

South Ayrshire Council

**Report by Head of Regulatory Services
to Service and Performance Panel
of 19 November 2019**

Subject: Complaints – Scrutiny Update
Period: 1 April to 30 September 2019

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 2019 and compare performance to the same reporting period in 2018/19. 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 2019 to 31 March 2020.

3. Background

- 3.1 Our complaints procedure, Listening to You, has 2 stages. We expect the majority of complaints 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 April to 30 September 2019 and is based on SPSO reporting indicators, including a breakdown per service of complaints performance.
- 3.3 [Appendix 1](#) provides an analysis of our complaints data measured against the SPSO's reporting indicators, for the period 1 April to 30 September 2019 and compares our performance to the same reporting period in 2018/19.

- 3.4 [Appendix 2](#) provides a breakdown of the reasons why complaints were raised against the Council, for the period 1 April to 30 September 2019 and compares our performance to the same reporting period in 2018/19.
- 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.

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 October 2019 to 31 March 2020.

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 6](#).

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 the Council strategic objective to 'increase the profile and reputation of South Ayrshire and the Council' and within that to the outcome 'Improve trust and confidence in the Council and increase customer satisfaction with services'.

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 Peter Henderson, Portfolio Holder for Resources and Performance, and the contents of this report reflect any feedback provided.

Background Papers **None**

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Date: **11 November 2019**

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 April to 30 September 2019 with comparison to the same reporting period in 2018/19:

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

2018/19	01/04 – 30/09	3 per 1,000 ◀▶
2019/20	01/04 – 30/09	3 per 1,000 ◀▶

The number of complaints received by the Council per 1,000 of the population has remained consistent for the reporting period in 2018/19 and 2019/20.

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

		Total	Stage 1	Stage 2	Escalated
2018/19	01/04 – 30/09	373	310 (83%)	25 (6%)	38 (10%)
2019/20	01/04 – 30/09	368	328 (89%)▲	18 (5%)▼	22 (6%)▼

The number of complaints received by the Council has decreased by a total of 5 in this reporting period compared to the same reporting period in 2018/19, a decrease of 1.3%. There is no specific trend that has resulted in this small decrease in the number of complaints received over this six month time-frame.

Services showing the most significant *increase* in complaints in this reporting period compared to 2018/19 are as follows:

- **Customer Services**

Customer Services received 25 complaints in the first 2 quarters of 19/ 20. During that time period Customer Services managed a total of 235, 982 enquires face to face and by phone.

While, as a percentage of overall customer interactions, our complaint ratio remains extremely low (1.1 complaints per 10,000 customers) it has risen from 7 complaints for the same period in 18/19 (0.3 complaints per 10, 000).

The service has analysed the reasons for this. The increase in customer complaints from 7 to 25 can be attributed mainly to the unprecedented increase in the number of calls to Customer Services as detailed in the table below.

0300 Call Volume (Customer Services only)							
	19 – 30 APRIL	MAY	JUNE	JULY	AUG	SEP	TOTAL
2018	4,490	12,607	11,374	12,430	11,998	11,300	64, 199
2019	8,770	21,236	16,101	17,925	16,647	14,620	95, 299
Increase	+95%	+68%	+42%	+42%	+39%	+29%	53%

Call volume increased by a total of **31,100** as a result of initiatives led by other council services including: the issuing of 13, 000 single occupancy discount letters by the Council Tax service and the introduction of a new bin system.

This resulted in longer call waiting times which formed the basis of the additional 18 complaints. We increased communications to customers throughout this period to advise them of the call volume and targeted our resources as best we could.

It should be noted that for quarters 1 and 2 of 2018/19, Customer Services received 15 formal compliments through Listening To You and this rose to 17 for the same period in 2019/20.

- **Neighbourhood Services**

Neighbourhood Services have seen an increase in the number of complaints received in comparison to the same reporting period in 2018/19 - 60 were received last year, compared to 111 received in the same reporting period this year. This shows an increase of almost double. This is a result of the following:

New Household Waste/Recycling Service: Neighbourhood Services rolled out their new service over a six month period from 1 October 2018 to 31 March 2019. Most households received two additional wheeled bins which led to an increase in complaints. They had to provide communal containers in some areas which again led to complaints. At the same time they reduced the frequency of the general waste collections from 2 weekly to 3 weekly, again this did not prove popular with some householders. They also had some issues with the quality of the new bins that had been procured and there was a sticky residue on some that had occurred during storage.

Street Cleansing: Neighbourhood Services have seen a significant reduction in street cleansing during this period due to resource issues. The street cleanliness index dropped by 5 points and there is a noticeable difference in the levels of street cleanliness which has led to an increase in complaints.

In terms of our reporting statistics, the increases in complaints received for these services is balanced against a decrease in complaints received by other services within the Council, The most significant *decreases* are as follows:

- **Early Years**

The number of complaints received relating to the provision of service at our Early Years' Service has decreased from 6 in reporting period 1 April to 30 September 2018 to 0 in the same reporting period this year. The Early Years' Service received an unusually high number of complaints in the reporting period 2018/19 due to the introduction of full day sessions for new Primary 1 pupils.

- **Asset Management**

Our Asset Management service has shown a drop in complaints from 10 in 2018/19 to 0 in 2019/20. Due to an error when closing off complaints in the Lagan system, the Asset Management service showed an unusually high number of complaints for this reporting period in 2018/19, however this issue has now been resolved.

- **Leisure**

The Council's Leisure Service has shown a decrease in complaints received from 27 in 2018/19 to 6 for the same reporting period in 2019/20. This reflects resolution on a number of topics including use of the diving boards.

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

Outcome of Complaints Closed at Stage 1

		<i>Upheld</i>	<i>Partially Upheld</i>	<i>Not Upheld</i>
2018/19	01/04 – 30/09	94 (30%)	45 (15%)	171 (55%)
2019/20	01/04 – 30/09	149 (45%)▲	40 (12%)▼	139 (42%)▼

A total of 328 complaints were closed at Stage 1 which is an increase of 18 complaints, from 310 complaints for the same reporting period in 2018/19.

Of these 328 Stage 1 complaints, 57% were upheld or partially upheld, indicating that over half of our customers continue to raise genuine concerns with service provision. This is an increase of 17% from 2018/19 when 45% were either upheld or partially upheld - suggesting we are continuing to actively listen to our customers to establish where services can be improved.

Outcome of Complaints Closed at Stage 2

		<i>Upheld</i>	<i>Partially Upheld</i>	<i>Not Upheld</i>
2018/19	01/04 – 30/09	5 (20%)	12 (48%)	8 (32%)
2019/20	01/04 – 30/09	1 (5%)▼	9 (50%)▲	8 (45%)▲

A total of 18 complaints were closed at Stage 2, which is a decrease of 7 complaints, in comparison to the 25 closed at this stage for the same period in 2018/19. This suggests the Council continues to recognise when a complaint is of a serious nature and should be investigated immediately at Stage 2. Of these 18 complaints 55% were either upheld or partially upheld indicating that our investigations have established just over half of those customers have raised genuine concerns regarding a service delivery.

Outcome of Escalated Complaints

		<i>Upheld</i>	<i>Partially Upheld</i>	<i>Not Upheld</i>
2018/19	01/04 – 30/09	8 (21%)	12 (32%)	18 (47%)
2019/20	01/04 – 30/09	2 (9%)▼	5 (23%)▼	15 (68%)▲

In 2018/19 53% of complaints that were escalated from Stage 1 to a Stage 2 investigation were either upheld or partially upheld. This figure has decreased to 32% (ie - by 21%) in

the same reporting period for 2019/20, suggesting that our investigations are recognising when services are achieving the high standards the Council seeks to achieve.

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
2018/19	01/04 – 30/09	5	26	22
2019/20	01/04 – 30/09	5 ◀▶	21 ▼	19 ▼

The average time to respond to a Stage 1 complaint has remained at 5 working days between 2018/19 and the same reporting period in 2019/20.

The average time taken to respond to Stage 2 complaints has decreased from 26 days in 2018/19 to 21 days in 2019/20, and from 22 days to 19 days for complaints which have been escalated from Stage 1 to Stage 2.

SPSO Indicator 5 – Performance against Timescales

		Stage 1	Stage 2	Escalated
2018/19	01/04 – 30/09	84%	80%	76%
2019/20	01/04 – 30/09	80% ▼	61% ▼	77% ▲

Despite the fall in performance against timescales, there has been a slight improvement in average working days for Escalated complaints. Of the 12 Stage 2 cases which were overdue, only 3 took more than 40 days to resolve, all of which were granted extensions.

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

		Stage 1	Stage 2	Escalated
2018/19	01/04 – 30/09	16	4	8
2019/20	01/04 – 30/09	30 ▲	1 ▼	2 ▼

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 33 complaints were subject to an authorised extension compared to 28 in 2018/19, an increase of 5 cases. Extensions are encouraged when complaints will take longer than the required timescale, to ensure that complainants are kept up-to-date with the status of their case.

SPSO Indicator 7 – 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. 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.

Between 1 April and 30 September 2019, 60 requests were issued to members of the public inviting them to participate in our Customer Satisfaction Survey. 20% responded to our invitation, which is a decrease of 10% from the 30% return in 2018/19.

Feedback received from the 20% who responded indicates that:

	Strongly Agree/ Agree		Disagree or Strongly Disagree	
	2018/19	2019/20	2018/19	2019/20
<i>It was easy for me to make a complaint to the Council</i>	67%	100%	33%	0%
<i>My complaint was understood by the Council</i>	61%	75%	39%	25%
<i>My complaint was thoroughly investigated</i>	39%	75%	61%	25%
<i>My complaint was taken seriously</i>	56%	75%	44%	25%
<i>I was kept up-to-date with the progress of my investigation</i>	33%	75%	67%	25%
<i>I was given a clear explanation of the decisions made</i>	50%	75%	50%	25%
<i>The information I was given was easy to understand</i>	72%	75%	28%	25%
<i>I am satisfied the investigation addressed my concern</i>	28%	40%	72%	60%
<i>My complaint was responded to within the appropriate time scales</i>	56%	40%	44%	60%
<i>The procedure for taking my complaint to the next stage was clear</i>	50%	83%	50%	17%

Things we are doing well

All of our customers feel it is easy to make a complaint to our Council, which is reflected in the high proportion of our customers who make complaints via our online form. The majority of respondents also felt that their complaint was investigated and responded to appropriately, and that the outcome of the complaint was clear and easy to understand.

Things we could do better

Our respondents indicated their dissatisfaction in our response times, with 60% reporting that they had not received a response within the appropriate timescales. This is reflective of our fall in performance against timescales. 60% of respondents felt the investigation did not address their concerns. Though this is an improvement on last year's responses, it shows that more than half of respondents do not feel their concerns are being addressed.

Analysis of this feedback also established that those respondents who had indicated having had an unsatisfactory experience had also not received the response they had hoped for from the Council following our complaints investigation. This maybe a contributing factor to the dissatisfaction noted above.

SPSO Indicator 8 – Learning from Complaints

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

Additional Information – Most Common Reasons for Complaints

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

	<i>01/04 to 30/09 (2018/19)</i>	<i>01/04 to 30/09 (2019/20)</i>
Stage 1	Quality of Service	Quality of Service
	Other	Employee Behaviour
	Employee Behaviour	Other
Stage 2	Quality of Service	Quality of Service
	Other	Employee Behaviour
	Employee Behaviour	Policy and Procedure

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

Additional Information – Breakdown of Complaints by Service:

	2018/19	2019/20	
Additional Support Needs	0	1	▲
Asset Management	10	0	▼
Bereavement	0	5	▲
Benefits	2	0	▼
Building Standards	1	1	◀ ▶
Children and Families	29	16	▼
Communications	0	0	◀ ▶
Community Care	35	37	▲
Criminal Justice	0	0	◀ ▶
Customer Services	7	25	▲
Early Years	6	0	▼
Enterprise	2	0	▼
Education Central	3	1	▼
Elections	0	0	◀ ▶
Environmental Health	3	0	▼
Facilities	6	1	▼
Finance	2	0	▼
Housing	77	64	▼
Insurance	0	0	◀ ▶
Leisure	27	6	▼
Libraries	2	1	▼

	2018/19	2019/20	
Neighbourhood Services	60	111	▲
Planning	11	7	▼
Property Maintenance	62	45	▼
Psychological Services	1	0	▼
Registration	0	0	◀ ▶
Revenues	6	20	▲
Roads	1	1	◀ ▶
SAMS	0	1	▲
Primary Schools	15	11	▼
Secondary Schools	3	6	▲
Scottish Welfare Fund	1	7	▲
Trading Standards	1	0	▼
Other	0	1	▲

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 2019, in comparison to figures in the same reporting period in 2018/19. The categories allocated are based on pre-defined categories that can be allocated to a case within the Council's corporate complaints system, Lagan.

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

Table 1 – Reasons for Stage 1 Complaints

Category	2018/19		2019/20		
Subject	Number	% of Total Stage 1	Number	% of Total Stage 1	
Quality of Service/ Service Provision	192	62%	233	71%	▲
Other	28	9%	28	8%	▼
Employee Behaviour	57	18%	40	12%	▼
Damage to Property/ Personal Injury	5	2%	5	2%	◀▶
Policy Procedure	11	3%	7	2%	▼
Lack of Information	7	2%	5	2%	◀▶
Waiting Times/ Missed App	8	3%	10	3%	◀▶
Case Unresolved	1	0.5%	0	0%	▼
Discrimination *	1	0.5%	0	0%	▼
Service Cuts*	0	0%	0	0%	◀▶
Total	310	100%	328	100%	

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

There is not a mandatory requirement for services to input this information when completing cases on our Lagan system but they are encouraged to complete these fields.

Service	Subject	01/04 – 30/09 2018/19	01/04 – 30/09 2019/20
Customer Services	Accuracy of Information	1	1
	Quality of Customer Service	5	6
	Customer Journey	0	4
	Waiting Times	0	12
Community Care	Arrol Park	1	0
	Homecare	13	6
	Ayr North Locality Team	2	1
	Ayr South Locality Team	1	4
	Troon Locality Team	0	4
	Girvan/Maybole Locality Team	3	2
	Mental Health Team	2	1
	Telecare	1	2
	Sensory Impairment	0	0
Schools	Ayr Academy	0	0
	Ayr Grammar	0	0
	Barr Primary	0	0
	Barassie Primary	2	0
	Belmont Academy	1	1
	Braehead Primary	1	1
	Carrick Academy	1	3
	Coylton Primary	1	0
	Dailly Primary	0	0
	Dalmilling Primary	0	0
	Doonfoot Primary	0	0
	Dundonald Primary	0	0
	Forehill Primary	0	1
	Gardenrose Primary	0	0
	Girvan Primary	0	1
	Glenburn Primary	1	1
	Kincaidston Primary	0	0
	Kingcase Primary	2	0
	Kyle Academy	0	0
	Marr College	0	0
	Newton Primary	0	1
	St Cuthbert's Primary	0	0
	Struthers Primary	1	0

Service	Subject	01/04 – 30/09 2018/19	01/04 – 30/09 2019/20
	Symington Primary	1	0
	Troon Primary	0	0
	Childcare	0	0
	Nursery	0	0
Facilities	Catering Services	0	0
	Public Convenience	2	1
	School crossing patrol	1	0
Children and Families	Children and Families Disability Team	6	1
	Ayr North Locality Team	1	0
	Ayr South Locality Team	3	2
	Girvan/Maybole Locality Team	0	3
	Prestwick/Troon Locality Team	3	1
	Initial Response Team	2	1
	Children's Houses	2	1
	Family Placement and Adoption Team	1	4
	Management Team	0	0
Housing	Housing Policy	1	4
	Housing Access	3	9
	Customer Landlord Relations	10	15
	Neighbour Communication	5	2
	Quality Maintenance	35	24
Leisure	Citadel	3	1
	Golf	7	1
	Swimming Pools	8	2
	Town Hall	0	0
Libraries	Troon Library	1	0
Neighbourhood Services	Dog Bin	0	0
	Missed Bin	8	24
	Bin Return	0	0
	Wheelie Bin Delivery	0	11
	Burials	0	0
	Grass Cutting	4	2
	Litter	1	2
	Beaches	1	0
	Other	5	6

Service	Subject	01/04 – 30/09 2018/19	01/04 – 30/09 2019/20
	Play Areas	0	0
	Special Uplifts	1	0
	Staff	3	3
	Street Sweeping	0	1
	Waste Collection	2	2
	Weed Removal	1	1
	Parks	1	0
	Paths	0	0
	Recycling Facilities	1	7
	Waste Recycling	0	0
	Trees	1	1
Benefits	Other	1	0
	Service Delivery	1	0
Property Maintenance	Communication	4	4
	Dissatisfied with Repair	25	22
	Private Owner	3	0
	Staff Attitude/Behaviour	6	5
	Other	8	7

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 2019 compared to the same reporting period in 2018/19. These categories reflect the high level categories stipulated by the SPSO.

Table 2 - Reasons for Stage 2 Complaints

Category	01/04 – 30/09 2018/19		01/04 – 30/09 2019/20		
	Number	% of Total Stage 2	Number	% of Total Stage 2	
Quality of Service/ Service Provision	15	60%	9	50%	▼
Policy and Procedure	2	8%	3	17%	▲
Employee Behaviour	4	16%	6	33%	▲
Damage to Property/ Personal Injury	1	4%	0	0%	▼
Case Unresolved	0	0%	0	0%	◀▶
Discrimination	0	0%	0	0%	◀▶
Lack of Information	1	4%	0	0%	▼
Other	2	8%	0	0%	▼
Total	25	100%	18	100%	

The undernoted categories have been collated from the Council's Complaints Handling System (Lagan) using information entered by Services handling complaints at a service level. Providing this information on the Lagan system is not a mandatory requirement and it is therefore not logged for all complaints, although Services are encouraged to provide this information on the system.

Service	Subject	01/04 – 30/09 2018/19	01/04 – 30/09 2019/20
Schools	Kyle Academy	0	2
	Prestwick Academy	0	1
	Doonfoot Primary	0	1
	Dailly Primary	0	1
	Dundonald Primary	0	1
	Newton Primary	0	1
	Girvan Primary	0	1
	Alloway Primary	0	1
Children and Families	Management Team	0	1
	Fostering	2	0
Community Care	Homecare	0	4
Housing	Customer Landlord Relations	2	1
	Quality Maintenance	2	2
Neighbourhood Services	Other	0	2
	Recycling Facilities	0	1
	Waste Collection	0	1
Planning	Objection	0	2
	Other	0	1
	Planning Enforcement	2	0
	Planning Application	1	3
Property Maintenance	Dissatisfied with Repair	1	3
	Private Owners	1	0
	Other	2	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:

Category	01/04 – 30/09 2018		01/04 – 30/09 2019		
Subject	Number	% of Total Stage 2	Number	% of Total Stage 2	
Quality of Service/ Service Provision	26	68%	16	73%	▲
Employee Behaviour	1	3%	1	4.5%	▲
Case Unresolved	0	0%	0	0%	◀▶
Damage to Property/Personal Injury	3	8%	1	4.5%	▼
Policy and Procedure	3	8%	2	9%	▲
Lack of Information	0	0%	0	0%	◀▶
Other	5	13%	2	9%	▼
Total	38	100%	22	100%	

The following has been collated from the Council's Complaints Handling System (Lagan) using information entered by Services handling complaints at a service level. Providing this information on the Lagan system is not a mandatory requirement and it is therefore not logged for all complaints. However, services are actively encouraged to provide this information.

Service	Subject	01/04 – 30/09 2018/19	01/04 – 30/09 2019/20
Customer Services	Waiting Times	0	0
Schools	Ayr Grammar	1	0
	Carrick Academy	0	0
	Belmont Academy	0	0
	Dailly Primary	0	1
	Girvan Primary	1	1
	Glenburn Primary	0	0
	Kingcase Primary	1	0
	Symington Primary	0	0
	Marr College	0	0
	Queen Margaret Academy	1	0
	Symington Primary	2	0

Service	Subject	01/04 – 30/09 2018/19	01/04 – 30/09 2019/20
Community Care	LD_DP	0	1
	Homecare	0	1
	Ayr North Team	0	1
	Ayr South Team	0	1
Housing	Customer Landlord Relations	0	2
	Value for Money	0	1
	Neighbour Communication	1	1
	Quality Maintenance	4	2
Leisure	Golf	1	0
Neighbourhood Services	Recycling Facilities	0	1
	Waste Collection	0	1
Planning	Planning Application	3	1
Property Maintenance	Dissatisfied with Repair	1	2
	Contact/Communication	1	0
	Other	2	0
	Private Owners	1	0
	Staff Attitude	0	0

Service Improvement Case Studies

Housing (101000586653)

A customer complained that his mother, a council tenant, had fallen as a result of a build-up of moss and lichen on the path outside her home, despite treating the moss and lichen build-up several times. As a result of this complaint, the path in question was resurfaced with Asphalt, and a regular path-sweeping schedule put in place to prevent any potential build up and to mitigate any future risk.

Housing (101000600065)

A tenant contacted the council to express dissatisfaction at the length of time taken to carry out an inspection and subsequent repairs required on her boiler, particularly that she had been left without heating or hot water. The Housing service investigated this complaint and established that, while the required repairs were undertaken within the target timescale, it was agreed that repairs such as those required should be instructed with a higher priority in future cases to ensure tenants were not left without heating or hot water in their property for longer than necessary.

Neighbourhood Services (101000606069)

A service user complained that the supervision at the community refuse disposal site at Maybole was inadequately managed by Council staff operating the site. An investigation by our Neighbourhood Services team showed that an officer from the service had previously been on site full time for a period to challenge any commercial waste being deposited at the site without the appropriate permit. The service user raised concerns that this practice had again become common and as a result of his complaint, the Waste Enforcement Officer was asked to increase the number of hours spent at the site to challenge those suspected of dumping commercial waste.

Property Maintenance (101000604468)

A customer complained about the length of time taken to identify and complete repairs required for his home, including dampness and repairs to guttering. An investigation found that there had been a delay in identifying where repairs were needed and as a result, the Property Maintenance team have updated their processes to ensure any outstanding repairs are undertaken timeously. All Technical and Maintenance Officers have now created a log for all works that have been allocated to both our internal employees and external contractors, and all works will be inspected at the start, during and on completion of all works to ensure our tenants are happy with all being completed. To ensure target dates for repairs are being met, Operational Team Leaders will have weekly update meetings with their officers and request full updates on all jobs currently being worked on.

Scottish Public Services Ombudsman Improvement Cases

During the reporting period 1 April to 30 September 2019, 2 decision notices were published by the Ombudsman relating to South Ayrshire Council.

Decision Report 201808779

Mr C owned a flat in a block of properties. The Council also owned flats in the same block of properties. Mr C complained that South Ayrshire Council unreasonably charged him for a share of the repair costs to a communal path.

The Ombudsman found that all owners have duties and responsibilities in respect of repairs and maintenance of shared parts of property, normally set out in title deeds. As owners, both Mr C and the Council shared responsibility for communal areas, and therefore the Council could reasonably conclude that private owners, such as Mr C, should bear a proportion of the repair costs and be invoiced accordingly. The Ombudsman saw no evidence that Mr C was not responsible for paying a share of common repairs and therefore not uphold this aspect of Mr C's complaint.

Mr C also complained that the Council failed to communicate reasonably with him about the communal path repairs. The Ombudsman found that the majority of the council's communication was reasonable, but that the Council's communication with Mr C about the availability of an inspection report should have been clearer. The Ombudsman therefore upheld this part of Mr C's complaint.

Recommendations:

The Ombudsman asked the Council to undertake the following action:

Apologise to Mr C for not making it clear that an inspection report was not available.

A response to Mr C was issued in September 2019.

The Ombudsman also advised that the Council communicate clearly with owner-occupiers regarding the availability of inspection reports for assessed communal repairs.

Decision Report 201707958

Ms C complained about the decision to withdraw funding from her father's (Mr A) care home placement. South Ayrshire Council believed Mr A had deliberately deprived himself of an asset in order to avoid paying fees.

The Ombudsman found that the Council acted reasonably in our application of the relevant guidance on charging for residential care. The Council was able to evidence that we were not required to prove that deprivation of assets was the primary motive in the disposal of an asset. The Council were only required to show that it was reasonable to conclude from the available evidence that the deprivation of assets could have been a motivation. The Ombudsman found that the Council could have reasonably reached that conclusion from the evidence and that our decision was, therefore, reasonable. Ms C's complaint was not upheld by the Ombudsman.

Stage 2 Complaints Monitoring

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

The majority of Stage 2 complaints were undertaken at the Stage 2 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.

However, in reporting period 1 April to 30 September 2019 no Stage 2 complaints were identified as being serious or high risk, ie - those that would have a serious impact on the Council's ability to provide services to the public.

Scottish Public Services Ombudsman Statistics¹

The SPSO recently published its Statistical Report for complaints received in respect of South Ayrshire Council services. Details of the Statistics Reported by the SPSO, from April to March each reporting year, are as follows:

Local Authority Complaints Received 2018-19

Subject Group	South Ayrshire Council			Sector Total	Rank	Complaints as % of total
	South Ayrshire Council	Rank	Complaints as % of total			
Housing	6	1	20.69%	251	1	19.29%
Social Work	4	2=	13.79%	206	2	15.83%
Planning	4	2=	13.79%	130	4	9.99%
Education	3	4	10.34%	143	3	10.99%
Environmental Health & Cleansing	2	5=	6.90%	101	6	7.76%
Land & Property	2	5=	6.90%	16	10	1.23%
Finance	1	7=	3.45%	98	7	7.53%
Recreation & Leisure	1	7=	3.45%	26	9	2.00%
Economic Development	1	7=	3.45%	5	14	0.38%
Roads & Transport	0	-	0.00%	111	5	8.53%
Legal & Admin	0	-	0.00%	67	8	5.15%
Building Control	0	-	0.00%	15	11	1.15%
Personnel	0	-	0.00%	7	12	0.54%
Other	0	-	0.00%	6	13	0.46%
Valuation Joint Boards	0	-	0.00%	3	15=	0.23%
Welfare Fund - Community Care	0	-	0.00%	3	15=	0.23%

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.

Subject Group	South Ayrshire Council			Sector Total	Rank	Complaints as % of total
	South Ayrshire Council	Rank	Complaints as % of total			
Grants						
National Park Authorities	0	-	0.00%	2	17	0.15%
Welfare Fund - Crisis Grants	0	-	0.00%	1	18	0.08%
Subject unknown or Out of Jurisdiction	5	-	17.24%	110	-	8.46%
Total	29		100.00%	1,301		100.00%
<i>Complaints as % of Sector</i>	<i>2.2%</i>		<i>100.0%</i>			

* Please note these are not reported via the Complaints Handling Procedure under [Scottish Public Service Ombudsman Act 2002](#). Instead they are part of the Scottish Welfare Fund applications and reported via Revenue and Benefits under the [Welfare Funds \(Scotland\) Act 2015](#).

The SPSO have included them this year for the first time amalgamating this data for their reference.

Local Authority Complaints Determined 2018-19

Stage	Outcome Group	2018-19	
		South Ayrshire Council	Sector Total
Advice	Not duly made or withdrawn	5	255
	Out of jurisdiction (non-discretionary)	0	2
	Premature	5	244
	Total	10	501
Early Resolution	Not duly made or withdrawn	1	45
	Out of jurisdiction (discretionary)	3	70
	Out of jurisdiction (non-discretionary)	1	47
	Outcome not achievable	2	71
	Premature	0	55
	Proportionality	5	358
	Resolved	0	26
	Total	12	672
Investigation	Fully upheld	1	34
	Some upheld	0	23
	Not upheld	0	40
	Resolved	0	1
	Total	1	98
Total Complaints		23	1,271

<i>Total Premature Complaints</i>	5	299
<i>Premature Rate</i>	21.7%	23.5%
<i>Total Investigation Decisions</i>	1	97
<i>Total Upholds</i>	1	57
<i>Uphold Rate</i>	100.0%	58.8%

Local Authority Complaints – Subject and Outcome 2018-19

Case ID	Workflow Stage	Subject Group	Subject	Case Outcome Group	Case Outcome
201801430	Advice	Subject unknown or Out of Jurisdiction	Subject unknown	Complaint - Not duly made or withdrawn	Further info required from complainant
201800131	Advice	Housing	Repairs and maintenance	Complaint - Not duly made or withdrawn	Further info required from complainant
201804538	Advice	Subject unknown or Out of Jurisdiction	Subject unknown	Complaint - Not duly made or withdrawn	Further info required from complainant
201808952	Advice	Housing	Repairs and maintenance	Complaint - Not duly made or withdrawn	Further info required from complainant
201810545	Advice	Planning	Complaints handling	Complaint - Not duly made or withdrawn	Further info required from complainant
201807772	Advice	Subject unknown or Out of Jurisdiction	Subject unknown	Complaint - Premature	Complaints procedure started but not completed - delays/poor complaint handling by body
201808316	Advice	Subject unknown or Out of Jurisdiction	Subject unknown	Complaint - Premature	Complaints procedure started but not completed - delays/poor complaint handling by body
201808187	Advice	Subject unknown or Out of Jurisdiction	Subject unknown	Complaint - Premature	Complaints procedure started but not completed - delays/poor complaint handling by body

Case ID	Workflow Stage	Subject Group	Subject	Case Outcome Group	Case Outcome
201805621	Advice	Education	Grants / allowances / vouchers / bursaries	Complaint - Premature	Complaints procedure started but not completed - delays/poor complaint handling by body
201809162	Advice	Social Work	Policy / administration	Complaint - Premature	Complaints procedure started but not completed - delays/poor complaint handling by body
201802828	Early Resolution	Housing	Repairs and maintenance	Not duly made or withdrawn	Complaint withdrawn and no grounds to pursue
201507952	Early Resolution	Social Work	Policy / administration	Out of jurisdiction (discretionary)	Alternative remedy available
201802579	Early Resolution	Economic Development	Communication / staff attitude / confidentiality	Out of jurisdiction (discretionary)	Alternative remedy available
201807586	Early Resolution	Finance	Policy / administration	Out of jurisdiction (discretionary)	No injustice or hardship
201801199	Early Resolution	Recreation & Leisure	Parks / outdoor centres and facilities	Out of jurisdiction (non-discretionary)	No complaint of maladministration or service failure
201805185	Early Resolution	Education	School records / access to personnel education files	Outcome not achievable	Seeking amendment to clinical records
201803673	Early Resolution	Environmental Health & Cleansing	Cleansing / public convenience / streets and stairs	Outcome not achievable	Seeking discretionary decision to be overturned
201801648	Early Resolution	Housing	Rent and/or service charges	Proportionality	Action taken by authority and SPSO cannot achieve anything more
201707236	Early Resolution	Planning	Handling of application (complaints by opponents)	Proportionality	Action taken by authority and SPSO cannot achieve anything more
201800408	Early Resolution	Planning	Unauthorised developments: enforcement action/stop and discontinuation notices	Proportionality	Action taken by authority and SPSO cannot achieve anything more

Case ID	Workflow Stage	Subject Group	Subject	Case Outcome Group	Case Outcome
201807342	Early Resolution	Housing	Repairs and maintenance	Proportionality	Action taken by authority and SPSO cannot achieve anything more
201807889	Early Resolution	Planning	Handling of application (complaints by applicants)	Proportionality	Action taken by authority and SPSO cannot achieve anything more
201802259	Investigation	Land & Property	Communication / staff attitude / confidentiality	Fully upheld	Fully upheld

In 2018/19, a total of 29 complaints were made to the SPSO regarding South Ayrshire Council, of which 6 were withdrawn. This is a decrease from the 32 received in 2017/18. Of these 23 complaints, advice was provided by the SPSO to the complainant in 10 cases, an early resolution was reached in 12 cases and 1 resulted in a full investigation. This complaint was fully upheld by the Ombudsman.

As these statistics are provided to the Council by the SPSO, it is not possible to provide further analysis.

South Ayrshire Council Equality Impact Assessment Scoping
1. Proposal details

Proposal Title Complaints – Scrutiny Update	Lead Officer Wynne Carlaw
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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 proposal? Please indicate whether these would be positive or negative impacts

Community, Groups of People or Themes	Negative Impacts	Positive impacts
The whole community of South Ayrshire	-	-
People from different racial groups, ethnic or national origin.	-	-
Women and/ or men (boys and girls)	-	-
People with disabilities	-	-
People from particular age groups for example Older people, children and young people	-	-
Lesbian, gay, bisexual and heterosexual people	-	-
People who are proposing to undergo, are undergoing or have undergone a process to change sex	-	-
Pregnant women and new mothers	-	-
People who are married or in a civil partnership	-	-
People who share a particular religion or belief	-	-
Thematic Groups: Health, Human Rights, Rurality and Deprivation	-	-

3. Do you have evidence or reason to believe that the proposal will support the Council to:

General Duty and other Equality Themes	Level of Negative and/ or Positive Impact (high, medium or low)
Eliminate discrimination and harassment faced by particular communities or groups	Low impact
Promote equality of opportunity between particular communities or groups	Low impact
Foster good relations between particular communities or groups	Low impact
Promote positive attitudes towards different communities or groups	Low impact
Increase participation of particular communities or groups in public life	Low impact
Improve the health and wellbeing of particular communities or groups	Low impact
Promote the human rights of particular communities or groups	Low impact
Tackle deprivation faced by particular communities or groups	Low impact

4. Summary Assessment

Is a full Equality Impact Assessment (EQIA) required? (A full EQIA must be carried out on all high and medium impact proposals)		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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:	25 October 2019	Copy to equalities@south-ayrshire.gov.uk	