

Scottish Borders Council Annual Complaint Performance Report 2020/21

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1. Overview

1.1. Introduction

This is the council’s annual complaints performance report that provides information on customer complaints received between 1 April 2020 and 31 March 2021.

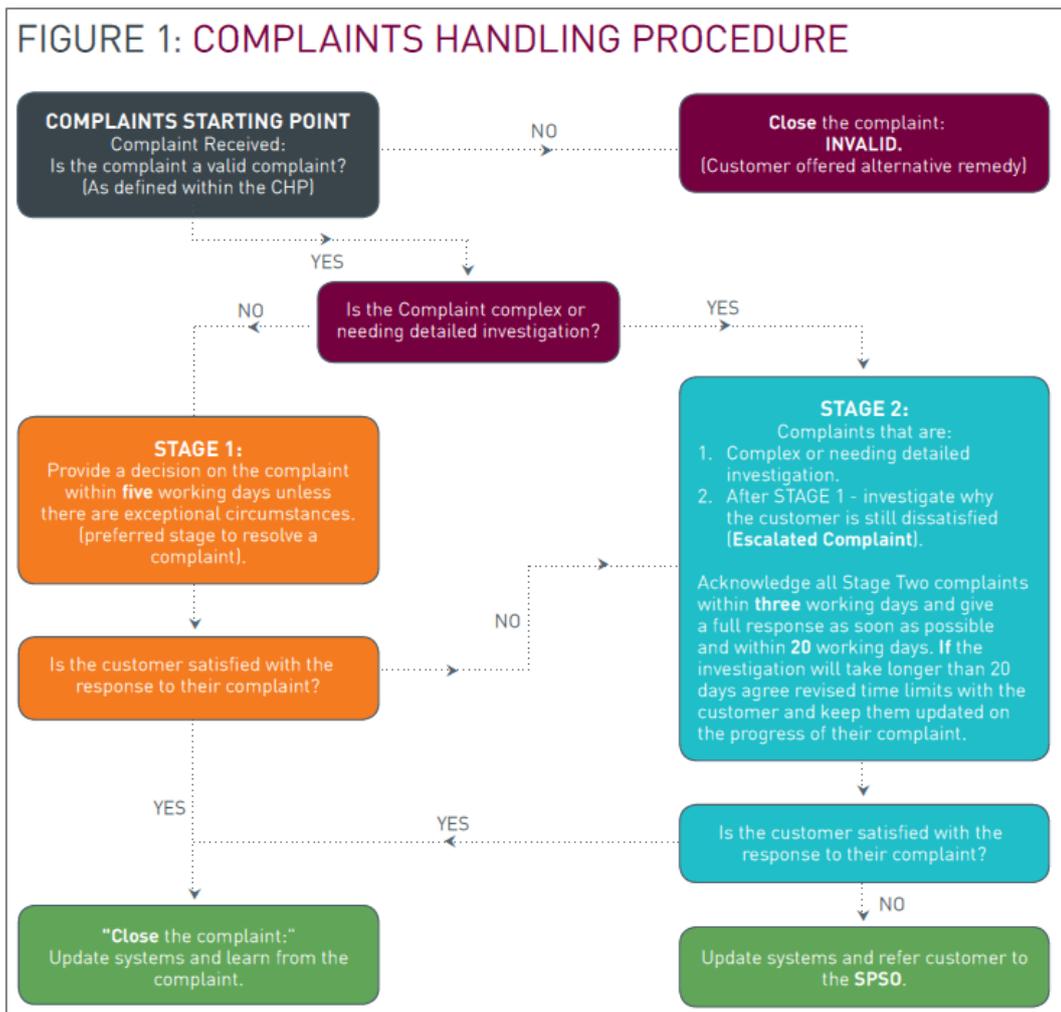
Scottish Borders Council always aims to provide the highest possible quality of service to the residents of the Scottish Borders. However, there are times when things go wrong and we fail to meet the expectations of our customers.

The council’s complaints procedure provides our customers with a clear and structured way to provide feedback on what has gone wrong with a council service. The process to resolution should be straightforward and timely. Listening to our customers helps us to put things right, improve our services and learn from our mistakes.

This report provides us with an opportunity to share how well we are performing.

1.2. Corporate Complaints Procedure

Scottish Borders Council (SBC) values all complaints and we strive to use them to help us improve our services. The objective of the Complaints Handling Procedure (CHP) is to resolve customer dissatisfaction as close to the point of service delivery and as soon as possible at Stage One in the procedure. Figure 1 is a flow chart of SBC’s CHP. Complaints can be raised online, by email, in person, by telephone or by letter.



Complaints performance is reported on a quarterly basis to both the council's Corporate Management Team and the council's Executive Committee. All complaints performance statistics are reported to the public and are available on the council's website.

2. Complaint Performance Statistics

This report presents how SBC performs based on eight key performance indicators developed by the Scottish Public Services Ombudsman (SPSO) in conjunction with all 32 Scottish Local Authorities.

The number of complaints closed in 2020-21 was 780. This is an increase on the number closed in the previous year. The council will continue to analysis complaints to help inform service improvement, identify training opportunities for our staff and help prioritise our activities to meet the changing needs of the residents of the Scottish Borders. Complaint benchmark data for 2020-21 is accurate at the time of publishing this report. Where applicable, this report has included the Scottish Local Authority national average and Family Group performance indicators for comparative information. The council's performance relating to the processing of complaints performs well against the Scottish National and Family Group averages in many indicators, but performance in poorer in relation to indicators that measure timeliness of responses.

2.1. Indicator 1: Complaints closed per 1,000 population

This indicator records the total number of 'Valid' complaints received by SBC during the financial year (April to March) as a rate per 1,000 population. In 2020-21 SBC received **1076** complaints of which **298** were closed as 'Invalid'. The remaining **780** were handled as 'Valid' complaints. This is equivalent to 6.8 received complaints per 1,000 population.

Table 1 provides SBC's total complaints closed per 1,000 population over the past 5 years along with the Scottish and Family Group Averages for 2020-21. The table shows that there has been an increase in complaints closed and complaints closed by SBC per 1,000 population in 2020-21.

Table 1: Complaints closed per 1,000 population

Measure	2016/17	2017/18	2018/19	2019/20	2020/21	FG 1 Average 2020-21	Scottish Average 2020-21
Population Total	114,030	114,530	115,020	115,270	115510	919,190	5,424,800
Total number of Valid complaints	563	670	625	725	780	4,319	50,742
Number of complaints per 1,000	4.9	5.8	5.4	6.3	6.8	4.8	9.89

2.2. Indicator 2: Closed complaints

This indicator provides information on the number of complaints closed at stage one, stage two and escalated complaints as a percentage of all complaints closed. Table 2 provides the performance information for this indicator.

The term 'closed' refers to a complaint that has had a response sent to the customer and at the time, no further action was required to respond to the customer.

Escalated complaints are those complaints that have been resolved at Stage One initially, but the customer was not satisfied with the response they received. When the customer requests that the same issue is considered again at Stage Two, of the complaints handling procedure, these complaints are called 'escalated' complaints.

Table 2: Closed Complaints

Complaints Closed as a % of all complaints closed	2016/17	2017/18	2018/19	2019/20	2020/21	FG 1 Average 2020-21	Scottish Average 2020-21
Stage One	76%	75%	78%	75%	85.4%	76.6%	88.7%
Stage Two	20%	21%	17%	21%	12.2%	20.0%	8.4%
Escalated from Stage One	4%	4%	4%	5%	2.4%	3.4%	2.8%

2.3. Indicator 3: Complaints upheld and not upheld

There is a requirement for a formal outcome to be recorded for each complaint. SBC made the decision not to use a 'Partially Upheld' outcome when the CHP was introduced in 2013. Therefore, for the purposes of this reporting, complaints are recorded as either 'Upheld' or 'Not Upheld'

This indicator measures the percentage of complaints, which were upheld or not upheld, recorded at each stage. The results can be seen in Tables 3 and 4.

Table 3: Upheld Complaints

Complaints upheld	2016/17	2017/18	2018/19	2019/20	2020/21	FG 1 Average 2020-21	Scottish Average 2020-21
Stage One	40%	42%	37%	48%	36.6%	50.7%	61.3%
Stage Two	38%	38%	45%	47%	38.5%	42.2%	43.7%
Escalated from Stage One	46%	50%	39%	30%	22.2%	44.9%	44.8%

It should be noted that in Table 3 above, the 'Upheld' and 'Partially Upheld' outcomes for the Family Group and Scottish Average have been added together, to allow meaningful comparison with SBC's figures. This is because SBC does not use a 'Partially Upheld' outcome.

Table 4: Not Upheld Complaints

Complaints not upheld	2016/17	2017/18	2018/19	2019/20	2020/21	FG 1 Average 2020-21	Scottish Average 2020-21
Stage One	60%	58%	63%	52%	63.4%	49.2%	35.9%
Stage Two	62%	62%	55%	53%	61.5%	57.8%	48.4%
Escalated from Stage One	54%	50%	61%	70%	77.8%	55.1%	49.5%

2.4. Indicator 4: Average times

Indicator 4 represents the average time in working days to close complaints. Indicator 4 performance can be seen in Table 5.

Table 5: Average times

Average times	2016/17	2017/18	2018/19	2019/20	2020/21	FG 1 Average 2020-21	Scottish Average 2020-21
Stage One	3.9	4.0	4.6	5.3	5.9	6.3	6.5
Stage Two	17.5	17.7	18.2	22.5	23.1	21.8	22.9
Escalated from Stage One	17.0	18.0	14.9	32.4	41.6	23.9	20.7

The average time taken to close complaints at Stage One, Stage Two and Escalated from Stage One continues to worsen. The Escalated from Stage One figure is particularly poor in 2020/21. Comparison with the Family Group and Scottish Averages shows that this increasing length of time to close complaints is a national picture, and with the exception of complaints closed at Stage One SBC's average working days to close complaints are above those of the Family Group and Scottish averages.

2.5. Indicator 5: Performance against timescales

This indicator reports the percentage of complaints at each stage that were closed in full within the set timescales of 5 and 20 working days. These include cases where an extension to the timescale has been authorised. Indicator 5 performance can be seen in Table 6.

Table 6: Performance against timescales

Performance against timescales	2016/17	2017/18	2018/19	2019/20	2020/21	FG 1 Average 2020-21	Scottish Average 2020-21
Stage One	87%	86%	81%	77%	80%	72.2%%	71.1%
Stage Two	78%	67%	74%	60%	66%	69.3%	62.7%
Escalated from Stage One	65%	54%	79%	24%	22%	53.7%	65.5%

2.6. Indicator 6: Number of cases where an extension is authorised

SBC always aims to respond to complaints as quickly as possible. There are, however, times when a complaint is particularly complex and it is not feasible to fully investigate the issues within the prescribed timescales. In these situations SBC agree with a complainant to extend the timescale for closing the complaint.

This indicator reports the percentage of complaints at each stage where an extension to the 5 or 20 working day timeline has been authorised. Indicator 6 performance can be seen in Table 7.

Table 7: Number of cases where an extension is authorised

Percentage of cases where an extension is authorised	2016/17	2017/18	2018/19	2019/20	2020/21	FG 1 Average 2020-21	Scottish Average 2020-21
Stage One	3%	4%	3%	2%	1%	15.6%	4.6%
Stage Two	15%	18%	11%	5%	3%	17.7%	14.3%
Escalated from Stage One	12%	31%	4%	6%	6%	17.0%	16.1%

2.7. Indicator 7: Customer Satisfaction

SBC runs a Complaint Handling Customer Satisfaction Survey on an ongoing basis. Customers are contacted approximately one week after their complaint is closed inviting them to provide feedback on their experience. Indicator 7 performance can be seen in Table 8. This indicator provides information on the levels of customer satisfaction with the complaint handling procedure and process.

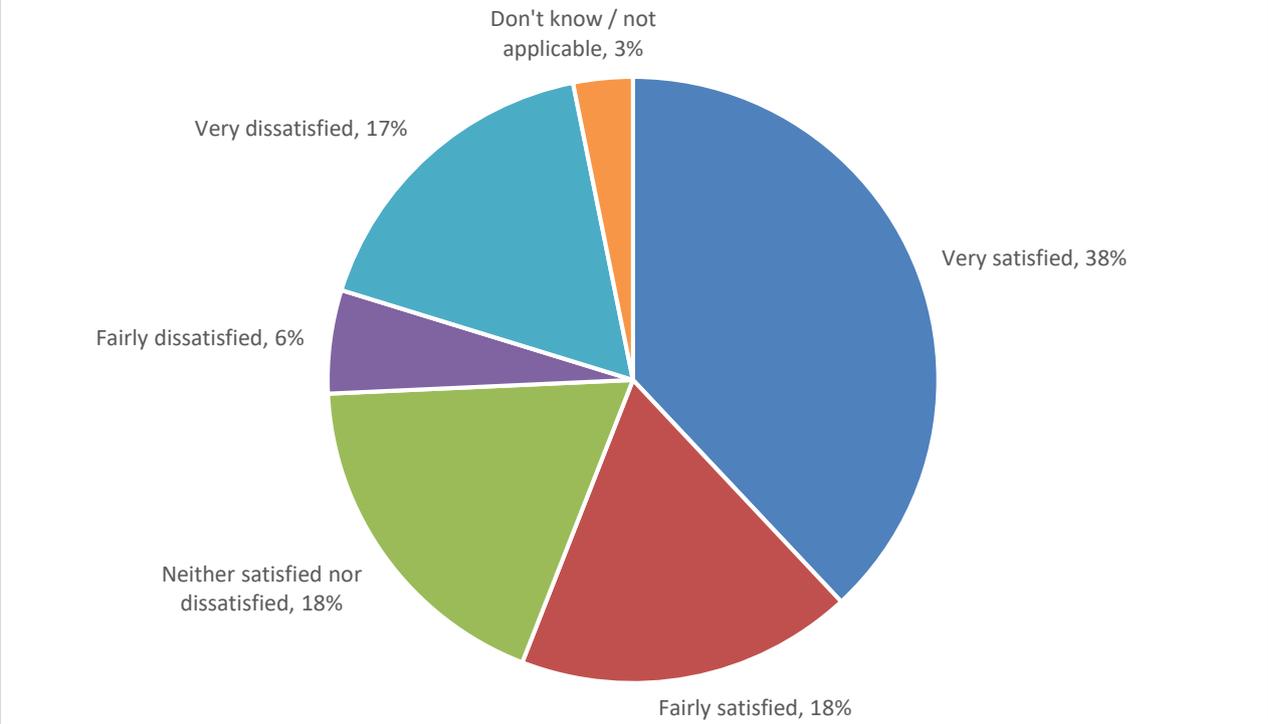
The survey asks the customer to state how satisfied or dissatisfied they are with:

- Being able to deal with someone who could help you with your complaint?
- That someone took responsibility for your complaint?
- Being given information that was easy to understand?
- Being given all the information you needed?
- Being treated fairly?
- Being kept up to date on the progress of your complaint?
- How well the staff did their job?
- The time taken to deal with your complaint from start to finish?
- The final outcome?

Table 8: Customer Satisfaction

Survey Invitations Sent:	2016/17	2017/18	2018/19	2019/20	2020/21
No. survey Invitations Sent	146	225	131	57	166
No. closed complaints	563	691	645	725	780
% of customers invited to respond to the survey	26%	33%	20%	8%	21%
Return Rate:					
No. Returned	26	25	33	25	41
% Return Rate	18%	11%	25%	44%	25%
Responses:					
Either Fairly or Very Satisfied	57%	60%	49%	43%	58%
Either Fairly or Very Dissatisfied	20%	20%	30%	38%	23%

Figure 2 Overall Complaints Handling Customer Satisfaction 2020/21



In 2020/21, the number of surveys issued is back up to normal levels following a reduction in the number sent out in 2019/20. In 2020/21, satisfaction with complaints handling has improved and returned to levels seen in 2016/17.

2.8. Indicator 8: Learning from Complaints

Formal complaint reports are provided to the Corporate Management Team on a monthly basis and complaints performance information is provided to Elected Members on a quarterly basis through our Corporate Public Performance Report.

We take all complaints seriously, and the information gathered from them is invaluable in helping to continually improve our services. Since the introduction of the Complaints Handling Procedure, many changes and improvements have been made to services as a result of complaints and some examples of case studies are detailed in this section.

Case Study One

Customer A complaint that for the 4th time their bin collection had been missed. They had noted other housing developments in the area having their bins collected, but the bins in Customer A's development were missed.

The investigation into the complaint found that on this occasion the bin lorry had actually broken down. However, the investigation also showed that there was a pattern of the bins in this housing development being missed.

As a result, the route and the allocation of vehicles has been examined and changes made. The changes will be monitored and reviewed if necessary. The service are also making an investment in the fleet of collection vehicles, however this is on a phased approach.

Case Study Two

Customer B contacted the Council to complain about the state of one of the rural roads near his home. The main road in the area had been closed for a period of time to enable road repairs and resurfacing. Unfortunately, many HGV's and large vehicles were using the rural road near Customer B's home, which was unsuitable for HGV's and large vehicles, rather than follow the official diversion route.

As a result, damage was caused to verges and the road was covered with detritus generated from the damaged verges.

As there was no recourse against the drivers of the HGV's and large vehicles, the Council agreed to take remedial action that included using a mechanical excavator to repair the verges and scraping and sweeping the road. The Council also agreed to install additional signage in future, as part of our traffic management plan, to discourage the use of unsuitable roads during road works.

The Roads service are also considering how they communicate works with local residents and businesses in advance and during the works. The current approach is a manual process that often is at short notice. They are considering technology solutions that can provide notifications though an SB Alert type platform in advance but also during the works providing real time updates.

Case Study Three

Customer C contacted the council to complaint that their parents' domestic waste and recycling bins had not been emptied for the past month. Customer C had put in place arrangements for their elderly parents to receive an assisted lift for their domestic waste and recycling bins.

Following investigation, it was found that the request for an assisted lift had not been recorded properly. Managers committed to ensuring all assisted lift requests were recorded immediately following the request

in future. They also contacted the Foreman and driver for the route to explain what was required for this assisted lift and information on the assisted lift is now carried in the collection vehicle.

The wastes service are also exploring options for technology solutions to record customer information and link this to in-cab technology so the service can deliver better-coordinated services.

Case Study Four

Customer D contacted the council to complain that more money than they had authorised was taken from their account via Direct Debit. They explained that this had put them under financial pressure for the month as they were on a low wage.

The matter was investigated and it was found that the member of staff who set up the Direct Debit was not aware that the system would not take into account a payment the customer made over the telephone, on the day the Direct Debit was set up, when calculating the Direct Debit amount. With this payment, not showing on the account until the next day the system calculated the Direct Debit at a higher rate than agreed.

The team's supervisors have provided further training to the member of staff and they have updated the team's training manuals, so staff are aware that payments made will not show on a customer's account until the day following the payment and they therefore need to adjust the Direct Debit manually to include this payment. The supervisors also offered the customer a refund of the extra amount taken.

Case Study Five

Customer E contacted the council to make a complaint about an ongoing problem on their street regarding inconsiderate parking by their neighbours. The inconsiderate parking was having a knock on effect on the collection of rubbish from the street, because the collection vehicle struggled to access the street due to the badly parked cars. Despite letters from the council to residents asking them to be considerate when parking, there was still an ongoing problem. The customer had also tried to involve the police, but they referred them back to the council.

A two-stage solution to the problem was developed. Firstly, residents were asked to present their rubbish bins for collection at the top of the street rather than outside their properties. This was a temporary measure to ensure rubbish was being collected. The second part of the solution was to have parking control measures put in place. The roads section were asked to have double yellow lines added to the entrance of the street. This would then enable parking violation action to be taken in future.

This case study is one example of behavioural changes that have emerged as a result of Covid – 19. Many more people are working from home that means there are more cars parked on streets at collection time. In some areas, this results in restricted access for collection vehicles and increased complaints relating to missed bins.

Case Study Six

A number of complaints were received from parents of children attending a newly built high school. As part of the design of the new school 3 blocks of unisex toilets were included. The parents complained that their children were refusing to use the toilets because they were uncomfortable sharing with the other sex.

As a result of the complaints, a compromise was put in place. One toilet block was designated for males, another for females and the third block remained unisex.

3. SPSO LEARNING AND IMPROVEMENT

If, after we have fully investigated a complaint, the customer is still dissatisfied with our decision or the way in which we have handled their complaint, the customer can ask the SPSO to look at the complaint. In 2020/21, the SPSO received 15 and closed 17 complaints about SBC. This is equal to 1.6% of all complaints received by the SPSO in relation to the Local Authority Sector, or 1.8% of all complaints closed by the SPSO in relation to the Local Authority Sector. The numbers of complaints that go to the SPSO are a very small proportion of all the complaints made about Scottish Local Authorities; this is illustrated in Figure 3.

Figure 1: Illustration of SPSO complaints of all complaints for 2020/21

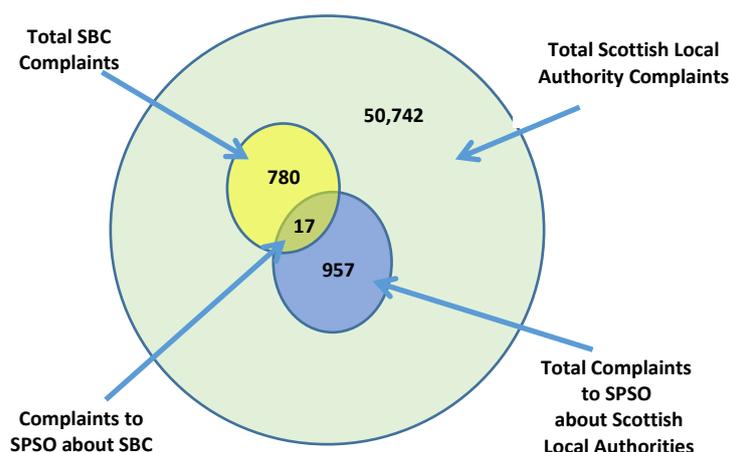


Table 9 below shows the number of complaints about SBC received by the SPSO and this as a percentage of the Local authority Sector

Table 9: SPSO Complaints Received by Year

SPSO Received Complaints /Year	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
SPSO Received Complaints about SBC	33	20	27	11	41	15
SBC Complaints as % all for Scottish Local Authority sector	1.9%	1.3%	1.8%	0.8%	3.3%	1.6%

Table 10 below shows how SBC compares to the Scottish Local Authority Sector in relation to complaints closed by the SPSO.

Table 10: SPSO Closed Complaints for SBC / Year

SPSO Closed Complaints for SBC / Year	2018/19			2019/20			2020/21		
	SBC Count	SBC %	Sector %	SBC Count	SBC %	Sector %	SBC Count	SBC %	Sector %
Closed	24	1.9%	2.3%	38	3.0%	2.2%	17	1.8%	1.7%
Stage SPSO Complaint Closed									
Advice	2	0.7%	22%	12	2.4%	39%	6	1.6%	40%
Early Resolution	20	3.2%	49%	25	3.7%	54%	10	2.0%	53%
Investigation	1	1.0%	8%	1	1.2%	7%	1	1.6%	7%
Premature	1	0.3%	24%	5	1.9%	21%	2	0.8%	27%
SPSO Decision									
Fit for SPSO	1	1.0%	8%	1	1.2%	7%	1	1.6%	7%
Upheld / Partially Upheld	1	1.8%	4%	0	0%	4%	0	0%	4%

In 2020/21, the SPSO undertook one investigation into a complaint about SBC. The published Case Studies for this complaint is detailed below. The complaint was not upheld and SBC did not receive any recommendations.

Case Study One:

Mr C was the owner of a property that included a parking space noted in the title deeds. Subsequently, Mr C installed a collapsible parking pole to prevent others parking in the space. The council issued a notice to Mr C requiring that he remove the parking pole. The council advised Mr C that the road had been adopted as a 'public road', which meant control of the road rested with the council. Mr C disputed the council's position and pointed towards the council's inability to provide a complete copy of a technical drawing that accompanied a road construction consent form. He considered that this meant that the council could not demonstrate that the parking space was part of the public road.

Mr C complained about the council's decision to require him to remove the parking pole. We found that the council has discretionary power to require removal of something placed in a public road causing obstruction. Mr C had not been granted consent in writing to install a parking pole in the parking space he owned. We found no maladministration in relation to the council's decision-making in this matter. We did not uphold this complaint.

Mr C also complained about the council's investigation into a missing technical drawing. We found that a black and white copy of the drawing was available and this had evidentiary value in the council confirming which areas were originally intended to form part of the adopted road. We also found that a separate document consisted in the main record for delineating adopted areas. We were satisfied that the steps taken by the council to search for the document were reasonable. We did not uphold this complaint.

4. 2020/21 Complaint Summary

In 2020/21, the council closed 780 valid complaints and this represents an increase of 55 from the 2019/20 figure of 725.

85.4% of all complaints closed by the council were resolved at Stage One (Frontline Resolution), 12.2% of complaints resolved at Stage Two (Investigation) with the remaining 2.3% of complaints being resolved after being escalated from Stage One.

The average times taken by the council to resolve Stage One, Stage Two and Escalated from Stage One complaints were 5.9 days, 23.1 days and 41.6 days respectively. The council's overall performance relating to the timeliness of processing complaints has decreased for all stages, but especially for Escalated from Stage One. Of the 18 complaints Escalated from Stage One, only 4 were answered on time. That said, the council's performance at Stage One is better than the Family Group and the Scottish Averages and accounts for 85% of all the complaints submitted. SBC's performance of Stage Two and Escalated from Stage one complaints is worse than the Family Group and Scottish Averages.

80% of Stage One complaints were resolved within 5 days and 66% of Stage Two complaints were resolved within 20 days, which is an improvement percentage wise when compared to 2019/20. The percentages in 2019/20 were 75% and 60% respectively. However, only 22% of Escalated from Stage One complaints were resolved within 20 working days compared to 24% in 2019/20. The Scottish National Average for 2020-21 is 71.1% and 62.7% for Stage One and Stage Two resolution respectively. SBC's performance in relation to the Scottish and Family Group averages is positive. The Scottish National Average for 2020-21 for Escalated from Stage One complaints is 65.5%.

The percentage of Stage One, Stage Two and Escalated form Stage One complaints that were upheld in 2020/21 were 36.6%, 38.5% and 22.2% respectively. The council's performance in relation to this measure outperformed the Scottish National Averages for 2020/21 that were 61.3%, 43.7% and 44.8%.

In 2020/21, the number of surveys issued is back up to normal levels following a reduction in the number sent out in 2019/20. We achieved a return rate of 25%. The percentage of customers either fairly or very satisfied has improved and returned to levels seen in 2016/17 with 58% either fairly or very satisfied. We continue to have more customers say they are very satisfied with the handling of their complaint than any of the other categories. See Figure 2.

In 2020/21, the Council also received approximately 192 unsolicited comments and compliments for the services provided. This was an increase from 186 in 2019/20. Of these 103 were compliments. These compliments related to areas such as kerb-side waste and recycling, roads, community recycling centers, health and social care, customer services, and emergency planning

Overall, there has been an increase in the number of complaints closed in 2020/21 when compared to the previous year. In 2020/21, we also continue to have more complaints that are not upheld than are upheld. The council's performance relating to the processing of complaints performs well against the Scottish National and Family Group averages in many indicators, but performance is poorer in relation to indicators that measure timeliness of responses. Work is currently being undertaken to pursue overdue complaints more vigorously, which will hopefully have a positive impact on the indicators in 2021/22.