

## Authorities Survey 2016-17

From:	Learning & Improvement Officer
When:	July 2017
Annexes:	Annex 1 – Analysis of survey results and recommendations
Recommendations:	Senior Management Team note the survey results (and planned work to improve and continue the survey), and: <ol style="list-style-type: none"><li>1. approve circulation of the full analysis to various teams within SPSO and team managers;</li><li>2. approve circulation of the analysis externally for use in a publication on SPSO standards; and</li><li>3. consider the recommendations for action in Annex 1.</li></ol>

### Purpose

To present the analysis of the Authorities Survey results for 2016-17, together with recommendations for action in response to this feedback. This report also seeks approval for circulation of this analysis internally and externally, and includes details of planned work to improve and continue the survey.

The detailed analysis of the survey results and recommendations are in **Annex 1**.

### Key Points

#### Analysis

1. This data relates to authorities who received an SPSO decision in 2016-17. This is the first full year of the survey in its current form. Results were generally very positive, with over 80% satisfaction against most of our service standards (detailed analysis in **Annex 1**).

### Circulation

2. I propose to circulate this analysis to teams within SPSO and team managers
3. I also propose to provide the analysis to an external consultant for inclusion in a planned publication drawing together information on our standards from different sources (customer survey, authorities survey, Quality Assurance (QA)).

### Improvement and continuation of the survey

4. Although the response rate was below 30% (58 of 206), this still provides a level of confidence in the findings that would support continuing the survey on an annual basis. It provides authorities a formal opportunity to feed back to us, and provides fairly useful feedback in a format that is comparable with the customer survey and QA (and in the future, with other ombudsman authorities using the Ombudsman Association service standards). For these reasons, I would suggest continuing the survey in a similar format, following some adjustments to the content.
5. In terms of the content of the survey, the existing match against the service standards is helpful (although this will need reviewing in light of any amendments to our service standards following alignment across the Ombudsman Association). There is also scope for minor adjustments to reduce repetition and ensure questions are only answered where applicable (improving data quality). Details of the suggested improvements will be brought to the Service Improvement Group.

## Annex 1: Analysis of the 2016-17 Authorities Survey

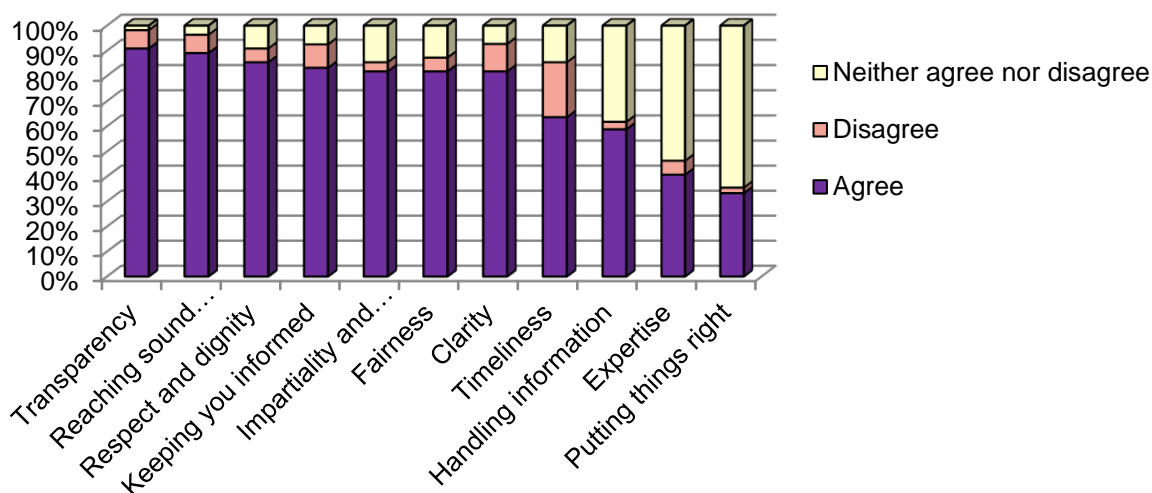
### Key Findings

#### Response rate

1. 58 authorities completed the survey out of 206 who received it (28%). About one third of these were health and one third local government, with the final third comprising Scottish Government, housing and further and higher education (FE/HE). By comparison, 63% of complaints investigated in 2016-17 were from health; 19% from local government; and 15% from Scottish Government, housing and FE/HE.
  
2. Response rates were:
  - Local Gov 49% of 35 surveys sent
  - Scottish Gov 43% of 21 surveys sent
  - FE/HE 41% of 17 surveys sent
  - Housing 24% of 34 surveys sent
  - Health 17% of 99 surveys sent

#### Overview: satisfaction rates against service standards

**Authorities' satisfaction against service standards 2016-17**



3. Overall satisfaction was generally quite high, with over 80% positive responses (strongly or partly agreeing with the statement given) for most indicators (highest satisfaction was with transparency, reaching sound outcomes and respect and dignity).
4. Feedback was somewhat mixed for communication and explanation of our processes. While over 80% (44 of 54 authorities) partly or strongly agreed with the following statements, there was also higher than average dissatisfaction (over 10% (6 of 54 authorities) partly or strongly disagreed).
  - ‘SPSO’s communication with us was accurate, plain and clear’; and
  - ‘SPSO explained their investigation process to us appropriately for each case’.
5. The main area of dissatisfaction was timeliness (satisfaction rate of only 64% (35 of 55 authorities), with dissatisfaction of 22% (12 of 55 authorities)).
6. While there were low satisfaction rates in relation to expertise (in this context this is our professional advice), handling information and putting things right (customer service complaints), this was due to the bulk of authorities neither agreeing or disagreeing (dissatisfaction in these areas was only 2-6% (1-3 authorities)). Presumably, this was because many authorities had no direct experience of our professional advisers being used in the cases we handled about them, or had never made a customer service complaint.

#### Overview: key themes arising from authorities’ comments

7. In addition to the overall positive quantitative feedback, there were several positive comments, particularly on the professionalism and helpfulness of staff (respect and dignity) and our decision letters (reaching sound outcomes). Most of the comments provided constructive criticism on a range of areas where authorities felt that improvements could be made to our service.

8. Timeliness

The majority of comments related to timeliness. There was concern about:

- the quality and frequency of updates;
- lengthy investigation timescales (concerns about this were often linked to concerns about updates, suggesting that more consistent communication could help here); and
- lack of clarity in relation to our timeframes (several authorities were not aware what these were).

9. Respect and dignity

The majority of comments were positive, particularly in relation to courtesy and respect. A small number of authorities raised concerns about the tone of some SPSO staff when dealing with their staff.

10. Clarity

Several authorities raised concerns about a lack of clarity in defining the complaint and requesting information, in particular that:

- heads of complaint can be quite general and vague, with little additional information given about the specific issues to be considered;
- SPSO does not share what submissions or allegations are made by the complainant, so authorities do not feel they have a fair chance to respond;
- requests for information can be unclear, so the authority is not sure exactly what is being asked for and why.

11. Expertise

There was also some concern raised about the use of anonymous advisers, and whether they are appropriately qualified to comment on cases.

12. Fairness

There was some feeling that CRs tend to favour the complainant's version.

## Detailed findings and comments by service standard indicators

### Transparency

13. 91% (50 of 55 authorities) strongly or partly agreed with the statement ‘SPSO provided us with information explaining how they handle complaints’ (7% (4 authorities disagreed)).
14. There were a couple of positive comments relating to the website and a meeting with SPSO staff. A couple of negative comments indicated that ‘it is not always clear how a specific case is being handled’ and ‘it was not clear on what information the report was based’. One comment expressed concern about a lack of transparency in relation to:
- the information provided by the complainant to the SPSO (the decision letter referred to claims made by the complainant that had not previously been raised with the authority); and
  - information about professional advisers’ expertise.

### Reaching sound outcomes

15. 89% (49 of 55 authorities) strongly or partly agreed with the statement ‘SPSO clearly explained their reasons for their decision(s) to us’ (7% (4 authorities) disagreed).
16. There were several positive comments that decision letters were detailed and clear, for example:
- ‘The justification for the decision was detailed and clear.’
  - ‘While the Board may not always agree with the decision, the reasons behind it were clearly explained.’
  - ‘I think the structure of the Investigators’ letters are very good, clear and concise.’

17. Some authorities commented that they do not get a separate decision, only a copy of the complainant's decision (it was not clear whether authorities considered this a problem). There were a couple of comments that the decision letters did not give adequate reasons / it was not clear on what evidence the decision was made.

### Respect and dignity

18. 85% (47 of 55 authorities) strongly or partly agreed with the statement 'SPSO treated us courteously, respectfully and with dignity' (5% (3 authorities) disagreed).
19. There were quite a lot of comments on this question (14), including several positive comments on staff, for example:
- 'Officers have been kept informed and been treated in a respectful manner.'
  - 'In our experience of dealing with SPSO staff, whether CRs, training teams or the CSA, we have found a very high standard of professionalism and integrity.'
  - 'I have always found the SPSO office to be courteous, helpful and informative.'
  - 'Good level of communication with the SPSO.'
20. Four out of 58 authorities raised concerns about the tone adopted by SPSO staff, including that some complaints reviewers can be 'abrupt' when dealing with their staff. Two commented on the reliance on written communication, with one of these suggesting that opportunities were missed for dialogue by phone / in person that might assist in resolving the issues presented.

### Keeping you informed

21. There was mixed feedback on this service standard:
- 93% (50 of 54 authorities) agreed that 'SPSO always told us who we could contact if we had any questions' (none disagreed);
  - 74% (40 of 54 authorities) agreed that 'SPSO kept us informed of progress with updates every 6-8 weeks and/or timely correspondence' (17% (9 authorities) disagreed); and
  - 83% (44 of 53 authorities) agreed that 'SPSO explained their investigation process to us appropriately for each case' (11% (6 authorities) disagreed).
22. There were a lot of comments (16) which mostly reflected a concern about lack of updates during an investigation. One authority commented that this varied depending on complaints reviewers. A couple of comments noted specifically that they received nothing between the initial enquiry and the decision (suggesting that more updates at the early resolution stage might be beneficial in some cases).
23. One authority indicated that the outcome of an investigation was not notified timeously on a couple of occasions. One raised concerns that cases had been closed and then re-opened following significant delay, with limited rationale for this.
24. One authority commented that they were not made aware of requests for review until a late stage (they said in one instance they could have provided more information that would have been helpful).

### Impartiality and independence

25. 82% (45 of 55 authorities) strongly or partly agreed with the statement 'SPSO made their decision(s) based on an independent evaluation of the evidence provided to them' (4% (2 authorities) disagreed).



26. A number of authorities commented that it was difficult for them to assess or comment on this, with one saying ‘it has to be assumed that the investigation was independent and unbiased’ and one noting ‘we are not close to the decision-making process’. Two authorities commented that they do not see the documentation provided by the complainant (so they do not know all the evidence on which the decision is based).

### Clarity

27. 82% (45 of 55 authorities) strongly or partly agreed with the statement ‘SPSO’s communication with us was accurate, plain and clear’ (11% (6 authorities) disagreed).
28. There were quite a few comments on this question (13). Several authorities commented that the definition of the complaint can be quite vague or general, with no detail of the specific claims or allegations made by the complainant (so it can be difficult to know what information or comments to provide). A few authorities also commented that requests for information can be unclear or convoluted, making it difficult to know what exact information is being asked for and why.

### Fairness

29. 82% (45 of 55 authorities) strongly or partly agreed with the statement ‘based on the decision letter(s) we received, SPSO considered all information fairly before reaching their decision(s)’ (5% (3 authorities) disagreed).
30. Several comments raised concerns that the authority did not see all the evidence provided by the complainant, with one authority commenting that challenges made to the accuracy of the information do not appear to be taken on board. In a number of instances, there was a feeling that SPSO tended to believe the complainant’s version of events.
31. One authority suggested that it would be useful to discuss the conclusions prior to the decision, so they had an opportunity to provide further evidence. N.B. this is currently available in the form of a review request and in any case it should be noted that they should provide all the appropriate information at the outset.

### Timeliness

32. 64% (35 of 55 authorities) strongly or partly agreed with the statement 'SPSO dealt with the complaint(s) in a timely manner' (22% (12 authorities) disagreed). One authority commented that SPSO time limits were 'tight and inflexible'.
33. A large number of comments were received (23). There were a couple of positive comments noting that timeframes appeared to have improved, and some authorities commented that lengthy investigations tended to be for the most complex cases. However, there was also general concern about the time taken, linked to concerns about a lack of communication during the process. A few authorities compared the tight timescales for them to provide information with the lengthy timescales for SPSO investigation. A couple of authorities also indicated they would like more clarity in relation to SPSO timescales.

### Handling information

34. The data for this service standard appears to be of low value due to authorities not having direct experiences with our processes:
- 57% (29 of 51 authorities) agreed that 'to my knowledge, SPSO's record-keeping was accurate' (only one authority (2%) disagreed)
  - 61% (31 of 51 authorities) agreed that 'to my knowledge, SPSO shared any data/information appropriately' (only 2 authorities (4%) disagreed)

35. One authority commented that they had concerns regarding third party data (relating to staff) being released under subject access, which they would have preferred to have redacted. The other eight comments on this topic all indicated the question was difficult to answer, as the authority had no knowledge of our processes.

### Expertise

36. Again, the data for this service standard appears to be of low value due to authorities not having direct experiences with our processes. While 41% (22 of 54 authorities) strongly or partly agreed with the statement 'if SPSO used professional advice, it was of a high standard', only 6% (3 authorities) disagreed.
37. 10 of the 15 comments on this question indicated that the authority had no experience of SPSO's use of professional advisers. A few authorities commented that they were not able to judge this, as they did not have knowledge of the advisers' background or qualifications. One authority commented that there had been two cases where their staff disagreed with the advisers.

### Putting things right

38. 11 authorities (20%) indicated that they had raised a concern with SPSO about our service, although 23 went on to answer questions about how we dealt with any concerns raised. Of these, the responses were positive:
- 7 authorities agreed (2 strongly and 5 partly) that we acknowledged and apologised for any errors (none disagreed); and
  - 8 authorities agreed (4 strongly and 4 partly) that we put things right quickly and sought to ensure lessons were learned to improve our service (1 disagreed).
39. There were a number of 'neither agree nor disagree' responses, but it seems likely these relate to those authorities who did not raise a concern (i.e. question was not applicable).

40. 11 comments were received on this topic, most of which acknowledged that SPSO was helpful in resolving situations, for example:
- ‘SPSO were helpful in meeting to discuss the issues and offer support to our authority moving forward.’
  - ‘This was in relation to the interpretation of a recommendation, and was resolved directly with the complaints reviewer.’
41. One authority commented that they were unaware there was a process to raise concerns (else they would have done so).

## **Specific suggestions and requests from authorities**

42. Several comments raised specific suggestions for change:

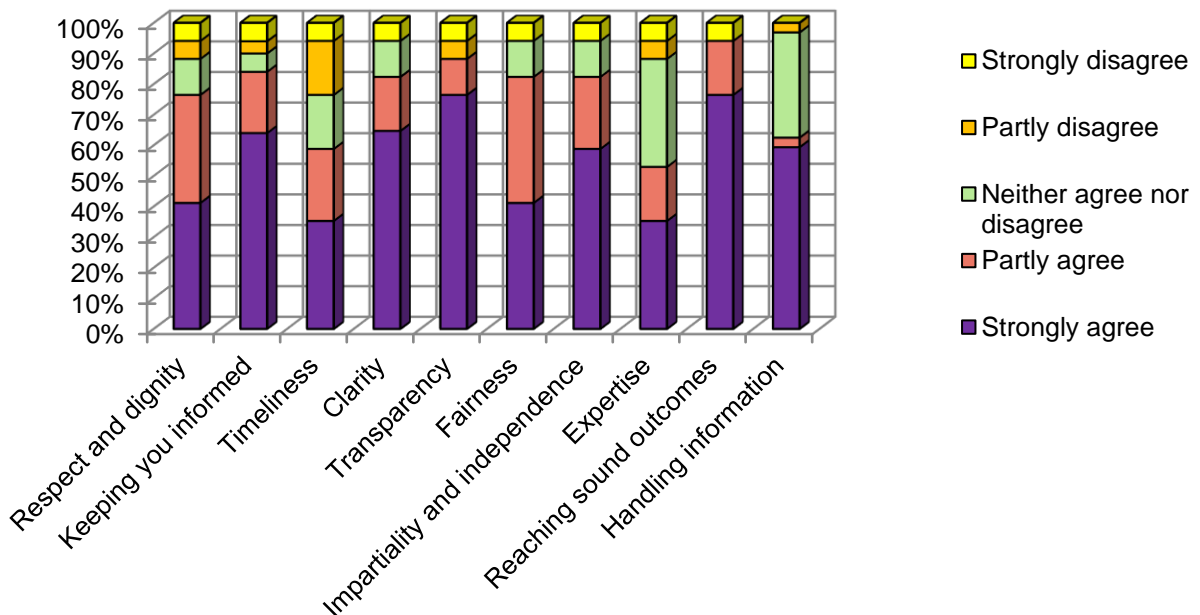
- One authority suggested SPSO publish summaries of early resolution decisions not to investigate (as well as decision reports), as some of these highlight good practice by the authority. This would require significant increased resource from complaints reviewers (to write summaries on every early resolution case) and the communications team. Whilst Section 19 of the SPSO Act 2002 limits what we can publish at the pre-investigation stage, our Legal and Policy Officer is currently seeking clarification on what we can publish under Section 17(4) and advises that there is unlikely to be a legal barrier to publication.
- One authority indicated that it would be helpful to be notified when a complaint is first received by the SPSO (we currently only notify once we have assessed the complaint and agreed the heads of complaint). This could be disproportionate, given that a large number of complaints are not taken further (e.g. premature, out of jurisdiction, out of time etc.).
- One authority suggested draft decisions should be shared with the authority, to enable them to provide any further relevant information. This would increase the investigation work required on each case; currently our approach enables new information to be raised via the review process.
- One authority asked for electronic versions of letters to be provided (to enable these to be copied from and shared by email) – the authority said they had previously requested this and most complaints reviewers comply, but some still provide letters or scanned PDFs only. As our case management system automatically creates screen-readable PDFs, this should happen automatically for emails sent via the case management system. It may be helpful to provide additional/refresher training for complaints reviewers on using the case management system to send emails and attachments (although given this appears to be only a couple of complaints reviewers, this could be disproportionate).

## Sectoral results (health and local government)

### Health

43. The response rate for health (17% of 99 surveys sent) was the lowest for all sectors. Five responses were received from health boards, with ten from individual medical or dental practices and two unknown. Overall responses were generally positive, with the majority of responses agreeing that SPSO performed well (strongly or partly agree) in relation to all categories. Highest satisfaction was expressed with reaching sound outcomes ('SPSO clearly explained their reasons for their decision to us') and transparency ('SPSO provided us with information explaining how they handle complaints'). Greatest dissatisfaction was expressed with timeliness and keeping authorities informed with regular updates.
44. In relation to the quality of our professional advice, 53% (9 of 17 health authorities) agreed the advice was of a high standard, with 12% (2 of 17) disagreeing (35% (6) neither agreed nor disagreed).

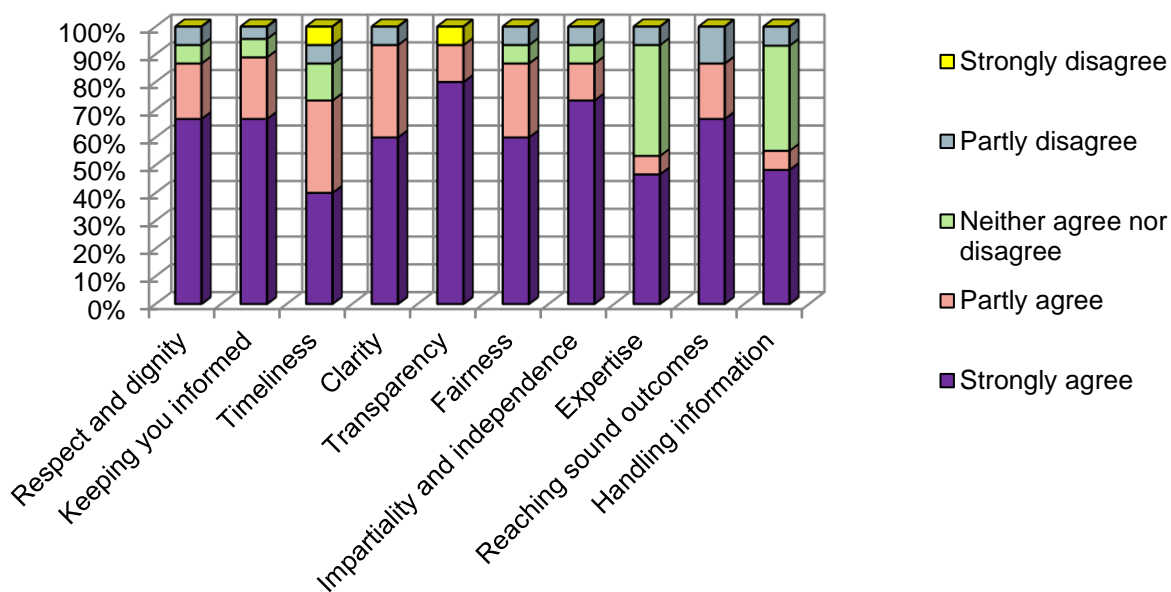
**Health sector: satisfaction with SPSO service standards**



Local government

45. The response rate for local government (49% of 35 surveys sent) was the highest for all sectors. Overall, responses were very positive (over 80% satisfaction with most of the service standards). Exceptions were timeliness (73% or 11 of 15 local governments), quality of advice (53% or 8 of 15 local governments, although only one (7%) disagreed) and handling of information (only 50% or 7 of 14 local governments agreed that SPSO shared information appropriately, with 14% (2) disagreeing). There were also higher levels of dissatisfaction around reaching sound outcomes (13% or 2 of 15 local governments disagreed) and explaining our investigation process (13% or 2 of 15 local governments disagreed).

**Local government: satisfaction against SPSO service standards**



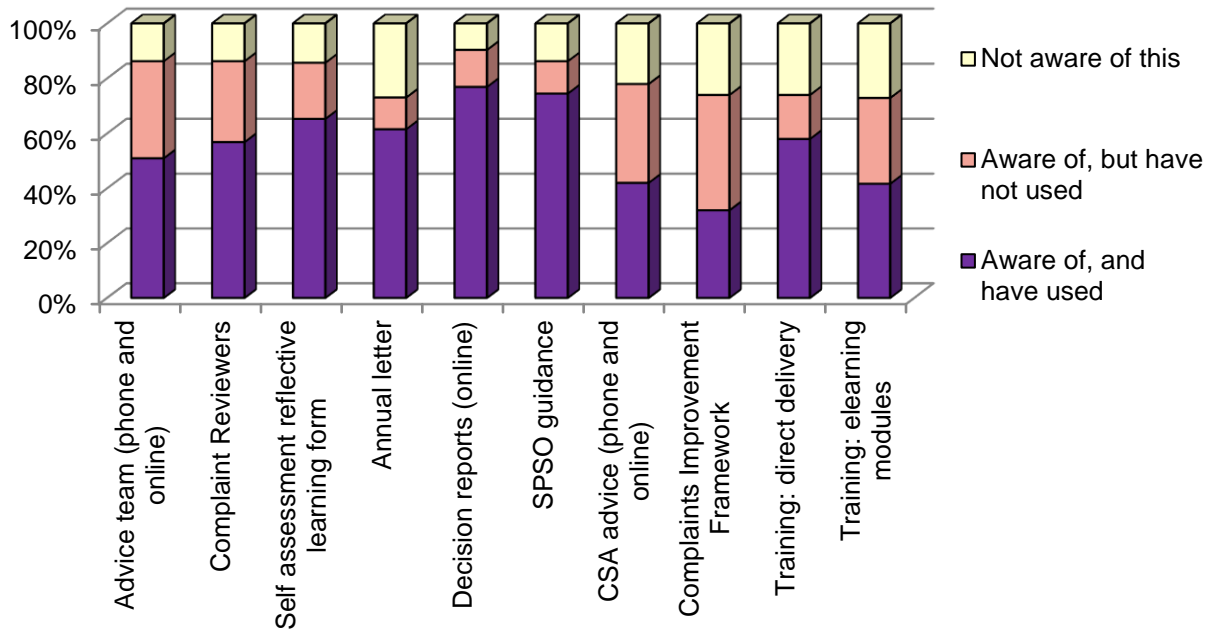
## **Take-up and satisfaction with SPSO resources**

### SPSO information and support

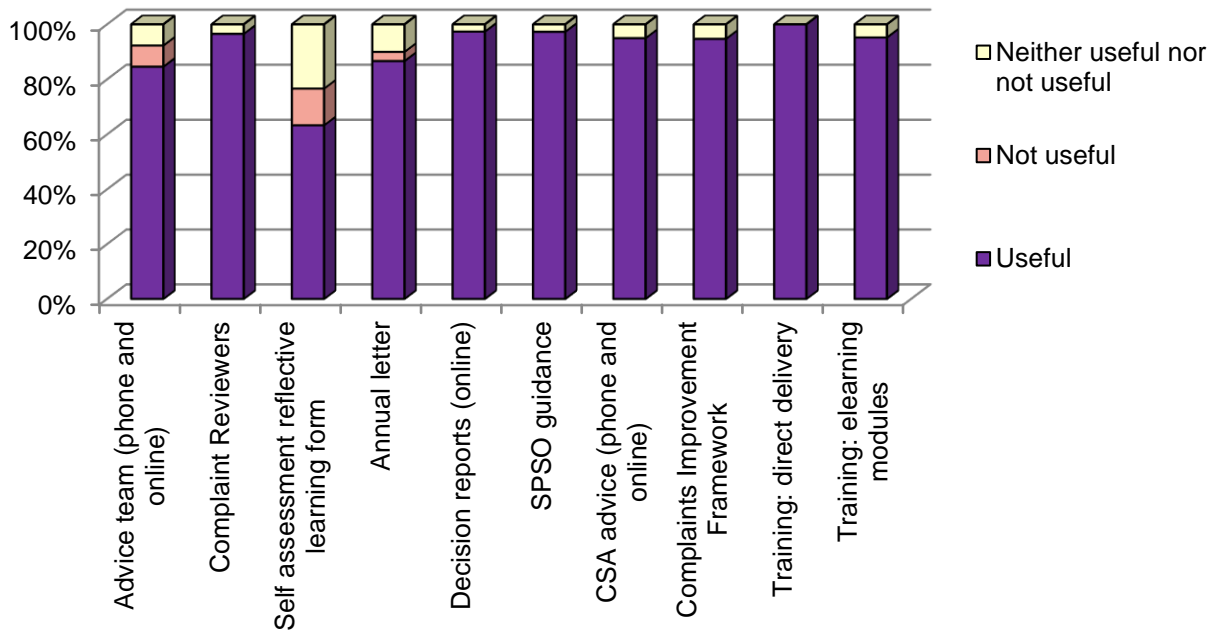
46. There was mixed uptake of the advice and support offered by SPSO, in part due to a lack of awareness of some resources. Awareness and uptake were highest for online decision reports (summaries) and SPSO guidance, with comparatively low uptake of the Complaints Improvement Framework, Complaints Standards Authority (CSA) advice (phone and online), and e-learning modules.
47. For those authorities who used the SPSO support available, there was a very high satisfaction rate (over 90% for most resources). The key exception was the self-assessment reflective learning forms with only 63% (19 of 30 authorities) finding this useful.
48. Some positive comments were received, e.g.:
- ‘The SPSO have a good reputation in these topics and in sharing good practice.’
  - ‘Find the SPSO/CSA staff both approachable and professional in their roles. The guidance and support offered is always constructive and staff have responded well to the training that has been delivered.’
  - ‘All [these materials are] very useful and highlights the range of excellent support the SPSO can provide.’



### Awareness of SPSO support



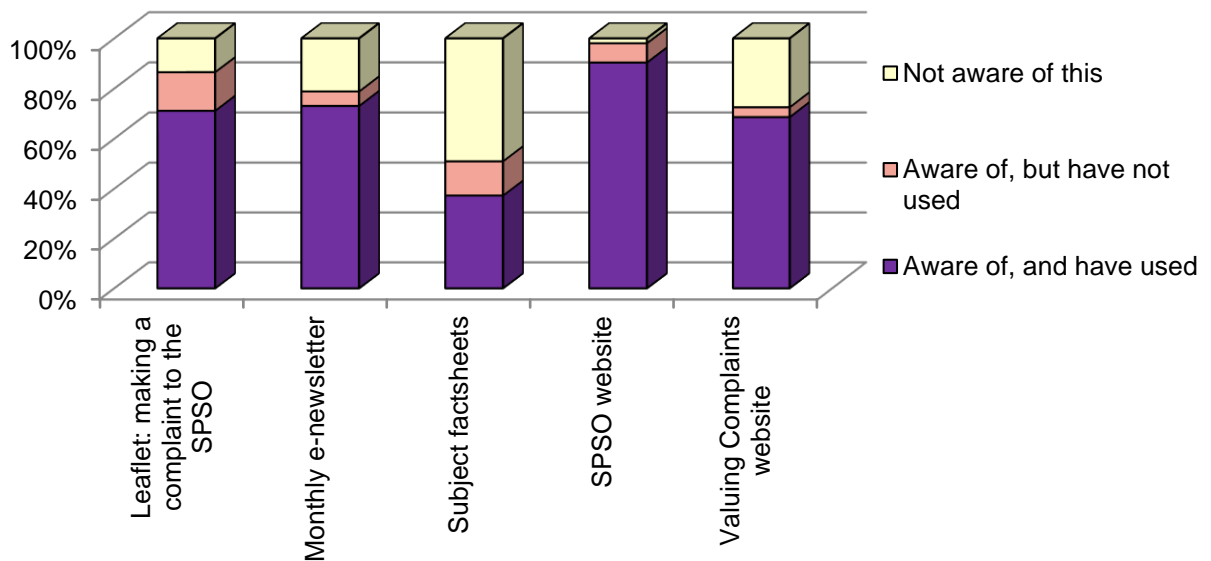
### Usefulness of SPSO support



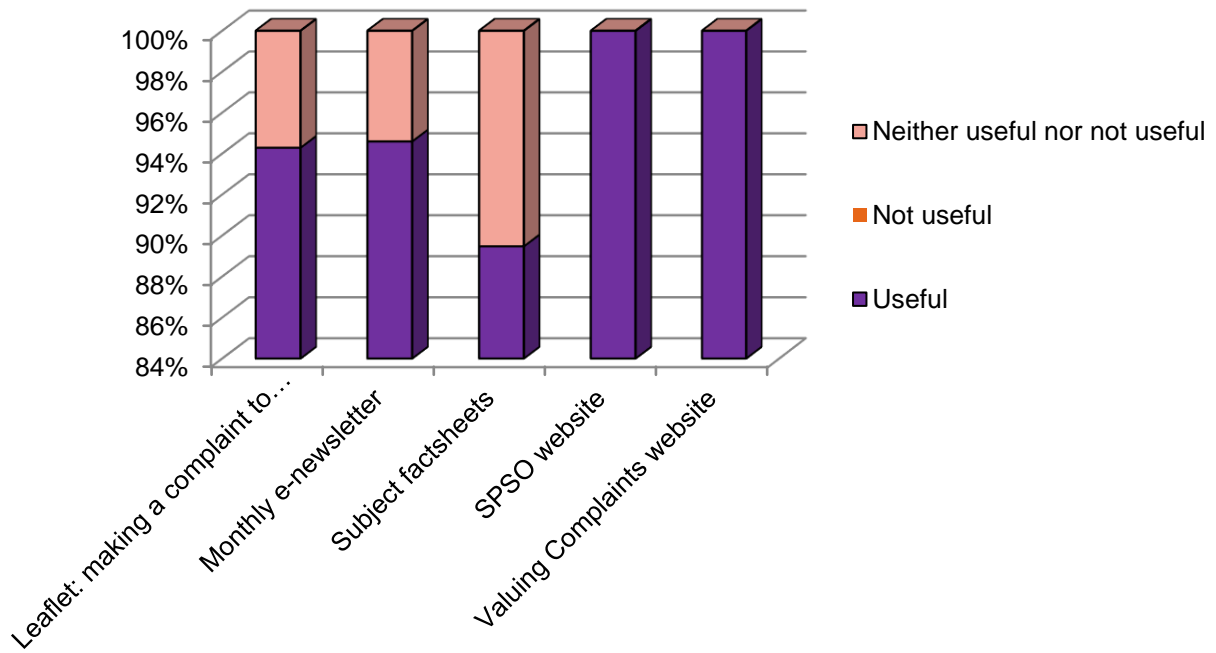
SPSO communication materials

49. There was generally high awareness and take-up of comms materials, except for the subject factsheets (with 49% (25 of 51 authorities) not aware of these).
50. For those authorities who used these materials there was a very high satisfaction rate (over 89% for all materials, with 100% satisfaction with both SPSO websites (the main website and Valuing Complaints)). Comments were largely positive, e.g.:
- ‘Monthly e-newsletter very good.’
  - ‘Overall the quality of information produced by the SPSO is of a high standard. Documents and the website are clear and accessible and a useful reference point for all levels of staff.’
  - ‘All communications are well-presented.’
  - ‘The SPSO provide an excellent level of service and are always highly professional. The CSA are particularly helpful. Thank you.’
51. One authority commented that website layout could be clearer:
- ‘Websites very difficult to navigate – why two websites? I generally have to do a search as navigation is not always clear. Information is good, though, if one can find it easily.’

**Awareness of Comms materials**



### Usefulness of Comms materials



## Recommendations

52. Several authorities raised concerns about frequency and quality of updates. Feeding this back to complaints reviewers may help to raise awareness that authorities value the updates, thus prompting more consistent practice. It would also be helpful to feedback some of the positive comments from the survey to complaints reviewers.

	Learning point	What should change?	Who & how
1	There is very high overall satisfaction with our service.	Staff should be aware of the overall positive results and positive comments.	Senior Management Team to feed back to all staff
2	Some authorities would value more consistent updates during investigations.	Authorities should receive meaningful, timeous updates so they are aware of progress on our investigation.	Managers to feed back to complaints reviewers in both teams (this will be monitored through QA and in next survey results).

53. Authorities also indicated that there can be a lack of clarity in relation to:
- the detailed content of the issues to be investigated under each head of complaint, including the specific claims or allegations made by the complainant; and
  - SPSO timeframes.
54. The notification and enquiry letter template (the first letter authorities receive about a complaint) was updated some months ago to include a prompt for complaints reviewers to consider providing additional detail and background information about the complaint, which may address some of these concerns. However, we could also consider attaching the SPSO complaint form, where appropriate (so that authorities can see exactly what complainants have sent to us). We could also consider including information on SPSO timeframes in the notification and enquiry letter.

	Learning point	What should change?	Who/how
3	Some authorities would like greater clarity around our timeframes.	Authorities should be given clear information about timeframes at the outset of an investigation.	Learning and Improvement Officer to amend the relevant letter template to include information on timeframes (draft to be signed off by managers).
4	The details/content of the issues to be investigated under each head of complaint is not always shared with authorities.	Both parties should be informed of the detailed issues to be investigated, to enable them to respond fully.	Learning and Improvement Officer to amend the relevant letter template to prompt complaints reviewers to either attach the SPSO complaint or summarise the issues to be investigated (draft to be signed off by managers).

55. Some of the points and queries that have been raised by the survey are already covered or could be covered within our existing [FAQs section on our website](#), including:-

- the time frames that we work to
- when and how we will communicate during the course of an investigation
- the information that we rely on to reach decisions
- the service standards that are in place that we are committed to meeting in the way we work with all our service users
- how we ensure our professional advisers are qualified to advise
- how we define the heads of complaint and what this covers
- how we gather evidence
- how we assess evidence to avoid bias
- our review process
- our process for raising service issues

56. Our existing Q&A information for public bodies explains and clarifies a number of the points raised by organisations through the survey.

	Learning point	What should change?	Who/how
5	Our processes, procedures and standards are not known or not clear to all authorities.	Information on our processes, procedures and standards should be made more easily accessible to authorities.	Communications team to review our FAQ section to address the areas of uncertainty raised by authorities in the survey. A link to be added in all authority enquiry letters to the FAQ web page for reference by authorities as needed

## **SPSO Authorities Survey**

1. Please provide the full name of the authority you are responding from.
2. Respect and dignity
  - SPSO treated us courteously, respectfully and with dignity.
3. Keeping you informed
  - SPSO explained their investigation process to us appropriately for each case.
  - SPSO kept us informed of progress with updates every 6-8 weeks and/or timely correspondence.
  - SPSO always told us who we could contact if we had any questions.
4. Timeliness
  - SPSO dealt with the complaint(s) in a timely manner
5. Clarity
  - SPSO's communication with us was accurate, plain and clear.
6. Transparency
  - SPSO provided us with information explaining how they handle complaints.
7. Fairness
  - Based on the decision letter(s) we received, SPSO considered all information fairly before reaching their decision(s).
8. Impartiality and independence
  - SPSO made their decision(s) based on an independent evaluation of the evidence provided to them.
9. Expertise
  - If SPSO used professional advice, it was of a high standard.
10. Reaching sound outcomes
  - SPSO clearly explained their reasons for their decision(s) to us.

11. Handling information

- To my knowledge, SPSO's record-keeping was accurate.
- To my knowledge, SPSO shared any data/information appropriately.

12. To your knowledge, has your authority raised any concerns with the SPSO in relation to the service they provide?

13. If you have raised concerns:

- SPSO acknowledged and apologised for any mistakes they made.
- SPSO put things right quickly and sought to ensure lessons were learned to improve their service.

14. SPSO does a lot of work to support authorities complaints handling and to help them learn from complaints to improve services. We are interested in your feedback on your awareness of, and views on, the support we provide. How familiar are you with this?

- SPSO's advice team (telephone and online advice)
- SPSO complaints reviewer (telephone and online advice)
- Self-assessment reflective learning form (provided to authorities when SPSO take on a complaint)
- Annual letter from the Ombudsman (including statistics on complaints about your authority)
- SPSO decision reports (online)
- SPSO guidance (for example on apology or unacceptable behaviour)
- Complaints Standards Authority advice (telephone and online)
- The Complaints Improvement Framework (assessment tool)
- Training: direct delivery courses
- Training: e-learning modules

If you have used this, how useful did you find it?

(options as above)



15. Finally, we are interested in your feedback on our communications materials.

How familiar are you with this?

- Information leaflets about making a complaint to the SPSO Monthly e-newsletter / Ombudsman's Commentary
- Subject factsheets (for example on planning, anti-social behaviour, GP / dental
- practice lists)
- SPSO website
- Valuing Complaints website

If you have used this, how useful did you find it?

(options as above)