to provide service	6	19%
3	Conduct/attitude of staff	5	16%
4	Delay in providing service	5	16%
5	Disagreement with decision	3	10%
6	Dissatisfaction with policy	2	7%
--	Failure to follow a procedure	0	0%
--	Failure to respond to enquiry	0	0%
--	Other	0	0%
	Total	31	100%

Conduct/Attitude of Staff Complaints

5 complaints were escalated from Stage 1 to Stage 2 which related to the conduct/attitude of staff. There is no specific trend in complaints being received by any specific service and none of these complaints were upheld. Services where complaints were received included:

- HSCP
- Leisure
- Housing
- Neighbourhood Services

Standard of Service Provided Complaints

10 complaints escalated from Stage 1 to Stage 2 were categorised as relating to the standard of service provided. There was no specific trend in one specific department receiving most of those complaints, which were dealt with for example by Housing, Community Care, Neighbourhood Services and Education.

- **2 complaints were upheld with apologies provided.**
- **7 complaints were not upheld, with a further explanation provided.**
- **1 complaint was partially upheld, with an explanation provided.**

The following has been collated from the Council's Complaints Handling System (GOSS) using information entered by Services handling complaints at a service level. It is not a mandatory requirement for services to input this information when completing cases on our GOSS system - but they are encouraged to complete these fields. As a result, the number of complaints detailed below may not equate to the total number of Escalated complaints reported:

Service	Subject	01/04 – 30/09 2023/23	01/04 – 30/09/24
Children and Families	Ayr North Locality Team	1	1
	Management Team	0	1
	Disability Team	0	1
Customer Services	Waiting Times	0	0
Schools	Ayr Grammar	0	0
	Carrick Academy	0	0
	Belmont Academy	0	0
	Dailly Primary	0	0
	Doonfoot Primary	0	1
	Girvan Primary	0	0
	Glenburn Primary	0	0
	Kingcase Primary	0	0
	Symington Primary	1	0
	Marr College	0	0
	Queen Margaret Academy	0	0

Service	Subject	01/04 – 30/09 2023/23	01/04 – 30/09/24
	Symington Primary	0	0
Community Care	Arran View	1	3
	Homecare	0	1
	Ayr North Team	0	1
	Ayr South Team	0	0
	Troon Team	0	0
Facilities	Catering	0	0
Housing	Customer Landlord Relations	0	0
	Value for Money	0	0
	Quality Maintenance	0	2
	Access to Housing/Support	1	2
Leisure	Citadel	0	0
	Other	1	0
Golf	Belleisle/Seafield	0	1
	Dalmilling	0	1
	Other	1	0
Neighbourhood Services	Recycling Facilities	1	0
	Waste Collection	0	1
	Allotments	0	1
	Wheelie Bin	0	1
Planning	Planning Application	0	1
Property Maintenance	Dissatisfied with Repair	1	1
	Contact/Communication	0	1
	Other	0	0
	Private Owners	0	0
	Staff Attitude	0	0

Additional Information - Complaints Data Analysis Against Non-Mandatory Reporting Indicators

The undernoted no longer forms part of the mandatory KPI reporting to the SPSO, however this information has been included to Members in this report as additional information:

Additional Information - Complaints Received per 1,000 of the population.

2023/24	01/04 – 30/09	3 per 1,000
2024/25	01/04 – 30/09	3 per 1,000 ◀▶

The number of complaints received per 1,000 of the population has stayed the same per 1,000 between April – September 2023 and April – September 2024.

Additional Information – Number of Cases where an Extension is Authorised

		<i>Stage 1</i>	<i>Stage 2</i>	<i>Escalated</i>
2023/24	01/04 – 30/09	59	7	5
2024/35	01/04 – 30/09	27 ▼	4 ▼	4 ▼

An extension, when required, is undertaken in consultation with the complainant when it is established the complaint is complex and requires time to fully investigate.

For this reporting period 35 complaints were subject to an authorised extension compared to 71 in 2024, a decrease of 36 cases. Extensions are encouraged when complaints will take longer than the required timescale, to ensure that complainants are kept informed of the status of their case - and it is encouraging that Council services have recognised that they can communicate with the complainant to use this extension facility, to ensure the investigation is carried out effectively. Services who utilised application of an authorised extension to allow additional time to investigate a complaint included Children and Families, Community Care, Housing, Property Maintenance, Leisure, and Justice Services.

Additional Information – Customer Satisfaction

To gauge Customer Satisfaction in our complaints process we actively encourage members of the public to provide us with their feedback on their experience. This feedback allows us to establish where our process can be strengthened to meet customer needs.

Completion of this survey *is not a compulsory part of the complaints process*, and it is challenging to elicit feedback from the public in how we can continuously improve our actual complaints process. A survey is available online for anyone using our service to complete, and Information Governance also invites a sample of customers to provide us with this helpful feedback.

Most of the feedback we receive through this survey comes from customers who did not receive the outcome they sought following their complaint, with the trend being customers who are

satisfied do not complete the survey. We will continue to look at ways to engage our customers to elicit meaningful feedback to improve our procedures.

Between 1 April 2024 and 30 September 2024, 60 requests were issued to members of the public inviting them to participate in our Customer Satisfaction Survey. 20 customer satisfaction surveys were completed which constitutes a 33% return, this is an increase of 3% from the previous reporting period where the return rate was 30%.

Feedback received from the 33% who responded indicates that:

	2023/24			2024/25		
	Agree/ Strongly Agree	Neutral	Disagree	Agree/ Strongly Agree	Neutral	Disagree
Information about the complaint's procedure was easily accessible.	66%	6%	28%	50%	20%	30%
I found it easy to make my complaint.	56%	22%	22%	50%	30%	20%
I was happy that the Investigating Officer fully understood my complaint.	44%	12%	44%	35%	15%	50%
I was given the opportunity to fully explain my complaint.	61%	6%	33%	50%	10%	40%
The points of my complaint were identified and responded to	44%	12%	44%	30%	25%	45%
The response to my complaint was easy to understand.	50%	22%	28%	45%	10%	45%
Overall, I was satisfied with the handling of my complaint.	33%	17%	50%	5%	20%	75%
I was told if the response was going to take longer than the set timescales (<i>five working days at Stage 1 and 20 working days at Stage 2</i>)	33%	39%	28%	15%	50%	35%
I was clearly told what the next Stage of the complaints process was for me.	44%	17%	39%	30%	10%	60%

A few respondents indicated their dissatisfaction in:

- **The next stage of complaint being clearly explained.**
- **The overall handling of complaints**

Overall, the responses show a decrease in satisfaction from the same period in 2023/24. Members are asked to note that negative responses are received from customers who felt the Council did not provide the outcome to their complaint they hoped for or expected (e.g., not upheld). All complaint investigators are encouraged to work with the customer to clarify the basis of their complaint, to support a clearly defined complaint investigation that meets customer expectations and clearly sign post customers to the next stage in the complaints handling process should they remain dissatisfied.

Service Improvement Case Studies

Housing Service

A tenant in temporary accommodation complained that a copy of her tenancy agreement was not made available to her in an accessible format, and that the agreement did not make clear the Council's policy for entering resident's flats. As a result of this complaint, further training has been provided to staff on providing written communications in accessible formats and tenancy agreements have been revised to make service users aware of the Council's policy on entering resident's flats.

Scottish Public Services Ombudsman Improvement Cases

One decision from the Ombudsman during this reporting period (202201541):

C complained on behalf of their relative (A) and A's child (B) about the health and social care partnership, of which the council administered the complaint investigation. B was removed from A's care. Following a short period of kinship care by B's grandparent, they were placed with foster carers. C and their partner applied to be B's kinship carers as soon as B was taken into care. However, they were not made B's kinship carers until several years later.

C complained that the partnership had unreasonably delayed in assessing their kinship care application. C also complained that there had been failures to facilitate B's contact with their family, to address concerns about B's foster carers, to provide them with support following B's kinship care placement and to provide specified information. The partnership accepted that there had been delay in assessing B's kinship care and identified learning from this. They did not identify any other service failures.

The Ombudsman took independent advice from a social work adviser. They found that there had been a failure to progress the kinship care placement timeously and to take reasonable steps to facilitate B's family contacts. They also found that there had been a failure to provide specified information. They upheld these complaints. However, they found that there had not been a failure to address concerns about B's foster carers or to provide C with support following B's kinship care placement. They did not uphold these complaints.

Recommendations

The SPSO asked the partnership to:

- Apologise to C and their family for the failings identified.
- Provide C with an explanation on why there had been undue delays in completing B's kinship care assessment and/or information about the findings/recommendations and actions taken from the CSWO review.

These recommendations have been undertaken and evidence sent to the Ombudsman.

Details of the Ombudsman's Report are available online at: [Decision Report 202201541 | South Ayrshire Council | SPSO](#)

Stage 2 Complaints Monitoring

All Stage 2 complaints investigated by the Council are monitored, and each quarter any considered to be serious or high risk are reported to the Integrity Group.

In reporting period 1 April to 30 September 2024 no Stage 2 complaints were identified as being serious or high risk, i.e., those that would have a serious impact on the Council's ability to provide services to the public.

Most Stage 2 complaints were undertaken at this level because they involved either a response from more than one service or were too complex to resolve within 5 working days at Stage 1.

Scottish Public Services Ombudsman Annual Statistics¹

The SPSO publish an annual Statistical Report for complaints they receive for Councils. These relate to complaints that have been referred by a member of the public to the SPSO to investigate following the Council undertaking a Stage 2 investigation.

Further benchmarking of these statistics against similar Local Authorities is outlined below in [Appendix 8](#). Details of the most recent Council's SPSO Statistics for Council Services, are detailed below. *As these statistics are provided by the SPSO the Council cannot provide further analysis on the categorisation or breakdown of these statistics, nor can we influence the dates when these statistics are published:* [Statistics | SPSO](#)

Stage	Outcome Group	South Ayrshire Council
Advice	A&G - Complaint submissions - mature	0
	A&G - Complaint submissions - premature	6
	A&G - Enquiries	0
	Organisation not in jurisdiction	0
	Unable to proceed	0
	Total	6
Early Resolution	Cause and impact test not met (s 5 (3))	0
	Discretion – Insufficient benefit would be achieved by investigation	1
	Discretion – alternative action proposed	0
	Discretion – Alternative route used or available	0
	Discretion - Good complaint handling	6
	Discretion – referred back	1
	Discretion - Resolved - both parties satisfied with proposed outcome	0
	Member of the public test not met (s 5 (6))	1
	No response to contact	0
	Organisation not in jurisdiction	0
	Premature	0
	Right of appeal to court/tribunal/Scottish ministers (s 7 (8))	0
	Subject matter not in jurisdiction	0
	Time limit (s 10)	0
	Unable to proceed	0
Total	9	
Investigation	Fully upheld	0
	Not duly made or withdrawn	0
	Not upheld	0
	Resolved	0
	Some upheld	0
	Total	0
Total	15	

¹ Please note this information was provided by the Scottish Public Services Ombudsman and the Information Governance team are therefore unable to provide any analysis of these statistics. Where a difference in the number of complaints received and closed is noted, this is a result of either complaints from the previous reporting year being included in the closed total, or complaints received in 2023/24 continuing to be investigated/considered by the SPSO into 2024/25.

Scottish Public Services Ombudsman Annual Statistics

In accordance with Local Government bench marking scheme, and to allow a realistic indication of performance among Scottish Local Authorities, a benchmarking process has been organised around 'family groups' of councils to compare those similar in terms of the type of population that they serve (e.g., relative deprivation and affluence) and the type of area in which they serve them (e.g., urban, semi-rural, rural). Cases escalated to the SPSO within South Ayrshire Council's family group (South Ayrshire Council forms family three in Local Government Bench Marking <https://www.improvementservice.org.uk/benchmarking/how-do-we-compare-councils>) are as follows:

The undernoted complaints group has 8 members. Of these eight members, **South Ayrshire Council has the lowest equal number of cases escalated to the Ombudsman** in the family group, which is an improvement from the SPSO report from 2023/24 in which we placed second.

Ranking (from lowest to highest number of complaints received)	Local Authority	Number of complaints		Percentage	
		22/23	23/24	22/23	23/24
1 (=)	Clackmannanshire	14	4%	15	3.5%
1 (=)	South Ayrshire	26	7%	15 ▼	3.5% ▼
3	Dumfries & Galloway	28	8%	29	7%
4	Renfrewshire	35	10%	54	13%
5	Falkirk	53	15%	63	15%
6 (=)	South Lanarkshire	39	11%	71	17%
6 (=)	West Lothian	67	19%	71	17%
8	Fife	93	26%	101	24%

In 2023/24 South Ayrshire Council dealt with 650 complaints. Of these, 15 were referred to the SPSO for further consideration, none warranted a full investigation. In all 15 cases, the customer was provided with advice by the SPSO, or an early resolution was reached (see [Appendix 7](#) above).

This is a positive indication that the Council is providing a complaint handling service which meets the approval of the SPSO in line with the statutory complaints handling process. Additionally, it is encouraging that over 97% of customers who complained to the Council were satisfied with the handling of their complaint by the relevant Council service and did not feel there was a requirement to contact the SPSO.

Scottish Welfare Fund Annual Statistics

From 1 April 2016 the SPSO have been responsible for independent reviews of applications made to the SWF for both Crisis Grants and Community Care Grants. Previously this role was undertaken by each Local Authority who were responsible for arranging impartial review panels in accordance with the SWF scheme guidance produced by the Scottish Government.

When an applicant requests a review the SPSO can conduct a review with the following possible outcomes.

- To change part, or all, of the Council's decision
- To tell the Council to make a new decision, or
- Not to change the Council's decision in any way

Summary of SPSO Decisions

Application Type	Total Decisions		Not Upheld		Upheld		Uphold rate		National average uphold rate	
	22-23	23-24	22-23	23-24	22-23	23-24	22-23	23-24	22-23	23-24
Crisis Grants	8	5	7	4	1	1	13%	20%	21%	16%
Community Care Grants	2	2	1	0	1	2	50%	100%	48%	52%
Total	10	7	8	4	2	3	20%	43%	-	-

During 2023/24 there has been a reduction by 3 cases in the number of review applications made to the SPSO. During 2023/24 we received 3,668 applications for Crisis Grants & 1,572 applications for Community Care Grants. Overall, only 0.13% of all applicants to the SWF requested an SPSO review.

Whilst the overall requests for review are very low we will continue to examine any decisions taken by the SPSO to ensure our staff continue to interpret the guidance appropriately. However, in accordance with the scheme customers do have the right to request a review by the SPSO and where this happens we will continue to co-operate fully with the SPSO reviews

The International Ayr Show - Festival of Flight Complaints

The Council received 55 complaints in relation to The International Ayr Show - Festival of Flight 2023. This year's air show generated only 3 complaints, 2 of which were closed off during this reporting period.

Information relating to these closed complaints is outlined below.

	Stage	Subject	Action Taken	Outcome
1	Stage 1	Parking	Apology	Partially Upheld
2	Stage 1	Cleaning	Explanation	Not Upheld

As part of a significant high-profile event, which attracted tens of thousands of members of the public to attend and participate, it is noted that the number of complaints relating to this event has significantly decreased from 2023. The service continues to note any improvements that can be made to service delivery, and lessons that can be learnt from the feedback provided by the public for the event in 2025.



South Ayrshire Council Equality Impact Assessment Scoping Template

Equality Impact Assessment is a legal requirement under the Public Sector Duty to promote equality of the Equality Act 2010. Separate guidance has been developed on Equality Impact Assessment's which will guide you through the process and is available to view here: <https://www.south-ayrshire.gov.uk/equalities/impact-assessment.aspx>

Further guidance is available here: <https://www.equalityhumanrights.com/en/publication-download/assessing-impact-and-public-sector-equality-duty-guide-public-authorities/>

The Fairer Scotland Duty ('the Duty'), Part 1 of the Equality Act 2010, came into force in Scotland from 1 April 2018. It places a legal responsibility on Councils to actively consider ('pay due regard to') how we can reduce inequalities of outcome caused by socio-economic disadvantage, when making strategic decisions. [FSD Guidance for Public Bodies](#) in respect of the Duty, was published by the Scottish Government in March 2018 and revised in October 2021. See information here: <https://www.gov.scot/publications/fairer-scotland-duty-guidance-public-bodies/>

1. Policy details

Policy Title	Complaints – Scrutiny Update
Lead Officer (Name/Position/Email)	Wynne Carlaw, Service Lead – Democratic Governance – wynne.carlaw@south-ayrshire.gov.uk

2. Which communities, groups of people, employees or thematic groups do you think will be, or potentially could be, impacted upon by the implementation of this policy? Please indicate whether these would be positive or negative impacts

Community or Groups of People	Negative Impacts	Positive impacts
Age – men and women, girls & boys	-	-
Disability	-	-
Gender Reassignment (Trans/Transgender Identity)	-	-
Marriage or Civil Partnership	-	-
Pregnancy and Maternity	-	-
Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers	-	-
Religion or Belief (including lack of belief)	-	-
Sex – (issues specific to women & men or girls & boys)	-	-
Sexual Orientation – person's sexual orientation i.e., LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	-	-

Community or Groups of People	Negative Impacts	Positive impacts
Thematic Groups: Health, Human Rights & Children's Rights	-	-

3. What likely impact will this policy have on people experiencing different kinds of social disadvantage i.e. The Fairer Scotland Duty (This section to be completed for any Strategic Decisions). Consideration must be given particularly to children and families.

Socio-Economic Disadvantage	Negative Impacts	Positive impacts
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	-	-
Low and/or no wealth – enough money to meet Basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	-	-
Material Deprivation – being unable to access basic goods and services i.e., financial products like life insurance, repair/replace broken electrical goods, warm home, leisure/hobbies	-	-
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	-	-
Socio-economic Background – social class i.e., parent's education, employment, and income	-	-

4. Do you have evidence or reason to believe that the policy will support the Council to:

General Duty and other Equality Themes Consider the 'Three Key Needs' of the Equality Duty	Level of Negative and/or Positive Impact (High, Medium, or Low)
Eliminate unlawful discrimination, harassment, and victimisation	Low
Advance equality of opportunity between people who share a protected characteristic and those who do not	Low
Foster good relations between people who share a protected characteristic and those who do not. (Does it tackle prejudice and promote a better understanding of equality issues?)	Low
Increase participation of particular communities or groups in public life	Low
Improve the health and wellbeing of particular communities or groups	Low
Promote the human rights of particular communities or groups	Low
Tackle deprivation faced by particular communities or groups	Low

5. Summary Assessment

Is a full Equality Impact Assessment required? (A full Equality Impact Assessment must be carried out if impacts identified as Medium and/or High)	YES NO
Rationale for decision: This report is an analysis of performance that allows scrutiny. There are no proposals at this Stage to alter the way we provide services or Council policies.	
Signed : Catriona Caves	Chief Governance Officer
Date: 24 October 2023	