

Item



Glasgow City Council

Operational Performance and Delivery Scrutiny Committee

Report by Director of Communication and Corporate Governance

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COMPLAINTS HANDLING PERFORMANCE 2022 - 23

Purpose of Report:

To advise elected members of the council family’s performance in complaints handling for the year April 1 2022 – 31 March 2023 with the exception of Social Work complaints, which were covered in a separate report to this committee in October.

Recommendations:

The Operational Performance and Delivery Scrutiny Committee is asked to note the content of this report.

Ward No(s):
Local member(s) advised: Yes No

Citywide: ✓
consulted: Yes No

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1. Executive Summary

- a. This report covers the Glasgow family of organisations' complaints handling performance for the period 1 April 2022 – 31 March 2023. Since April 2013 all Scottish councils have been required to monitor and report their performance on handling complaints under their Complaints Handling Procedure (CHP) against a suite of high level performance indicators to meet the Scottish Public Services Ombudsman (SPSO) statutory requirements.
- b. All core GCC service departments and ALEOs use the model Complaints Handling Procedure, introduced in the Glasgow family of organisations 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 to the Scottish Public Services Ombudsman (SPSO), either by the complainant or the authority.
- 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- d. There are a number of different outcomes to formal complaints: upheld; partially upheld; not upheld; withdrawn, transferred to another process and resolved. The majority of complaints received by the Glasgow family continue to be upheld or partially upheld, either at Stage 1 or 2.
- e. Complaints can be dealt with either at the frontline resolution stage, or the investigation stage. Most complaints are dealt with at the frontline stage.
- f. Frontline stage resolution is generally applied where the complaint is reasonably straightforward and involves a one-off or limited service failure. 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. Training is provided to assist staff in customer-facing roles, who may take a customer complaint, via courses on GOLD.
- h. Where a complaint is upheld in whole or part, a suitable apology can be 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 managers in the relevant Service. Analysis of complaints data should be carried out regularly by Service senior managers and embedded in change and improvement processes.
- j. Investigation stage complaints are more complex and can generally be categorised as maladministration, or persistent service failure. 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 (due to its complexity). 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 more senior staff not connected to the initial complaint to ensure objectivity. The SLA for

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investigation stage is 20 working days and will always be concluded with a formal, written response to the complainant, advising of the outcome and signposting the complainant to the SPSO. At that point the council's investigation is considered to be concluded and further correspondence with the customer is not necessary.

- 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, or where staff absence will impact on response times. 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. This is to help avoid relatively trivial matters being considered at Stage 2 and to give the relevant Service the opportunity to respond at Stage 1.
- 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 complainant's journey. Once a complaint has exhausted the council's CHP, dialogue with the complainant should cease pending the SPSO investigation to avoid prejudicing the outcome. Where the SPSO makes a decision on a complaint, it cannot be investigated again by the council.
- m. 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 80 per cent of complaints are now made online, via the council's website. Making a complaint online has advantages both for the customer and the council: for the customer it means the complaint is expressed in their own words and can be entered on a 24/7 basis and for the council it saves time processing the complaint. While complaints made via social media channels are noted by the digital teams, customers are always signposted to the online complaints procedure, should they wish their complaint to be progressed formally. This process is embedded in the CHP. Complaints made on social media are not recorded in council systems due to the difficulties of establishing complainants' identities and tracking such complaints.
- n. Complaints are recorded, tracked and managed in an IT system called Lagan. This system will be retired during 2023 - 24 and replaced by a solution called Granicus 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.
- o. The present system of how complaints are categorised has been recognised as unsatisfactory and lacking qualitative management information to help generate service improvements. A new, streamlined system of categorisation was due to be introduced during 2022 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. This work stream is currently in progress and was intended to be introduced during 2022 but has been postponed, pending the implementation of the new case handling system.
- p. There is occasional variance in the way complaints are recorded across the council family. Where this is persistent, matters will be addressed via the

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council's complaint handler's network which meets quarterly. Better categorisation of complaints will assist with this process, leading to improved management information on which to base decision making.

- q. 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.
- r. 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 to resolve, while others will take much longer to resolve and potentially involve a larger group of officers. A small number of complainants can take up a disproportionate amount of officer resource, potentially to the disadvantage of the broader customer base. Where complainants persistently refuse to accept the council's explanation or decision on a matter, this may be managed via its Unacceptable Actions Policy (UAP) which aims to effectively manage the contact of vexatious customers, or those whose actions we consider unacceptable. Customers placed under some form of UAP restriction will always be given at least one point of contact within the council for the period of the restriction.
- s. Responsibility for complaints handling is operationally managed by the corporate Customer Care Team (within CBS) for the core council and by complaints handlers/managers within the specific ALEOs. Strategic responsibility for complaints reporting, compliance and governance resides with the Chief Executive's Department.

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2. The general trends and issues in 2022 – 23 for complaints handling can be summarised as follows:

- a. The overall number of complaints received has decreased. There were 899 fewer complaints in 2022 – 23 than in the preceding period.
- b. Some 95 per cent of complaints received during 2022 – 23 were closed in the same period.
- c. There is a significant shortfall in performance in terms of meeting timescales for responses, at stage 1. The average time to resolve a Stage 1 complaint during 2022 – 2023 was 20 days (the SLA is five working days). It should be noted, however, that complaints not recorded as closed within five working days may well have been dealt with operationally even though they have not been formally closed in the IT system. The onus to formally close complaints can often be on officers performing frontline service delivery, who may have competing priorities. This is being addressed with further training for complaints handlers to make sure a complaint is closed in the system at the time of redress or resolution. The new IT system for recording complaints will also be more closely integrated into existing GCC systems providing alerts and reminders to close off resolved complaints. This should see an improvement in the Stage 1 performance recorded during 2024 – 25.
- d. Performance at Stage 2 is 23 working days on average for complaints to be closed. This is above the national performance target of 20 days although performance has improved in the reporting period from the previous year.
- e. A number of 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 notice boards. This is in line with good practice standards.
- f. 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 and to the Chief Executive.

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3. Complaints statistical data 2022 - 23

This period has seen a decrease in the number of complaints received about services provided by the Glasgow family of organisations.

Complaints received

Period	Total complaints received	Stage 1 (frontline) Complaints	Stage 2 (investigation) Complaints	Change from previous year
2022 - 23	5,854	5,621	233	-899
2021 - 22	6,753	6,517	236	+665
2020 - 21	6,097	5,929	168	-3,753
2019 - 20	9,850	9,437	413	+570
2018 - 19	9,280	8,840	479	-1,808
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.)

(Note: some complaints considered at Stage 2 will have been escalated at the complainant's request after a Stage1 outcome. Council officers may also decide to refer a complaint to the Stage 2 process immediately, depending on the nature of the complaint.)

Outcomes of complaints closed at all stages	
Upheld complaints	41%
Partially upheld complaints	40%
Not Upheld complaints	15%
Withdrawn or transferred to another process	4%

Average time taken to resolve complaints	Glasgow family	National performance target
Stage 1 (frontline)	20 days (12 days in 2021 – 22)	5 days
Stage 2 (investigation)	23 days (35 days in 2021 -22)	20 days

Service Improvements made as a result of complaints	
NRS	3
Financial Services	1

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Glasgow Life	181
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4. Complaints recorded against each Service or ALEO 2022 –23.

Stage 1

Organisation	No.
Chief Executive	61
City Building	6
Education Services	295
Financial Services	784
Glasgow Life	741
Jobs and Business Glasgow	4
Neighbourhoods, Regeneration and Sustainability	3730
Total	5621

Stage 2 - Direct to Stage 2

Organisation	No.
Chief Executive	3
Education Services	79
Financial Services	16
Glasgow Life	10
Neighbourhoods, Regeneration and Sustainability	68
Total	176

Sta/ge 2 - Escalated from Stage 1

Organisation	No.
Education Services	12
Financial Services	5
Glasgow Life	32
Neighbourhoods, Regeneration and Sustainability	8
Total	57

5. Categories of complaints recorded against each Service/ALEO

Chief Executive

Category	No.
Other	30
Registration Processes	8
Processing Delay	6

City Building

Category	No.
General	4
Other	2

Education Services

Category	No.
Staff	127
Pupil Behaviour	124

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Service Quality	66
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Financial Services

Category	No.
Procedures	228
Processing Delay	172
Waiting Time (Email)	110

Glasgow Life

Category	No.
Staff Attitude	89
Catering and Vending	67
Marketing and Information	53

Jobs and Business Glasgow

Category	No.
Staff Attitude	2
Other	1
Processing Delay	1
Staff Error	1

Neighbourhoods, Regeneration and Sustainability

Category	No.
Other	1398
Missed collection	983
Faults	437

6. Cases referred to the SPSO and their outcomes

During the period the undernoted cases were referred to the Scottish Public Services Ombudsman at the conclusion of the council's Stage 2 procedure. In only one case was the complaint upheld and recommendations made.

Details of case referred to SPSO	SPSO decision
<p>Education Services The provision of sweets to complainant's son whilst he is at school.</p>	<p>Complaint not taken further by SPSO for reasons below: SPSO are satisfied that based on the evidence submitted, the Council's response to the complaint is Reasonable. GCC have provided a clear response to the complaint which addressed complaints concerns, explaining the steps taken to investigate and the reasons for their position. They consider that the council offered a reasonable solution to address the complaints concerns. The SPSO felt they cannot add to the response already provided by the Council or achieve anything</p>

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	further of significance or resolve this matter to the customers satisfaction.
<p>NRS Parking Customer unhappy with the rate charged for parking at Concert Sq Car Park. Customer feels signage / charging structure was confusing</p>	<p>Complaint not taken further by SPSO for reasons below: The SPSO consider the Council's response to the complaint to be reasonable. The SPSO could not achieve the outcomes sought by complainant as they cannot dictate how much Councils charge customers for parking or the pricing structures used.</p>
<p>NRS Parking Customer unhappy with the Council's actions in respect of the introduction of restricted parking zones in the area where he lives.</p>	<p>Complaint not taken further by SPSO for reasons below: The customer did not bring his complaint to the SPSO within the required timescales and there were no special circumstances that would make it appropriate for the SPSO to take forward the complaint.</p>
<p>NRS Roads & FS Claims Customer is unhappy with repairs he deems "sub-standard" to a defect on the footpath outside his property. Council had made make-safe repairs as GCC deemed permanent repairs the responsibility of a utility company. The complainant subsequently approached the SPSO to complaint about a delay with his compensation claim related to the above matter</p>	<p>Complaint not taken further by SPSO for reasons below: The Council provided an explanation for their actions and have stated they will now carry out a permanent repair as the utility companies contacted rejected responsibility. An SPSO investigation would be unlikely to achieve any significant practical benefits for the customer or lead to learning and improvement for the Council. The SPSO have subsequently contacted GCC in relation to the compensation claim – this aspect is ongoing</p>
<p>NRS (DRS) Review Customer approached the SPSO again asking for a review of their previous decision. This relates to alleged cooking in a café below the customers property. The SPSO have requested information from GCC to help them determine if the customer's request for a review will be accepted</p>	<p>The requested information has been sent to the SPSO. At this time, we have not received a further update from the Ombudsman in relation to the customer's request that they re-open his complaint.</p>
<p>SWF SPSO carrying out an independent review of a community care grant from the applicants</p>	<p>The applicant was awarded a payment via a 2nd tier reconsideration review decision, via Scottish Public Services Ombudsman in October 2022</p>
<p>FS Discretionary Housing Payment Customer is unhappy about the council's decision not to aware DHP</p>	<p>Complaint not taken further by SPSO for reasons below: The decision to make a payment is discretionary and it is for the Council to consider and determine the matter. So long as the council have demonstrated they have considered the circumstances of the case and had regard to appropriate information, this is not a decision our office (SPSO) can question.</p>
<p>NRS Bulky Waste Uplift Failure to remove items of bulky waste</p>	<p>Complaint not taken further by SPSO for reasons below: Investigating the complaint would not result in us (SPSO) recommending the outcome you seek. The SPSO cannot recommend that the council uplift the items, as there is no evidence of the Council failing to act in line with relevant policies and procedures.</p>
<p>NRS Enforcement & Planning Regarding planning and enforcement issues</p>	<p>SPSO requested the complete complaint file to determine if they will consider the customers complaint. We await their update</p>
<p>NRS Roads</p>	<p>Complaint not taken further by SPSO for reasons below:</p>

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Complaint regarding defects on footpath	The SPSO considered it more appropriate to return the customers complaint to GCC for further investigation and a more detailed response, this has been done and the customer is also being supported by colleagues in Neighbourhood Liaison
NRS Public Health Customer complaint that service failed to take appropriate action in relation to a commercial noise pollution report	Complaint not taken further by SPSO for reasons below: The SPSO considered it more appropriate to return the customers complaint to GCC for further investigation and a more detailed response. This is sitting with NRS currently. However there has been no further contact from the customer
NRS Public Health Complaint regarding Environmental Health Officer and the council's failure to take enforcement action	Complaint not taken further by SPSO for reasons below: SPSO consider the Council's response to the complaint to be reasonable. They have provided a clear response, explaining the steps they took to investigate and the reasons they do not agree with the customers position. SPSO have not seen any information or evidence which causes them to doubt the accuracy of the council response. One of the outcomes sought by the complainant was compensation for the impact that this matter has had. The SPSO confirm they would not be able to achieve this.
FS Council Tax Customer disputed council tax arrears	Complaint not taken further by SPSO for reasons below: SPSO consider that the actions the Council has taken are reasonable and proportionate in the circumstances. One of the outcomes sought by the complainant was compensation for the impact that this matter has had. The SPSO confirm they would not be able to achieve this.
CED Licensing Complaint about the way the Council had handled the complainant's medical examination	The SPSO considered the Council's administration of the complainant's medical examination was unreasonable, and that Council did not comply with their duties in keeping with the model CHP for local authorities. The customer's complaint was therefore upheld. The SPSO made 3 recommendations.
NRS Parks & Cleansing Complaint about lack of grass cutting/litter picking in the customers local area.	Complaint not taken further by SPSO for reasons below: The council have the discretion to make decisions in a wide range of areas and we (SPSO) cannot question the Council's decision unless there is evidence of maladministration or service failure.
NRS Cleansing Complaint about the council's refusal to refund a cancelled bulky waste request	Complaint not taken further by SPSO for reasons below: SPSO consider the council provided a reasonable response to your complaint and explained the terms and conditions for a refund were not met
NRS Allotments Complaint about the level of involvement the council had dealing with issues the customer had with other plot holders. Customer also disagrees with the position the Council has taken in relation to the committee composition.	Complaint not taken further by SPSO for reasons below: SPSO cannot make or ask the Council to act out with their remit. The SPSO also consider the council have provided a clear response and explained their role and remit in relation to the concerns raised.
NRS Cleansing Complaint about blue bin service level at customer's address	Complaint not taken further by SPSO for reasons below: SPSO consider the council have now taken appropriate actions in response to the complaint.

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	<p>One of the outcomes sought by the complainant was compensation for the impact that this matter has had. The SPSO confirm they would not be able to achieve this</p>
<p>NRS Parking Complaint about parking in the vicinity of customer's address. His address is subject to the millennium clause, and he can no longer park in the neighbouring area as it is now a restricted parking zone. Customer believes the council should allow him to purchase a permit for the neighbouring RPZ due to extenuating circumstances</p>	<p>Complaint not taken further by SPSO for reasons below: Council have clearly stated the reasons behind their decision with reference to the relevant orders and guidance, SPSO have no reason to doubt their position. As there does not appear to have been any administrative or procedural failure in the way the Council's decision was reached, SPSO do not consider we can achieve the resolution the customer is looking for.</p>
<p>FS Council Tax Complaint that the council are withholding an overpayment of around £5000 from the customer. Customer claims they have already provided the Council with all the information they requested to evidence that they were a full-time student.</p>	<p>Complaint not taken further by SPSO for reasons below: SPSO would not be able to investigate concerns about a Student Exemption because the complainant has the right to pursue this through the appeals process. Ultimately, it is a matter for these appeals to (independently) decide if you should be repaid council tax and not a matter for SPSO.</p>
<p>Education Complaint that customers son's school have not put adequate support in place for his son and that his needs are not being met. Customer feels the council are in breach of the Education (Additional Support of Learning) (Scotland) Act 2004</p>	<p>Complaint not taken further by SPSO for reasons below: The Ombudsman must not investigate any matter in respect of which the person aggrieved has or had a right of appeal, reference or review to or before any tribunal. SPSO suggests customer makes an appeal to The Additional Support Needs Tribunal.</p>
<p>NRS Roads Complaint regarding lack of notification of road closure for the purposes of gully maintenance. Customer also concerned work was not carried out and feels his complaint was not dealt with correctly.</p>	<p>Complaint not taken further by SPSO for reasons below: SPSO consider that the council have acknowledged issues identified and have taken action to support learning and improvement. Overall, SPSO do not consider they can achieve the outcomes the customer is looking for, and have therefore decided not to investigate the complaint.</p>
<p>Education Complaint that council failed to reasonably support customer's two children who have additional support needs.</p>	<p>Complaint not taken further by SPSO for reasons below: The Ombudsman must not investigate any matter in respect of which the person aggrieved has or had a right of appeal, reference or review to or before any tribunal. SPSO suggests customer makes an appeal to The Additional Support Needs Tribunal.</p>
<p>FS NDR Complaint that customer had overpaid non domestic rates as she was paying for her own property, and also the basement. The owner of the basement had not advised assessors of their purchase.</p>	<p>Complaint not taken further by SPSO for reasons below: SPSO consider the Council's response to the complaint appears reasonable. They have provided a clear response, explaining the steps they took to investigate and the reasons they do not agree with your position. They have explained the limitations they have in relation to backdating the valuation roll. On being informed that the NDR included the basement they took action to remedy this, the property was re-assessed, and the valuation roll updated.</p>
<p>SWF Complaint is that the Council were wrong not to seek an interpreter for Ms Y during her Crisis Grant application process</p>	<p>Complaint not taken further by SPSO for reasons below: SPSO consider the council's response to the complaint appears reasonable. They have provided a clear response, explaining the</p>

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	<p>steps they took to investigate and the reasons for their position. The Council were clear that it was their view that the decision-maker had no reason to think that an interpreter was required in this case as applicant had been able to communicate clearly, including during previous email communication and had indicated that she understood.</p>
<p>FS Debt Management Complaint regarding correspondence sent by GCC debt management partners to complainants father. The debt this correspondence related to belonged to someone who shared the father's first and second name.</p>	<p>Complaint not taken further by SPSO for reasons below: SPSO consider the action taken by the council to resolve the complaint to be reasonable in the circumstances. The council acknowledged issues and apologised. These actions are similar to the sort of action SPSO may have recommended.</p>
<p>NRS Allotments Complaint that the Council had allowed an allotment association to bully its members.</p>	<p>Complaint not taken further by SPSO for reasons below: The customer did not bring his complaint to the SPSO within the required timescales and there were no special circumstances that would make it appropriate for the SPSO to take forward the complaint.</p>

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Policy and Resource Implications

Resource Implications:

Financial: None

Legal: Compliance with the Complaints Handling Procedure is a statutory requirement. The relevant legislation is contained in the Scottish Public Services Ombudsman Act 2002.

Personnel: None

Procurement: None

Council Strategic Plan:

Good complaint management, clear and detailed reporting and service improvements learned as a result of complaints within the council generally support its core values of transparency, upholding citizen's rights and partnership working with citizens by allowing contributions to be made from any source on the subject of how service delivery might be improved.

The complaints handling process supports the following specific 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

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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

Climate Impacts:

*Does the proposal support any Climate Plan actions?
Please specify:*

None.

What are the potential climate impacts as a result of this proposal?

None.

Will the proposal contribute to Glasgow's net zero carbon target?

No.

Privacy and Data Protection impacts:

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

3 Recommendations

The Operational Performance and Delivery Scrutiny Committee is asked to note the content of this report.