



Complaints Handling Report 9. (January - March 2023 Q4 2022/23)

In accordance with the powers and duties given to the Scottish Public Services Ombudsman (SPSO) under the Scottish Public Services Ombudsman Act 2002, the Scottish Courts and Tribunals Service has adopted the SPSO's Model Complaints Handling Procedure (MCHP), which standardises and streamlines complaints handling procedures for the public sector in Scotland.

Some of the key elements of the procedure include:

- A two-stage process where complaints are resolved as close to the frontline as possible
- Frontline resolution of complaints within five working days
- Where necessary, an investigation stage of 20 working days, which provides a final decision
- Recording of all complaints
- Active learning from complaints through reporting and publicising complaints information

Following revision of the MCHP in 2019/20 - and a subsequent refresh of Key Performance Indicators (KPIs) by the SPSO - organisations are required to record all complaints and report quarterly to their Executive Team on 4 mandatory KPIs and to publish an annual report. SCTS has decided to make its quarterly reports available to the public in addition to the annual report.

This quarterly report covers the period 1 January to 31 March 2023 (Q4 of 2022/23) and reports only on complaints in relation to matters falling within the responsibilities of the SCTS that were received and/or concluded within this period.

Complaints received within one quarter do not equate with those fully dealt with during the same quarter (e.g. complaints received in March may not conclude until April).

Complaints received (SPSO KPI 1)	55 over 24 business areas
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Number and percentage closed in full within set timescales of 5 or 20 working days (SPSO KPI 2)

The MCHP sets out the timescales for responding to complaints:

- Frontline response: 5 working days
- Investigation stage: 20 working days

Where complainants are dissatisfied with frontline responses they can request that the complaint be escalated to the investigation stage. Complaints escalated are recorded only once in numbers received, but responses issued at each stage are recorded individually.

One outlier at investigation stage - involving the carrying out of external grounds-work to resolve matters - has been excluded from time calculations.

	Number on time	Number late	% on time
Frontline response	35	4	90%
Investigation stage	9	5	64%
Escalated to investigation stage	7	2	78%

The types of complaints, and the amount of investigation required, impacts on the time to respond to complaints at investigation and escalated stages. Delays are attributed to:

- complexity with extensions being applied to allow investigation,
- guidance sought
- staff changes
- pressure of business
- Identification of complaints

Steps taken to minimise future delays include:

- support provided to those staff unfamiliar with complaints at investigation/escalated stages,
- reminder on identification of complaints.

Pressures exist operationally as the backlogs of court cases due to Covid continue to be addressed.

Average times for responses (SPSO KPI 3)

On average, prescribed timescales were met at all stages.

	Average number of working days to respond	
Frontline response	4	<i>(target = 5 working days)</i>
Investigation stage	13	<i>(target = 20 working days)</i>
Escalated to investigation stage	18	<i>(target = 20 working days)</i>

Outcome of complaints at each stage (SPSO KPI 4)

	Not upheld	% of complaints dealt with at that stage	Upheld	% of complaints dealt with at that stage	Partially upheld	% of complaints dealt with at that stage	Resolved	% of complaints dealt with at that stage
Frontline response	16	41%	13	33%	4	10%	6	14 %
Investigation stage	5	36 %	5	36%	4	28%	0	0%
Escalated Complaints	3	33%	3	33%	3	33%	0	0%

Analysis

Complaints that were upheld, partially upheld or resolved were of varied content and included:

Administrative - incorrect account details, information not passed on. Reminders were issued.

Accommodation arrangements (witnesses encountering accused persons). This was addressed locally by introducing advance notification by Witness Services to allow early identification of attendance arrangements:

Communication - correspondence not covering all matters at first presentation ; delay in answering telephone; sound quality of jury message; incorrect/incomplete information provided. These were addressed by:

- provision of a copy of civil diary to reception to ensure service users are directed to correct court
- reminders to staff to provide correct information and alternative point of contact if unsure
- further training provided
- information provided in relation to floating trials highlighted to relevant team to consider if changes required

Standard of service - standards of service reminders were issued.

Delay responding to emails. Staff meeting took place to highlight importance of promptness and how to seek guidance if unsure how to respond.

Information Governance & Correspondence Team