

ABERDEEN CITY COUNCIL

COMMITTEE	Audit, Risk and Scrutiny
DATE	24 November 2016
DIRECTOR	Richard Ellis (interim)
TITLE OF REPORT	Scottish Public Services Ombudsman and Inspector of Crematoria Complaint Decisions
REPORT NUMBER	CG/16/127
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

This report provides information on all Scottish Public Services Ombudsman (SPSO) and Inspector of Crematoria decisions made during 2016/17 to date that relate to Aberdeen City Council complaints. The report also details the SPSO Local Authority 2015/16 annual statistics table.

2. RECOMMENDATION(S)

It is recommended that Committee notes the details of the report and recommends any additional actions as appropriate.

3. FINANCIAL IMPLICATIONS

There are no direct financial implications arising from this report.

4. OTHER IMPLICATIONS

N/A

5. BACKGROUND/MAIN ISSUES

Scottish Public Services Ombudsman (SPSO) Decisions

The Scottish Complaints Handling Procedure (CHP) has three stages:

- Stage 1 - Frontline Resolution
- Stage 2 - Formal Investigation
- Stage 3 - Independent External Review (SPSO)

The first two stages of the complaints handling process are dealt with internally by the council. The SPSO considers complaints from people who remain dissatisfied at the conclusion of the council's complaints procedure. The SPSO looks at issues such as service failures and maladministration (administrative fault), as well as the way the council has handled the complaint.

The ombudsman has the authority to make a final decision on the complaint. Following their investigation, the SPSO write to the council and the complainant with the outcome of their decision. Where necessary the SPSO will make recommendations that the council must implement to address a customer's dissatisfaction and / or to prevent the same problems that led to the complaint from happening again. The SPSO also instruct the timescales for implementing their recommendations.

To date during 2016/17, the SPSO have made 2 decisions relating to Aberdeen City Council complaints that were referred to the Ombudsman for consideration. 1 complaint was not upheld and 1 complaint was partially upheld.

Details of the complaints and any subsequent recommendations are provided in Appendix A. All recommendations have been implemented by Aberdeen City Council within the timescales required by the SPSO and there is one outstanding recommendation which is due for completion by the 29th November 2016.

In addition, the tables in Appendix B show the complaints that the SPSO handled about Aberdeen City Council in 2015/16. Table 1 shows complaints received by main subject area, both about Aberdeen City Council and overall in the sector for the past two years. Table 2 shows the outcomes of the complaints for the same period. Housing, Social Work, Finance, Planning, Roads and Transport are consistently the most common subject of complaints about Aberdeen City Council, with Housing ranked highest by a significant amount.

Inspector of Crematoria Decisions

The Inspector of Crematoria is responsible for providing appropriate oversight and scrutiny of practices within Scotland's crematoria and is also a point of contact for families who have any concerns about crematoria practices, anywhere in Scotland.

The Inspector of Crematoria responds to complaints or queries from the public about cremations. There have been no decisions by the

Inspector of Crematoria in relation to Aberdeen City Council cremations to date.

6. IMPACT

Improving Customer Experience –

Complaints are a valuable source of information about council services, which help to identify recurring or underlying problems and potential improvements. Reviewing complaints information provides opportunity to improve service delivery, whether in response to highlighted faults or as a proactive measure to increase efficiency and consequently customer satisfaction.

As part of the complaints handling procedure, services identify learning points so that they can be recorded and acted upon to improve the customer experience. Where appropriate, actions should be implemented across the Council, and not just in the service area that was the subject of the individual complaints. Therefore, all SPSO decisions are therefore shared with the appropriate service(s).

Improving Staff Experience –

The outcomes of complaint decisions are fed back to relevant staff. This includes both upheld and not upheld decisions to engage staff in complaints handling and ensure they are fully informed of outcomes. Complaint information is also used to inform changes in working practices and training provision for staff to improve their experience as well as that of the customer. SPSO recommendations relating to complaints handling are fed back to the responding officers to help develop the key skills required for good complaints handling.

Improving our use of Resources –

The organisation should look to solve the core issue which led to the complaint and learn from the outcome of complaints so to reduce the potential for more / similar complaints. This should lead to a reduction in repeat complaints and complaints investigation and handling time which can be a lengthy process for those involved.

Corporate -

This recommendation supports the Shaping Aberdeen 'triple aim' triangle in terms of improving the staff experience, improving the customer experience and improving the use of resources in delivering outcomes.

This requirement to share learning from complaints supports the Single Outcome Agreement; providing joined up working across the

organisation that will provide overall, an excellent customer experience.

It supports the smarter priorities of 'Smarter Governance – Participation'. Specifically;

“Smarter Governance – Participation: acknowledging the role that citizens can play in the evolution of the city.

Priority: we will encourage citizens to participate in the development, design and decision making of services to promote, civic pride, active citizenship and resilience.

Outcome: Citizens feel they can influence their communities through engagement in the development, design and decision making of services.”

Senior management should review the information gathered from complaints regularly and lessons learnt from complaints should be fed back into individual service improvement plans.

Public –
N/A

7. MANAGEMENT OF RISK

No risks have been identified in this report.

8. BACKGROUND PAPERS

N/A

9. REPORT AUTHOR DETAILS

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Appendix A

Complaint Received Date	SPSO Decision Date	Complaints Investigated by the SPSO	Directorate	Decision	SPSO Recommendations	Date Implemented
3 Feb 2016	7 Jul 2016	1. Aberdeen City Council failed to take steps to investigate, and act on, complaints of anti-social behaviour (not upheld)	Communities, Housing and Infrastructure	Not Upheld	None	Not applicable
10 July 2015	30 Sept 2016	1. Aberdeen City Council unreasonably failed to communicate with the complainant after they completed actions agreed at a meeting with their flood team (upheld) 2. Aberdeen City Council failed to resolve the problem of water ingress from a culverted burn (not upheld)	Communities, Housing and Infrastructure	Partially Upheld	1. Aberdeen City Council should apologise for the communication failings found. 2. The relevant staff should be reminded of the importance of documenting meetings (and in particular agreed outcomes) 3. The council should consider and address relevant staff training needs in relation to clear communication and managing expectations	14 Oct 2016 14 Oct 2016 Due 29 Nov 2016

Appendix B

TABLE 1
Complaints Received by Subject 2015-16

Subject Group	Aberdeen City Council	Rank	Complaints as % of total	Sector Total	Rank	Complaints as % of total
Housing	42	1	52.5%	423	1	24.6%
Social Work	11	2	13.8%	231	2	13.4%
Finance	4	3=	5.0%	179	3	10.4%
Planning	4	3=	5.0%	172	5	10.0%
Roads & Transport	4	3=	5.0%	120	7	7.0%
Legal & Admin	3	6	3.8%	61	8	3.5%
Education	2	7=	2.5%	173	4	10.0%
Environmental Health & Cleansing	2	7=	2.5%	126	6	7.3%
Building Control	1	9=	1.3%	54	9	3.1%
Recreation & Leisure	1	9=	1.3%	32	10	1.9%
Land & Property	1	9=	1.3%	20	12	1.2%
Other	1	9=	1.3%	17	13	1.0%
Personnel	1	9=	1.3%	9	15=	0.5%
Welfare Fund - Community Care Grants	0	-	0.0%	31	11	1.8%
Economic Development	0	-	0.0%	11	14	0.6%
Welfare Fund - Crisis Grants	0	-	0.0%	9	15=	0.5%
National Park Authorities	0	-	0.0%	6	17=	0.3%
Valuation Joint Boards	0	-	0.0%	6	17=	0.3%
Fire & Police Boards	0	-	0.0%	5	19	0.3%
Consumer Protection	0	-	0.0%	4	20	0.2%
Subject Unknown or Out Of Jurisdiction	3	-	3.8%	33	-	1.9%
Total	80	-	100.0%	1,722	-	100.0%
Complaints as % of Sector			4.6%	100.0%		

Complaints Received by Subject 2014-15

Subject Group	Aberdeen City Council	Rank	Complaints as % of total	Sector Total	Rank	Complaints as % of total
Housing	35	1	37.6%	468	1	24.9%
Finance	14	2	15.1%	174	4=	9.3%
Social Work	8	3	8.6%	253	2	13.5%
Planning	7	4=	7.5%	217	3	11.5%
Roads & Transport	7	4=	7.5%	119	7	6.3%
Environmental Health & Cleansing	6	6	6.5%	148	6	7.9%
Legal & Admin	5	7	5.4%	76	8	4.0%
Education	4	8	4.3%	174	4=	9.3%
Building Control	1	9=	1.1%	61	9	3.2%
Recreation & Leisure	1	9=	1.1%	24	11	1.3%
Land & Property	0	-	0.0%	29	10	1.5%
Other	0	-	0.0%	21	12	1.1%
Welfare Fund - Community Care Grants	0	-	0.0%	14	13	0.7%
Welfare Fund - Crisis Grants	0	-	0.0%	12	14	0.6%
Personnel	0	-	0.0%	10	15	0.5%
Consumer Protection	0	-	0.0%	8	16=	0.4%
Economic Development	0	-	0.0%	8	16=	0.4%
Valuation Joint Boards	0	-	0.0%	6	18	0.3%
Fire & Police Boards	0	-	0.0%	4	19	0.2%
National Park Authorities	0	-	0.0%	3	20	0.2%
Subject Unknown or Out Of Jurisdiction	5	-	5.4%	51	-	2.7%
Total	93	-	100.0%	1,880	-	100.0%
Complaints as % of Sector			4.9%	100.0%		

TABLE 2
Local Authority Complaints Determined 2015-16

Stage	Outcome Group	2015-16		2014-15	
		Aberdeen City Council	Sector Total	Aberdeen City Council	Sector Total
Advice	Not duly made or withdrawn	15	321	22	380
	Out of jurisdiction (discretionary)	0	6	3	29
	Out of jurisdiction (non-discretionary)	0	5	2	25
	Outcome not achievable	0	6	1	42
	Premature	25	606	25	713
	Resolved	0	0	0	4
	Total	40	944	53	1,193
Early Resolution 1	Not duly made or withdrawn	2	54	1	36
	Out of jurisdiction (discretionary)	6	104	8	56
	Out of jurisdiction (non-discretionary)	12	196	12	140
	Outcome not achievable	9	185	2	107
	Premature	5	58	1	42
	Resolved	2	29	3	35
	Total	36	626	27	416
Early Resolution 2	Fully upheld	2	27	3	33
	Some upheld	0	20	2	18
	Not upheld	3	37	0	56
	Not duly made or withdrawn	0	1	0	0
	Resolved	1	1	0	3
	Total	6	86	5	110
Investigation 1	Fully upheld	1	23	1	28
	Some upheld	3	36	1	26
	Not upheld	1	40	4	63
	Not duly made or withdrawn	0	4	0	1
	Resolved	0	4	0	1
	Total	5	107	6	119
Investigation 2	Fully upheld	0	1	0	3
	Some upheld	0	0	0	1
	Not upheld	0	0	0	0
	Total	0	1	0	4
Total Complaints		87	1,764	91	1,842
Total Premature Complaints		30	664	26	755
Premature Rate		34.5%	37.6%	28.6%	41.0%
Fit for SPSO Total (ER2, Inv1 & Inv2)		11	194	11	233
Total Cases Upheld / Some Upheld		6	107	7	109
Uphold Rate (total upheld / total fit for SPSO)		54.5%	55.2%	63.6%	46.8%

Explanatory Note

Table 1 describes the **subjects** about which the SPSO received complaints in 2015/16 and 2014/15. Both show the Aberdeen City Council figures beside the figures for the sector as a whole. Complaints received are shown ranked from most received to the least.

Table 2 shows information about the **outcomes** of the complaints that the SPSO determined during 2015/16. The figures of complaints received (Table 1) and determined (Table 2) do not tally because at the end of each business year the SPSO are still working on some of the complaints received during that year.