

## **Explanatory note to SPSO statistics**

**2018**

The notes below explain how we present our statistics. If you have any further queries, please contact our Information Analyst, Louise Rae, at [ICT@SPSO.gsi.gov.uk](mailto:ICT@SPSO.gsi.gov.uk) or by calling 0131 240 2960.

### **Statistics**

The tables show the complaints we handled about your organisation in 2016/17. **Table 1 (Page 1 in 'Tables' document)** shows complaints **received** by main subject area, both about your organisation and overall in your sector, for the past two years. **Table 2 (Page 2 in 'Tables' document)** shows the **outcomes** of the complaints we handled about your organisation for the same period. It also highlights the rate of premature and fully/some upheld complaints and overall rates for your sector over the past two years. Complaints received are shown ranked from the most received to the least.

### **Subjects of complaint and outcomes**

Tables 1 and 2 provide statistics for two quite different stages of our work. **Table 1** describes the subjects about which we **received** complaints between 1 April 2017 and 30 March 2018, and shows your organisation's figures beside the figures for the sector as a whole. **Table 2** shows information about the outcomes of the complaints that we **determined** over the same period. The figures of complaints received and determined are unlikely to tally, especially where complaints numbers are relatively large. This is because at the end of each business year we are still working on some of the complaints received during that year.

### **Frequently asked questions**

#### **What are complaints that are 'fit for SPSO'?**

These are complaints that we were able to investigate. This normally means that they have gone through the complaints process of your organisation, and are about something that the law allows us to look at.

#### **What do the stage names mean?**

- Advice - This is the initial receipt stage where we check if we have enough information, that the complainant has first complained to the relevant organisation, and that the matter is one we are allowed to look at.
- Early Resolution – This is where we confirm that the complaint is mature (ie that it has completed the relevant organisation's complaints process) and is in jurisdiction, and start gathering the information we will need for an investigation. Some cases that could be investigated are closed at this stage if we are able to resolve them with the organisation, or if we consider there would be no significant benefit, or achievable outcome, from a full investigation. Prior to 1 April 2016, this stage was called 'Early Resolution 1'.
- Investigation – This is where we conduct the investigation and reach a decision on the complaint. This stage includes everything that, prior to 1 April 2016, was referred to as Early Resolution 2, Investigation 1 and Investigation 2.

#### **What does 'determined' mean?**

Determined complaints are those that we have looked at and for which we have closed our file. We will have given the person a decision by letter or public report, or will have explained why we didn't investigate their complaint.

#### **What are 'upheld' complaints?**

Complaints where the outcome was 'upheld' or 'some upheld' are those where we investigated, and found that something went wrong. To recognise the validity of the

complainant's experience, we uphold complaints wherever we find fault, even if this has already been recognised by the organisation. People come to us for an external, independent judgement and if we find something went wrong it is important for the complainant that we acknowledge this. We also include how the organisation responded to the complaint and any action that they took to put things right. Where an organisation responded well, we may also commend them for acknowledging the mistakes and the action they took to resolve this for the complainant.

All these complaints were 'fit for SPSO', and we gave a decision on them at the investigation stage of our process. Some of these result in us sending you and the complainant a decision letter. We also published a short summary of most of these complaints and their outcomes on our website. Cases that meet our public interest criteria are published in full.

### **How do you define a premature complaint?**

It's a complaint that's been sent to us too early - i.e. before it has completed your complaints process.

### **What is the reason for the apparent drop in Premature Complaints?**

There are a number of reasons for this, including efforts by organisations to improve their own processes, and to communicate more clearly with complainants about when they can refer to SPSO. However, in addition, in April 2016 we changed the way we record telephone contacts where it is clear the caller needed to contact the organisation to progress their complaint before we could take it any further. Previously these would have been recorded as premature complaints at the 'Advice' stage, but now they are recorded as 'enquiries' and we do not record any details about the complainant or the organisation they are complaining about. Any formal complaint submissions, or cases where we need to get more involved, or give more detailed advice are still recorded as premature complaints at the Advice stage.

### **Would you ever take a complaint before it completes our process?**

Yes, but only where we think the circumstances are appropriate. This only happens in a very small number of cases. The most likely examples would be where we think that you have delayed unreasonably in responding, or where the person who's complained appears to be particularly vulnerable. We normally expect people to complete your complaints process to allow you to respond to the matters raised, and we will normally tell them to contact you if they haven't.

### **I don't seem to know about all of the complaints that you've counted as premature. Why?**

There are several possible reasons. We don't write to you about all the premature cases we receive (see the next question for more information about this). In some cases where we refer someone back to the complaints process, you may then resolve the problem to the person's satisfaction without knowing that it came to us first.

Alternatively, the person may, after we've told them they need to go through your process, decide not to take it further. People often bring us issues that are premature, but that are also outwith our jurisdiction, or where they're asking for an outcome we can't achieve. When we reply, we'll tell them that we're not looking at it because it's premature, but we also explain that even if they go back through your process, it's unlikely we'd take the complaint up for another reason. For example, if they're asking us to change a planning decision or if it's a personnel-related matter we'd explain that we are unable to achieve these outcomes for them, whether or not they went through your process. It's then for the complainant to decide what to do next.

**When do you tell us about premature complaints?**

We determine many of these very quickly (within one or two days of receiving them). This normally happens where the complaint has clearly come to us too early and there's little or no information with it. We record these on our computer system, but don't open a file. In most cases we simply return the letter explaining that they've sent us the complaint too soon and that they need to complain to you. We don't normally tell you about these, and we usually have only minimal information about the complaint ourselves.

In cases where the person has sent us information, but the complainant doesn't appear to have completed your complaints process, we'll open a paper file. We'd normally then write to you explaining that the matter has come to us too soon, and we've told the person to take the complaint back to you. We then close our file, which we can reopen if the person completes your process and brings the complaint back to us.

**Can you provide a more detailed breakdown of the premature complaints for my organisation?**

We can provide numbers and general categories of complaints received prematurely. These are broken down into two areas – complaints that do not appear to have been made to you at all, and those that have started but not completed your process. (We don't record which point in your process they've reached, as usually we don't know this.) We can usually identify the department and the subject matter involved, but at this early stage categorisation may not be accurate if there is a lack of detailed information.

**The categories of complaints on your letter don't match those in our records - does this mean that our statistics are wrong?**

We have our own method of categorising the complaints we receive, which is not based on those of any particular organisation. If you would like an explanation of a particular category, please contact us.