

South Ayrshire Council

**Report by Head of Legal and Regulatory Services
to Service and Partnerships Performance Panel
of 21 November 2023**

Subject: Complaints – Scrutiny Update
Period: 1 April to 30 September 2023

1. Purpose

- 1.1 The purpose of this report is to provide Elected Members with complaints performance information for the period from 1 April to 30 September 2023 and compares performance to the same reporting period in 2022/23. It reflects the statutory reporting categories required by the Scottish Public Services Ombudsman (SPSO), as well as information on how we improve our services following Stage 2 and Ombudsman complaints.

2. Recommendation

2.1 It is recommended that the Panel:

2.1.1 scrutinises the contents of this report; and

2.1.2 requests a further report to a future meeting of the Panel providing an update on the Council's complaints performance during the period 1 October 2023 to 31 March 2024.

3. Background

- 3.1 Our complaints procedure Listening to You, has 2 Stages. We expect most complaints received to be resolved at Stage 1. If a customer remains dissatisfied after Stage 1, they can escalate their complaint to Stage 2. If an initial complaint is complex enough to require detailed investigation, it will be handled at Stage 2 from the outset. If the complainant is not satisfied with their response at Stage 2, the next Stage in the Complaints Handling Procedure is for the complainant to approach the Scottish Public Services Ombudsman and ask that they carry out an independent review into how the Council have investigated their complaint.
- 3.2 In April 2022 the SPSO amended their key performance indicators (KPIs) for Complaints Performance. The SPSO has indicated that the consistent application and reporting of performance against these KPIs can be used to compare, contrast and benchmark complaints handling with other organisations and will help share learning and improve standards of complaints handling performance.
- 3.3 The number of mandatory KPIs has been reduced by the SPSO from eight to four. The four mandatory SPSO KPIs formed part of the previous eight mandatory SPSO KPIs. These are:

- **Indicator One: The Total Number of Complaints Received**
 - **Indicator Two: The Number and Percentage of Complaints at Each Stage that were closed in full within the set timescales of five and 20 working days.**
 - **Indicator Three: the average time in working days for a full response to complaints at each Stage.**
 - **Indicator Four: The Outcome of Complaints at Each Stage**
- 3.4 Further information on the changes made by the SPSO to Complaints KPIs can be found at: [Complaints KPIs for MCHPs \(spsso.org.uk\)](https://spsso.org.uk). Further detail on the mandatory reporting of Key Performance Indicators, information is included in [Appendix 1](#).
- 3.5 The following Report provides performance data on all Stage 1 and Stage 2 complaints closed from 1 April to 30 September 2023 and is based on updated SPSO reporting indicators, which are applicable to complaints from April 2022.
- 3.6 The Panel is asked to note that the following SPSO KPIs are no longer mandatory in terms of reporting Council complaints performance :
- **Complaints Received per 1,000 of the population.**
 - **Numbers of Complaints Where an Extension is Authorised**
 - **Customer Satisfaction**
 - **Learning from Complaints**
- 3.7 Performance information is however provided within this Report to members for these non-mandatory performance indicators, with comparison against the same reporting period in 2022/23.
- 3.8 [Appendix 1](#) provides an analysis of our complaints data measured against the SPSO's mandatory reporting KPIs for the period 1 April to 30 September 2023 and compares our performance to the same reporting period in 2022/23.
- 3.9 [Appendix 2](#) provides a breakdown of the reasons why complaints were raised against the Council, for the period 1 April to 30 September 2023 and compares our performance to the same reporting period in 2022/23.
- 3.10 [Appendix 3](#) provides analysis of our complaints data measured against the four non-mandatory reporting indicators, for the period 1 April to 30 September 2023 and compares our performance to the same reporting period in 2022/23.
- 3.11 [Appendix 4](#) outlines service improvement case studies relating to Stage 2 complaints that were upheld or partially upheld where a service improvement outcome was identified and implemented.
- 3.12 [Appendix 5](#) outlines details of complaints that have progressed to the SPSO during this reporting period, which have had recommendations made by the SPSO for the Council to improve service provision.

- 3.13 [Appendix 6](#) provides further information on Investigation complaints received by the Council that have been noted during the reporting period.
- 3.14 [Appendix 7](#) provides further information on the Scottish Public Services Ombudsman's Annual Statistics, comparing South Ayrshire Council performance to Councils with a similar demographic.
- 3.15 [Appendix 8](#) – provides further information on statistics provided by the Scottish Public Services Ombudsman relating to the Scottish Welfare Fund.
- 3.16 [Appendix 9](#) – provides information regarding complaints received following the International Air Show, during the reporting period.

4. Proposals

- 4.1 It is proposed that the Panel:
- 4.1.1 scrutinises the contents of this report and identifies any performance concerns or required improvement actions.
- 4.1.2 requests a further report to a future meeting of the Panel providing an update on the Council's complaints performance during the period 1 October 2023 to 31 March 2024.

5. Legal and Procurement Implications

- 5.1 There are no legal implications arising from this report.
- 5.2 There are no procurement implications arising from this report.

6. Financial Implications

- 6.1 Not applicable.

7. Human Resources Implications

- 7.1 Not applicable.

8. Risk

8.1 Risk Implications of Adopting the Recommendations

- 8.1.1 There are no risks associated with adopting the recommendations.

8.2 Risk Implications of Rejecting the Recommendations

- 8.2.1 There are no risks associated with rejecting the recommendations.

9. Equalities

- 9.1 The proposals in this report have been assessed through the Equality Impact Assessment Scoping process. There are no significant potential positive or negative equality impacts of agreeing the recommendations and therefore an Equalities Impact Assessment is not required. A copy of the Equalities Scoping Assessment is attached as [Appendix 10](#).

10. Sustainable Development Implications

- 10.1 **Considering Strategic Environmental Assessment (SEA)** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy, or strategy.

11. Options Appraisal

- 11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

12. Link to Council Plan

- 12.1 The matters referred to in this report contribute to Commitment 5 of the Council Plan: Stand up for South Ayrshire/ Increase the profile and reputation of South Ayrshire and the Council.

13. Results of Consultation

- 13.1 There has been no public consultation on the contents of this report.
- 13.2 Consultation has taken place with Councillor Ian Davis, Portfolio Holder for Finance, Human Resources and ICT, and the contents of this report reflect any feedback provided.

Background Papers: Report to Service and Partnership Performance Panel of 13 June 2023 – [Complaints - Scrutiny Update – Period: 1 October 2022 to 31 March 2023](#)

Report to Service and Performance Panel of 22 November 2022 [Complaints - Scrutiny Update – Period: 1 April 2022 to 30 September 2022](#)

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Complaints Data Analysis Against SPSO Reporting Indicators

Please find below analysis of our complaints data measured against mandatory Scottish Public Services Ombudsman (SPSO) reporting indicators for the period 1 April to 30 September 2023 with comparison to the same reporting period in 2022/23.

Following on from changes to the Complaints Handling Procedure (CHP) in 2021, new reporting requirements were introduced by the SPSO which were applicable to complaints data from 1 April 2022 onwards. The SPSO's requirements for reporting and publicising complaints information requires all 32 local authorities in Scotland to use a standardised set of complaints key performance indicators (KPIs). There are now four mandatory KPIs which will be used in this and future reports. They are as follows:

- **Indicator One: The total number of complaints received.**
The sum of the number of complaints received at Stage 1 (including escalated complaints as they were first received at Stage 1), and the number of complaints received directly at Stage 2.
- **Indicator Two: The number and percentage of complaints at each Stage that were closed in full within the set timescales of five and 20 working days.**
The number of complaints closed in full at Stage 1, Stage 2 and after escalation within complaint timescales as % of all Stage 1, Stage 2 and escalated complaints responded to in full.
- **Indicator Three: The average time in working days for a full response to complaints at each Stage.**
The average (mean) time in working days to respond at Stage 1, Stage 2 and after escalation.
- **Indicator Four: The outcome of complaints at each Stage**
The number of complaints upheld, partially upheld, not upheld and resolved at Stage 1, Stage 2 and after escalation as % of all complaints closed at Stage 1, Stage 2 and after escalation.

SPSO Indicator One: the total number of complaints received.

		Total	Stage 1	Stage 2	Escalated
2022/23	01/04 – 30/09	247	216 (88%)	16 (6%)	15 (6%)
2023/24	01/04 – 30/09	325 ▲	266 (82%) ▼	39 (12%) ▲	20 (6%) ◀▶

The Council received 325 complaints in this reporting period, which is an increase of 78 complaints, compared to the same reporting period in 2022/23, i.e., an increase of 32%.

Council services with the most significant *increase* in complaints are as follows:

- **Culture and Events** – 1,500% percentage increase in complaints, from 1 complaint in 2021/22 to 16 complaints in 2022/23. Please see Appendix 9 for further information on complaints received regarding The International Ayr Show - Festival of Flight.
- **Leisure** – 204% increase from 24 complaints in 2021/22, to 73 complaints in 2022/23. 25 of these complaints relate to the increase in Golf Fees and leisure packages; 10 relate to the restricted access to the viewing gallery at Prestwick Swimming Pool, and 5 were regarding the improvement works undertaken Darley Golf Course.
- **Community Care** – 200% increase in complaints, from 15 complaint in 2021/22 to 45 in 2022/23, This increase in complaints follows training undertaken with managers and team leaders within Community Care to remind staff of the complaints handling processes and encourage all staff to log any complaints which are received on the GOSS system so they can be included for reporting and monitoring purposes.

Council services with the most significant *decrease* in complaints are as follows:

- **Asset Management** – 94% decrease in complaints, from 18 complaints in 2021/22 to 1 complaint in 2022/23. Asset Management had a high number of complaints in the reporting period in 2021-22 relating to the lighting of the Wallace Tower during the Council paying respects to the passing of Her Majesty Queen Elizabeth II.
- **Projects and Design** – 100% decrease in complaints from 3 complaints in 2021/22 to no complaints in 2022/23. All complaints received in 2021/22 related to different areas of work within Projects and Design (relating to Glenburn Primary School construction, Sacred Heart Construction and work undertaken in relation to a kitchen renovation within a council house) and therefore there is no significant identifiable trend in this decrease in complaints.
- **Property Maintenance** – 28% decrease in complaints from 47 in 2021/22 to 34 in 2022/23. Following an increase in complaints during the last reporting period, the team have integrated measures to improve performance when undertaking repairs, including responding to job enquiries quicker and meeting targets, which has led to an increase in customer satisfaction. Officers within Property Maintenance are resolving any issues raised by tenants via phone, email, site visits and with tenants’ permission and job satisfaction, being able to close off case without a complaint being logged.

SPSO Indicator Two: the number and percentage of complaints at each Stage that were closed in full 5 within the set timescales of five and 20 working days.

		Stage 1	Stage 2	Escalated
2022/23	01/04 – 30/09	169 (78%)	12 (75%)	13 (86%)
2023/24	01/04 – 30/09	169 (64%) ▼	30 (77%) ▲	14 (70%) ▼

There has been a decrease in the performance against timescales for both Stage 1 and Escalated complaints. However, it should be noted that these statistics do not take into consideration extensions to timescales that can be added to allow a full and detailed investigation. When taking these extensions into account, 86% for Stage 1 complaints and 95% for Escalated complaints were issued on time.

SPSO Indicator Three: the average time in working days for a full response to complaints at each Stage.

		Stage 1	Stage 2	Escalated
2022/23	01/04 – 30/09	4	16	14
2023/24	01/04 – 30/09	6 ▲	17 ▲	15 ▲

The average time to respond to a Stage 1 complaint has increased to 6 working days which is out with the 5 working day timescale expected for Stage 1 complaints. There has also been an increase in average time in working days for Stage 2 and Escalated complaints. However, both remain within the 20-working day timescale for Stage 2 complaints.

SPSO Indicator Four: the outcome of complaints at each Stage

Outcome of Complaints Closed at Stage 1

		Upheld	Partially Upheld	Not Upheld	Resolved
2022/23	01/04 – 30/09	46 (21%)	26 (12%)	107 (50%)	37 (17%)
2023/24	01/04 – 30/09	71 (27%) ▲	30 (11%) ▼	134 (50%) ◀▶	31 (12%) ▼

Of the 266 Stage 1 complaints, 38% were upheld or partially upheld. This indicates that in 38 out of every 100 complaints received, our Stage 1 investigations established that our customers had let us know where we could make improvements to our services.

12% of complaints were closed as resolved, without a complaint investigation being necessary. The resolved outcome was introduced by the SPSO in April 2022, allowing public authorities to work with a customer to find a mutually agreeable resolution to a complaint, without the necessity to take forward a full complaint investigation. Additional information on this new SPSO outcome is available on pages 3 and 4 at: [LAMCHPPart3.pdf \(spsso.org.uk\)](#).

Outcome of Complaints Closed at Stage 2

		Upheld	Partially Upheld	Not Upheld	Resolved
2022/23	01/04 – 30/09	1 (6%)	4 (25%)	11 (69%)	0 (0%)
2023/24	01/04 – 30/09	4 (10%)	2 (5%)	32 (82%)	1 (3%)

82% of complaints investigated immediately at Stage 2 were not upheld, which is an increase of 13% from 2022/23. This indicates that following the Stage 2 investigations, in 18% of cases the investigation established a failure in service provision and either upheld, partially upheld, or resolved the complaint.

Outcome of Escalated Complaints

		<i>Upheld</i>	<i>Partially Upheld</i>	<i>Not Upheld</i>	<i>Resolved</i>
2022/23	01/04 – 30/09	0 (0%)	2 (13%)	11 (73%)	2 (13%)
2023/24	01/04 – 30/09	3 (15%) ▲	4 (20%) ▲	13 (65%) ▼	0 (0%) ▼

In 2023/24 35% of complaints that were escalated from Stage 1 to a Stage 2 investigation were either upheld or partially upheld. This figure has increased from 13% in 2022/23.

The top 3 reasons for complaints received by the Council (as categorised within the Complaints Handling system) are:

		<i>01/04 to 30/09 (2022/23)</i>	<i>01/04 to 30/09 (2023/24)</i>	
Stage 1	1	Quality of Service	1	Quality of Service
	2	Policy and Procedure	2	Policy and Procedure
	3	Employee Behaviour	3	Employee Behaviour
Stage 2	1	Quality of Service	1	Quality of Service
	2	Policy and Procedure	2	Policy and Procedure
	3	Employee Behaviour	3	Employee Behaviour

These reasons have remained consistent, with no changes in placing of the categories in terms of both Stage 1 and Stage 2 complaints between 2022/23 and 2023/24.

Breakdown of Complaints by Service:

Information relating to the services which have had the biggest increase and decrease in complaints is outlined above, on page 6 of this Report.

	2022/23	2023/24	
Archives	1	0	▼
Arts and Culture	1	0	▼
Additional Support Needs	0	1	▲
Asset Management	18	1	▼
Bereavement	2	2	◀▶
Benefits	0	0	◀▶
Building Standards	1	4	▲
Children and Families	14	11	▼
Communities	1	0	▼
Committee Services	0	1	▲
Community Care	15	45	▲
Criminal Justice	0	0	◀▶
Culture and Events	1	16	▲
Customer Services	3	2	▼
Early Years	1	0	▼
Enterprise	0	0	◀▶
Education Central	1	3	▲
Elections	0	0	◀▶
Environmental Health	1	2	▲
Facilities	10	9	▼

	2022/23	2023/24	
Finance	0	0	◀▶
Fleet	0	2	▲
Housing	31	28	▼
Housing Policy	1	1	◀▶
Information Governance	0	0	◀▶
ICT	0	2	▲
Insurance	0	0	◀▶
Leisure	24	73	▲
Libraries	1	3	▲
Legal	1	0	▼
Licensing	0	0	◀▶
Museums	0	3	▲
Neighbourhood Services	41	41	◀▶
Planning	8	12	▲
Professional Design Services	3	0	▼
Property Maintenance	47	34	▼
Psychological Services	0	0	◀▶
Registration	0	0	◀▶
Revenues	7	8	▲
Roads	0	0	◀▶
SAMS	0	0	◀▶
Primary Schools	10	16	▲
Secondary Schools	1	1	◀▶
Scottish Welfare Fund	1	0	▼
Social Care Finance	0	2	▲
Trading Standards	1	1	◀▶
Other	0	0	◀▶

Further detailed analysis of Stage 1, Stage 2 and Escalated complaints is outlined in Appendix 2

Reasons for Complaints

The undernoted Table 1 provides a breakdown of reasons for complaints received and closed by the Council at Stage 1, between 1 April and 30 September 2022, in comparison to figures in the same reporting period in 2023/24. The categories allocated are based on pre-defined categories that can be allocated to a case within the Council's corporate complaints system, GOSS.

The categories reflect the high-level categories stipulated by the SPSO.

Table 1 – Reasons for Stage 1 Complaints

Category	2022/23		2023/24		
Subject	Number	% Of Total Stage 1	Number	% Of Total Stage 1	
Quality of Service/ Service Provision	113	52%	170	64%	▲
Other	12	5.5%	5	2%	▼
Employee Behaviour	23	11%	30	11%	◀▶
Damage to Property/ Personal Injury	12	5.5%	6	2%	▼
Policy Procedure	40	19%	38	14%	▼
Lack of Information	3	1%	5	2%	▲
Waiting Times/ Missed App	12	5.5%	8	3%	▼
Case Unresolved	0	0%	0	0%	◀▶
Discrimination	1	0.5%	1	1%	▲
Service Cuts	0	0%	3	1%	▲
Total	216	100%	266	100%	

Quality of Service/Service Provision

The Council received 170 complaints categorised as quality-of-service provision at Stage 1. This equates to 64% of all Stage 1 complaints. There was no one specific service received a higher proportion of complaints, which would indicate a specific trend, although complaints relating to the International Air Show were categorised under Quality of Service. Other services receiving Stage 1 complaints under this category included Community Care, Property Maintenance, Schools, Leisure, and Neighbourhood services.

Policy and Procedure Complaints

The number of Policy and Procedure complaints has decreased from 40 in 2022 to 38 in the same 6-month reporting period in 2023. Most complaints categorised as Policy and Procedure relate to Leisure and are broken down as follows:

- Leisure Price increase: 10
- Decision to restrict access to the viewing gallery at Prestwick Swimming Pool: 10
- Changes to class timetable: 3
- Closure of Troon swimming pool: 1
- Belleisle upgrades: 1
- Other: 4

Employee Behaviour Complaints

The number of employee behaviour complaints has increased from 23 in 2022 to 30 in 2023. There was no specific trend in complaints being received by one specific Council service. Council services that received complaints about employee behaviour included Schools, Leisure, Trading Standards, Housing, Neighbourhood Services, Children & Families and Neighbourhood services. Of these complaints:

- 12 were not upheld, with an explanation provided to the customer.
- 3 were partially upheld, with an explanation and/or apology.
- 6 were resolved, with either an explanation or an apology to the customer.
- 9 were upheld, with an apology issued to the customer.

Limited information is recorded centrally regarding these complaints in compliance with data protection legislation, but as with all employee complaints Service Leads and line managers would apply the relevant Council policies to any employee behaviours having been found to fail meeting Council standards.

The following categories have been collated from the Council's Complaints Handling System (GOSS) based on information entered by Services handling complaints at a service level. This gives an overview of the Categories of Stage One complaints.

It is not a mandatory requirement for services to input this information when completing cases on our GOSS system - but they are encouraged to complete these fields. As a result, the number of complaints detailed below may not equate to the total number of Stage one complaints reported.

Service	Subject	01/04 – 30/09 2022/23	01/04 – 30/09 2023/24
Community Care	Arran View	0	4
	Arrol Park	2	1
	Homecare	2	12
	Ayr North Locality Team	3	2
	Ayr South Locality Team	1	2
	Troon Locality Team	2	1
	Girvan/Maybole Locality Team	1	1
	Mental Health Team	1	0

Service	Subject	01/04 – 30/09 2022/23	01/04 – 30/09 2023/24
	Telecare	0	3
	Sensory Impairment	0	0
Schools	Alloway Primary	0	1
	Annbank Primary	0	1
	Ayr Academy	0	0
	Ayr Grammar	2	0
	Barr Primary	0	0
	Barassie Primary	0	0
	Belmont Academy	0	1
	Braehead Primary	1	0
	Cairn Primary	0	0
	Carrick Academy	0	0
	Crosshill Primary	1	0
	Coylton Primary	0	0
	Dailly Primary	0	1
	Dalmilling Primary	0	1
	Doonfoot Primary	0	1
	Dundonald Primary	0	0
	Forehill Primary	1	0
	Gardenrose Primary	0	0
	Girvan Academy	0	0
	Girvan Primary	0	1
	Glenburn Primary	0	0
	Heathfield Primary	0	3
	Kincaidston Primary	0	0
	Kingcase Primary	1	0
	Kyle Academy	0	0
	Marr College	0	0
	Monkton Primary	0	1
	Newton Primary	1	0
	Prestwick Academy	0	0
	Queen Margaret Academy	0	0
	Sacred Heart	1	0
	St Cuthbert's Primary	0	0
	St John's Primary	0	0
	Struthers Primary	0	0
	Symington Primary	0	1
	Tarbolton Primary	1	1

Service	Subject	01/04 – 30/09 2022/23	01/04 – 30/09 2023/24
	Troon Primary	0	0
	Childcare	0	0
	Nursery	0	0
Facilities	Catering Services	3	1
	Janitorial	5	0
	Public Convenience	0	4
	School crossing patrol	0	1
Children and Families	Children and Families Disability Team	2	3
	Ayr North Locality Team	1	3
	Ayr South Locality Team		0
	Girvan/Maybole Locality Team	3	0
	Prestwick/Troon Locality Team	0	1
	Initial Response Team	0	0
	Children's Houses	1	0
	Family Placement and Adoption Team	0	0
	Management Team	4	0
	Young People Support and Transitions Team	0	1
Housing	Value	0	0
	Access to Housing/Support	4	1
	Customer Landlord Relations	7	8
	Neighbour Communication	1	0
	Policy	0	1
	Quality Maintenance	8	11
Leisure	Citadel	4	16
	Golf	13	13
	Swimming Pools	2	12
	Town Hall	0	0
Libraries	Carnegie	1	0
Neighbourhood Services	Assisted Collection	0	1
	Missed Bin	1	2
	Bin Return	0	0
	Wheelie Bin Delivery	0	0
	Burials	0	0
	Grass Cutting	2	1
	Litter	3	8

Service	Subject	01/04 – 30/09 2022/23	01/04 – 30/09 2023/24
	Beaches	0	0
	Other	0	0
	Play Areas	0	3
	Special Uplifts	0	0
	Staff	2	7
	Street Sweeping	0	0
	Waste Collection	6	6
	Waste Disposal	0	1
	Weed Removal	0	0
	Parks	0	0
	Paths	0	0
	Recycling Facilities	20	5
	Waste Recycling	0	0
	Trees	0	0
Benefits	Other	0	0
	Service Delivery	0	0
Property Maintenance	Communication	2	2
	External Contractor	0	3
	Dissatisfied with Repair	28	21
	Private Owner	3	1
	Staff Attitude/Behaviour	5	1
	Other	2	2

The undernoted table provides an overview of reasons for complaints received and closed by the Council at Stage 2 between 1 April and 30 September 2022 compared to the same reporting period in 2023. These categories reflect the high-level categories stipulated by the SPSO.

Table 2 - Reasons for Stage 2 Complaints

Category	01/04 – 30/09 2022/23		01/04 – 30/09 2023/24		
Subject	Number	% Of Total Stage 2	Number	% Of Total Stage 2	
Quality of Service/ Service Provision	12	80%	19	49%	▼
Policy and Procedure	1	6.5%	13	33%	▲
Employee Behaviour	1	6.5%	3	9%	▲
Damage to Property/ Personal Injury	0	0%	1	2.5%	▲
Case Unresolved	0	0%	0	0%	◀▶
Discrimination	0	0%	0	0%	◀▶
Lack of Information	0	0%	1	2.6%	▲
Waiting Times/Missed Appointments	0	0%	1	2.6%	▲
Other	2	13%	1	2.6%	▼
Total	16	100%	39	100%	

Policy and Procedure Complaints

There has been an increase in Policy and Procedure complaints from 1 in 2022 to 13 in the same 6-month reporting period in 2023. Most complaints categorised as Policy and Procedure relate to price increases within the Leisure service, i.e. 10 out of 13 complaints.

Employee Behaviour Complaints

The number of employee behaviour complaints has increased from 1 in 2022 to 3 in 2023. All 3 complaints related to the Housing service, two of which were not upheld. One complaint was upheld, and an apology offered to the complainant.

The undernoted categories have been collated from the Council's Complaints Handling System (GOSS) using information entered by Services handling complaints at a service level. It is not a mandatory requirement for services to input this information when completing cases on our GOSS system - but they are encouraged to complete these fields. As a result, the number of complaints detailed below may not equate to the total number of Stage two complaints reported.

Service	Subject	01/04 – 30/09 2022/23	01/04 – 30/09 2023/24
Schools	Ayr Grammar	1	0
	Kyle Academy	0	0
	Prestwick Academy	0	0
	Doonfoot Primary	0	0
	Dailly Primary	0	1
	Dundonald Primary	0	0
	Newton Primary	0	0
	Girvan Primary	0	0
	Alloway Primary	0	0
	St Patrick's Primary	0	1
	Monkton Primary	0	1
Children and Families	Management Team	1	0
	Fostering	1	0
	Disability Team	1	0
	Girvan/Maybole Locality	1	0
Community Care	Homecare	0	1
	Mental Health	0	0
	Other	1	0
Housing	Customer Landlord Relations	0	0
	Quality Maintenance	2	2
	Access to Housing/Support	1	0
Neighbourhood Services	Other	0	0
	Recycling Facilities	0	0
	Waste Collection	0	0
Leisure	Golf	0	12
	Swimming Pools	0	1
	Other	0	2
Planning	Objection	1	0
	Other	1	4
	Planning Enforcement	1	1
	Planning Application	0	0
	Neighbour Notification	1	0

Service	Subject	01/04 – 30/09 2022/23	01/04 – 30/09 2023/24
Property Maintenance	Dissatisfied with Repair	1	0
	Contact/Communication	1	0
	Private Owners	0	3
	Other	0	0

Table 3 - Reasons for Escalated Complaints

The following table provides a breakdown of the reasons for a complaint being escalated from Stage 1 to Stage 2. A customer can ask for their complaint to be escalated from Stage 1 to Stage 2 when they remain dissatisfied with our response at Stage 1:

Category	01/04 – 30/09 2022		01/04 – 30/09 2023		
Subject	Number	% Of Total Stage 2			
Quality of Service/ Service Provision	10	67%	15	75%	▲
Employee Behaviour	1	6.5%	0	0%	▼
Case Unresolved	0	0%	0	0%	◀▶
Damage to Property/Personal Injury	0	0%	0	0%	◀▶
Policy and Procedure	3	20%	4	20%	◀▶
Lack of Information	1	6.5%	0	0%	▼
Discrimination	0	0%	0	0%	◀▶
Service Cuts	0	0%	1	5%	▲
Other	0	0%	0	0%	◀▶
Total	15	100%	20	100%	

Quality of Service/Service Provision Complaints

15 of the 20 complaints escalated from Stage 1 to Stage 2 were categorised as relating to Quality of Service. There was no specific trend in one specific department receiving a majority of those 10 complaints, which were dealt with for example by Housing, Children and Families, Neighbourhood Services, Facilities. There were no complaints regarding the International Air Show escalated from Stage 1 to Stage 2.

- 3 complaints were upheld with apologies provided.
- 9 complaints were not upheld, with a further explanation provided.
- 3 complaint was partially upheld, with apologies and explanations provided.

Service Cuts

One complaint was received in relation to the cancellation of Weight to Go classes in Girvan. This class was cancelled due to lack of resources and was reinstated once resources allowed. Overall, the complaint was not upheld.

The following has been collated from the Council's Complaints Handling System (GOSS) using information entered by Services handling complaints at a service level. It is not a mandatory requirement for services to input this information when completing cases on our GOSS system - but they are encouraged to complete these fields. As a result, the number of complaints detailed below may not equate to the total number of Escalated complaints reported:

Service	Subject	01/04 – 30/09 2022/23	01/04 – 30/09 2023/24	
Children and Families	Ayr North Locality Team	1	1	
	Girvan/Maybole Locality Team	1	0	
Customer Services	Waiting Times	0	0	
Schools	Ayr Grammar	0	0	
	Carrick Academy	0	0	
	Belmont Academy	0	0	
	Dailly Primary	0	0	
	Girvan Primary	0	0	
	Glenburn Primary	0	0	
	Kingcase Primary	0	0	
	Symington Primary	0	1	
	Marr College	0	0	
	Queen Margaret Academy	0	0	
	Symington Primary	0	0	
	Community Care	Arran View	0	1
		Homecare	0	0
Ayr North Team		0	0	
Ayr South Team		0	0	
Troon Team		0	0	
Facilities	Catering	1	0	
Housing	Customer Landlord Relations	1	0	
	Value for Money	0	0	
	Neighbour Communication	0	0	
	Quality Maintenance	1	0	

Service	Subject	01/04 – 30/09 2022/23	01/04 – 30/09 2023/24
	Access to Housing/Support	1	1
<i>Leisure</i>	Golf	1	4
	Swimming Pools	0	1
	Citadel	1	1
	Other	0	1
<i>Neighbourhood Services</i>	Recycling Facilities	1	1
	Waste Collection	2	0
<i>Planning</i>	Planning Application	1	0
<i>Property Maintenance</i>	Dissatisfied with Repair	0	1
	Contact/Communication	0	0
	Other	0	0
	Private Owners	0	0
	Staff Attitude	0	0

Additional Information - Complaints Data Analysis Against Non-Mandatory Reporting Indicators

The undernoted no longer forms part of the mandatory KPI reporting to the SPSO, however this information has been included to Members in this report as additional information:

Additional Information - Complaints Received per 1,000 of the population.

2022/23	01/04 – 30/09	2 per 1,000
2023/24	01/04 – 30/09	3 per 1,000 ▲

The number of complaints received per 1,000 of the population has increased by one complaint per 1,000 between April – September 2022 and April – September 2023.

Additional Information – Number of Cases where an Extension is Authorised

		<i>Stage 1</i>	<i>Stage 2</i>	<i>Escalated</i>
2022/23	01/04 – 30/09	28	2	1
2023/24	01/04 – 30/09	59 ▲	7 ▲	5 ▲

An extension, when required, is undertaken in consultation with the complainant when it is established the complaint is complex and requires time to fully investigate.

For this reporting period 71 complaints were subject to an authorised extension compared to 31 in 2022/23, an increase of 11 cases. Extensions are encouraged when complaints will take longer than the required timescale, to ensure that complainants are kept informed of the status of their case - and it is encouraging that Council services have recognised that they can communicate with the complainant to use this extension facility, to ensure the investigation is carried out effectively. Services who utilised application of an authorised extension to allow additional time to investigate a complaint included Culture & Events, Leisure, Property Maintenance and Schools.

Additional Information – Customer Satisfaction

To gauge Customer Satisfaction in our complaints process we actively encourage members of the public to provide us with their feedback on their experience. This feedback allows us to establish where our process can be strengthened to meet customer needs.

Completion of this survey is not a compulsory part of the complaints process, and it is challenging to elicit feedback from the public in how we can continuously improve our actual complaints process. A survey is available online for anyone using our service to complete, and Information Governance also invites a sample of customers to provide us with this helpful feedback.

Most of the feedback we receive through this survey comes from customers who did not receive the outcome they sought following their complaint, with the trend being customers who are satisfied do not complete the survey. We will continue to look at ways to engage our customers to elicit meaningful feedback to improve our procedures.

The SPSO have recently updated the questions they require Local Authorities to use for customer satisfaction. Following this, the Information Governance team created a new Customer Satisfaction survey and therefore there is no comparative data for this reporting period.

Between 1 April 2023 and 30 September 2023, 60 requests were issued to members of the public inviting them to participate in our Customer Satisfaction Survey. 18 customer satisfaction surveys were completed which constitutes a 30% return.

Feedback received from the 30% who responded indicates that:

	Agree/ Strongly Agree	Neutral	Disagree
Information about the complaint's procedure was easily accessible.	66%	6%	28%
I found it easy to make my complaint.	56%	22%	22%
I was happy that the Investigating Officer fully understood my complaint.	44%	12%	44%
I was given the opportunity to fully explain my complaint.	61%	6%	33%
The points of my complaint were identified and responded to	44%	12%	44%
The response to my complaint was easy to understand.	50%	22%	28%
Overall, I was satisfied with the handling of my complaint.	33%	17%	50%
I was told if the response was going to take longer than the set timescales (<i>five working days at Stage 1 and 20 working days at Stage 2</i>)	33%	39%	28%
I was clearly told what the next Stage of the complaints process was for me.	44%	17%	39%

A few respondents indicated their dissatisfaction in:

- **The understanding of the points of their complaint by the investigating officer**
- **The points of complaint being responded to**
- **The overall handling of complaints**

The negative responses received were from customers who felt the Council did not provide the outcome to their complaint they hoped for or expected (i.e., was not upheld). All complaint investigators are encouraged to work with the customer to clarify the basis of their complaint, to support a clearly defined complaint investigation that meets our customer's expectations. New

online Complaints handling training is currently being developed by the Information Governance team to support staff investigating a complaint, to support best practice.

Service Improvement Case Studies

Planning Service

A customer who had raised objections to a planning application subsequently complained that he was not notified that the application had been successful. Following an investigation, it was concluded that, due to an administrative error, the customer did not receive notification of the outcome of the objection.

An investigation concluded that further checks and balances were needed to ensure that the procedures in place within the Planning Service were followed to ensure this situation does not re-occur. The customer was issued with an apology.

Facilities Management Service

A parent complained that her daughter had suffered an allergic reaction after eating a dish at a primary school in Ayr, which had an altered recipe.

Our investigation determined that due to an issue with our external supplier, the ingredients in the dish had been changed, leading to it containing the allergen egg, which was not part of the original dish.

The parent received a full apology for the situation that arose because of this change. Also, a new Medical Diet Action Plan was put in place for the pupil to ensure this would not reoccur, and to improve communication between Facilities Management and schools, a full review of the Medical Diet Action Plan procedure and processes was carried out in conjunction with all Head Teachers to improve information sharing.

Scottish Public Services Ombudsman Improvement Cases

No Decision Notices were published by the Ombudsman relating to South Ayrshire Council during the reporting period 1 April to 30 September 2023.

Stage 2 Complaints Monitoring

All Stage 2 complaints investigated by the Council are monitored, and each quarter any considered to be serious or high risk are reported to the Integrity Group.

In reporting period 1 April to 30 September 2023 no Stage 2 complaints were identified as being serious or high risk, i.e., those that would have a serious impact on the Council's ability to provide services to the public.

Most Stage 2 complaints were undertaken at this level because they involved either a response from more than one service or were too complex to resolve within 5 working days at Stage 1.

Scottish Public Services Ombudsman Annual Statistics¹

The SPSO publish an annual Statistical Report for complaints they receive for Councils. These relate to complaints that have been referred by a member of the public to the SPSO to investigate following the Council undertaking a Stage 2 investigation.

Further benchmarking of these statistics against similar Local Authorities is outlined below in Appendix 8. . Details of the most recent Council's SPSO Statistics for Council Services, are detailed below. As these statistics are provided by the SPSO the Council cannot provide further analysis on the categorisation or breakdown of these statistics, nor can we influence the dates when these statistics are published: [Statistics | SPSO](#)

Stage	Outcome Group	South Ayrshire Council
Advice	A&G - Complaint submissions - mature	1
	A&G - Complaint submissions - premature	6
	A&G - Enquiries	2
	Organisation not in jurisdiction	0
	Unable to proceed	0
	Total	9
Early Resolution	Cause and impact test not met (s 5 (3))	0
	Discretion – Insufficient benefit would be achieved by investigation	1
	Discretion – alternative action proposed	0
	Discretion – Alternative route used or available	0
	Discretion - Good complaint handling	9
	Discretion – referred back	3
	Discretion - Resolved - both parties satisfied with proposed outcome	0
	Member of the public test not met (s 5 (6))	1
	Organisation not in jurisdiction	0
	Premature	0
	Right of appeal to court/tribunal/Scottish ministers (s 7 (8))	1
	Subject matter not in jurisdiction	1
	Time limit (s 10)	1
	Unable to proceed	0
Total	17	
Investigation	Fully upheld	0
	Not duly made or withdrawn	0
	Not upheld	0
	Resolved	0
	Some upheld	0
	Total	0
Total	26	

¹ Please note this information was provided by the Scottish Public Services Ombudsman and the Information Governance team are therefore unable to provide any analysis of these statistics. Where a difference in the number of complaints received and closed is noted, this is a result of either complaints from the previous reporting year being included in the closed total, or complaints received in 2021/22 continuing to be investigated/considered by the SPSO into 2022/23.

Scottish Public Services Ombudsman Annual Statistics

In accordance with Local Government bench marking scheme, and to allow a realistic indication of performance among Scottish Local Authorities, a benchmarking process has been organised around 'family groups' of councils to compare those similar in terms of the type of population that they serve (e.g., relative deprivation and affluence) and the type of area in which they serve them (e.g., urban, semi-rural, rural). Cases escalated to the SPSO within South Ayrshire Council's family group (South Ayrshire Council forms family three in Local Government Bench Marking <https://www.improvementservice.org.uk/benchmarking/how-do-we-compare-councils>) are as follows:

The undernoted complaints group has 8 members. Of these eight members, South Ayrshire Council has the second lowest number of cases escalated to the Ombudsman in the family group, which is an improvement from the SPSO report from 2021/22 in which we placed third.

Ranking (from lowest to highest number of complaints received)	Local Authority	Number of complaints		Percentage	
		21/22	22/23	21/22	22/23
1	Clackmannanshire	12	14	3%	4%
2	South Ayrshire	25	26 ▲	7%	7% ◀▶
3	Dumfries & Galloway	18	28	5%	8%
4	Renfrewshire	47	35	13%	10%
5	South Lanarkshire	53	39	15%	11%
6	Falkirk	64	53	18%	15%
7	West Lothian	56	67	16%	19%
8	Fife	77	93	23%	26%

In 2021/22 South Ayrshire Council dealt with 476 complaints. Of these, 26 were referred to the SPSO for further consideration, none warranted a full investigation. In all 26 cases, the customer was provided with advice by the SPSO, or an early resolution was reached (see Appendix 7 above). This is a positive indication that the Council is providing a complaint handling service which meets the approval of the SPSO in line with the statutory complaints handling process. Additionally, it is encouraging that over 94% of customers who complained to the Council were satisfied with the handling of their complaint by the relevant Council service and did not feel there was a requirement to contact the SPSO.

Scottish Welfare Fund Annual Statistics

From 1 April 2016 the SPSO have been responsible for independent reviews of applications made to the SWF for both Crisis Grants and Community Care Grants. Previously this role was undertaken by each Local Authority who were responsible for arranging impartial review panels in accordance with the SWF scheme guidance produced by the Scottish Government.

When an applicant requests a review the SPSO can conduct a review with the following possible outcomes.

- To change part, or all, of the Council's decision
- To tell the Council to make a new decision, or
- Not to change the Council's decision in any way

Summary of SPSO Decisions

Application Type	Total Decisions		Not Upheld		Upheld		Uphold rate		National average uphold rate	
	21-22	22-23	21-22	22-23	21-22	22-23	21-22	22-23	21-22	22-23
Crisis Grants	8	8	8	7	0	1	0%	13%	18%	21%
Community Care Grants	0	2	0	1	0	1	0%	50%	52%	48%
Total	8	10	8	8	0	2	0%	20%	-	-

For South Ayrshire Council in 2022/23 there was an increase of 2 in the number of review applications made to the SPSO. The numbers upheld by the SPSO in favour of the applicant also increased also by 2 (see above). The increase in review applications being submitted can be linked to the increase in applications made overall. During 2022/23 we dealt with a 9.2% increase in applications for Crisis Grants (5118 applications received up from 4685 in 2021/22) and a 47.7% increase in Community Care Grants (1669 received up from 1130 in 2021/22). Overall, only 0.15% of all applicants requested an SPSO review.

Whilst the overall requests for review are very low we will continue to examine any decisions taken by the SPSO to ensure our staff continue to interpret the guidance appropriately. However, in accordance with the scheme customers do have the right to request a review by the SPSO and where this happens we will continue to co-operate fully with the SPSO reviews

The International Ayr Show - Festival of Flight Complaints

The Council received a significant number of complaints in relation to The International Ayr Show - Festival of Flight, 16 of which were responded to within this reporting period.

A further 39 complaints were received regarding The International Ayr Show - Festival of Flight which were either responded to or were awaiting response as at 13 October 2023. Information relating to these complaints will be provided to the next Service and Partnerships Performance Panel in May 2024

Information relating to 16 complaints closed before 30 September is outlined below.

	Stage	Subject	Action Taken	Outcome
1	Stage 1	Procurement Process	Explanation	Not Upheld
2	Stage 1	Disabled Facilities	Explanation	Resolved
3	Stage 1	Parking	Explanation	Not Upheld
4	Stage 1	Parking	Explanation	Not Upheld
5	Stage 1	Parking	Explanation	Not Upheld
6	Stage 1	Parking	Explanation	Not Upheld
7	Stage 1	Photography Stand	Apology	Partially Upheld
8	Stage 1	Photography Stand	Apology	Partially Upheld
9	Stage 1	Disabled Facilities	Apology	Partially Upheld
10	Stage 1	Disabled Facilities	Explanation	Not Upheld
11	Stage 1	Dog Friendly Advertising	Explanation	Not Upheld
12	Stage 1	Employee Behaviour	Explanation	Not Upheld
13	Stage 1	Fairground Ride	Explanation	Partially Upheld
14	Stage 1	Parking	Explanation	Not Upheld
15	Stage 1	Parking	Apology	Partially Upheld
16	Stage 1	Parking	Apology	Partially Upheld

As part of a significant high-profile complaint, which attracted tens of thousands of members of the public to visit and participate, it is noted that improvements to service delivery can always be made, and lessons are being learnt from the feedback provided by the public for the event in 2024.



South Ayrshire Council Equality Impact Assessment Scoping Template

Equality Impact Assessment is a legal requirement under the Public Sector Duty to promote equality of the Equality Act 2010. Separate guidance has been developed on Equality Impact Assessment's which will guide you through the process and is available to view here: <https://www.south-ayrshire.gov.uk/equalities/impact-assessment.aspx>

Further guidance is available here: <https://www.equalityhumanrights.com/en/publication-download/assessing-impact-and-public-sector-equality-duty-guide-public-authorities/>

The Fairer Scotland Duty ('the Duty'), Part 1 of the Equality Act 2010, came into force in Scotland from 1 April 2018. It places a legal responsibility on Councils to actively consider ('pay due regard to') how we can reduce inequalities of outcome caused by socio-economic disadvantage, when making strategic decisions. [FSD Guidance for Public Bodies](#) in respect of the Duty, was published by the Scottish Government in March 2018 and revised in October 2021. See information here: <https://www.gov.scot/publications/fairer-scotland-duty-guidance-public-bodies/>

1. Policy details

Policy Title	Complaints – Scrutiny Update
Lead Officer (Name/Position/Email)	Wynne Carlaw, Service Lead – Democratic Governance – wynne.carlaw@south-ayrshire.gov.uk

2. Which communities, groups of people, employees or thematic groups do you think will be, or potentially could be, impacted upon by the implementation of this policy? Please indicate whether these would be positive or negative impacts

Community or Groups of People	Negative Impacts	Positive impacts
Age – men and women, girls & boys	-	-
Disability	-	-
Gender Reassignment (Trans/Transgender Identity)	-	-
Marriage or Civil Partnership	-	-
Pregnancy and Maternity	-	-
Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers	-	-
Religion or Belief (including lack of belief)	-	-
Sex – (issues specific to women & men or girls & boys)	-	-
Sexual Orientation – person's sexual orientation i.e., LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	-	-

Community or Groups of People	Negative Impacts	Positive impacts
Thematic Groups: Health, Human Rights & Children's Rights	-	-

3. What likely impact will this policy have on people experiencing different kinds of social disadvantage i.e. The Fairer Scotland Duty (This section to be completed for any Strategic Decisions). Consideration must be given particularly to children and families.

Socio-Economic Disadvantage	Negative Impacts	Positive impacts
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	-	-
Low and/or no wealth – enough money to meet Basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	-	-
Material Deprivation – being unable to access basic goods and services i.e., financial products like life insurance, repair/replace broken electrical goods, warm home, leisure/hobbies	-	-
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	-	-
Socio-economic Background – social class i.e., parent's education, employment, and income	-	-

4. Do you have evidence or reason to believe that the policy will support the Council to:

General Duty and other Equality Themes Consider the 'Three Key Needs' of the Equality Duty	Level of Negative and/or Positive Impact (High, Medium, or Low)
Eliminate unlawful discrimination, harassment, and victimisation	Low
Advance equality of opportunity between people who share a protected characteristic and those who do not	Low
Foster good relations between people who share a protected characteristic and those who do not. (Does it tackle prejudice and promote a better understanding of equality issues?)	Low
Increase participation of particular communities or groups in public life	Low
Improve the health and wellbeing of particular communities or groups	Low
Promote the human rights of particular communities or groups	Low
Tackle deprivation faced by particular communities or groups	Low

5. Summary Assessment

Is a full Equality Impact Assessment required? (A full Equality Impact Assessment must be carried out if impacts identified as Medium and/or High)	YES NO
Rationale for decision: This report is an analysis of performance that allows scrutiny. There are no proposals at this Stage to alter the way we provide services or Council policies.	
Signed : Catriona Caves	Head of Service
Date: 24 October 2023	