

**Report No: SLAB/2022/50**

**Agenda Item: 10**

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| **Report to:** | The Board |
| **Meeting Date:** | 12 December 2022 |
| **Report Title** | Combined Quarterly Complaints Report: April 2022 to September 2022 (Quarter 1 and 2) |
| **Report Category** | For Discussion |
| **Issue status:** | Business as usual |

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| **Written by:** | Stuart Drummond, Corporate Governance and Policy Officer and Andrew McIntosh, Corporate Support Manager |
| **Director responsible:** | Colin Lancaster |
| **Presented by:** | Andrew McIntosh |
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| **Link to Board or Committee Remit** |
| This paper is linked to the Board’s function of overseeing performance. |

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| **Delivery of Strategic Objectives** | |
| Select the Strategic Objective(s) relevant to the issues | 1. We deliver a high quality user focussed service 2. We embed ways of working across the organisation that enhance the quality, consistency and transparency of our decisions and delivery 3. We engage with users and delivery partners across the legal aid and justice system to inform good design of our system and services |

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| **Publication of the Paper** |
| This paper is suitable for publication. The information is not sensitive and we are obligated to publish data on complaints under the SPSO model code. |

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| **Previous Consideration** | |
| **Meeting** | **Detail** |
| December 2021 | Members were provided with the quarterly report for quarter 2 of 2021-2022. Members discussed and noted the paper. |
| May 2022 | Members were provided with a combined third and fourth quarter 2021-2022 report. Members **noted** the paper. |

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| **Report** |

**Background**

1. This report covers quarters one and two of 2022-23, April to September 2022.
2. Table 5 showing the number of resolved complaints across previous quarters has been appended to allow a quarter by quarter comparison.
3. **Frontline complaints** are issues that are straightforward and easily resolved with little or no investigation required. These complaints have a response deadline of five working days.
4. **Investigation complaints** are those that have not been resolved at the frontline or for issues that are serious, complex or high risk. These complaints have a response deadline of 20 working days.

**Analysis**

**Frontline complaints resolved**

**Quarter One, April-June 2022**

1. See **Table 1** appended.
2. There was one frontline complaint resolved during the reporting period compared with two in the previous quarter.
3. The complaint was made by a solicitor to Civil Applications and concerned poor communication or standard of service. The solicitor had been unable to contact SLAB on an urgent matter but there had been a technical fault with SLAB phone lines at the time and the matter was quickly resolved to the solicitor’s satisfaction.

**Quarter Two, July-September 2022**

1. In quarter two there were two frontline complaints resolved.
2. One of those complaints was to Civil Finance and was not upheld. The second complaint was to Civil Applications from an applicant and was upheld.
3. The upheld complaint was categorised as “Poor communication or standard of service” and involved a minor administrative oversight that was addressed and quickly resolved along with an apology to the complainer.

**Investigation complaints resolved**

**Quarter One, April-June 2022**

1. See **Table 3** appended.
2. Twelve investigation complaints were resolved, of which eight were found to be ‘not upheld’. Four were found to be ‘partially upheld’. This compares to two partially upheld complaints in the previous quarter.
3. Civil Applications resolved six investigation complaints with two partially upheld.
4. Civil Finance resolved five investigation complaints with two partially upheld.
5. Civil Accounts dealt with the remaining complaint.
6. Overall there were no fully upheld investigation complaints.

**The Partially Upheld Complaints**

1. There were two partially upheld complaints from the same assisted person. Both concerned Civil Applications. Both complaints were as a result of administrative errors that had no material bearing on the substantive issues raised in the complaints. Apologies were issued on both occasions and no further action was required.
2. The two complaints to Civil Finance were partially upheld. One involved an administrative delay. Although it had no material impact on the outcome of the associated court case an apology was issued.
3. The second partially upheld complaint related to a delay in dealing with correspondence. It was caused by resourcing issues and workload volumes and also part caused by the solicitor making the complaint.
4. An apology and an explanation for the delay was provided and training offered to the solicitor. Measures have since been taken in relation to resource the workload.

**Quarter two, July-September 2022**

1. There were a total of nine investigation complaints resolved in quarter two: three complaints to Civil Applications and six to Civil Finance.
2. Of those, one was upheld and two partially upheld.
3. One complaint to Civil Applications was partially upheld. This was from a solicitor and categorised as “poor communication or standard of service”. There had been a delay in dealing with correspondence caused by limited staff resource at the time. An apology was issued and the matter resolved.
4. There was on partially upheld complaint from and applicant to Civil Finance. There had been a minor error in the correspondence that had no material effect to the application. The mistake was acknowledged and an apology issued.
5. One complaint to Civil Finance was upheld. The complaint – from an opponent – had questioned a SLAB decision to waive the requirement for an applicant’s bank statements to be seen by their solicitor. This had been an error, which was subsequently rectified. An apology was made.

**Conclusion**

1. Overall, complaint numbers remain low, particularly when the overall numbers of applications, grants and other customer interactions are considered.
2. It should be noted that the data does not accurately capture the resource intensive nature of some complaints in terms of both time and the numbers of staff involved in the investigation and resolution of complaints. This is particularly the case with a small number of customers who make multiple complaints.
3. However, as with previous reports, there have been no serious systemic failures identified with upheld complaints relating to minor errors.

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|  | **Governance Links** |
| 1 | **Finance and Resources**  No issues of note. |
| 2 | **Risk**  Complaints are an important way in which we can assess our service. Acting as a result of upheld complaints is a key control for several risks that we face. |
| 3 | **Legal and Compliance**  Our complaints handling procedure follows a mandatory model supplied by the Scottish Public Services Ombudsman. |
| 4 | **Performance**  No issues of note. |
| 5 | **Equalities Impact**  An equalities impact assessment has been drafted in relation to the changes made in line with the revised MCHP. |
| 6 | **Privacy Impact and Data Protection**  Nothing to note. |
| 7 | **Communications and Engagement**  This paper will be published as part of our ongoing commitment to publish board papers. |

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| **Conclusion and next steps** |
| Members are asked to note and comment on the report. |

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| **Appendices/Further Reading** |
| Appendix A: Frontline Complaints Tables, Investigation Complaints Tables, Quarter comparison |

**Appendix A.**

Table 1 – Frontline Complaints Q1



Table 2 – Frontline Complaints Q2



Table 3 – Investigation Complaints Q1



Table 4 – Investigation Complaints Q2



Table 5 – Previous Quarters Comparison

