

DATA LABEL: PUBLIC



PARTNERSHIP AND RESOURCES POLICY DEVELOPMENT AND SCRUTINY PANEL

ANNUAL COMPLAINT PERFORMANCE REPORT 2019/20

REPORT BY DEPUTE CHIEF EXECUTIVE

A. PURPOSE OF REPORT

To report to the Panel the council's annual Complaint Performance Report 2019/20.

B. RECOMMENDATIONS

It is recommended that the Panel notes the council's annual Complaint Performance Report 2019/20.

C. SUMMARY OF IMPLICATIONS

I.	Council Values	<ul style="list-style-type: none">• Focusing on customers' needs• Being honest, open and accountable
II.	Policy and Legal	The Public Services Reform (Scotland) Act 2010
III.	Implications for Scheme of Delegations to Officers	None
IV.	Impact on performance and performance indicators	Will provide a robust approach to monitoring complaints performance information covering all council services
V.	Relevance to Single Outcome Agreement	Indicators support various outcomes in the SOA
VI.	Resources (Financial, Staffing and Property)	From existing resources
VII.	Consideration at PDSP/ Executive Committee required	The annual complaint report is reported to Partnership and Resources PDSP and Performance Committee.
VIII.	Details of consultations	None

D. TERMS OF REPORT

D.1 Background

The Scottish Public Services Ombudsman (SPSO) developed and published a model Complaint Handling Procedure (CHP) in 28 March 2012. The model CHP was to ensure a standardised approach in dealing with customer complaints across the local authority sector.

The SPSO definition of a complaint in the model CHP is:

‘An expression of dissatisfaction by one or more members of the public about the local authority’s action or lack of action, or about the standard of service provided by or on behalf of the local authority.’

All local authorities were required to adopt the model CHP by 31 March 2013. The SPSO expect that local authorities will make the best use of complaint information to inform service improvement activity.

The SPSO outlined four elements of the model CHP that that should not be amended to ensure a standardised approach across all local authorities. These are:

- The definition of a complaint;
- The number of stages;
- Timescales at each stage;
- The requirement to record, report and publicise complaints information.

Appendix 1: West Lothian Council Annual Complaint Performance Report 2019/20 outlines performance information on complaints received by West Lothian Council between 1 April 2019 and 31 March 2020. The performance is based on 8 key performance indicator themes devised by the Scottish Public Services Ombudsman (SPSO) in conjunction with all 32 Scottish councils.

D.2 Corporate Complaint Performance

Table 1 provides the council’s total complaints closed per 1,000 population over the past 5 years. The table shows that there has been a decrease in complaints closed by the council in 2019/20 when compared to the previous year from 3,382 to 2,871.

Table 1 Complaints closed per 1,000 population

Measure	2015/16	2016/17	2017/18	2018/19	2019/20
West Lothian Population ¹	177,200	178,550	180,130	181,310	182,140
Total number complaints closed	2,330	3,414	3,169	3,382	2,871
Number complaints received per 1,000	13.1	19.1	17.6	18.7	15.8

Table 2 provides a breakdown of complaints closed by service from 2015/16 to 2019/20.

¹ Previous years published mid-year estimate used

Table 2 Complaints closed by service

Service	2015/16	2016/17	2017/18	2018/19	2019/20
Operational Services	819	1,852	1,644	1,759	1,290
Housing, Customer & Building Services	746	1,013	950	969	911
Education Service	287	277	225	276	263
Finance and Property/ Executive Office	154	179	127	163	171
Social Policy	6	5	137	128	146
Planning, Economic Development and Regeneration	70	72	73	71	62
Corporate Services	13	16	13	16	28
Area Services	235	N/A	N/A	N/A	N/A
Total	2,330	3,414	3,169	3,382	2,871

Table 3 breaks down the annual complaints closed by complaint category over a 5 year period.

Table 3 Complaint category covering period 2015/16 – 2019/20

Category	2015/16	2016/17	2017/18	2018/19	2019/20
Standard of Service	1,008	1,652	1,809	2,134	1,347
Policy Related	468	578	437	330	533
Poor Communication	295	369	299	307	483
Employee Attitude	330	324	366	383	331
Waiting Time	210	463	228	206	155
Missed Appointments	19	28	30	22	22
Total	2,330	3,414	3,169	3,382	2,871

The current service level complaint performance varies across the council and is linked to the complexity and quantity of complaints received. Housing, Customer and Building Services (HCBS) and Operational Services are the main complaint generators by service, accounting for 76.7% (2,201) of all recorded complaints (2,871) during 2019/20.

To support the CHP, the council has put in place clear governance arrangements for complaints. The Corporate Complaint Steering Board is an officer group that monitors the implementation of the corporate complaint procedure and the corresponding performance and reporting activity. The board ensures that the council is compliant with the complaint procedure requirements. This is chaired by a Depute Chief Executive and the membership consists of council Heads of Service. Complaint performance is reported on a quarterly basis to both the council's Corporate Management Team and the council's Performance Committee. All complaint performance statistics are reported to the public and are available on the council's website.

Appendix 1 provides a full list of SPSO performance indicators and includes Scottish

Local Authority average comparative performance information for some of the indicators presented. The council's performance in relation to complaint processing out performs the 2018/19 Scottish average for most of the indicators presented. Appendix 1 in the report also includes an overview of improvements identified by analysing service specific complaints received across the council.

E. CONCLUSION

The Corporate Complaints Procedure applies to all complaints against the council. From the 1 April 2017 the Social Work Complaints Review Committee ceased to have a statutory function and all Social Care complaints are now considered within the council's complaint handling procedure.

In 2019/20 the council received 2,871 complaints and this represents a decrease on the number of complaints received in 2018/19. This is primarily linked to a decrease in complaints closed by Operational Services and Housing, Customer and Building Services.

The council has shown an increase in performance relating to the percentage of complaints closed at stage 1 against target and performance at stage 2 has remained the same when compared to the previous year. Both performance levels are well above the Scottish national average. Customer satisfaction performance relating to complaint handling has increase across two of the four indicators.

In 2019/20 there was a large decrease in the percentage of complaints that were upheld/ part upheld when compare to the previous year from 54.5% (1,842) to 34.2% (981). There were 861 less complaints that were upheld/ part upheld when compared to the 2018/19 figure.

All services continue to be committed to regular customer complaint analysis which informs service development activity and the improvement agenda.

F. BACKGROUND REFERENCES

SPSO publishes the Model Complaints Handling Procedure (CHP) for the local government sector in Scotland.

1. [WLC Complaints Handling Procedure](#)

Appendices/Attachments:

Appendix 1 West Lothian Council Annual Complaint Performance Report 2019-20

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18 September 2020

Data Label: Official

West Lothian Council

Annual Complaint Performance Report 2019/20

ANNUAL COMPLAINT PERFORMANCE REPORT | 2019-20

Contents

1. Overview.....	2
1.1. Introduction	2
1.2. Corporate Complaints Procedure	2
2. Complaint Performance Statistics	2
2.1. Indicator 1: Complaints closed per 1,000 population	3
2.2. Indicator 2: Closed complaints.....	4
2.3. Indicator 3: Complaints upheld, partially upheld and not upheld	5
2.4. Indicator 4: Average times.....	6
2.5. Indicator 5: Performance against timescales.....	7
2.6. Indicator 6: Number of cases where an extension is authorised	7
2.7. Indicator 7: Customer satisfaction	7
2.8. Indicator 8: Learning from complaints.....	9
3. 2019/20 Complaint Summary.....	11

ANNUAL COMPLAINT PERFORMANCE REPORT | 2019-20

1. Overview

1.1. Introduction

This is the council's annual complaints performance report which provides information on customer complaints received and closed between 1 April 2019 and 31 March 2020.

The council always aims to provide the highest possible quality of service to our community, but recognise that there are times when things go wrong and fail to meet the expectations of our customer.

The council's complaints procedure provides our customers with a clear and structured way to provide feedback on their dissatisfaction with council services in a range of easily accessible ways. The council welcomes feedback and it provides information that helps services learn from complaints and to modify and improve the way services are delivered.

The indicators covered in this report were created to provide a useful tool that the council and the public can use to judge objectively how well complaints are being handled and how it informs service improvement activity.

1.2. Corporate Complaints Procedure

There are many factors that affect the number and complexity of complaints received by the council such as the standard of service that is being delivered, the attitude of our employees, the service response time to customer requests, missed appointments and poor communication.

The council's complaint procedure has 2 stages in its process which are outlined below:

- Stage one complaints could mean immediate action to resolve the problem or complaints which are *resolved in no more than five working days*.
- Stage two deals with two types of complaints: those that have not been resolved at stage one and those that are complex and require detailed investigation. Stage two complaints should be resolved *in no more than 20 days*.
- After the council has fully investigated the complaint, and if the customer is still not satisfied with the decision or the way the council dealt with the complaint, then it can be referred onto the Scottish Public Services Ombudsman (SPSO).

The council has put in place clear governance arrangements for complaints. The Corporate Complaint Steering Board is an officer group that monitors the implementation of the corporate complaint procedure and the corresponding performance and reporting activity. The board ensures that the council is compliant with the complaint procedure requirements. This is chaired by a Deputy Chief Executive and the membership consists of council Heads of Service.

Complaint performance is reported on a quarterly basis to both the council's Corporate Management Team and the council's Performance Committee. All complaint performance statistics are reported to the public and are available on the council's website.

2. Complaint Performance Statistics

Statistics on complaints are based on 8 key performance indicator themes devised by the SPSO in conjunction with all 32 Scottish councils.

ANNUAL COMPLAINT PERFORMANCE REPORT | 2019-20

Complaints are recorded and tracked using the council's Customer Relationship Management (CRM) system which enables the production of the complaints performance information.

The number of complaints the council closed in 2019/20 was 2,871. This is a decrease from the number closed in the previous year. The council will continue to analysis complaints to help inform service improvement, identify training opportunities for our staff and help prioritise our activities to meet the changing needs of our community. Complaint benchmark data for 2019/20 is not yet available for other Local Authorities. Where applicable, this report has included the 2018/19 Scottish Local Authority national average for a range of performance indicators for comparative information. The current council's performance relating to the processing of complaints continues to outperform the Scottish National Average in almost all indicators.

2.1. Indicator 1: Complaints closed per 1,000 population

This indicator records the total number of complaints closed by the council. In 2016/17, this calculation was modified and it is the sum of the number of complaints closed at stage one, (frontline resolution), the number of complaints closed directly at stage two (investigation) and the number complaints closed at stage two after escalation. To allow for a fair comparison across all 32 councils in Scotland, the figure of complaints per 1,000 of population is used. The council received 2,868 complaints from 1 April 2019 to 31 March 2020. This is equivalent to 15.8 received complaints per 1,000 population. Of the total complaints received in 2019/20 (2,868), 2,871 were closed in this period¹.

Table 1 provides the council's total complaints closed per 1,000 population over the past 5 years. The table shows that there has been a decrease in complaints closed by the council in 2019/20 when compared to the previous year from 18.7 to 15.8 complaints per 1,000 population.

Table 1: Complaints closed per 1,000 population

Measure	2015/16	2016/17	2017/18	2018/19	2019/20
West Lothian Population ²	177,200	178,550	180,130	181,310	182,140
Total number of complaints closed	2,330	3,414	3,169	3,382	2,871
Number of complaints closed per 1,000	13.1	19.1	17.6	18.7	15.8

In 2018/19, the Scottish Local Authority average for the number complaints closed per 1,000 population was 10.1. Table 2 provides a breakdown of complaints closed by service from 2015/16 to 2019/20.

Table 2: Complaints closed by service

Service	2015/16	2016/17	2017/18	2018/19	2019/20
Operational Services	819	1,852	1,644	1,759	1,290
Housing, Customer & Building Services	746	1,013	950	969	911

¹ There was a carry-over of complaints received that remained open from 2018/19 which accounts for the closed figure being larger than the complaints received in 2019/20.

² Previous years published mid-year estimate used

ANNUAL COMPLAINT PERFORMANCE REPORT | 2019-20

Service	2015/16	2016/17	2017/18	2018/19	2019/20
Education Service	287	277	225	276	263
Finance and Property/ Executive Office	154	179	127	163	171
Social Policy	6	5	137	128	146
Planning, Economic Development and Regeneration	70	72	73	71	62
Corporate Services	13	16	13	16	28
Area Services ³	235	N/A	N/A	N/A	N/A
Total	2,330	3,414	3,169	3,382	2,871

All complaints received by the council are grouped into 6 categories. The categorisation allows the service to group complaints by theme and helps the service to identify areas that require improvement actions.

Table 3 breaks down all council complaints closed by complaint category from 2015/16 to 2019/20.

Table 3: Complaints closed by category

Category	2015/16	2016/17	2017/18	2018/19	2019/20
Standard of Service	1,008	1,652	1,809	2,134	1,347
Policy Related	468	578	437	330	533
Poor Communication	295	369	299	307	483
Employee Attitude	330	324	366	383	331
Waiting Time	210	463	228	206	155
Missed Appointments	19	28	30	22	22
Total Complaints	2,330	3,414	3,169	3,382	2,871

2.2. Indicator 2: Closed complaints

This indicator provides information on the number of complaints closed at stage one and stage two and stage two escalated complaints as a percentage of all complaints closed. Table 4 provides the performance information for this indicator.

The term “closed” refers to a complaint that has had a response sent to the customer and at the time no further action is required (regardless at which stage it is processed and whether any further escalation takes place).

³ Areas Services activity has now been disaggregated across Housing, Customer and Building Services, Education Service and Finance and Property Services and Planning, Economic Development and Regeneration.

ANNUAL COMPLAINT PERFORMANCE REPORT | 2019-20

Table 4: Closed complaints

Closed complaints	2015/16	2016/17	2017/18	2018/19	2019/20	Scottish LA average 2018/19
Number complaints closed at stage one (5 days) as % of all complaints	73.7% (1,718)	82.9% (2,831)	84.2% (2,667)	83.8% (2,833)	82.7% (2374)	87.1%
Number complaints closed at stage two (20 days) as % of all complaints	24.6% (572)	15.7% (535)	13.8% (437)	14.6% (493)	15.8% (453)	9.7%
Number complaints closed at stage two (20 days) after escalation as % of all complaints ⁴	1.7% (40)	1.4% (48)	2.1% (65)	1.7% (56)	1.5% (44)	3.1%

2.3. Indicator 3: Complaints upheld, partially upheld and not upheld

The council reviews all complaints and each customer is contacted to explain whether their complaint has been upheld, partially upheld or not upheld and why.

This indicator measures the number and percentage of complaints which were upheld, partially upheld or not upheld recorded at each stage. The results can be seen in Tables 5, 6 and 7.

Table 5: Upheld complaints

Complaints upheld	2015/16	2016/17	2017/18	2018/19	2019/20	Scottish LA average 2018/19
Number of complaints upheld at stage one as % of all complaints closed at stage one (5 days)	32.8%	35.11%	22.8%	34.6%	21.4%	49.7%
Number complaints upheld at stage two as % of complaints closed at stage two (20 days)	18.0%	23.4%	20.6%	15.20%	12.2%	37.5%
Number escalated complaints upheld at stage two as % of escalated complaints closed at stage two (20 days)	20.0%	27.1%	12.3%	16.10%	15.9%	28.2%

Table 6: Partially upheld complaints

Complaints partially upheld	2015/16	2016/17	2017/18	2018/19	2019/20	Scottish LA average 2018/19
Number of complaints partially upheld at stage one (5 days) as % of all complaints closed at stage one	28.2%	26.14%	28.2%	23.0%	12.2%	14.8%

⁴ From 2015/16, the escalated stage 2 complaint figure was not included in stage 2 complaints closed total for the council.

ANNUAL COMPLAINT PERFORMANCE REPORT | 2019-20

Complaints partially upheld	2015/16	2016/17	2017/18	2018/19	2019/20	Scottish LA average 2018/19
Number complaints partially upheld at stage two (20 days) as % of complaints closed at stage two	23.8%	25.0%	19.9%	23.3%	19.4%	18.4%
Number escalated complaints partially upheld at stage two (20 days) as % of escalated complaints closed at stage two	30.0%	25.0%	18.5%	21.4%	25.0%	24.1%

Table 7: Not upheld complaints

Complaints not upheld	2015/16	2016/17	2017/18	2018/19	2019/20	Scottish LA average 2018/19
Number of complaints not upheld at stage one (5 days) as % of all complaints closed at stage one	39.0%	38.75%	49.0%	42.4%	66.4%	34.6%
Number complaints not upheld at stage two (20 days) as % of complaints closed at stage two	58.2%	51.6%	59.5%	61.5%	63.4%	44.1%
Number escalated complaints not upheld at stage two (20 days) as % of escalated complaints closed at stage two	50.0%	47.9%	69.2%	62.5%	59.1%	47.4%

Overall, the council upheld/ part upheld 981 (34.2%) complaints from a total of 2,871 complaints closed in 2019/20. This is a reduction of over 20% when compared to the equivalent figure in 2018/19.

2.4. Indicator 4: Average times

Indicator 4 represents the average time in working days to close complaints at stage one and at stage two of the council's Complaint Handling Procedure (CHP). Indicator 4 performance can be seen in Table 8.

Table 8: Average times

Average times	2015/16	2016/17	2017/18	2018/19	2019/20	Scottish LA average 2018/19
Average time in working days to respond to complaints at stage one (5 day resolution target)	4.0	3.8	3.9	4.5	4.3	7.1
Average time in working days to respond to complaints at stage two (20 day resolution target)	12.5	11.4	13.9	15.2	14.4	29.9
Average time in working days to respond to complaints after escalation (20 day resolution target)	9.1	10.0	10.7	7.5	9.7	23.0

ANNUAL COMPLAINT PERFORMANCE REPORT | 2019-20

2.5. Indicator 5: Performance against timescales

The council's Complaint Handling Procedure requires complaints to be closed within 5 working days at stage one and 20 working days at stage two. This indicator measures the percentage of complaints which were closed in full at each stage within the set timescales of 5 and 20 working days. Indicator 5 performance can be seen in Table 9.

Table 9: Performance against timescales

Performance against timescales	2015/16	2016/17	2017/18	2018/19	2019/20	Scottish LA average 2018/19
Number complaints closed at stage one within 5 working days as % of stage one complaints	84.7%	85.6%	83.9%	81.6%	82.8%	65.0%
Number complaints closed at stage two within 20 working days as % of stage two complaints	88.5%	89.2%	84.4%	81.7%	81.7%	58.2%
Number escalated complaints closed within 20 working days as % of escalated stage two complaints	90.0%	95.8%	87.7%	92.9%	95.5%	67.4%

2.6. Indicator 6: Number of cases where an extension is authorised

The council always aims to respond to complaints as quickly as possible. There are, however, times when a complaint is particularly complex and it is not feasible to fully investigate the issues within the prescribed timescales. In these situations the council can agree with a complainant to extend the timescale for closing the complaint.

This indicator provides the percentage of complaints at each stage where an extension to the 5 or 20 working day timeline has been authorised. Indicator 6 performance can be seen in Table 10.

Table 10: Number of cases where an extension is authorised

Number of cases where an extension is authorised	2015/16	2016/17	2017/18	2018/19	2019/20	Scottish LA average 2018/19
% of complaints at stage one (5 days) where extension was authorised	1.3%	1.2%	1.2%	0.6%	0.9%	3.8%
% of complaints at stage two (20 days) where extension was authorised	2.4%	1.3%	3.4%	1.4%	1.3%	10.1%

2.7. Indicator 7: Customer satisfaction

This indicator provides information on the levels of customer satisfaction with the complaint handling procedure and process. Indicator 7 performance can be seen in Table 11. A sample of complainants are contacted by the council's Customer Service Centre on a monthly basis to gather this satisfaction information.

ANNUAL COMPLAINT PERFORMANCE REPORT | 2019-20

Table 11: Customer satisfaction

Customer satisfaction	2015/16	2016/17	2017/18	2018/19	2019/20
Percentage of customers who agreed that they were satisfied with the length of time it took to deal with their complaint.	75.5%	64.8%	71.3%	65.3%	58.1%
Percentage of customers who agreed that they were satisfied with the outcome of their upheld complaint.	68.2%	69.7%	73.0%	61.3%	63.4%
Percentage of customers who agreed that they were satisfied with the way their complaint was handled.	75.5%	70.3%	73.0%	67.3%	64.8%
Percentage of customers who agreed that they found it easy to complain to the council.	85.5%	80.7%	85.1%	83.8%	84.3%

2.8. Indicator 8: Learning from complaints

The council has a clear commitment to listen to our customers and act on their feedback. Learning from complaints is a continuous process that helps the council to resolve common complaints and further improve the services that are provided. **Some examples** of actions that have been taken are highlighted below.

	Complaint Area/ Complaint Theme	Complaints Analysis	Service Improvement Action(s)
1.	Corporate Services: Waiting Time	There was a delay in the customer receiving their Blue Badge after making an online payment.	An apology was made to the customer. The service worked with the online payment supplier to resolve a technical issue that intermittently failed to generate a payment acknowledgement email to the Blue Badge team.
2.	Operational Services: Standard of Service	Customer complained about a bin being missed.	The customer's missed bin was collected. Customer can contact the service when a bin has been missed and where the service is at fault, missed bins will be collected within 48 hours.
3.	Operational Services: Standard of Service	Issue regarding driver reversing instead of using a turning point	Drivers are now notified when driving issues or complaints are raised and driving complaints are monitored at the service's weekly reviews. CCTV and the vehicle tracker system help monitor drivers where required. All employees are trained in reversing assistance.
4.	Social Policy: Standard of Service	A request for service email had been misdirected to the incorrect Social Policy team.	The administrative function was reviewed and procedural changes made to ensure the team review incoming email/request and direct the requests to the appropriate team.

ANNUAL COMPLAINT PERFORMANCE REPORT | 2019-20

	Complaint Area/ Complaint Theme	Complaints Analysis	Service Improvement Action(s)
5.	Education Services: Standard of Service	A meal served at the Burgh Halls did not meet the customer's expected standard.	An apology was made to the customer. A complementary lunch was given to the customer due to the poor service provided.
6.	Social Policy: Standard of Service	A customer complaint was received about a Care Home.	A review was undertaken at the care home and the complainant was involved in helping to develop the improvement plan.
7.	Education Services: Standard of Service	A pupil's photo was posted on School Twitter account when no permission was given.	An apology was given to the parent and the image removed once the issue was highlighted to staff. The school reviewed and updated their procedures to ensure consent is in place prior to posting images online.
8.	Finance and Property Services Poor Communication	Customer complained that they were unable to return their Council Tax application form to the Civic Centre and had to be redirected to the local CIS office.	An apology was provided to the customer. Council Tax application forms were reviewed and amended to advise that forms can be returned in person to local CIS offices
9.	Housing, Customer and Building Services Poor Communication	Customer did not receive information on her allocated property in a timely manner.	A centralised team has been created to reduce the delays in responding to customer enquiries and to process requests within timescale.

ANNUAL COMPLAINT PERFORMANCE REPORT | 2019-20

3. 2019/20 Complaint Summary

In 2019/20 the council closed 2,871 complaints and this represents a decrease of 511 from the 2018/19 figure of 3,382.

The number of complaints closed across council service areas varies significantly with 45% (1,290) of all complaints being recorded against Operational Services to 1% (28) in Corporate Services.

Of the seven service areas that deliver the council's activities and functions, four have shown a reduction in customer complaints and three had an increase in the number of complaints closed compared to the previous year. Operational Services have experienced the largest reduction in complaints with a 27% reduction. Housing Customer and Building Services, Planning, Economic Development and Regeneration and Education Services are the other services that have had a reduction in complaints closed. Social Policy has shown the largest numerical increase in complaints from 128 in 2018/19 to 146 in 2019/20.

The general decrease in complaints across the council can be linked to a decrease in the number of complaints closed by Operational Services over 2019/20. The main generator of complaints within Operational Services was Recycling and Waste Services. There was a large reduction in Recycling and Waste Services complaints when compared to the previous year. The number of complaints reduced from 1,366 in 2018/19 to 828 in 2019/20.

82.7% of all complaints closed by the council were resolved at stage one (Frontline Resolution), 15.8% of complaints resolved at stage two (Investigation) with the remaining 1.7% of complaints being resolved at stage two (Escalation). The average times taken by the council to resolve both stage one and stage two complaints were 4.3 days and 14.4 days respectively. The council's performance relating to the processing of stage one has shown a marginal increase in performance and stage two has remained the same. Both performance levels are below the corporate resolution target of 85% but is well above the national average for processing complaints at both stages. 82.8% stage one complaints were resolved within 5 days and 81.7% stage two complaints were resolved within 20 days. The Scottish National Average 2018/19 was 65% and 58.2% for stage one and stage two resolution respectively.

The percentage of complaints that were upheld/ part upheld across the council in 2019/20 was 34.2% which represents a decrease of 20.3% from the 2018/19 figure which was 54.5%. The council's performance in relation to this measure substantially outperformed the Scottish National Average 2018/19 which was 64%.

In 2019/20, the council has shown varied performance across a range of indicators relating to complaint handling. There are four key customer satisfaction complaint indicators. Customer satisfaction performance relating to complaint handling has improved across two of the four key indicators. 84.3% of customers surveyed said that they found it easy to submit a complaint to the council, which is an increase of 0.5% from 2018/19. 63.4% of customer were satisfied with the outcome of their upheld complaint which improved from 61.3% in 2018/19.

Overall, there has been a decrease in the number of complaints closed in 2019/20 when compared to the previous year. The council's performance relating to the processing of complaints continues to outperform the Scottish National Average in almost all indicators. These indicators include the

ANNUAL COMPLAINT PERFORMANCE REPORT | 2019-20

percentage of stage one and stage two resolved within timescale, the average time to resolve a complaint and the number of complaints that were upheld/ part upheld. Customer satisfaction relating to complaint handling has increased across two of the four indicators and complaint driven service improvement continues to be identified based on robust complaint analysis.