

**Glasgow City Council****Operational Delivery and Performance Scrutiny Committee****Report by Head of Communication and Strategic Partnerships****Contact: Gary Hurr - Ext: 20960****COMPLAINTS HANDLING PERFORMANCE 2017-18****Purpose of Report:**

To advise members of the council family's performance in complaints handling for the year April 1 2017 – March 31 2018. This report covers all Glasgow family complaints handling, with the exception of Social Work complaints, which are covered in a separate report to committee.

**Recommendations:**

Note: members are asked to note the report.

Ward No(s):

Citywide: ✓

Local member(s) advised: Yes  No consulted: Yes  No **PLEASE NOTE THE FOLLOWING:**

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## 1. Executive Summary

- a. This report covers the Glasgow family of organisations' complaints handling performance for the period 1 April 2017 – 31 March 2018.
- b. All core GCC service departments and ALEOs use the model Complaints Handling Procedure (CHP), introduced in June 2013. This consists of three stages: frontline resolution (stage 1); investigation stage (stage 2) and external review (stage 3, where a referral is made) by the Scottish Public Services Ombudsman (SPSO). Social Work Services began using the model CHP in April 2017 (with minor differences), replacing statutory procedures that had existed previously. SWS complaints data is covered in a separate report to committee.
- c. Compliance with the model CHP is a statutory requirement. The relevant legislation is contained in the Scottish Public Services Ombudsman Act 2002.
- d. There are a number of different outcomes to formal complaints: upheld; partially upheld; not upheld; withdrawn or transferred to another process. The majority of complaints received by the Glasgow family continue to be upheld (50%) or partially upheld (21%).
- e. Complaints can be dealt with either at the frontline resolution stage, or the investigation stage. Most complaints (over 90%) are dealt with at the frontline stage.
- f. Frontline stage resolution is generally applied where the complaint is reasonably straightforward and involves a service failure, such as a missed refuse collection, or about the cleanliness of a council building. The Service Level Agreement for a frontline complaint resolution is five working days.
- g. Staff are encouraged to try to resolve a customer complaint at the time it is made.
- h. Where a complaint is upheld in whole or part, a suitable apology is made to the customer and actions taken, wherever possible, to address their concerns and/or improve service provision.
- i. Where complaints identify issues of persistent service failure, these should be addressed by senior management teams in the relevant Service.
- j. Investigation stage complaints are more complex and can generally be categorised as maladministration. Complaints handlers can immediately move a complaint received to the investigation stage where they consider it will not be possible to investigate or resolve within five working days. Customers who have had their complaint dealt with at the frontline stage are offered the option to have it considered at stage 2, if they are dissatisfied with the frontline response. Complaints considered at stage 2 (after a referral from stage 1) should be investigated by senior staff not connected to the initial complaint. The SLA for investigation stage is 20 working days and will always be concluded with a formal, written response to the complainant.
- k. Extensions to the above timescales for responses may be granted – for example, where the case has a degree of complexity or seriousness that does not allow for a response within SLA. We always try to agree extensions with the customer.

Requests by complainants to move a complaint immediately to stage 2 are at the discretion of the council.

- l. At the conclusion of stage 2, customers are referred to the SPSO, should they remain unhappy. The SPSO may decide to investigate the complaint and this is considered the third, and final, stage of the complaint's journey. Where the SPSO makes a decision on a complaint, it cannot be investigated again by the council.
- m. Very few complaints referred to the SPSO about the Glasgow family are formally investigated by the Ombudsman. In the year 2017 – 18, there were 134 complaints made to the SPSO but only 19 of these were formally investigated. The SPSO cannot look at a complaint until it has exhausted the authority's formal CHP and the majority of complaints it received about the Glasgow family were deemed 'premature' as they had not been through this process.
- n. A significant number of the 134 complaints were not investigated by the SPSO on the grounds of proportionality. This is where the Ombudsman has adjudged that nothing further can be achieved for the customer beyond the outcome at stage 2. If a complaint is adjudged to be 'fit for SPSO' it is likely to also reflect that an investigation would be beneficial.
- o. Where a complaint is referred to, and investigated, by the SPSO, the following outcomes are possible: upheld, partially upheld or not upheld. Upheld, or partially upheld, complaints usually come with recommendations for the authority, or redress measures for the customer, although these are seldom financial.
- p. Complaints can be made in a variety of ways: in person, by telephone, using a paper form or increasingly, online using a bespoke complaints form. More than 50 per cent of complaints are now made online, via the council's website.
- q. Complaints are recorded, tracked and managed in an IT system called Lagan. This system will be retired during 2019 and replaced by a solution called Firmstep which will offer significantly improved case management facilities and self-service options, leading to a reduction in manual interventions during the process of managing a complaint.
- r. The present system of how complaints are categorised has been recognised as unsatisfactory. A new, streamlined system of categorisation will also be introduced during 2019 to allow for improved reporting, consistency, benchmarking and better management information. This is being done in conjunction with the Local Authority Complaint Handlers Network, of which GCC is a member, and the SPSO.
- s. There is occasional variance in the way complaints are recorded across the council family. Where this is persistent, matters will be addressed via the council's complaint handler's network, the Customer Engagement Forum, which meets quarterly.
- t. There is a considerable onus on a complaints handler to recognise at which stage the complaint should be handled. Some complaints are categorised as being fit for stage 1 when they should immediately be moved to stage 2 as it is apparent a resolution/response cannot be provided within the stage 1 SLA due to

the complexities of the case. This has an adverse effect on the overall SLA response rate at stage 1.

- u. At the present time, it is not generally possible to quantify the amount of time spent by officers on dealing with complaints. Some complaints are straightforward and will involve little resource, while others will take much longer to resolve and potentially involve a larger group of officers.

**The general trends and issues in 2017 – 18 for complaints handling can be summarised as follows:**

- a. The overall number of complaints received has fallen for the second successive year.
- b. Complaints received are now at their lowest level since the introduction of the formal Complaints Handling Procedure in 2013.
- c. Complaints received and closed during the year show a very close correlation. Some complaints received towards the end of the period will be closed in the next period.
- d. The proportion of complaints upheld or partially upheld has remained relatively stable.
- e. There is a significant shortfall in performance in terms of meeting timescales for responses, at stage 1. The Glasgow family's performance is below the average for Scottish local authorities.
- f. Performance at stage 2 is within the national performance target and is better than the average for Scottish local authorities.
- g. The majority of complaints received are recorded against Land and Environmental Services and Glasgow Life.
- h. Almost 100 Service Improvements were identified as a result of complaints received. The majority of these were by Glasgow Life. GL publicises the outcomes of complaints in the venue where they were received using a 'you said, we did' method of presentation on reception area boards.
- i. Complaints performance is reported to Service/ALEO senior management teams on a regular basis. Cases investigated by the SPSO are brought to the attention of senior officials in the relevant service.

## 2. Complaints statistical data 2017 - 18

This year has seen a reduction of 16 per cent in the number of complaints received about services provided by the Glasgow family of organisations. This is the second successive year when the volume of complaints has fallen from that recorded in the previous year.

Between 2015 – 16 and 2016 – 17 the drop was 24 per cent.

### Complaints received 2017 - 18

Period	Total complaints received	Stage 1 (frontline)	Stage 2 (investigation)	Change from previous year
2017 - 18	11,088	10,057	1,031	-2,044
2016 - 17	13,092	11,737	1,355	-4,220
2015 - 16	17,312	15,764	1,544	+3,662
2014 - 15	13,650	12,139	1,511	+3,526
2013 - 14	10,124*	9,452	672	N/A

(Note: \* only partial data available for year 2013 – 14 due to introduction of new Complaints Handling Procedure during that period.)

<b>Outcomes</b>	
Upheld complaints	50%
Partially upheld complaints	21%
Not Upheld complaints	25%
Withdrawn or transferred to another process	4%

<b>Average time taken to resolve complaints</b>	Glasgow family	National average for Scottish local authorities	National performance target
Stage 1 (frontline)	12 days	8 days	5 days
Stage 2 (investigation)	19 days	24 days	20 days

<b>Service Improvements made as a result of complaints</b>	
City Building	2
City Parking	3
Financial Services	2
Glasgow Life	90

**Complaints recorded against each Service or ALEO:**

<b>Received at Stage 1: Frontline Resolution</b>	<b>No of Cases</b>
Chief Executive	63
City Building	22
City Parking	117
City Property	6
Community Safety Glasgow	57
Cordia	87
Development and Regeneration Services	90
Education Services	236
Financial Services	1272
Glasgow Life	2316
Land and Environmental Services	5791
<b>Total:</b>	<b>10057</b>

<b>Received at Stage 2: Investigation Stage - Escalated to Stage 2 (no frontline response given)</b>	<b>No of Distinct Cases</b>
Chief Executive	2
City Parking	4
Community Safety Glasgow	1
Cordia	545
Development and Regeneration Services	3
Education Services	66
Financial Services	16
Glasgow Life	5
Jobs and Business Glasgow	1
Land and Environmental Services	119
<b>Total:</b>	<b>762</b>

Received at Stage 2: Investigation Stage - b) Escalated to Stage 2 (after frontline response given)	No of Distinct Cases
City Parking	5
Cordia	2
Development and Regeneration Services	4
Education Services	16
Financial Services	22
Glasgow Life	72
Land and Environmental Services	148
Total:	269

**Categories of complaints – top three for each Service/ALEO:**

Organisation	Category Name	Number of Instances
Chief Executive	Procedures	25
	Processes / Timescales	8
	Public Processions	7

Organisation	Category Name	Number of Instances
City Building	General	16
	Staff Attitude	3
	Staff Knowledge	3

Organisation	Category Name	Number of Instances
City Parking	Service Level	116
	Refunds	11
	Policy	8

Organisation	Category Name	Number of Instances
City Property	Health and Safety	3
	Service Provided	2
	Vandalism/Anti Social Behaviour	1

Organisation	Category Name	Number of Instances
Community Safety Glasgow	Quality of service	31
	Staff conduct	31
	General	5

Organisation	Category Name	Number of Instances
Cordia	Quality of Service	305
	Failure to Arrive	119
	Staff Attitude	56

Organisation	Category Name	Number of Instances
Development and Regeneration Services	Customer Service	76
	General	12
	Process	7

Organisation	Category Name	Number of Instances
Education Services	Process	260
	Policy	256
	Staff	143

Organisation	Category Name	Number of Instances
Financial Services	Procedures	476
	Waiting Time (Phone)	436
	Processing Delay	335

Organisation	Category Name	Number of Instances
Glasgow Life	Equipment	288
	Venue Appearance and Mtce	236
	Visitors Overall Experience	205

Organisation	Category Name	Number of Instances
Jobs and Business Glasgow	Other	1
	General	1

Organisation	Category Name	Number of Instances
Land and Environmental Services	Missed collection	1822
	Procedures	1166
	Missed items	874

### Closed complaints

Total complaints closed 2017 - 18	As a percentage of all complaints received
10, 810	97%

### SPSO statistics

	Glasgow family	Sector total
Total cases 'fit for SPSO' 2017 - 18	19	169
Upheld	13	96
Uphold rate	68%	57%
Percentage change from 2016 - 17	-7%	-3%

#### 4 Cases investigated by the SPSO

The SPSO made decisions on 19 complaints made against the Glasgow family in 2017 – 18. Of these cases, seven were upheld, six partially upheld and six not upheld. A summary of the cases (excluding SWS cases, covered in a separate report) is noted below.

Council service	Outcome	Case details
Street cleaning	Fully upheld	Customer contacted the council on a number of occasions since 2015 to request that they sweep her street and pavement because mud and falling leaves were making the pavements slippery and blocking road drains, leading to flooding of the road. Customer claims that the council failed to resolve the issues.
Street cleaning	Fully upheld	That Glasgow City Council failed to provide a reasonable street cleaning service in line with their obligations.
Refuse collections and bins	Fully upheld	Customer complained to GCC about missed bin collections. The complaint was brought to Stage 2 investigation and the bins were collected, however since 10 December another 5 collections were missed. Customer states that despite reporting the issue, his complaint was not investigated properly.
Refuse collections and bins	Fully upheld	Customer had complained to GCC that a number of blue bin collections were missed. He received an explanation that the schedule and operator had changed and the issue should then be resolved however the problem continued to persist. Customer first complained about this in July 2016 and reported it a number of times before receiving a stage 2 response in November 2016.
Refuse collections and bins. Staff complaint	Fully upheld	The complainant has said that the bin collection staff are continually failing to close the gate and this results in youths congregating in the area and he has to chase them away. A copy of a key to the gates was offered to the complainant as a solution however, he does not feel this should be necessary. He also feels that the council have not investigated the issue properly as the gates are still being left unlocked.

Refuse collections and bins	Fully upheld	Glasgow City Council have unreasonably failed to collect the complainant's blue recycling bins in line with council policy. Glasgow City Council have failed to investigate and provide the complainant with a reasonable response to his complaint.
Street cleaning	Fully upheld	The council unreasonably failed to clean Avenue X as per their policy and procedures. The council have unreasonably failed to investigate the complaint.
Noise pollution	No evidence of maladministration or service failure	The council did not take reasonable enforcement action against a public house / bar in response to customers complaint of noise pollution. The council did not provide a full and reasonable response to customer's complaint and unreasonably withdrew the services of their noise pollution team from a Hotel until such a time as suitable sound insulation is installed in the building.
DRS Housing, LES Roads & LES Arbor	No evidence of maladministration or service failure	The Council have not reasonably assessed whether the structural stability and provision of natural light of customers house meets the tolerable standard as required under the terms of Part IV of the Housing (Scotland) Act 1987, as amended. The Council did not reasonably consider whether to exercise their powers under section 91 of the Roads (Scotland) Act 1984, as amended, in relation to the footpath that runs between outside customer's property.
Primary School	No evidence of maladministration or service failure	That the council failed to take reasonable action when bullying was reported.

<p>Handling of application (complaints by opponents)</p>	<p>No evidence of maladministration or service failure</p>	<p>The Council's commenting upon the state of repair of the wall in the report of handling a planning application was not reasonable as the author had only seen the wall in photographs. The report did not reasonably evaluate the application against DES 3 "Protecting and Enhancing the City's Historic Environment"; Customer specifically concerned about the evaluation of the application in relation to demolition of an unlisted building in a conservation area &amp; the significance attached to the lack of visibility of the wall from public areas. The report unreasonably failed to provide any justification for the conclusion that the application was in accordance with DES 3. The Council did not respond reasonably to customers complaints about the handling of the application.</p>
<p>Parks Development</p>	<p>No evidence of maladministration or service failure</p>	<p>The council unreasonably failed to ensure that Scottish Water returned a specific area at Darnley Country Park to an acceptable condition after infrastructure works.</p>
<p>Primary School</p>	<p>Partially upheld</p>	<p>The Council unreasonably failed to provide adequate support for child 1's educational needs. The Council unreasonably failed to follow their anti-bullying policy in relation to the child 1. The Council unreasonably failed to provide adequate support for child 2's educational needs. The head teacher of Primary School inappropriately made a referral to the social work department. The Council's investigation of the complaint was unreasonable.</p>
<p>Handling of application (complaints by opponents)</p>	<p>Partially upheld</p>	<p>Complaint regarding planning decisions and advice. The Council's report of the handling of a planning application contained inaccuracies. The Council's report of handling of the application did not reasonably evaluate the application against relevant guidance. The Council's decision on the application was unreasonable given the inadequacies of the report of handling. The first condition the Council attached to the granting of permission for the application was unreasonable because the drawings referred to are undimensioned. The Council did not respond reasonably to the customer's complaints about their handling of the application</p>

Handling of application (complaints by opponents)	Partially upheld	Complaint regarding planning, specifically that the council unreasonably allowed contractors to establish a new compound and site entrance without assessing the impact on the residential amenity. The council failed to appropriately respond to his complaint
Unauthorised developments: enforcement action/stop and discontinuation notices	Partially upheld	The council unreasonably failed to take enforcement action in respect of issues with neighbouring property. The council failed to handle customers complaint appropriately

## Policy and Resource Implications

### Resource Implications:

*Financial:* None

*Legal:* Compliance with the Complaints Handling Procedure is a statutory requirement.

*Personnel:* None

*Procurement:* None

### Council Strategic Plan:

The complaints handling process supports the following themes:

Resilient and Empowered Neighbourhoods, with specific outcomes:

- Citizens and neighbourhoods can influence how services are developed and budgets spent

Priorities: 77, 83

A well-governed city that listens and responds, with specific outcomes:

- Improve the council's communication with residents, including through updating our website, facilitating engagement on social media and by webcasting council committee meetings.

Priority: 105

## **Equality and Socio-Economic Impacts:**

*Does the proposal support the Council's Equality Outcomes 2017-22*

This process supports Equality Outcome 8 - Service users with protected characteristics are provided with targeted, improved and more accessible information about the services provided by the Council Family.

*What are the potential equality impacts as a result of this report?*

Not required as this is not a new/updated strategy, policy or service and has no significant equality impact. However, the overarching complaints process commits to making reasonable adjustments to support individuals with protected characteristics ensuring that it is accessible for all.

*Please highlight if the policy/proposal will help address socio economic disadvantage.*

Not required as this is not a new/updated strategy, policy or service and has no significant equality impact

## **Sustainability Impacts:**

*Environmental:* None

*Social, including Article 19 opportunities:* None

*Economic:* None

## **Privacy and Data Protection impacts:**

Customer complaints' data is stored in a secure case management system, Lagan.

### **3 Recommendations**

Members are asked to note the report