

South Ayrshire Council

**Report by Head of Legal, HR and Regulatory Services
to Service and Performance Panel
of 23 August 2022**

Subject: Complaints – Scrutiny Update
Period: 1 October 2021 to 31 March 2022

1. Purpose

- 1.1 The purpose of this report is to provide Elected Members with complaints performance information for the period from 1 October 2021 to 31 March 2022 and compare performance to the same reporting period in 2020/21. It reflects the statutory reporting categories required by the Scottish Public Services Ombudsman (SPSO).

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 April – 30 September 2022.

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 The following report provides performance data on all Stage 1 and Stage 2 complaints closed from 1 October 2021 to 31 March 2022 and is based on SPSO reporting indicators, including a breakdown per service of complaints performance. It also compares our performance to the same reporting period in 2020/21.
- 3.3 [Appendix 1](#) provides an analysis of our complaints data measured against the SPSO's reporting indicators, for the period 1 October 2021 to 31 March 2022 and compares our performance to the same reporting period in 2021/22.

- 3.4 [Appendix 2](#) provides a breakdown of the reasons why complaints were raised against the Council, for the period 1 October 2021 to 31 March 2022 and compares our performance to the same reporting period in 2021/22.
- 3.5 [Appendix 3](#) 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.
- 3.6 [Appendix 4](#) 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.
- 3.7 [Appendix 5](#) provides further information on Investigation complaints received by the Council that have been noted during the reporting period.
- 3.8 [Appendix 6](#) provides information on the publication of the Scottish Public Services Ombudsman Annual Statistics.
- 3.9 [Appendix 7](#) provides information on the benchmarking of South Ayrshire Council's SPSO Annual Statistics against other Scottish Local Authorities.
- 3.10 [Appendix 8](#) provides information on Council Scottish Welfare Fund decisions referred to the Scottish Public Service Ombudsman.

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; and
- 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 April – 30 September 2021.

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

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 9](#).

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 Performance Panel of 8 June 2021 – [Complaints – Scrutiny Update – Period: 1 October 2020 to 31 March 2021](#)**

Report to Service and Performance Panel of 16 November 2021 – [Complaints – Scrutiny Update – Period: 1 April to 30 September 2021](#)

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Date: 9 August 2022

Complaints Data Analysis Against SPSO Reporting Indicators

Please find below analysis of our complaints data measured against the SPSO's reporting indicators for the period 1 October 2021 to 31 March 2022, with comparison to the same reporting period in 2020/21.

SPSO Indicator 1 – Complaints received per 1,000 of population

2020/21	01/10 – 31/03	2 per 1,000
2021/22	01/10 – 31/03	2 per 1,000 ◀▶

The number of complaints received by the Council per 1,000 of the population has remained the same over the reporting period 2020/21 and 2021/22.

SPSO Indicator 2 – Complaints closed at Stage 1 and Stage 2 as a percentage of all complaints closed

		<i>Total</i>	<i>Stage 1</i>	<i>Stage 2</i>	<i>Escalated</i>
2020/21	01/10 – 31/03	182	134 (74%)	24 (13%)	24 (13%)
2021/22	01/10 – 31/03	196 ▲	164 (84%)▲	20 (10%)▼	12 (6%)▼

The number of complaints received by the Council has increased by 8%, i.e. a total of 14, in reporting period 1 October 2021 to 31 March 2022, compared to the same reporting period in 2020/21 where 182 complaints were closed. There has been no particular trend in complaints that signifies a specific reason for this increase, although it is noted that in 2020/21 Council services were impacted by the COVID pandemic, with some front line services being unable to provide a full service.

The following service has shown a significant *decrease* in complaints in this reporting period compared to 2020/21:

- *Leisure – there has been a decrease in complaints for the Leisure service from 27 in 2020/21 to 10 in 2021/22. It is noted that in 2020/21 the Leisure Service received a high volume of complaints relating to the introduction of a new golf booking system, in particular the changes of the tee times and booking arrangements that were implemented by the service to ensure compliance with COVID protocols, which resulted in a number of complaints received from a small group of service users, i.e. 23 out of the 27 complaints received (i.e. 85%). In the same reporting period in 2021/22 only 1 complaint out of the 10 received related to the golf service (i.e. 10%)*

There has also been an *increase* in complaints in this reporting period compared to 2020/21 for the following service area:

- *Facilities Management – The service received no complaints in 2020/21. For the same reporting period in 2021/22 the service received 8 complaints. The majority of those complaints related to the introduction of contactless payment systems in*

Council public conveniences. All of these complaints were either resolved with the complainant or not upheld, indicating that while the customer was not happy with the introduction of contactless payment, this was not considered to be a change that had a detrimental impact on the service delivered to the public.

Facilities Management have recorded an overall figure of 93,419 customers using South Ayrshire public conveniences since the introduction of the contactless payment system in September 2021. Of the 93,419 only 8 (0.0085%) unhappy customers have raised concerns regarding the implementation of contactless payments. The majority of feedback received has been very positive with comments such as ‘it is so much easier not having to rummage around for change’ and ‘more hygienic not using coins’ having been received.

- Neighbourhood services – there has been an increase in complaints from 5 in 2020/21 to 14 in 2021/22.

In 2020/21 an audit of the complaints system established that complaints for Neighbourhood Services were being incorrectly categorised on the system as “service requests”. A change in the process for categorising complaints, has now ensured that all complaints are categorised accurately, and this is reflected in the increase from 5 complaints in 2020/21 to 14 in 2021/22.

There is no specific trend in the complaints received to indicate a pattern of poor service delivery that requires further consideration for improvements. Complaints relating to Neighbourhood Services have been registered for a variety of different areas including tree and grass maintenance, parks, play areas, recycling facilities, staff attitude and behaviour, waste collection and recycling. Of the 14 complaints, 6 were upheld with apologies and explanations issued as appropriate.

- Revenues – there has been an increase in complaints from 3 in 2020/21 to 12 in 2021/22. The majority of complaints relate to errors made when members of the public register for council tax or amend their circumstances, or when summary warrants are issued. 11 of the complaints were resolved at Stage 1 and of the 11 complaints, 4 were upheld with apologies and explanations issued in each case. The Revenues Team processes an average of 800 enquires/mail items every week, excluding telephone calls which are dealt with at first point of contact by the Customer Services Team

SPSO Indicator 3 – Complaints upheld, partially upheld and not upheld

Outcome of Complaints Closed at Stage 1

		Upheld	Partially Upheld	Not Upheld	Resolved
2020/21	01/10 – 31/03	37 (28%)	24 (17%)	73 (55%)	-
2021/22	01/10 – 31/03	36 (22%) ▼	22 (13%) ▼	74 (45%) ▼	32 (20%)

In this reporting period, 164 complaints were closed at Stage 1. This is an increase of 30 complaints (22%) from the same reporting period in 2020/21.

35% of these Stage 1 complaints were either upheld or partially upheld, indicating that in over a third of the stage one investigations it was established that the customer had raised legitimate concerns about a service delivery.

20% of cases were closed as “resolved” – this is a new outcome introduced by the SPSO in 2021. A complaint is resolved when both the investigating officer and the complainant agree what action (if any) will be taken to provide full and final resolution for the complainant, without making a decision about whether the complaint is upheld or not upheld

Outcome of Complaints Closed at Stage 2

		Upheld	Partially Upheld	Not Upheld	Resolved
2020/21	01/10 – 31/03	3 (12%)	4 (17%)	17 (71%)	-
2021/22	01/10 – 31/03	2 (10%)▼	4 (20%)▲	13 (65%)▼	1 (8%)

A total of 20 complaints were closed at Stage 2, a decrease of 4 complaints in comparison to the 24 complaints closed at Stage 2, for the same period in 2020/21. Of these 20 complaints, 65% were not upheld indicating that in over two thirds of the Stage 2 investigations it was found our service was meeting expected standards.

Outcome of Escalated Complaints

		Upheld	Partially Upheld	Not Upheld	Resolved
2020/21	01/10 – 31/03	2 (8%)	3 (13%)	19 (79%)	-
2021/22	01/10 – 31/03	0 (0%)▼	3 (25%)▲	8 (67%)▼	1 (8%)

In this reporting period 12 complaints were escalated by the customer from a Stage 1 to a Stage 2 investigation, a reduction of 12 complaints (i.e. 50%) from the 24 escalated complaints in the same reporting period in 2020/21. This indicates that more customers were satisfied by the outcome of their complaint at Stage one.

Of the 12 escalated complaints investigated in this reporting period 67% were not upheld, indicating that the decision made at Stage 1 in most cases was found to be upheld during the Stage 2 investigation.

Further detailed analysis of Stage 1, Stage 2 and Escalated complaints is outlined in [Appendix 2](#).

SPSO Indicator 4 – Average Times (in working days)

		Stage 1	Stage 2	Escalated
2020/21	01/10 – 31/03	10	18	22
2021/22	01/10 – 31/03	5▼	22▲	16▼

The SPSO timescale for responding to a Stage 1 complaint is 5 working days. The average time taken to investigate and respond to a Stage 1 complaint during this reporting period

was 5 working days. This is within the 5 working day response timescale, and is a decrease of 5 working days from the same reporting period in 2020/21.

There was no specific trend in one service area failing to respond within statutory time scales for Stage 1 complaints. Property maintenance responded to the largest number of complaints outwith 5 working days, but in 75% of these cases an agreed extension, between the service and the customer, had been added to allow time to fully respond to the issues raised

The SPSO time scale for responding to both Stage 2 and Escalated complaints is 20 working days. The responses for Stage 2 complaints have increased from 18 to 22 working days for Stage 2 investigations, but decreased for complaints which have been escalated from Stage 1 to Stage 2 from 22 to 16 days. While it is recognised that Stage 2 complaints on average took 22 days to complete, investigating officers are also asked to ensure that a complaint is investigated thoroughly, and due to the complex nature of some Stage 2 complaints this cannot be achieved within 20 working days.

SPSO Indicator 5 – Performance against Timescales

		<i>Stage 1</i>	<i>Stage 2</i>	<i>Escalated</i>
2020/21	01/10 – 31/03	70%	75%	83%
2021/22	01/10 – 31/03	66% ▼	70% ▼	75% ▼

There has been a decrease in performance against SPSO timescales across both Stage 1 and Stage 2 complaints. Analysis of the information held on our complaints handling system has shown no specific trend as to why there has been a decrease in comparison to the same 6 month reporting period in 2020/21.

SPSO Indicator 6 – Number of Cases where an Extension is Authorised

		<i>Stage 1</i>	<i>Stage 2</i>	<i>Escalated</i>
2021/22	01/10 – 31/03	15	3	3
2021/22	01/10 – 31/03	31 ▲	2 ▼	3 ◀▶

An extension, when required, can be applied to a complaint investigation, in consultation with the complainant, when it is established the complaint is complex and requires time to fully investigate.

Extensions are encouraged when complaints will take longer than the required time scale, to ensure that complainants are kept up to date when the status of their case. For this reporting period 36 complaints were subject to an authorised extension in comparison to 21 for the same reporting period in 2020/21, i.e. a 71% increase. This indicates that our complaints investigators work to providing a thorough and full investigation of complaints, and will seek extensions to timescales to ensure the response is of the standards expected by the SPSO.

SPSO Indicator 7 – Customer Satisfaction

For this reporting period there was no customer engagement with our Customer Satisfaction Survey.

Since September 2020 the Council's Information Governance Team has been working closely to transfer our complaints handling process to a new system, GOSS. Following completion of this, a new Customer Satisfaction Survey is now being developed, in line with new SPSO Guidelines, and in conjunction with feedback from members of the Local Authority Complaints Handlers Network (LACHN) and the Council's IT service.

The challenge to achieve an effective Customer Satisfaction Survey includes looking at ways we can elicit feedback, that provides comments and feedback on the Complaints Handling Process and not comments on the complaint outcome itself, which is a trend all Councils have found when they receive a Customer Satisfaction Survey response.

From 1 April 2022 the SPSO has introduced revised SPSO performance indicators. As a result, there will no longer be a mandatory SPSO performance indicator for Customer Satisfaction. The Council will however continue to engage with our customers to elicit this feedback, as it is recognised across all Scottish Councils that the use of a Customer Satisfaction Survey promotes engagement with our customers, eliciting feedback, and allowing us to establish ways to improve our Complaints Handling Procedure. Our new Complaints Satisfaction Survey will be available on the Council website in the Autumn.

SPSO Indicator 8 – Learning from Complaints

Please see [Appendix 3](#) for further information on learning from complaints.

Most Common Reasons for Complaints

Our complaints handling system allows complaints to be categorised using pre-defined complaints categories, for the purpose of statistical reporting. The top 3 reasons for complaints received by the Council (as categorised within the Complaints Handling system) for reporting period 1 October 2021 to 31 March 2022 are:

		01/10/20 to 31/01/21		01/10/21 to 31/01/22
Stage 1	1	Quality of Service/Service Provision	1	Quality of Service/Service Provision
	2	Policy and Procedure	2	Employee Behaviour
	3	Employee Behaviour	3	Damage to Property/Personal Injury
Stage 2	1	Quality of Service/Service Provision	1	Quality of Service/Service Provision
	2	Policy and Procedure	2	Policy and Procedure
	3	Employee Behaviour	3	Employee Behaviour

Please also see [Appendix 2](#) for additional breakdown information.

Services with the Highest Volume of Complaints during reporting period 1 October 2021 to 31 March 2022:

	2020/21			2021/22	
1	Housing	41	1	Property Maintenance	43
2	Property Maintenance	38	2	Housing	42
3	Leisure	27	3	Schools	20
4	Children and Families	16	4	Community Care	19
5	Schools	16	5	Neighbourhood Services	14

Property Maintenance are a front line service and dealing with complaints is part of the service provided. The Team always try to deal with each complaint straight away and try to go back with a positive response. With over 32,000 repairs carried out in 2021/2022 this number of complaints is quite low but it is recognised that improvements can always be made and Property Maintenance are working to have this number reduced in 2022/2023, on the basis it is important to get everything right first time and that is something Property Maintenance continue working on and ensure all their customers are happy with the service provided.

Please also see [Appendix 2](#) for additional breakdown information.

Additional Information – Breakdown of Complaints by Service:

	2020/21	2021/22	
Additional Support Needs	-	1	▲
Archives	-	-	◀▶
Asset Management	-	-	◀▶
Benefits	1	3	▲
Bereavement Services	1	-	▼
Building Standards	-	1	▲
Children and Families	16	10	▼
Committee Services	1	1	◀▶
Communication	1	-	▼
Community Care	11	19	▲
Criminal Justice	1	-	▼
Customer Services	5	-	▼
Early Years	1	-	▼
Education Central	1	1	◀▶
Enterprise	-	-	◀▶
Environmental Health	-	2	▲
Facilities	-	8	▲
Finance	-	2	▲
Housing	41	42	▲
Housing Policy	2	2	◀▶
ICT	-	1	▲
Information Governance	1	-	▼
Legal	-	2	▲
Corporate Lets	-	-	◀▶
Insurance	-	-	◀▶
Leisure	27	10	▼
Libraries	-	-	◀▶
Licensing	-	-	◀▶
Museums	-	-	◀▶
Neighbourhood Services	5	14	▲

	2020/21	2021/22	
Other	2	-	▼
Planning	2	1	▼
Property Maintenance	38	43	▲
Registration	1	-	▼
Revenues	3	12	▲
SAMS	1	-	▼
Primary Schools	6	13	▲
Secondary Schools	14	7	▲
Scottish Welfare Fund	-	1	▲
Trading Standards	-	-	◀▶

Please refer to the narrative in Section 2 of this Report (page 4) which provides further information regarding the reduction in the number of complaints received by the Council.

Reasons for Complaints

The undernoted Table 1 provides a breakdown of reasons for complaints received and closed between 1 October 2021 to 31 March 2022 at Stage 1, in comparison to figures for the same reporting period in 2020/21. The categories allocated are based on pre-defined categories that can be allocated to a case within the Council's corporate complaints system, GOSS. These categories reflect the high-level categories stipulated by the SPSO.

Table 1 – Reasons for Stage 1 Complaints

Subject	2020/21		2021/22	
	Number	% of Total Stage 1	Number	% of Total Stage 1
Quality of Service/ Service Provision	95	72%	108	66%▼
Other	8	6%	12	7%▲
Employee Behaviour	9	7%	14	9%▲
Damage to Property/ Personal Injury	5	4%	11	7%▲
Policy Procedure	9	7%	5	3%▼
Lack of Information	1	1%	7	4%▲
Waiting Times/ Missed App	5	4%	7	4%◀▶
Case Unresolved	1	1%	0	0%▼
Discrimination	1	1%	0	0%▼
Service Cuts	0	0%	0	0%◀▶
Total	129	100%	164▲	100%

Employee Behaviour Complaints

The number of employee behaviour complaints has increased from 9 in 2020/21 to 14 in 2021/22:

- 3 were upheld, with an apology issued to the customer
- 9 were not upheld, with an explanation provided as appropriate
- 2 were resolved, with an explanation provided

The complaints received were across various Council services, including Social Work, Property Maintenance, Housing and Neighbourhood Services, with there being no specific trend or thread of concern noted. 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.

South Ayrshire Council has a total of 5467 employees, with 14 complaints being received this equates to 0.003%.

The undernoted has been collated from the Council's Complaints Handling System (GOSS) using information entered by our Services showing which Council Services received the complaints referred to in Table 1 – Reasons for Stage 1 Complaints, above.

Providing this level of information on the GOSS system is not a mandatory requirement and it is therefore not logged for all complaints in Table 1, although services are encouraged to provide this data:

Service	Subject	2020/21	2021/22
Community Care	Arrol Park	1	-
	In House Homecare	2	3
	Older People Team Ayr North	-	-
	Older People Team Maybole Girvan	1	1
	Older People Team Prestwick	-	1
	Older People Team Troon	3	-
	Older People Ayr Hospital		
	Older People Ayr South	1	2
	Older People Maybole & Girvan	-	-
	Older People Prestwick	-	-
	Occupational Therapy	-	2
	Overmills	-	2
	South Lodge	-	-
	Telecare	1	-
	Customer Services	Accuracy of Information	1
Customer Journey		1	-
Quality of Customer Service		3	-
Waiting Times		-	-
Schools	Ayr Academy	-	1
	Ayr Grammar	-	-
	Annbank Primary	1	2
	Alloway Primary	-	-
	Barassie Primary	1	-
	Belmont Academy	1	-
	Braehead Primary	-	-
	Carrick Academy	3	-
	Coylton Primary	-	1
	Dailly Primary	-	-
	Doonfoot Primary	-	1
	Dalmilling Primary	1	-
	Forehill Primary	-	1
	Gardenrose Primary	-	1
	Girvan Academy	-	-
Girvan Primary	-	2	
Glenburn Primary	-	-	
Heathfield Primary	-	-	

<u>Service</u>	<u>Subject</u>	<u>2020/21</u>	<u>2021/22</u>
	Kingcase Primary	-	-
	Kyle Academy	-	1
	Marr College	-	2
	Muirhead Primary	-	-
	Monkton Primary	1	-
	Newton Primary	1	-
	Prestwick Academy	-	1
	Queen Margaret Academy	1	-
	Sacred Heart Primary	-	-
	Symington Primary	-	1
	St Johns Primary	-	-
	Tarbolton Primary	-	1
	Troon Primary	1	-
	Wallacetown Nursery	-	-
Facilities	Catering	-	-
	Public Convenience	-	7
	School crossing patrol	-	-
Children and Families		2	2
	Ayr North Locality Team		
	Ayr South Locality Team	2	2
	Children and Families Disability Team	3	1
	Children's Houses	-	-
	Family Placement/Adoption Team	2	1
	Girvan and Maybole Locality Team	4	-
	Management Team	-	-
	Prestwick/Troon Locality Team	-	1
Housing	Housing Policy	1	2
	Access to Housing Support	6	5
	Customer Landlord Relations	8	3
	Neighbourhood and Community	3	1
	Quality Maintenance	13	22
	Housing Service Value	4	1
	Travellers	-	-
Leisure	Citadel	-	3
	Golf	7	1
	Swimming Pools	2	1
	Other Leisure Facilities	-	2
	Town Hall	-	
Revenues	Service Delivery	2	4
	Other	-	-
Neighbourhood Services		4	-
	Missed Bin		
	Cemeteries	-	-
	Fouling	-	-
	Grass Cutting	1	-
	Litter	-	-
	Other	-	-
	Parks	-	1

Service	Subject	2020/21	2021/22
	Play Areas	-	2
	Recycling Facilities	-	2
	Special Uplifts	-	-
	Staff	-	1
	Street Sweeping	-	-
	Waste Collection	-	2
Benefits	Service Delivery	-	2
	Other	-	0
Property Maintenance	Quality Maintenance	-	-
	Staff	4	1
	Communication	2	4
	Dissatisfied with Repair	13	21
	Private Owner	1	4
	Other	-	2

The undernoted table provides an overview of reasons for complaints received and closed by the Council at Stage 2 between 1 October 2020 and 31 March 2021 compared to the same reporting period in 2020/21. These categories reflect the high-level categories stipulated by the SPSO.

Table 2 - Reasons for Stage 2 Complaints

Subject	2020/21		2021/22	
	Number	% of Total Stage 2	Number	% of Total Stage 2
Quality of Service/ Service Provision	12	50%	10	50%◀▶
Policy and Procedure	7	29%	3	15%▼
Employee Behaviour	3	13%	1	5%▼
Damage to Property/ Personal Injury	0	0%	2	10%▲
Case Unresolved	2	8%	0	0%▼
Discrimination	0	0%	0	0%◀▶
Lack of Information	0	0%	0	0%◀▶
Waiting Times/Missed Appointments	0	0%	1	5%▲
Other	0	0%	3	15%▲
Total	24	100%	20▼	100%

Employee Behaviour Complaints

The Stage 2 complaint above was investigated by Property Maintenance Services. Upon investigation, this complaint was not upheld and an explanation as to why was provided to the customer.

The undernoted has been collated from the Council's Complaints Handling System (GOSS) using information entered by our Services showing which Council Services received the complaints referred to in Table 2 – Reasons for Stage 2 Complaints, above.

Providing this level of information on the GOSS system is not a mandatory requirement and it is therefore not logged for all complaints in Table 2, although services are encouraged to provide this data:

Service	Subject	2020/21	2021/22
Children and Families	Girvan/Maybole Team	-	-
	Disability Team	-	-
Community Care	Older People Ayr South	-	-
	Older People Ayr Troon	-	-
	Arrol Park	-	-
	Private Home Care	-	-
	Maybole/Girvan Team	-	-
Planning	Planning Applications	-	-
	Planning Objection	-	-
Housing	Quality Maintenance	1	1
	Customer Landlord Relations	-	-
	Value	-	1
Leisure	Golf	5	-
	Swimming Pools	-	-
Property Maintenance	Employee Behaviour	-	2
	Dissatisfied with Repair	1	1
	Private Owners	1	3
	Other	-	-
Schools	Ayr Academy	1	-
	Alloway Primary	-	1
	Glenburn Primary	-	-
	Kingcase Primary	-	-
	Belmont Academy	1	-
	Dundonald Primary	-	-
	Newton Primary	-	-
	Troon Primary	-	-
	Carrick Academy	-	-
	Kyle Academy	-	-
	Belmont Academy	1	-
	Prestwick Academy	-	1
	Queen Margaret Academy	1	-

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:

Subject	2020/21		2021/22	
	Number	% of Total Escalated	Number	% of Total Escalated
Quality of Service/ Service Provision	12	50%	6	50% ◀▶
Employee Behaviour	1	4%	2	16.6% ▲
Case Unresolved	1	4%	0	0% ▼
Damage to Property/Personal Injury	0	0%	0	0% ◀▶
Lack of Information	0	0%	0	0% ◀▶
Policy and Procedure	8	33%	2	16.6% ▼
Other	2	9%	2	16.6% ▲
Total	24	100%	12	100%

Quality of Service Complaints

The following front-line services received the highest proportion of complaints escalated from Stage 1 to Stage 2 to categorised as quality of service

- Children and Families – 16.6% (1 not upheld, 1 partially upheld)
- Community Care – 16.6% (1 not upheld, 1 partially upheld)
- Property Maintenance – 25% (100% not upheld)

The undernoted has been collated from the Council's Complaints Handling System (GOSS) using information entered by our Services showing which Council Services received the complaints referred to in Table 3 – Reasons for Escalated Complaints, above.

Providing this level of information on the GOSS system is not a mandatory requirement and it is therefore not logged for all complaints in Table 3, although services are encouraged to provide this data:

Service	Subject	2020/21	2021/22
Community Care	Arrol Park	-	-
	In House Home Care	-	-
	Telecare	-	-
	Older People Ayr South	-	-
	Older People Maybole/Girvan	-	-
	Older People Prestwick	-	1
	Older People Troon	-	-
Housing	Customer Landlord Relations	1	-
	Quality Maintenance	3	2
	Access	1	-
	Value	-	-
Leisure	Golf	10	-
Neighbourhood Services	Open Spaces	-	-
	Recycling Facilities	-	-
	Grass Cutting	-	-
	Bin Return	-	-
	Other	-	-
Property Maintenance	Dissatisfied with Repair	1	1
	Staff	1	1
Schools	Alloway Primary	-	-
	Braehead Primary	-	-
	Belmont Academy	-	1
	Heathfield Primary	-	-
	Muirhead Primary	-	-
	Tarbolton Primary	-	-
	Ayr Academy	-	-
	Barassie Primary	-	-
	Dalmilling Primary	-	-
	Kingcase Primary	-	-
	Newton Primary	-	-
	Struthers Primary	-	-
	Symington Primary	-	-
	Kyle Academy	-	-
	Carrick Academy	-	-
	Belmont Academy	1	-

Service Improvement Case Studies

When our services undertake a Stage 2 investigation, or recognise a pattern across a number of Stage 1 frontline complaints, lessons will be learnt and improvements will be made, where possible, to procedures and services.

Children & Families

Our Children and Families Service investigated a Stage 2 complaint raised by a parent of a child who was transitioning from the Children and Families Service to Adult Services. They were dissatisfied with the delays her child experienced during the transition between the two service areas.

The investigation established that due to an error in paperwork, not enough information was provided to the transition group to allow a decision to be made, resulting in the case being deferred and delays being experienced by the young person and their family seeking Adult Services support.

As a result of this case Children and Families are now working to improve their processes and work with Adult services to improve communication. This has included a paper being approved by the Social Work Governance Board to take forward the updating of their Transitions Policy, which will cover the period 2022-2026.

Scottish Public Services Ombudsman Improvement Cases

There have been no Scottish Public Services Ombudsman improvement cases during this reporting time period.

Stage 2 Complaints Monitoring

The majority of 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.

All Stage 2 complaints investigated by the Council are monitored and each quarter any complaints considered to be serious or high risk are reported to the Integrity Group. In reporting period 1 October 2021 to 31 March 2022 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.

Scottish Public Services Ombudsman Annual Statistics¹

The SPSO publish an annual Statistical Report for complaints received by them 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 7](#). Details of the Council's SPSO Statistics for Council Services, received in December 2020, for April 2019 to March 2020 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:

STAGE	OUTCOME GROUP	South Ayrshire Council
Advice	Member of the public test not met (s 5 (6))	0
	Premature	3
	Unable to proceed	5
	Total	8
Early Resolution	Cause and impact test not met (s 5 (3))	1
	Discretion – Insufficient benefit would be achieved by investigation	5
	Discretion – alternative action proposed	0
	Discretion – Alternative route used or available	0
	Discretion - Good complaint handling	5
	Discretion – referred back	1
	Discretion - Resolved - both parties satisfied with proposed outcome	0
	Member of the public test not met (s 5 (6))	0
	Organisation not in jurisdiction	0
	Premature	1
	Right of appeal to court/tribunal/Scottish ministers (s 7 (8))	1
	Subject matter not in jurisdiction	0
	Time limit (s 10)	1
	Unable to proceed	2
	Total	17
Investigation	Fully upheld	0
	Not upheld	0
	Outcome not achievable	0
	Resolved	0
	Some upheld	0
	Total	0
TOTAL		25

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 2020/21 continuing to be investigated/considered by the SPSO into 2021/22.

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:

Ranking (from lowest to highest number of complaints received)	Local Authority	Number of complaints		Percentage	
		20/21	21/22	20/21	21/22
1	Clackmannanshire	5	12	1.3%	3%
2	Dumfries & Galloway	19	18	5%	5%
3	South Ayrshire	31	25 ▼	8.3%	7% ▼
4	Renfrewshire	54	47	14.4%	13%
5	South Lanarkshire	51	53	13.6%	15%
6	West Lothian	71	56	19%	16%
7	Falkirk	62	64	16.6%	18%
8	Fife	81	77	21.6%	23%

The above complaints group has 8 members. Of these eight members, South Ayrshire Council has the third lowest number of cases escalated to the Ombudsman in the family group, this remains consistent with the SPSO report from 2020/21.

In 2021/22 South Ayrshire Council dealt with 458 complaints. Of these, 25 were referred to the SPSO for further consideration and of those 25 the customer was provided with advice by the SPSO, or an early resolution was reached (see Appendix 6 above). This is a positive indication that the Council is providing a complaints 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 2020/21

The SPSO provide an annual report on Scottish Welfare Fund statistics in October each year. The report for 2020/21 was published in October 2021. A summary of South Ayrshire Council's statistics covering the reporting period 2020/21 is detailed below:

Application Type	Total Decisions		Not Upheld		Upheld		Uphold rate		National average uphold rate	
	19/20	20/21	19/20	20/21	19/20	20/21	19/20	20/21	19/20	20/21
Crisis Grants	8	1	7	1	1	0	13%	0%	27%	25%
Community Care Grants	4	1	4	1	0	0	0%	0%	53%	53%
Total	12	2	11	2	1	0	8%	0%	--	-

For South Ayrshire Council in 2020/21 there was a reduction in the number of review applications made to the SPSO for a decision, and the numbers upheld by the SPSO have also reduced to zero (see above). This improvement is despite an increase in the volume of applications made to the SWF team. During 2020/21 we dealt with a 24.4% increase in applications for Crisis Grants (4558 applications received up from 3665 in 2019/20) but a 6.9% decrease in Community Care Grants (1136 received down from 1221 in 2019/20). This still equates to an increase of 16.9% in the Crisis Grant and Community Care Grant combined workload.

Overall, only 0.04% 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.

Statistics for 2021/22 will be published by the SPSO in October 2022, and will be Reported to Panel members in a future Complaints Report to the Services & Performance Panel in 2023.

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)	-	-

Community or Groups of People	Negative Impacts	Positive impacts
Sexual Orientation – person’s sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	-	-
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: 18 July 2022	