

Report to: Audit and Advisory Committee

When: February 2016

From: Paul McFadden

For: Noting

Subject: Organisation learning from Customer Service Complaints Q3 2015-16

Status: FOR PUBLICATION

1. Purpose

To provide a summary of Customer Service Complaints (CSCs) received and responded to by the SPSO and the SPSO Independent Customer Complaints Reviewer (ICCR) in the three months from October to December (Q3 2015-16) and provide a summary of outcomes, trends and actions taken as a result of these complaints including, where appropriate, key learning points for SPSO service improvement.

2. Contribution to the Business Plan

Continuous improvement: on-going

3. Reporting customer service complaints

In line with CSA requirements, details of all CSCs are recorded on WorkPro and we publish on a quarterly basis the outcome of complaints and the actions we have taken in response. These are then analysed for trend information to ensure we identify areas where our service could improve and take appropriate action.

We publish this report on a quarterly basis to help ensure transparency in our complaints handling and to demonstrate to our customers that complaints can influence our service. We also publish, on an annual basis, more detailed information on our performance in handling complaints. This includes statistics showing the volumes and types of complaints and key performance details, including the time taken and the stage at which complaints were resolved.

4. Complaints received and responded to

4.1 Received

We received 10 customer service complaints in Q3, and responded to 11. This is a decrease of 33% on the previous quarter (15 received), which follows an increase of 66% between Quarter 1 and 2.

The breakdown of received complaints, by stage, in Q3 is as follows:

- 6 at Stage 1 Manager
- 5 at Stage 2 Senior Management (including one previously responded to at stage 1)

The Independent Customer Complaints Reviewer (**ICCR**) received four complaints following the completion of our internal process (the same number as the previous quarter).

4.2 Responded to

SPSO responded to 11 service complaints in this period (down from 20 in the previous quarter).

Six were responded to at stage 1 (Officer / Manager):

- Two of these were responded to at Advice Team;
- Three of these were responded to at Early Resolution;
- One of these was responded to at Corporate services.

Five were responded to at stage 2 (Head of Complaints Standards):

- Three were related to Early Resolution;
- One related to Ombudsman / Request for Review process;
- One related to Corporate Services team.

The Independent Customer Complaints Reviewer (ICCR) responded to five complaints. This was a reduction from two in the previous quarter.

5. Summary of complaints outcomes and service failures

Breakdown of complaints responded to by stage and outcome is shown in the table below. Each complaint contains a number of individual heads of complaint so the decision outlined represents a summary of these complaint outcomes.

Complaint Type	Complaint withdrawn and/or no grounds to pursue	Not Upheld	Some Upheld	Upheld	Total	Q3 % upheld	YTD 2015/16 upheld	2014-15 % upheld
Stage 1 – Officer / Manager	0	6	0	0	6	0%	14%	29%
Stage 2 – Senior Management	0	4	1	0	5	20%	12%	20%
SPSO Total					11	9%	13%	29%
Independent Customer Complaints Reviewer	2	1	2	0	5	40%	33%	18%
Total	2	11	3	0	16	19%		24%

5.1 Upheld complaints

Of the 11 complaints responded to by SPSO in this period, one was fully upheld or some upheld (9%). Six (91%) were not upheld. This is a lower upheld rate than in previous quarters (12.5% and 15% and in quarters 1 and 2 respectively) and the year to date figure of 13%.

The ICCR responded to five complaints (three received the previous quarter). Two of these complaints were not taken forward as the issues the complainant was unhappy about were not matters that the ICCR could review (the decision or outcome on their complaint about a public body, for example). One complaint was not upheld, two were some upheld (overall rate of 40%).

For comparison, SPSO internal upheld rates in 2014/15 ranged from 15% to 33% by quarter, averaging at 24% for the year. The ICCR upheld rate for the year was 18%.

5.2 Service failures identified

Specific service failures identified in Quarter 3 are summarised below.

Stage 2 (Head of Complaints Standards)

- We apologised for a lack of clarity in a letter, specifically a letter to a customer on their information request where it was not made clear that information provided was not related to their complaint

Independent Customer Complaints Reviewer (ICCR)

Case 1

The ICCR upheld a complaint relating to delay in the request for review process and made recommendations related to revising the information SPSO provides to the public relating to the review process, updating complainants with a revised a revised time estimate for completion of the Ombudsman's review where there is a delay or to have indicated when a further update would be provided. They also recommended that the SPSO should monitor timescales for the review process to make sure there were no systemic issues.

SPSO accepted the recommendations, acknowledging that it had taken longer than the stated target to respond to the complainant's review request and explaining that we had received a high number of review requests in April which contributed to this delay. We highlighted that average timescales are monitored and that average closure time remains close to target. We has also accepted that communication could have contained more information about revised timescales and confirmed that we would will look to ensure that happens more routinely.

Case 2

The ICCR upheld a complaint that SPSO handled a conference enquiry differently from the way it handled other similar enquiries and that this was unfair. The ICCR was of the view that SPSO should have asked to clarify the reasons for the complainant's interest in the conference before giving any opinion on whether it would be appropriate for them to attend. In terms of complaints handling, although there was a slight delay in responding to the complaint, the ICCR was satisfied that an appropriate apology had been offered by SPSO, and that in other respects SPSO had handled the matter appropriately in line with its service complaints procedure.

Case 3

This case related to the definition of the heads of complaint in relation to a complaint about a public body. The ICCR concluded that SPSO had sought to 'over-manage' a complainant in establishing the 'correct' Heads of Complaint. They agreed with the complainant that some of the correspondence received from SPSO was negative and somewhat grudging in tone, and that this made the complainant feel that matters related to their complaint had been excluded or pre-judged. The explanation that SPSO had given was that they had been correctly following SPSO policy and using everyday phrases and explanations in line with normal process and practice. The ICCR, however, felt that there was a risk that organisations become so familiar with their own processes and approach that staff apply them without taking stock of how standard wording might come across to individual service users. The ICCR was of the view that the SPSO could have done more to clarify what it would be investigating and to reassure the complainant that it would do so in an impartial and non-prejudiced way. The ICCR recommended an apology be made to the complainant.

The ICCR also noted a previous recommendation that SPSO should consider whether there was any action it would be useful to take (for example by providing extra guidance for staff and/or updating its published information) to ensure that complainants understand the role of the Complaints Reviewer in drawing up heads of complaint for investigation. SPSO confirmed that this recommendation was implemented and that changes were made to published information on how complaints are agreed with complainants, in its information leaflet.

6. Service complaint handling performance

Key points in terms of SPSO's handling of customer service complaints:

Complaints numbers

- Complaints responded to at stage 1 **decreased** from seven to six on the previous quarter
- Complaints responded to at stage 2 **decreased** from 13 to five on the previous quarter.
- Complaints responded to by ICCR **increased** from two to five on the previous quarter, although two of these were not taken forward as the issues the complainants were unhappy about were not matters that ICRS could review.

Timescales

- *Stage 1:* Four out of six complaints (**67%**) at stage 1 were responded to within the target of 5 working days (Q2 71%; Q1 55%; Q4 14/15 90%). The average timescales for responding to Stage 1 complaints was **4.3 working days**, which is within the 5 working day target
- *Stage 2:* Due to the reduced resource available in this quarter, only two out of five complaints at stage 2 (**40%**) were responded to within the target of 20 working days, a decrease on the previous 2 quarters (69%, 70% and 70% the previous three quarter). The average timescales for responding to Stage 1 complaints was 26 working days which was outwith the target of 20 working days for the first time since we started reporting quarterly statistics (previous quarter 19 working days).

7. Key learning points and trends

There were no significant service failures identified in the complaints responded to in this period which indicates a concerning trend or requiring attention. The most common areas of complaint in quarter 3 were:

- *Communication:* Three complaints to SPSO, compared to five in the previous quarter, complained about elements of communication such as failures to contact within agreed timescales, accuracy of communications or failure to explain elements of our process clearly.
- *Specific elements of our process:* Three complaints, compared to six in the previous quarter, involved some element of complaint about our process, including the process for agreeing heads of complaint or transferring complaints between CRs.
- *Attitude* – four complaints, compared to two in the previous quarter, related to staff attitude.

Other areas of complaints included how complainants were treated (one), whether we met the complainant's needs (one) and delay (one, a reduction on six in the previous quarter).

8. Action Taken

Individual instances of service failure have been highlighted to SMT, where necessary, and to the relevant staff and managers involved. This paper will be provided to the Service Improvement Group for discussion and action where appropriate. There were no individual or collective training needs identified.

ICCR recommendations have been accepted and have been, or are being, acted upon.

9. Recommendations

The A&AC is invited to note this update.