

Complaints Annual Report 2023-2024

Introduction

The City of Edinburgh Council is committed to providing high quality services to its residents, businesses and visitors to our city. We recognise that there are times when we get things wrong, and we fail to meet the expectations of our customers. In such instances, the Council's Complaints Procedure provides a mechanism to feedback dissatisfaction and concerns.

Crucially, complaints and feedback also provide helpful insight and information which can be used to improve the quality and delivery of our services. Some examples of those improvements are included in the appendix to this report.

This report provides the Council with an opportunity to share our annual complaints performance with you for the period 1 April 2023 to 31 March 2024. The report also reaffirms our commitment to improving our complaints performance, and learning from complaints to improve our services.

Background

A complaint is defined as any expression of dissatisfaction about our actions, or lack of actions, or about the standard of service provided by, or on behalf of the Council. Customers can complain to the Council through our Complaints Handling Procedure which follows the Local Authority Model Complaint Handling Procedure developed by the Scottish Public Services Ombudsman (SPSO).

Our Complaints Procedure is based on a two-stage approach:

- **Stage One:** Frontline response – These are straightforward complaints which require little or no investigation. This could take the form of an apology, explanation, or an action to resolve the complaint within five working days.
- **Stage Two:** Investigation – These are more complaints where the customer is not satisfied with the frontline response (escalated complaints), or where the complaint is complex and requires further detailed investigation. Stage 2 responses have a resolution target of 20 working days.

We try to make our complaints process as easy and accessible as possible, and customers can access our procedure through our website, by email, over the telephone, or in person.

If a customer remains dissatisfied with the Council's Stage 2 response, they can refer their concerns to the SPSO who will consider their complaint further. The SPSO is the final stage for complaints about public service organisations in Scotland, including local authorities.

Our approach to managing complaints

The Council operates a decentralised approach to the handling of complaints, with each directorate responsible for responding to complaints in line with the Council's Complaints Handling Procedure.

To ensure a consistency of approach across the organisation, the Council has a Corporate Complaints Management Group (CCMG) which shares best practice and identifies opportunities to improve the management of complaints. This work is supported by a Strategic Complaints Group which provides a holistic approach around customer engagement across the organisation.

Complaint performance is reported to respective directorate senior management teams on a quarterly basis and is also discussed and monitored by the CCMG.

In line with our Complaints Procedure, the Council also publishes examples of where we have learnt from complaints to improve our services. These are refreshed on a regular basis and can be found on the Council's website at:

<https://www.edinburgh.gov.uk/contact-us/comments-complaints/4>

To ensure that the Council is at the forefront of best practice in complaint handling, it continues to play an active role in the work of the Local Authority Complaints Handlers' Network which is committed to promoting good complaints handling and sharing best practice. The Council is currently the joint chair of the Network with the Scottish Borders Council.

Key headlines

The headlines below are based on our performance against the four key performance indicator themes devised by the SPSO in conjunction with all 32 Scottish councils. Our statistics (which are set out in more detail in the following section) also include Scottish Local Authority national averages to provide meaningful comparisons, and family group averages which are based on local authorities which are similar in terms of size

and population density. These benchmarking figures are provided through the Local Authority Complaint Handlers' Network.

The Council's family group consists of Glasgow City Council, Aberdeen Council, Dundee City Council, East Dunbartonshire Council, West Dunbartonshire Council, North Lanarkshire Council and South Lanarkshire Council.

Complaints received

The number of complaints received by the Council has decreased from 5883 during 2022-23 to 5144 for 2023-24. This means that the Council has received 9.8 complaints for every 1000 head of population in the city. This is in line with the Scottish average for the complaints received by Scottish local authorities, based on current population levels.

Closed complaints

58% of complaints processed by the Council under Stage One of the complaints process were closed within five working days. While this is in line with the family group average of 59%, it falls short of the Scottish local authority average of 65% and is also a decrease on last year's Council performance of 61%.

45% of complaints processed by the Council under Stage Two of the complaints process were closed within 20 working days. This is well below family group and Scottish averages of 57% and 63% respectively.

Average response times

The average response time to close a Stage One complaint was nine working days. While below above the resolution target of five working days, the figure was in line with the national average of nine, and better than the family group average of 14.

The average response time to close a Stage Two complaint was 28 days – above the family group average of 25 and national average of 23. With escalated Stage Two complaints, the Council's average of 28 days was above the family group average of 21 days, and national average of 20 days.

Complaint outcomes

Generally, complaint outcomes in terms of complaints upheld, partially upheld, not upheld or resolved are in line with family group and national averages.

Key performance indicators

As set out in the previous section, our complaint statistics are based on four key performance indicator themes devised by the SPSO.

Indicator One – Complaints Received

This indicator sets out the total number of complaints received by the Council during 2023/24. This figure includes all complaints received at Stage One (4681) and Stage Two (463) of the Council's complaints process.

No. of complaints received	2022-23	2023-24	Family Group average	Scottish LA average
Stage One and Stage Two (combined)	5883	5144	3125	1659

To allow for a fair comparison across all 32 councils in Scotland, the figure of complaints per 1,000 of population is also used. During 2023/24, the Council received 9.8 complaints for every 1000 head of population – a decrease from the previous year, and in line with the national average.

Measure	2022-23	2023-24	Family Group 4 average	Scottish average
No. of complaints closed per 1000 population	11.1	9.8	11.7	9.86

Indicator Two – Closed Complaints

The Council's Complaint Handling Procedure requires complaints to be closed within five working days at Stage One and 20 working days at Stage Two. This indicator measures the number and percentage of complaints which were closed in full at each stage within the set timescales of five and 20 working days.

The terms 'closed' refers to a complaint where the customer has received a response, and where no further action was required at that time.

Complaints closed as a % of all complaints closed	2022-23	2023-24	Family Group 4 average	Scottish average
Stage One	61% (2666)	58% (2475)	59% (1595)	65% (907)
Stage Two	74% (696)	45% (442)	57% (91)	63% (90)
Stage Two – escalated	44% (177)	44% (78)	67% (107)	62% (55)

In relation to the figures, Council services have highlighted several factors which have had a detrimental impact in relation to Stage One and Stage Two response times. At Stage One, some complaints are more complex than first envisaged which, with hindsight, should have been dealt with as Stage Two complaints from the outset. Many complaints also involve third parties which can create 'time-lags' in gathering information to inform complaint responses.

With Stage Two responses, the overall complexity of the complaint, and the need to find qualified staff with appropriate levels of knowledge to undertake the investigation can be problematic, again resulting in delays.

The table below provides a breakdown of complaints closed by Council services.

Council service	No. of complaints closed
Housing Operations	1,962
Customer & Digital Services	717
Corporate Services	15
Waste & Environment	537
Roads and Parking	540
Housing Management & Homelessness	357
Schools	322
Planning, Building Standards & Regulatory Services	139
Health and Social Care	131
Parks & Greenspace	88
Children's Social Work	80
Libraries and Culture	36
Street Cleansing	18
Community Justice	11

To help identify areas for future improvement, all complaints closed by the Council are classified by complaint themes. The key themes are listed below.

Frequency	Complaint category	%
1.	Quality of service delivery	24.4
2.	Council policy - level of service provision	19.7
3.	Employee behaviour	16.1
4.	Communication	13.1
5.	Decision of Service	11.1

Indicator Three – Average Response Times

This indicator represents the average time in working days for a full response to complaints at Stage One (Five-day resolution target) and at Stage Two (20-day resolution target) of the Council's Complaint Handling Procedure.

Measure	2022-23	2023-24	Family Group 4 average	Scottish average
Stage One	8.2	9.4	14.2	9.4
Stage Two	14.3	28.4	24.9	22.8
Stage Two - Escalation	22.3	28.1	20.7	19.6

As set out above in relation to average response times, resourcing challenges, the involvement of third parties and the overall complexity of some complaints has had a detrimental impact on performance, as evidenced by the figures in the table above.

Indicator Four – Complaint Outcomes

This indicator measures the number and percentage of closed complaints which were upheld, partially upheld, not upheld or resolved at each stage of the Council's Complaints Handling Procedure.

Upheld

No. of complaints upheld as % of all complaints	2022-23	2023-24	Family Group 4 average	Scottish average
Stage One	30% (1322)	29% (1259)	30% (805)	31% (437)
Stage Two	30% (281)	24% (106)	20% (32)	18% (26)
Stage Two - Escalated	31% (121)	35% (62)	30% (47)	26% (23)

Not upheld

No. of complaints not upheld at Stage one as % of all complaints	2022-23	2023-24	Family Group 4 average	Scottish average
Stage One	38% (1685)	40% (1699)	33% (889)	36% (506)
Stage two	38% (358)	33% (155)	46% (74)	25% (75)
Stage Two - Escalated	39% (154)	38% (82)	36% (58)	44% (39)

Partially upheld

No. of complaints partially upheld at as % of all complaints	2022-23	2023-24	Family Group 4 average	Scottish average
Stage One	12% (509)	13% (569)	23% (622)	17% (239)
Stage Two	12% (109)	28% (124)	27% (43)	25% (36)
Stage Two - Escalated	11% (46)	22% (49)	22% (35)	23% (20)

Resolved

No. of complaints where resolution was reached	2022-23	2023-24	Family Group 4 average	Scottish average
Stage One	20% (882)	18% (767)	14% (381)	16% (221)
Stage Two	20% (187)	14% (69)	7% (11)	4% (6)

Stage Two - Escalated	21% (81)	5% (12)	12% (19)	8% (7)
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The 'resolved outcome' was introduced in April 2021. This means that it is now possible to close a complaint under the classification of 'resolved' without a need to decide whether the complaint should be upheld or not. This outcome can be used where it's possible to quickly agree on an action that will meet the customer's needs

Complaints investigated by the SPSO

Once customers have had their complaint handled through Stage One and Two of the Council's complaints process, they can take their concerns to the SPSO if they are unhappy with our decision, or the way we handled their complaint. The SPSO is the final stage for complaints about public service organisations in Scotland.

During 2023/24, a total of 95 cases were considered by the SPSO in relation to the Council - an increase on the 71 cases considered during 2022/23. This increase can be attributed to the SPSO working through its backlog which resulted from the global pandemic. Of those 95 cases, five reached a final decision stage with the SPSO. These related to different subject areas, including housing, parking, bin hubs and schools. Four of the five cases were upheld by the SPSO requiring the Council to implement various recommendations which are summarised below.

- Improved channels of communication with anti-social behaviour complainants in resolving complaint situations, while also maintaining confidentiality.
- Increased staff awareness around dealing with Council Tax related complaints.
- Improved systems for ensuring that lettable Council properties are 'fit for purpose'.
- Better documented decision making and consideration of wellbeing and eligibility assessments in relation to the provision of kinship care allowances.

Full decision reports can be found using this link: <https://www.spsso.org.uk/decision-report-search>

Learning from complaints

The Council is committed to listening to our customers and to use your feedback to help improve our services. The appendix to this report provides examples of some of the actions we have taken based on your feedback and experiences.

Next steps and future developments

Improvement actions

The figures presented in this report present a mixed picture in relation to complaints performance. While some indicators align with national and family group indicators, others do not, particularly in relation to closing complaints within the timescales set by the SPSO. In response, Council services have committed to several improvement actions, including:

- The allocation of additional resources to respond to complaints, including staff recruitment.
- The development of local procedures to ensure the better co-ordination of complaints within service areas.
- Better management reporting and monitoring of complaints within services.
- Refresher complaints training for staff to ensure that complaints are properly processed in line with the Council's Complaints Procedure, particularly in relation to seeking extensions to response times.

Child Friendly Complaints

The SPSO has created Child Friendly Complaints Handling Principles and Child Friendly Complaints Handling Process Guidance to help organisations implement the Model Complaints Handling Procedure in a way that upholds children's rights under the United Nation Convention on the Rights of the Child.

The Council is part of a working group of the Local Authority Complaint Handlers' Network which is looking to develop supporting documentation to help local authorities interpret and implement the SPSO principles and guidance. A working group is also being established within the Council to take this work forward, and which will build on the 'child centred' approach and culture which already exists within the Council.

Customer relationship management

The Council is continuing to work towards the implementation of a customer relationship management system which will log and track all complaints across the Council, replacing the multiple recording systems which currently exist. Implementation is scheduled for Autumn of 2025.

Appendix – Learning from complaints

Example 1: The Edinburgh Health and Social Care Partnership

The complaint

A family raised concerns about aspects of the care that was being provided for a relative.

What we did

We reviewed our medication protocol; organised refresher training for staff; and added relevant information to our citywide staff newsletter to ensure changes were communicated.

Example 2: The Edinburgh Health and Social Care Partnership

The complaint

A customer complained about the difficulties they were experiencing in gaining access to the Council's respite service.

What we did

We looked at ways of increasing opportunities for residential respite care. As a consequence, direct payments are now available to fund respite stays in private care homes.

Example 3: Customer and Digital Services

The complaint

Customers complained about the lack of quality information concerning Direct Payments.

What we did

We held training and information sessions with staff to build confidence and knowledge to ensure that Direct Payments information was clear and accurate going forward.

Example 4: Social Work – Children's Services

The complaint

A customer felt that the Foster Care assessment process required review as the provision of appropriate information was not provided at the right. They believed that the identification of a lack of experience in caring for children should be identified and shared earlier in the process.

What we did

In response, Family Based Care reviewed and updated their recruitment procedure, guidance notes and forms to ensure that any lack of experience was identified earlier in the process, including recommendations on ways to gain relevant experience. These actions have helped to streamline the process of recruiting foster carers, as well as minimising any anxieties that prospective foster carers may be dealing with

Example 5: Social Work – Children’s Services

The complaint

A customer complained that they were given poor advice about kinship payments and how these would progress over time.

What we did

In response, we updated the Council’s Kinship Guidance and produced training for staff about the new procedures to ensure they were understood and followed. This will mean that prospective and established kinship carers are provided with appropriate advice when they need it, and staff will feel more confident about providing the appropriate advice.

Example 6: Waste & Environment

The complaint

Customers have reported that on occasions we have missed have their bin collection.

What we did

In such instances, we try and arrange for a collection vehicle to return to collect the missed bin. However, many of the complaints we receive for missed bins are due to contamination. This occurs when there is a mix of recycling that is not suitable for collection. Moving forward we plan to improve the communication methods between Waste services and customers. This will ensure the correct materials are placed in the appropriate bins.

Example 7: Housing Operations

The complaint

Our tenant was unhappy about delays in having a dampness survey completed, as the contractor was unable to attend until a later date.

What we did

In response, Housing services were able to appoint their own surveyor who was able to attend on an earlier date than scheduled with the contractor. This demonstrated good communication amongst the team involved and has set a helpful precedent for similar cases going forward.

Example 8: Parking

The complaint

The service receives many complaints about vehicles parking on and obstructing footways. However, the Council only act against vehicles parked on the footway where there is a parking restriction on the adjacent carriageway. In this regard, parking attendants have always followed standard enforcement procedures,

including allowing observation periods when issuing parking tickets to vehicles on footways.

What we did

Following Committee approval, the need to provide an observation period has been removed. Where there is a carriageway restriction on the adjacent carriageway, Parking Attendants now issue parking enforcements immediately. This limits opportunities for drivers to remove their vehicles before a parking ticket is served. It also helps discourage and deter footway parking.