

Complaints Handling Procedure

Part 4:

Governance

Contents

Roles and responsibilities 56

Recording, reporting, learning from and publicising complaints..... 59

Recording complaints 59

Learning from complaints..... 59

Reporting of complaints 60

Publicising complaints information 60

Document Information			
Document Name/Description			Complaints Handling Procedure – Part 4: Governance
Version Number			V1.2
Author			Performance and Improvement Adviser
Lead Officer/Manager			Executive Manager - Executive Services
Final Approval Date			15 March 2021
Approved by			Policy & Resources Committee
Review Frequency			Every 3 years
Date of next planned review start			March 2029
Summary of changes to document			
Date	**Version updated**	**New version number**	**Brief description of changes**
30/10/2026	V1.1	V1.2	Updated SPSO links

Roles and responsibilities

174. All staff will be aware of:

- the Complaints Handling Procedure (CHP)
- how to handle and record complaints at the frontline response stage
- who they can refer a complaint to, in case they are not able to handle the matter
- the need to try and resolve complaints early and as close to the point of service delivery as possible; and
- their clear authority to attempt to resolve any complaints they may be called upon to deal with.

175. Training on this procedure will be part of the induction process for all new staff. Refresher training will be provided for current staff on a regular basis.

176. Senior management will ensure that:

- The Council's final position on a complaint investigation is signed off by an appropriate manager or officer in order to provide assurance that this is the definitive response of the Council and that the complainant's concerns have been taken seriously
- it maintains overall responsibility and accountability for the management and governance of complaints handling (including complaints about contracted services)
- it has an active role in, and understanding of, the CHP (although not necessarily involved in the decision-making process of complaint handling)
- mechanisms are in place to ensure a consistent approach to the way complaints handling information is managed, monitored, reviewed and reported at all levels in the Council ; and
- complaints information is used to improve services, and this is evident from regular publications.

177. **Chief executive**: The chief executive provides leadership and direction in ways that guide and enable us to perform effectively across all services. This includes ensuring that there is an effective CHP, with a robust investigation process that demonstrates how we learn from the complaints we receive. The chief executive may take a personal interest in all or some complaints, or may delegate responsibility for the CHP to senior staff. Regular management reports assure the chief executive of the quality of complaints performance.

178. The chief executive is also responsible for ensuring that there are governance and accountability arrangements in place in relation to complaints about contractors/ALEOs. This includes:

- ensuring performance monitoring for complaints is a feature of the service/management agreements between the Council and contractors/ALEOs
- setting clear objectives in relation to this complaints procedure and putting appropriate monitoring systems in place to provide the Council with an overview of how the contractor/ALEO is meeting its objectives

179. **Chief social work officer (CSWO)**: The CSWO has an important role in the consideration of social work complaints information and, on occasion, the content of individual complaints. Their

role in overseeing the effective governance of social work services and monitoring these arrangements includes complaints about social work services. The CSWO should also take appropriate account of complaints information in fulfilling their obligations to promote continuous improvement and best practice. Furthermore, the CSWO or their delegated officers may have specific interest in complaints relating to individuals for whom they have decision-making responsibilities.

180. **Directors**: On the chief executive's behalf, directors may be responsible for:

- managing complaints and the way we learn from them
- overseeing the implementation of actions required as a result of a complaint
- investigating complaints; and
- deputising for the chief executive on occasion.

181. They may also be responsible for preparing and signing off decisions for customers, so they should be satisfied that the investigation is complete and their response addresses all aspects of the complaint. However, directors may decide to delegate some elements of complaints handling (such as investigations and the drafting of response letters) to other senior staff. Where this happens, directors should retain ownership and accountability for the management and reporting of complaints.

182. **Executive Managers**: Executive Managers may be involved in the operational investigation and management of complaints handling. As senior officers they may be responsible for preparing and signing decision letters to customers, so they should be satisfied that the investigation is complete and their response addresses all aspects of the complaint.

183. **Complaints investigator**: The complaints investigator is responsible and accountable for the management of the investigation, and will be involved in the investigation and in coordinating all aspects of the response to the customer. This may include preparing a comprehensive written report, including details of any procedural changes in service delivery and identifying wider opportunities for learning across the Council .

184. **Human resources:** HR is responsible for ensuring that the council has in place effective corporate induction training for new staff.

185. **Council's SPSO liaison officer**: Our SPSO liaison officer's role may include providing complaints information in an orderly, structured way within requested timescales, providing comments on factual accuracy on our behalf in response to SPSO reports, and confirming and verifying that recommendations have been implemented.

186. **Council's Complaints Co-ordinator:** is responsible for providing advice and guidance on:

- The implementation of the Complaints Handling Procedure (CHP)
- How to apply the CHP to individual complaints, including advice on
    - Definition of a complaint
    - Whether a complaint is Stage 1 or Stage 2
    - Targets for resolving a complaint
    - Extensions to target times
    - Completion of complaints tracking systems
    - When to initiate an investigation
    - How to conduct an investigation

- Complaints follow-up

Monitor Complaints and:

- Compile quarterly returns to the Complaints Handlers Network
- Compile annual returns to the Scottish Public Services Ombudsman (SPSO)
- Provide Complaints reports to Management teams
- Answer complaints FOISAs
- Highlight incomplete records to the complaint handlers

Recording, reporting, learning from and publicising complaints

187. Complaints provide valuable customer feedback. One of the aims of the CHP is to identify opportunities to improve services across the Council. By recording and analysing complaints data, we can identify and address the causes of complaints and, where appropriate, identify training opportunities and introduce service improvements.

188. We also have arrangements in place to ensure complaints about contractors or ALEOs are recorded, reported on and publicised in line with this CHP.

Recording complaints

189. It is important to record suitable data to enable us to fully investigate and respond to the complaint, as well as using our complaint information to track themes and trends. As a minimum, we should record:

- the customer's name and contact details
- the date the complaint was received
- the nature of the complaint
- the service the complaint refers to
- staff member responsible for handling the complaint
- action taken and outcome at frontline response stage
- date the complaint was closed at the frontline response stage
- date the investigation stage was initiated (if applicable)
- action taken and outcome at investigation stage (if applicable)
- date the complaint was closed at the investigation stage (if applicable); and
- the underlying cause of the complaint and any remedial action taken.

190. If the customer does not want to provide any of this information, we will reassure them that it will be managed appropriately, and record what we can.

191. Individual complaint files will be stored in line with our document retention policy.

https://www.shetland.gov.uk/managing-information/records-management/3

Learning from complaints

192. We must have clear systems in place to act on issues identified in complaints. As a minimum, we must:

- seek to identify the root cause of complaints
- take action to reduce the risk of recurrence; and
- systematically review complaints performance reports to improve service delivery.

193. Learning may be identified from individual complaints (regardless of whether the complaint is upheld or not) and from analysis of complaints data.

194. Where we have identified the need for service improvement in response to an individual complaint, we will take appropriate action such as ensuring:

- the action needed to improve services must be authorised by an appropriate manager
- an officer (or team) should be designated the 'owner' of the issue, with responsibility for ensuring the action is taken
- a target date must be set for the action to be taken
- the designated individual must follow up to ensure that the action is taken within the agreed timescale
- where appropriate, performance in the service area should be monitored to ensure that the issue has been resolved; and
- any learning points should be shared with relevant staff.

195. SPSO has guidance on **Learning from complaints**.

196. Senior management will review the information reported on complaints regularly to ensure that any trends or wider issues which may not be obvious from individual complaints are quickly identified and addressed. Where we identify the need for service improvement, we will take appropriate action (as set out above). Where appropriate, performance in the service area should be monitored to ensure that the issue has been resolved.

Reporting of complaints

197. We have a process for the internal reporting of complaints information, including analysis of complaints trends. Regularly reporting the analysis of complaints information helps to inform management of where services need to improve.

198. We will report at least **quarterly** to our Corporate Management Team on:

- performance statistics, in line with the complaints performance indicators published by SPSO
- analysis of the trends and outcomes of complaints (this should include highlighting where there are areas where few or no complaints are received, which may indicate either good practice or that there are barriers to complaining in that area).

Publicising complaints information

199. We publish on a **quarterly** basis information on complaints outcomes and actions taken to improve services.

200. This demonstrates the improvements resulting from complaints and shows that complaints can help to improve our services. It also helps ensure transparency in our complaints handling service and will help to show our customers that we value their complaints.

201. We will publish an **annual** complaints performance report on our website in line with SPSO requirements, and provide this to the SPSO on request. This summarises and builds on the quarterly reports we have produced about our services. It includes:

- performance statistics, in line with the complaints performance indicators published by the SPSO; and

- complaint trends and the actions that have been or will be taken to improve services as a result.

202. These reports must be easily accessible to members of the public and available in alternative formats as requested.