



## Complaints Handling Report 8. (October-December 2022 Q3 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
- 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 October to 31 December 2022 (Q3 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 June may not conclude until July).

<b>Complaints received (SPSO KPI 1)</b>	84 over 21 business areas
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This includes 15 complaints relating to one jury dissatisfaction matter.

## 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	3	92%
Investigation stage	40	3	93%
Escalated to investigation stage	6	3	67%

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 the complexity of investigations, staff resource issues, large volume of jury correspondence, and misdirection of complaints. Steps taken to minimise future delays include training of staff in other areas to assist at peak times, and filtering of incoming emails to allow quicker identification of complaints

## Average times for responses (SPSO KPI 3)

On average, prescribed timescales were met at all stages and were similar to the previous quarter.

	Average number of working days to respond	
Frontline response	2	<i>(target = 5 working days)</i>
Investigation stage	11	<i>(target = 20 working days)</i>
Escalated to investigation stage	15	<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	25	66%	5	13%	2	5%	6	16 %
Investigation stage	16	37 %	2	5%	25	58%	0	0%
Escalated Complaints	3	33%	1	11%	4	44%	1	11%

### Analysis

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

Administrative - incorrect letter content due to human error.

Accommodation arrangements (jurors and witnesses) - catering provision and encountering accused persons. These were addressed by:

- wider selection of lunches for lengthy trials,
- adjusted departure times for jurors and accused persons,
- alternative routes explored and opportunity provided for complainant to discuss proposed improvements.
- highlighted at partners in justice meeting to ensure future arrangements focus on the needs of victims when special measures have been allowed

Communication - delay in responding to emails, telephone calls due to high volume; incorrectly recorded jury message. A checking process for jury messages was introduced.

Delay - registration of Power of Attorneys. These were addressed by notification of timescales and procedure to expedite. Plans to introduce a new case management system which will allow faster processing of cases forms part of the SCTS business plan.

### Information Governance & Correspondence Team