

---

<b>Report To:</b>	<b>Education &amp; Communities Committee</b>	<b>Date:</b>	<b>21 January 2020</b>
<b>Report By:</b>	<b>Ruth Binks, Corporate Director Education, Communities &amp; Organisational Development and Chief Financial Officer</b>	<b>Report No:</b>	<b>EDUCOM/12/20/HS</b>
<b>Contact Officer:</b>	<b>Tony McEwan, Head of Culture, Communities and Educational Resources</b>	<b>Contact No:</b>	<b>712828</b>
<b>Subject:</b>	<b>Inverclyde Leisure Complaints Procedure</b>		

---

## **1.0 PURPOSE**

1.1 The purpose of this report is to advise the Education and Communities Committee of Inverclyde Leisure's approach to complaints handling.

## **2.0 SUMMARY**

2.1 This report addresses the Committee's outstanding remit to consider Inverclyde Leisure's (IL) Complaints Procedure.

2.2 The Corporate Director and Head of Service from Education and Communities has met with the Chief Executive and Head of Operations from Inverclyde Leisure to discuss its approach to complaints. IL has recently raised awareness of its complaints procedure amongst its staff. A copy of the complaints procedure is attached as Appendix 1 to this report.

2.3 Members should be reassured that the current arrangements in place for IL's complaints closely mirror the Council's 2 stage process and are informed by the most recent guidance on complaints published by the Scottish Public Services Ombudsman.

2.4 IL will continue to report to the Council, on a quarterly basis, the numbers and types of complaints it receives.

## **3.0 RECOMMENDATIONS**

3.1 It is recommended that the Education and Communities Committee:

- notes this report; and
- notes Inverclyde Leisure's customer complaints policy.

## **4.0 BACKGROUND**

- 4.1 There was an outstanding remit for the Education and Communities Committee to consider a report on the arrangements Inverclyde Leisure has in relation to complaints handling.
- 4.2 Officers from the Council have now met with members of the senior management team at Inverclyde Leisure to discuss its complaints handling model.
- 4.3 Inverclyde Leisure's complaints handling model (detailed at section 5 below) has closely followed the guidance of the Scottish Public Services Ombudsman. Nevertheless, it has taken the opportunity to raise awareness with its managers and front line staff of its complaints procedure, what is considered a complaint, and to train those unfamiliar with the process.
- 4.4 Inverclyde Leisure reports its complaints handling performance to Inverclyde Council on a quarterly basis which informs the Council's overall complaints performance which is reported to the Policy and Resources Committee. Stage 2 complaints are also discussed at the regular client meetings which the Head of Culture, Communities and Educational Resources has with Inverclyde Leisure.

## **5.0 INVERCLYDE LEISURE'S COMPLAINT HANDLING MODEL**

- 5.1 Inverclyde Leisure operates a complaints procedure in line with the Scottish Public Services Ombudsman guidance on complaints handling:

- Customers can complain in person at any Inverclyde Leisure facility, by phone, in writing and email;
- Customers with a complaint are encouraged to make it quickly and directly to the facility concerned. Customers are encouraged to talk to a member of staff at the facility and if possible, try to resolve any problems on the spot; and
- Complaints are logged in a customer complaint log. The relevant facility manager ensures the details of the complaint, including the outcome, are entered onto the log sheet. Information from this is used to report to Inverclyde Council on a quarterly basis.

- 5.2 Stage one (frontline resolution):

- Inverclyde Leisure aims to resolve complaints quickly. This could include an on-the-spot apology and explanation if something has clearly gone wrong and immediate action can be implemented to resolve the problem;
- Inverclyde Leisure will give a decision in stage one within five working days or less, unless there are exceptional circumstances;
- If a complaint can't be resolved at this stage, the customer will be informed of the next steps; and
- If a customer is dissatisfied with a stage 1 response, they can request the complaint is considered at Stage two.

- 5.3 Stage two:

- The complaint is acknowledged within three working days with a decision given as soon as possible;
- Discussion of the complaint with the customer to understand why they remain dissatisfied and establish what outcome they are looking for;
- A full response to the complaint is then provided as soon as possible and within 20 working days, unless there is reason for needing more time;
- If an investigation will take longer than 20 days, the customer is advised. A revised time limit is agreed with the customer and they will be updated on progress;
- Notes are kept for all correspondence in regard to this process;
- After a complaint has been fully investigated and if the customer remains dissatisfied with the outcome or the way the complaint has been handled, they can ask the

- Scottish Public Service Ombudsman to consider it; and
- The customer will be advised as to how to do this when IL sends its final decision.

5.4 Inverclyde Leisure categorises a complaints as:

:

- a failure to provide an advertised service;
- where products and services provided by Inverclyde Leisure are not to an appropriate standard/inadequate (e.g. poor-quality customer service, facility cleanliness or cancellation of a service in error);
- negative treatment by, or attitude of, a member of IL staff;
- when it fails to follow an appropriate administrative process; and
- those matters which relate to Inverclyde Leisure policies where the complaint relates specifically to the way the matter was administered.

5.5 Inverclyde Leisure does not categorise complaints in situations where there is:

- a routine first-time request for a service that has been refused, for example a block booking request, preferred booking time;
- requests for a provision of a specific type of class,
- a request for information or an explanation of a policy or practice;
- requests for compensation (including matters which are in the hands of our insurers);
- issues which are being considered by court, or have already been heard by a court or a tribunal; and
- an attempt to reopen a previously concluded complaint, or to have a complaint reconsidered where IL has already given its final decision.

## 6.0 IMPLICATIONS

### 6.1 Finance

Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

### 6.2 Legal

N/A.

### 6.3 Human Resources

N/A.

## 6.4 Equalities

### Equalities

(a) Has an Equality Impact Assessment been carried out?

	YES
X	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
X	NO

## 6.5 Repopulation

N/A.

## 7.0 CONSULTATIONS

7.1 N/A.

## 8.0 BACKGROUND PAPERS

8.1 N/A.

### Content:

The following procedure covers:

#### Plan

- Information available to customers
- Introduction

#### Do

- Who can complain?
- Getting help to make a complaint
- How long do customers have to make a complaint?
- What is a complaint
- What can customers complain about?
- What can't customers complain about?
- How do customers complain

#### Measure / Review

### Detail:

#### Plan

##### Introduction

Inverclyde Leisure is committed to providing high quality customer service. We value complaints and use information from them to help us improve our services. If something goes wrong, or customers are dissatisfied with our services, we should encourage them to tell us.

Not only will we deal with complaints quickly, but when appropriate we will act to improve our service in the future for all our customers.

Complaints are also a useful guide in how we manage our performance. They may highlight areas for improvement within Inverclyde Leisure regarding our facilities and procedures, the more we know about the way customers feel about our service, the better informed we will be to bring about improvements.

#### Do

##### Who can complain?

Anyone can make a complaint to us, including representatives of someone (providing they have been given consent to) who is dissatisfied with our service.

### Getting help to make a complaint

We understand that some customers may be unable, or reluctant, to make a complaint themselves. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate, if the customer has given them consent to complain on their behalf.

Some customers who may feel they are unable to complain directly can make a complaint using the service below:

Local Advocacy  
Circles Network  
Advocacy Service Inverclyde  
21 Grey Place  
Greenock  
Inverclyde PA15 1YF

Phone: 01475 730797  
Fax: 01475 727407  
Info.inverclyde@circlesnetwork.org.uk

### How long do customers have to make a complaint?

Normally, they must make the complaint within six months of:

- the event they wish to complain about, or
- finding out that they have a reason to complain, but no longer than 12 months after the event itself.

In exceptional circumstances, we may be able to accept a complaint after the time limit. If a customer feels that the time limit should not apply to their complaint, they must tell us why.

We should then let them know as to whether it is possible to investigate the complaint.

### What is a complaint?

We regard a complaint as any expression of dissatisfaction about our action, or lack of action, or about the standard of service provided by us, or on our behalf.

### What can customers complain about?

Customers can complain about issues such as:

- Failure to provide an advertised service
- Products and services that were provided by the Trust, but not to an appropriate standard/inadequate (e.g. poor-quality customer service, facility cleanliness or cancellation of a service in error)
- Treatment by, or attitude of, a member of staff
- The Trusts failure to follow an appropriate administrative process
- Matters that relate to the Trust's policies, but only where the complaint relates specifically to the way the matter was administered.

### What can't customers complain about?

There are some things customers can't raise as a complaint.

- A routine first-time request for a service that has been refused, for example a block booking request, preferred booking time. Provision of a specific type of class, these are handled as service requests, not complaints
- A request for information or an explanation of a policy or practice, these are handled as enquiries
- Requests for compensation from the Trust (including matters which are in the hands of our insurers)
- Issues that are in court, or have already been heard by a court or a tribunal
- An attempt to reopen a previously concluded complaint, or to have a complaint reconsidered where we have already given our final decision.

If other procedures or rights of appeal can help resolve the concerns of the customer we will give information and advice to assist.

### How do customers complain?

In person at any of our facilities, by phone, in writing and email.

By completing the form on the IL Customer complaints page of our Website and emailing to [leisure.admin@inverclydeleisure.com](mailto:leisure.admin@inverclydeleisure.com) or by printing the form and sending by post to:

Jim Lyon  
Operations Manager  
Waterfront Leisure Complex

Customhouse Way  
Greenock  
Inverclyde PA15 1EW

We should encourage customers with a complaint to make it quickly and directly to the facility concerned. This will make the complaint easier to resolve, so encourage them to talk to a member of our staff at the facility and if possible, try to resolve any problems on the spot.

When complaining, customers should give us:

- Their full name and address
- Their contact numbers, email address and best times to contact.
- As much information as you can about the complaint
- What has gone wrong
- How they want us to resolve the matter.

Personal details should be recorded and kept in compliance with GDPR.

The Customer Complaints Form must be completed in full.

## Measure /Review

### What happens when a customer has complained?

Complaints should be logged on the customer complaints log which is situated in the QMS folder on the One Drive. The facility manager must ensure that the details of the complaint including the outcome is entered onto the log sheet.

We should always tell the customer who is dealing with their complaint.

Our complaints procedure has two stages.

### Stage One: Frontline Resolution

We should aim to resolve complaints quickly and preferably where the customer is at the time of complaining. This will mean an on-the-spot apology and explanation if something has clearly gone wrong and immediate action to resolve the problem.

If the on the spot apology and resolution is not deemed acceptable by the complainant, then we will follow the Customer Complaint process detailed above / further investigation may be needed.



We will give our decision in stage one in **five working days or less**, unless there are exceptional circumstances.

If we can't resolve the complaint at this stage, we should explain why and inform the customer what we can do next.

We should always try to deal with complaints quickly. If it is clear that the matter will need a detailed investigation, we will tell the customer and keep them updated on progress.

If a customer is dissatisfied with our response, they can request the complaint is taken to Stage two.

They can choose to do this immediately or sometime after the initial decision.

### Stage Two: Investigation

Stage two deals with two types of complaint:

- those that have not been resolved at Stage One
- and those that are complex and require detailed investigation, and can't be resolved by Inverclyde Leisure in five working days.

We will look at complaints at this stage if:

- The customer is dissatisfied with our response at Stage one: Frontline resolution
- The customer refuses to co-operate with Stage one: Frontline resolution
- The issue raised is complex and requires detailed investigation
- The complaint has been identified as serious, high risk or high profile

When using stage two we will:

- Acknowledge the complaint within three working days and will give our decision as soon as possible.
- Discuss the complaint with the customer to understand why they remain dissatisfied and establish what outcome they are looking for.

- Give a full response to the complaint as soon as possible and within **20 working days**, unless there is clearly a good reason for needing more time.

If our investigation will take longer than 20 days, we will advise the customer. We should agree revised time limits with the customer and keep them updated on progress

If Customer is still dissatisfied - After we have fully investigated a complaint, and if the customer remains dissatisfied with our decision or the way we have handled the complaint, they can ask the Scottish Public Service Ombudsman (SPSO) to consider it.

We should advise the customer how to do this when we send our final decision.

Contact the SPSO:

In Person  
SPSO  
4 Melville Street  
Edinburgh EH3 7NS

By Post  
Freepost SPSO  
4 Melville Street  
Edinburgh EH3 7NS

Freephone: 0800 377 7330  
Online contact: [www.spsso.org.uk/contact-us](http://www.spsso.org.uk/contact-us)  
Website: [www.spsso.org.uk](http://www.spsso.org.uk)  
Mobile site: <http://m.spsso>

### Associated Forms:

- Complaints Log Spreadsheet
- Customer Complaint Form

### Associated Work Instructions:

- Not Applicable

### Associated Risk Assessments:

- Not Applicable

### Associated Guidance and Legislation:

### Date of Next Update:

This procedure is reviewed every two years or updated as and when necessary, the next review is December 2021

### Updates of procedure:

Issue No	Description of Revision	Date	Action By
1	None - First Issue	April 2017	
2	Minor updates	Dec 2019	

### Training on this procedure is required for the following Staff:

- All Staff