

## South Ayrshire Council

### Report by Head of Legal and Regulatory Services to Service and Performance Panel of 22 November 2022

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**Subject: Complaints – Scrutiny Update**  
**Period: 1 April to 30 September 2022**

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#### 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 2022 and compares performance to the same reporting period in 2021/22. 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;**
- 2.1.2 **confirms future reporting requirements given SPSO changes outlined at 3.3; and**
- 2.1.3 **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 2022 to 31 March 2023.**

#### 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 \(spsso.org.uk\)](https://spsso.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 2022 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 2021/22.

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 2022 and compares our performance to the same reporting period in 2021/22.

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 2022 and compares our performance to the same reporting period in 2021/22.

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 2022 and compares our performance for the same reporting period in 2021/22.

- 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.

#### **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 decides if future reporting should focus only on the four SPSO mandatory KPIs, or continue to include the four non-mandatory KPIs included in this report; and
- 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 2022 to 31 March 2023.

#### **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 7](#).

## **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 Performance Panel of 23 August 2022 – Complaints Scrutiny Update - Period 2: October 2021 to March 2022](#)

[Report to Service and Performance Panel of 16 November 2021 Complaints Scrutiny Update Period 1: April to September 2021](#)

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**Date: 9 November 2022**

## 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 2022 with comparison to the same reporting period in 2021/22.

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***

		<b><i>Total</i></b>	<b><i>Stage 1</i></b>	<b><i>Stage 2</i></b>	<b><i>Escalated</i></b>
<b>2021/22</b>	01/04 – 30/09	<b>260</b>	<b>208 (80%)</b>	<b>34 (13%)</b>	<b>18 (7%)</b>
<b>2022/23</b>	01/04 – 30/09	<b>247 ▼</b>	<b>216 (88%) ▲</b>	<b>16 (6%) ▼</b>	<b>15 (6%) ▼</b>

The Council received 246 complaints in this reporting period, which is a decrease of 14 complaints, compared to the same reporting period in 2021/22, i.e., a decrease of 5%. A decrease of 5% is not considered statistically significant, and there is no specific trend noted which would indicate a specific reason for this small decrease.

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

- **Asset Management** – 500% percentage increase in complaints, from 3 complaints in 2021/22 to 18 complaints in 2022/23. All complaints logged in this reporting period relating to Asset Management were in relation to the lighting of the Wallace Tower during the Council paying respects to the passing of Her Majesty Queen Elizabeth II. Each of these complaints were responded to at Stage 1, no requests for an escalation to Stage 2 were received.
- **Facilities Management** – 400% percentage increase in complaints, from 2 complaints in 2021/22 to 10 complaints in 2022/23. There is no significant identifiable trend in Facilities Management complaints as they related to different services provided to the public - 2 complaints each relating to the quality of school meals, the standard of cleanliness at public conveniences and contactless payments in public conveniences, and one complaint each for school meal payments and radar key access.
- **Property Maintenance** – 95% percentage increase in complaints, from 24 complaints in 2021/22 to 47 in 2022/23, particularly in complaints relating to dissatisfaction with repairs. While this is an increase in complaints for property maintenance in this 6 month period, this is attributed to the service carrying out a higher volume of common repairs involving private owners. The service are experiencing difficulties in private owners engaging with the service, and complaining when they are required to pay a share of costs of repairs when the Council is majority owner. The team has carried out 13789 repairs in this period of time, of which 47 have resulted in a complaint being received,

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

- **Secondary Schools** – 75% decrease from 4 complaints in 2021/22 to 1 complaint in 2022/23. There is no specific trend which is identifiable, as the 4 complaints recorded in 2021/2 related to different schools (one each for Carrick, Belmont, Girvan, and Queen Margaret Academy).
- **Community Care** – 48% decrease from 29 complaints to 15 complaints. Community Care showed a significantly high rate of complaints during this reporting period in 2021/22 because of cases being closed off as part of a data cleansing exercise while data was being transferred from the Lagan complaints handling system to the new GOSS system.
- **Neighbourhood Services** – 41% decrease from 70 to 41 complaints. Complaints relating to missed bins have decreased from 19 in the previous reporting period to 4, which may be attributed to the introduction of a £25 charge for collecting missed bins acting as a deterrent where bins have not been presented for collection.

***SPSO Indicator Two: the number and percentage of complaints at each stage that were closed in full 5 within the set timescales of five and 20 working days***

		<b>Stage 1</b>	<b>Stage 2</b>	<b>Escalated</b>
<b>2021/22</b>	01/04 – 30/09	<b>146 (70%)</b>	<b>25 (73%)</b>	<b>17 (94%)</b>
<b>2022/23</b>	01/04 – 30/09	<b>169 (78%)▲</b>	<b>12 (75%)▲</b>	<b>13 (86%)▼</b>

There has been an increase in the performance against timescales for both Stage 1 and Stage 2 complaints, but a decrease in the performance against timescales for Escalated complaints. It is worth noting that for Escalated complaints, only 2 complaints were responded to out-with the timescales, one of which was granted an extension.

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

		<b>Stage 1</b>	<b>Stage 2</b>	<b>Escalated</b>
<b>2021/22</b>	01/04 – 30/09	<b>9</b>	<b>27</b>	<b>14</b>
<b>2022/23</b>	01/04 – 30/09	<b>4 ▼</b>	<b>16 ▼</b>	<b>14 ◀▶</b>

The average time to respond to a Stage 1 complaint has seen a positive decreased for both Stage 1 and Stage 2 complaints and has remained consisted for complaints escalated from Stage 1 to Stage 2.

This has brought timescales for all stages within the Scottish Public Services Ombudsman required timescales of 5 and 20 working days for Stage 1 and Stage 2 cases respectively. It is worth noting that because of the introduction of the GOSS system for recording complaints, all complaints officers have had refresher complaints training since this reporting period in 2021/22 and it is anticipated this has had a positive impact on response times.

**SPSO Indicator Four: the outcome of complaints at each stage**

**Outcome of Complaints Closed at Stage 1**

		<b>Upheld</b>	<b>Partially Upheld</b>	<b>Not Upheld</b>	<b>Resolved</b>
<b>2021/22</b>	01/04 – 30/09	<b>59 (28%)</b>	<b>25 (12%)</b>	<b>120 (58%)</b>	<b>4 (2%)</b>
<b>2022/23</b>	01/04 – 30/09	<b>46 (21%) ▼</b>	<b>26 (12%) ◀▶</b>	<b>107 (50%) ▼</b>	<b>37 (17%) ▲</b>

Of the 216 Stage 1 complaints, 33% were upheld or partially upheld, which indicates that in 33 out of every 100 complaints, our Stage 1 investigations established that our customers had let us know where we could make improvements to our services.

After the introduction of the Resolved outcome in April 2022 there has been an increase of 15% (33) of the use of this outcome. This shows that the new outcome is now embedded in our complaints handling and is being utilised by officers completing cases wherever possible. The resolved outcome was introduced by the SPSO 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/**

## Outcome of Complaints Closed at Stage 2

		<i>Upheld</i>	<i>Partially Upheld</i>	<i>Not Upheld</i>	<i>Resolved</i>
<b>2021/22</b>	01/04 – 30/09	<b>6 (17%)</b>	<b>2 (6%)</b>	<b>26 (77%)</b>	<b>0 (0%)</b>
<b>2022/23</b>	01/04 – 30/09	<b>1 (6%) ▼</b>	<b>4 (25%) ▲</b>	<b>11 (69%) ▼</b>	<b>0 (0%) ◀▶</b>

There has been a decrease of 11% in complaints upheld at Stage 2 in 2022/23 compared to the same reporting period in 2021/22. This shows that fewer complaints taken straight to Stage 2 of the process overall find the Council to be at fault.

## Outcome of Escalated Complaints

		<i>Upheld</i>	<i>Partially Upheld</i>	<i>Not Upheld</i>	<i>Resolved</i>
<b>2021/22</b>	01/04 – 30/09	<b>1 (6%)</b>	<b>2 (11%)</b>	<b>15 (83%)</b>	<b>0 (0%)</b>
<b>2022/23</b>	01/04 – 30/09	<b>0 (0%) ▼</b>	<b>2 (13%) ▼</b>	<b>11 (73%) ▼</b>	<b>2 (13%) ▲</b>

In 2021/22 83% of complaints that were escalated from Stage 1 to a Stage 2 investigation were not upheld. This figure has decreased by 10% in the same reporting period for 2022/23, with this percentage being made up in complaints which are resolved between the Council and the complainant.

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

		<i>01/04 to 30/09 (2021/22)</i>		<i>01/04 to 30/09 (2022/23)</i>
<b>Stage 1</b>	1	Quality of Service	1	Quality of Service
	2	Policy and Procedure	2	Policy and Procedure
	3	Employee Behaviour	3	Employee Behaviour
<b>Stage 2</b>	1	Quality of Service	1	Quality of Service
	2	Policy and Procedure	2	Policy and Procedure
	3	Employee Behaviour	3	Employee Behaviour

These reasons have remained consistent, with no changes in placing of the categories in terms of both Stage 1 and Stage 2 complaints between 2021/22 and 2022/23.

### **Breakdown of Complaints by Service:**

Information relating to the services which have had the biggest increase and decrease in complaints is outlined above, on page 6 of this Report.

	<b>2021/22</b>	<b>2022/23</b>	
<b>Archives</b>	0	1	▲
<b>Arts and Culture</b>	0	1	▲
<b>Additional Support Needs</b>	0	0	◀▶
<b>Asset Management</b>	3	18	▲
<b>Bereavement</b>	1	2	▲
<b>Benefits</b>	0	0	◀▶



	<b>2021/22</b>	<b>2022/23</b>	
<b>Building Standards</b>	0	1	▲
<b>Children and Families</b>	18	14	▼
<b>Communities</b>	0	2	▲
<b>Committee Services</b>	1	0	▼
<b>Community Care</b>	29	15	▼
<b>Criminal Justice</b>	3	0	▼
<b>Customer Services</b>	4	3	▼
<b>Early Years</b>	1	1	◀▶
<b>Enterprise</b>	0	0	◀▶
<b>Education Central</b>	2	1	▼
<b>Elections</b>	0	0	◀▶
<b>Environmental Health</b>	1	1	◀▶
<b>Facilities</b>	2	10	▲
<b>Finance</b>	0	0	◀▶
<b>Fleet</b>	0	0	◀▶
<b>Housing</b>	33	31	▼
<b>Housing Policy</b>	3	1	▼
<b>Information Governance</b>	3	0	▼
<b>Insurance</b>	0	0	◀▶
<b>Leisure</b>	28	24	▼
<b>Libraries</b>	1	1	◀▶
<b>Legal</b>	0	1	▲
<b>Licensing</b>	1	0	▼
<b>Neighbourhood Services</b>	70	41	▼
<b>Planning</b>	5	8	▲
<b>Professional Design Services</b>	2	3	▲
<b>Property Maintenance</b>	24	47	▲
<b>Psychological Services</b>	0	0	◀▶
<b>Registration</b>	0	0	◀▶
<b>Revenues</b>	6	7	▲
<b>Roads</b>	1	0	▼
<b>SAMS</b>	0	0	◀▶
<b>Primary Schools</b>	9	10	▲
<b>Secondary Schools</b>	4	1	▼
<b>Scottish Welfare Fund</b>	2	1	▼
<b>Trading Standards</b>	0	1	▼
<b>Other</b>	0	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 2021, in comparison to figures in the same reporting period in 2021/22. The categories allocated are based on pre-defined categories that can be allocated to a case within the Council's corporate complaints system, GOSS.

The categories reflect the high-level categories stipulated by the SPSO.

**Table 1 – Reasons for Stage 1 Complaints**

<b>Category</b>	<b>2021/22</b>		<b>2022/23</b>		
	<b>Number</b>	<b>% Of Total Stage 1</b>	<b>Number</b>	<b>% Of Total Stage 1</b>	
Quality of Service/ Service Provision	137	66%	113	52%	▼
Other	7	3%	12	5.5%	▲
Employee Behaviour	18	9%	23	11%	▲
Damage to Property/ Personal Injury	11	5%	12	5.5%	▲
Policy Procedure	26	13%	40	19%	▲
Lack of Information	5	2%	3	1%	▼
Waiting Times/ Missed App	4	2%	12	5.5%	▲
Case Unresolved	0	0%	0	0%	◀▶
Discrimination	0	0%	1	0.5%	▲
Service Cuts	0	0%	0	0%	◀▶
<b>Total</b>	<b>208</b>	<b>100%</b>	<b>216</b>	<b>100%</b>	

### Policy and Procedure Complaints

The number of Policy and Procedure complaints has increased from 26 in 2021 to 40 in the same 6-month reporting period in 2022. This increase is attributed to a trend across two services receiving most complaints:

- **Asset Management** – 11 complaints, all relating to the lighting of the Wallace Tower. None of these complaints were upheld, with each customer being provided with an explanation as to why the decision was taken to light up the Wallace Tower to

commemorate the death of Her Majesty the Queen. Most of these complaints also came from members of the public who reside out-with the South Ayrshire area.

- **Neighbourhood services** – 14 complaints, relating to the introduction of the new booking system at South Ayrshire Council re-cycling centres. Of these 13 were not upheld with an explanation provided to the customer, being complaints relating directly to the decision to introduce the new booking system, with 3 partially upheld with an explanation as complaints that related to the functionality of the new booking system.

### Employee Behaviour Complaints

The number of employee behaviour complaints has increased from 18 in 2021 to 23 in 2022. There was no specific trend in complaints being received by one specific Council service. Council services that received complaints about employee behaviour included Housing, Neighbourhood Services, Children & Families and Neighbourhood services. Of these complaints:

- 6 were not upheld, with an explanation provided to the customer
- 4 were partially upheld, with an explanation and/or apology
- 6 were resolved, with either an explanation or an apology to the customer
- 7 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 behaviours having been found to fail meeting Council standards.

South Ayrshire Council has a total of 5,467 employees, with 23 complaints being received this equates to 0.004%.

### Waiting Times/Missed Appointments

12 complaints were received in 2022/23 in comparison to 4 in 2021/22, which were mainly dealt with by our Property Maintenance Team (11 out of 12). Of these 11 complaints, 1 was resolved with the applicant, 3 were not upheld along with an explanation, and 7 were upheld with and explanation and apology.

Our property maintenance team dealt with 13,789 repairs between 1 April and 30 September 2022, which equates to 0.09% of repairs receiving a complaint due to waiting times and/or missed appointments.

The following categories have been collated from the Council's Complaints Handling System (GOSS) based on information entered by Services handing 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 2021/22	01/04 – 30/09 2022/23
<b>Community Care</b>	Arrol Park	0	2
	Homecare	3	2

<b>Service</b>	<b>Subject</b>	<b>01/04 – 30/09 2021/22</b>	<b>01/04 – 30/09 2022/23</b>
	Ayr North Locality Team	3	3
	Ayr South Locality Team	0	1
	Troon Locality Team	2	2
	Girvan/Maybole Locality Team	0	1
	Mental Health Team	2	1
	Telecare	4	0
	Sensory Impairment	0	0
<b>Schools</b>	Ayr Academy	0	0
	Ayr Grammar	0	2
	Barr Primary	0	0
	Barassie Primary	2	0
	Belmont Academy	1	0
	Braehead Primary	0	1
	Cairn Primary	1	0
	Carrick Academy	1	0
	Crosshill Primary	0	1
	Coylton Primary	0	0
	Dailly Primary	0	0
	Dalmilling Primary	1	0
	Doonfoot Primary	0	0
	Dundonald Primary	0	0
	Forehill Primary	0	1
	Gardenrose Primary	0	0
	Girvan Academy	1	0
	Girvan Primary	1	0
	Glenburn Primary	0	0
	Heathfield Primary	1	0
	Kincaidston Primary	0	0
	Kingcase Primary	0	1
	Kyle Academy	0	0
	Marr College	0	0
	Newton Primary	0	1
	Prestwick Academy	1	0
	Queen Margaret Academy	1	0
	Sacred Heart	0	1
	St Cuthbert's Primary	0	0
	St John's Primary	1	0

<b>Service</b>	<b>Subject</b>	<b>01/04 – 30/09 2021/22</b>	<b>01/04 – 30/09 2022/23</b>
	Struthers Primary	0	0
	Symington Primary	0	0
	Tarbolton Primary	0	1
	Troon Primary	0	0
	Childcare	0	0
	Nursery	0	0
<b>Facilities</b>	Catering Services	0	3
	Janitorial	1	5
	Public Convenience	1	0
	School crossing patrol	0	0
<b>Children and Families</b>	Children and Families Disability Team	4	2
	Ayr North Locality Team	0	1
	Ayr South Locality Team	3	
	Girvan/Maybole Locality Team	4	3
	Prestwick/Troon Locality Team	0	0
	Initial Response Team	0	0
	Children's Houses	0	1
	Family Placement and Adoption Team	2	0
	Management Team	0	4
<b>Housing</b>	Value	1	0
	Access to Housing/Support	5	4
	Customer Landlord Relations	7	7
	Neighbour Communication	2	1
	Quality Maintenance	15	8
<b>Leisure</b>	Citadel	0	4
	Golf	11	13
	Swimming Pools	1	2
	Town Hall	0	0
<b>Libraries</b>	Carnegie	0	1
<b>Neighbourhood Services</b>	Dog Bin	0	
	Missed Bin	20	1
	Bin Return	0	0
	Wheelie Bin Delivery	0	0
	Burials	0	0
	Grass Cutting	2	2

<b>Service</b>	<b>Subject</b>	<b>01/04 – 30/09 2021/22</b>	<b>01/04 – 30/09 2022/23</b>
	Litter	9	3
	Beaches	0	0
	Other	0	0
	Play Areas	1	0
	Special Uplifts	1	0
	Staff	0	2
	Street Sweeping	0	0
	Waste Collection	12	6
	Weed Removal	0	0
	Parks	3	0
	Paths	0	0
	Recycling Facilities	9	20
	Waste Recycling	2	0
	Trees	2	0
<b>Benefits</b>	Other	0	0
	Service Delivery	0	0
<b>Property Maintenance</b>	Communication	0	2
	Dissatisfied with Repair	7	28
	Private Owner	1	3
	Staff Attitude/Behaviour	2	5
	Other	10	2

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 2021 compared to the same reporting period in 2022. These categories reflect the high-level categories stipulated by the SPSO.

**Table 2 - Reasons for Stage 2 Complaints**

<b>Category</b>	<b>01/04 – 30/09 2021/22</b>		<b>01/04 – 30/09 2022/23</b>		
	<b>Number</b>	<b>% Of Total Stage 2</b>	<b>Number</b>	<b>% Of Total Stage 2</b>	
Quality of Service/ Service Provision	20	59%	12	80%	▲
Policy and Procedure	9	26%	1	6.5%	▼
Employee Behaviour	3	9%	1	6.5%	▼

<b>Category</b>	<b>01/04 – 30/09 2021/22</b>		<b>01/04 – 30/09 2022/23</b>		
<b>Subject</b>	<b>Number</b>	<b>% Of Total Stage 2</b>	<b>Number</b>	<b>% Of Total Stage 2</b>	
Damage to Property/ Personal Injury	1	3%	0	0%	▼
Case Unresolved	1	3%	0	0%	▼
Discrimination	0	0%	0	0%	◀▶
Lack of Information	0	0%	0	0%	◀▶
Other	0	0%	2	13%	▲
<b>Total</b>	<b>34</b>	<b>100%</b>	<b>16</b>	<b>100%</b>	

There has been a reduction across all categories of complaints closed at Stage 2. 80% of our Stage 2 complaints (12 out of 16) related to Quality of Service/Service Provision:

### **Quality of Service/Service Provision**

The 12 Stage 2 complaints investigated under this category were dealt with by several different Council services, including Facilities, Housing, Planning and Property Maintenance.

- 7 complaints were not upheld, with an explanation given
- 4 were partially upheld with an explanation and/or apology
- 1 complaint was upheld

The complaint that was upheld, related to Planning Neighbour notifications. Further information on the lessons learnt from this complaint are detailed below in Appendix 4, Service Improvement Cases.

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

<b>Service</b>	<b>Subject</b>	<b>01/04 – 30/09 2021/22</b>	<b>01/04 – 30/09 2022/23</b>
<b>Schools</b>	Ayr Grammar	0	1
	Kyle Academy	0	0
	Prestwick Academy	1	0
	Doonfoot Primary	1	0
	Dailly Primary	0	0
	Dundonald Primary	0	0
	Newton Primary	0	0

<b>Service</b>	<b>Subject</b>	<b>01/04 – 30/09 2021/22</b>	<b>01/04 – 30/09 2022/23</b>
	Girvan Primary	0	0
	Alloway Primary	0	0
	St Patrick's Primary	0	0
	Monkton Primary	1	0
<b>Children and Families</b>	Management Team	0	1
	Fostering	0	1
	Disability Team	0	1
	Girvan/Maybole Locality	1	1
<b>Community Care</b>	Homecare	1	0
	Mental Health	0	0
	Other	0	1
<b>Housing</b>	Customer Landlord Relations	1	0
	Quality Maintenance	2	2
	Access to Housing/Support	1	1
<b>Neighbourhood Services</b>	Other	0	0
	Recycling Facilities	0	0
	Waste Collection	0	0
<b>Planning</b>	Objection	0	1
	Other	2	1
	Planning Enforcement	0	1
	Planning Application	2	0
	Neighbour Notification	0	1
<b>Property Maintenance</b>	Dissatisfied with Repair	2	1
	Contact/Communication	0	1
	Private Owners	0	0
	Other	1	0

**Table 3 - Reasons for Escalated Complaints**

The following table provides a breakdown of the reasons for a complaint being escalated from Stage 1 to Stage 2. A customer can ask for their complaint to be escalated from Stage 1 to Stage 2 when they remain dissatisfied with our response at Stage 1:



<b>Category</b>	<b>01/04 – 30/09 2020</b>		<b>01/04 – 30/09 2021</b>		
<b>Subject</b>	<b>Number</b>	<b>% Of Total Stage 2</b>	<b>Number</b>	<b>% Of Total Stage 2</b>	
Quality of Service/ Service Provision	7	39%	10	67%	▲
Employee Behaviour	0	0%	1	6.5%	▲
Case Unresolved	0	0%	0	0%	◀▶
Damage to Property/Personal Injury	0	0%	0	0%	◀▶
Policy and Procedure	10	56%	3	20%	▲
Lack of Information	0	0%	1	6.5%	▲
Discrimination	1	5%	0	0%	▼
Other	0	0%	0	0%	◀▶
<b>Total</b>	<b>18</b>	<b>100%</b>	<b>15</b>	<b>100%</b>	

### Quality of Service/Service Provision Complaints

10 of the 15 complaints escalated from Stage 1 to Stage 2 were categorised as relating to Quality of Service. There was no specific trend in one specific department receiving a majority of those 10 complaints, which were dealt with for example by Housing, Children and Families, Neighbourhood Services, Facilities.

- 7 complaints were not upheld, with a further explanation provided
- 2 complaints were resolved, without the requirement to proceed with a full Stage 2
- 1 complaint was partially upheld, with apology provided

### Employee Behaviour

This complaint was investigated at Stage 2, and not upheld. Due to data protection legislation, information is limited for the purposes of Reporting.

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:

<b>Service</b>	<b>Subject</b>	<b>01/04 – 30/09 2021/22</b>	<b>01/04 – 30/09 2022/23</b>
<b>Children and Families</b>	Ayr North Locality Team	0	1
	Girvan/Maybole Locality Team	0	1

<b>Service</b>	<b>Subject</b>	<b>01/04 – 30/09 2021/22</b>	<b>01/04 – 30/09 2022/23</b>
<b>Customer Services</b>	Waiting Times	0	0
<b>Schools</b>	Ayr Grammar	0	0
	Carrick Academy	0	0
	Belmont Academy	0	0
	Dailly Primary	0	0
	Girvan Primary	0	0
	Glenburn Primary	0	0
	Kingcase Primary	0	0
	Symington Primary	0	0
	Marr College	0	0
	Queen Margaret Academy	0	0
	Symington Primary	0	0
<b>Community Care</b>	LD_DP	0	0
	Homecare	0	0
	Ayr North Team	0	0
	Ayr South Team	0	0
	Troon Team	0	0
<b>Facilities</b>	Catering	0	1
<b>Housing</b>	Customer Landlord Relations	0	1
	Value for Money	0	0
	Neighbour Communication	0	0
	Quality Maintenance	0	1
	Access to Housing/Support	0	1
<b>Leisure</b>	Golf	7	1
	Swimming Pools	2	0
	Citadel	0	1
<b>Neighbourhood Services</b>	Recycling Facilities	0	1
	Waste Collection	0	2
<b>Planning</b>	Planning Application	0	1
<b>Property Maintenance</b>	Dissatisfied with Repair	0	0
	Contact/Communication	0	0
	Other	0	0

<b>Service</b>	<b>Subject</b>	<b>01/04 – 30/09 2021/22</b>	<b>01/04 – 30/09 2022/23</b>
	Private Owners	1	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***

<b>2021/22</b>	<b>01/04 – 30/09</b>	<b>2 per 1,000</b>
<b>2022/23</b>	<b>01/05 – 30/09</b>	<b>2 per 1,100</b>

The number of complaints received per 1,000 of the population has remained consistent between the two reporting periods. This statistic has very little fluctuation when being reported.

### ***Additional Information – Number of Cases where an Extension is Authorised***

		<b>Stage 1</b>	<b>Stage 2</b>	<b>Escalated</b>
<b>2021/22</b>	01/04 – 30/09	<b>16</b>	<b>4</b>	<b>0</b>
<b>2022/23</b>	01/04 – 30/09	<b>28 ▲</b>	<b>2 ▼</b>	<b>1 ▲</b>

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 31 complaints were subject to an authorised extension compared to 20 in 2021/22, an increase of 11 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.

### ***Additional Information – Customer Satisfaction***

The SPSO have recently updated the questions they require Local Authorities to use for customer satisfaction. Following this, the Information Governance team has created a new Customer Satisfaction survey and once final testing has been completed with colleagues in ICT services, this survey will be issued to complainants following their response. This is the current position with most local Councils. We anticipate Customer Satisfaction data will be included within next report to Panel.

### ***Additional Information – Learning from Complaints***

Please see Appendix 4 for further information on learning from complaints.

## Service Improvement Case Studies

### Housing Services

While undertaking a check on a tenant in temporary accommodation, our Housing service became concerned when there was no answer at the property for over two weeks. Having concerns that the property was abandoned, the Housing service contractors sought access to the property to clarify the position.

The tenant returned some-time later, having been on holiday. She raised concerns that Housing staff had accessed her temporary accommodation and when she returned to her property, she was unable to gain access. The tenant complained that she felt an attempt should have been made on the telephone to check her whereabouts before this action was taken to recover the property.

As a result of this complaint, Housing services have made a change to their process to ensure that telephone contact forms part of their standard process before temporary accommodation is accessed by staff. Additionally, Housing will also attempt to contact the tenant's next of kin where possible and will also contact the Police, Social Work and local hospitals before an attempt is made to recover a property.

### Planning

A complaint was made that the Planning service failed to issue appropriate neighbour notification prior to the granting of a planning application. The complaint investigation found that due to an administrative error, neighbour notification was not issued in relation to the planning application.

As well as apologising to the complainant for the error, the Planning service reviewed their neighbour notification procedure, and an additional step has now been added to their process to ensure a double check that the neighbour notification has been issued to mitigate the chances of this error reoccurring.

## **Scottish Public Services Ombudsman Improvement Cases**

No Decision Notices were published by the Ombudsman relating to South Ayrshire Council during the reporting period 1 April to 30 September 2022.

## **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.

Most Stage 2 complaints were undertaken at the Stage 2 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.

In reporting period 1 April to 30 September 2022 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.



## 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)
<b>Eliminate unlawful discrimination, harassment, and victimisation</b>	Low
<b>Advance equality of opportunity</b> between people who share a protected characteristic and those who do not	Low
<b>Foster good relations</b> 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

<b>Is a full Equality Impact Assessment required?</b> (A full Equality Impact Assessment must be carried out if impacts identified as <b>Medium and/or High</b> )	<del>YES</del> <b>NO</b>
<b>Rationale for decision:</b>  <b>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</b>	
<b>Signed :</b> Catriona Caves	<b>Head of Service</b>
<b>Date:</b> 26 October 2022	