

SPSO Conference 2020: Questions & Answers

What training will be available from SPSO about the new MCHP?

SPSO's free e-learning courses on the MCHP are currently being updated. We also plan to deliver further outreach sessions on the MCHP changes. Given the covid-19 situation, these will be delivered online via video or webinar in the first instance and will be made available on our website.

SPSO offers a range of training courses and these will be updated to reflect the revised MCHP. For enquiries about training, please contact training@sps.gov.scot.

Will you be doing any specific training on resolution?

At this stage SPSO does not offer specific training on resolution. However, we will include information about resolution in our classroom-based courses and in a future potential eLearning module. Several providers offer training and workshops on resolution or mediation skills, including Scottish Mediation (<https://www.scottishmediation.org.uk/>).

How do you escalate a resolved complaint you haven't investigated at stage 1?

All complaints must be signposted to the next stage (whether resolved / upheld / not upheld). Complaints at stage 1 will usually be responded to verbally, and complainants can be signposted in the same conversation, e.g.:

'I understand that you're happy with this outcome as a resolution to your complaint. However, you do still have the right to escalate your complaint to the next stage if you wish, and you can do this by...[letting me know / completing a complaint form / contacting our complaints team on XXXX].'

The note of the conversation should include that the person was signposted to stage 2. This means that should the person subsequently decide to escalate a complaint previously considered to have been resolved there is a record of the outcome at Stage 1. The complaint should be escalated to Stage 2, if it meets the time limit requirements.

How does a request for an apology fit with a complaint which was dealt with as a resolution without reaching an upheld / not upheld decision?

It is not clear from this question at what stage the person asks for an apology.

If the complaint has already been closed as 'resolved', and the person then asks for an apology, the complaint should be escalated to the next stage (and probably shouldn't have been closed, as the person is clearly not fully satisfied).

If the person asks for an apology as part of their complaint, you can still try resolving the complaint (the person may be satisfied with the proposed action and no longer want an apology).

However, if the person insists they want an apology in response to their complaint, you will need to decide whether there was a failing that the organisation needs to apologise for (so you will need to either uphold or not uphold the complaint). While we encourage organisations to resolve complaints where they can, in some cases it will be more appropriate to look into the matter fully. Staff should use their judgment in deciding which approach is best.

It is important to distinguish an apology for a failing (which would indicate the complaint is upheld) from an expression of empathy (which can be given in resolved or not upheld complaints, and does not acknowledge any fault). For example:

- *'I am sorry we did not meet our timeframes for offering the appointment.'* – apology
- *'I recognise that the wait was stressful for you, and I am very sorry for the impact this had on you.'* – expression of empathy

More guidance on this is in [SPSO's Apology Guidance](#).

Is resolution not an added burden and meaningless KPI for the housing sector?

Resolving complaints can greatly improve customer satisfaction. Resolving a complaint saves the organisation work in the longer term (as a complaint which is successfully resolved does not need to be investigated and have a detailed responses drafted). Not all complaints will be suitable for resolution, and these should be responded to and investigated as normal.

From a reporting perspective, it is essential that a full picture of the outcome of complaints is provided; organisations must report numbers of complaints resolved, upheld, not upheld and partially upheld. By recording and analysing complaints data,

organisations can identify and address the causes of complaints and, where appropriate, identify training opportunities and introduce service improvements.

Certain complaint handlers' network groups already engage in benchmarking activities, including the analysis of complaints outcomes, and in doing so benefit from sharing knowledge and learning about good practice in complaints handling.

It will of course be particularly important for organisations to monitor 'resolved' figures in the first few years of the revised MCHP being in place to ensure that this complaint outcome is being used appropriately.

I'm concerned staff will 'resolve' a large amount of complaints without investigation.

There are two possible issues here:

- *Staff might inappropriately 'resolve' complaints when the complainant is not truly satisfied (i.e. the complaint is not really resolved).*

The organisation's complaints data, and their quality assurance checks on complaints should show if this is happening (as there will be a high proportion of 'resolved' complaints being escalated to the next stage), and staff training and guidance can be developed to address this.

- *Staff might resolve complaints and then not look further into the underlying issues (thus losing the opportunity for valuable learning).*

Staff need to use their judgment in deciding when a resolved complaint should still be looked into further to identify any learning and improvement.

Organisations should empower and encourage complaint handling staff to seek learning from complaints wherever appropriate, and this should be supported by clear systems (including the quality assurance of closed complaints) to capture any learning from complaints (whether upheld, not upheld or resolved).

I can't see when we'd resolve without some investigation.

In some cases resolution might not be possible without some investigation to look into the matter first. In other cases, it might be possible to resolve the complaint without looking into the matter further, for example where:

- The customer is seeking a quick fix that can be offered without needing to determine whether the complaint is justified (for example, a new appointment or a copy of information they are seeking).

- The complaint relates to past actions or communication in an ongoing relationship, which may include misunderstandings. In such cases, mediation or a similar conciliatory approach focussed on rebuilding the relationship may be more helpful than an investigative approach focussed on what did or did not happen in the past.

Why not 'resolved / not resolved' instead of 'resolved / upheld / not upheld'?

The purpose of recording complaint outcomes is to enable themes and trends to be tracked to inform future learning and improvement. The outcome categories 'upheld' and 'not upheld' can be helpful in identifying action the organisation could take, for example:

- a high number of upheld complaints indicates that a number of service failings have been found – work may be needed to ensure the service is operating as intended (resourcing, compliance, staff training etc).
- a high number of complaints, most of which are not upheld may indicate an area of high customer dissatisfaction (despite the service being provided as intended) – work may be needed to understand why customers are dissatisfied and how this might be addressed (for example, by managing customer's expectations more effectively or providing advanced communications for staff working in a contentious or sensitive area).

Resolved complaints are categorised separately because it is not known whether there was a failing. The category also offers useful information in itself, for example:

- an area with a high proportion of 'resolved' complaints may indicate good practice in complaint handling and customer communications – work could be done to share the good practice from this area to others with similar work.

By recording complaints only as 'resolved' or 'not resolved', some of the data would be lost (i.e. whether or not the complaint response acknowledged a service failure).

Importantly, the examples above (and monitoring of 'upheld / not upheld' rates) only form part of the picture of complaints data monitoring. Organisations should always record learning from complaints (including any learning from 'resolved' and 'not upheld' complaints) and should use this information along with the analysis of upheld / not upheld / resolved rates.