

Title	Annual report on Complaints and FOIs
Description	<b>An overview of the following functions within the SIA for the financial year 2023 - 2024:</b> <ul style="list-style-type: none"> <li>• <b>Complaints volumes, demographics, and root causes</b></li> <li>• <b>Enquiries from MPs and the Home Office</b></li> <li>• <b>Freedom of Information requests</b></li> <li>• <b>The internal “Ideas” process</b></li> </ul>
Paper owner	[REDACTED]
Paper author	[REDACTED]
Agenda reference	12
Meeting date	2 May 2024
Purpose	<b>The Board is invited to note and discuss this paper</b>

Board members wishing to request clarification on a paper should contact the paper’s owner in advance of the meeting. Material responses to the requests will normally be circulated to all Board members prior to, or at, the meeting.

### Freedom of Information

Reference to discussion on this paper at the meeting will usually be published in the Board minutes unless exempted under the Freedom of Information Act 2000. Board papers may be published or released on request unless exempted under the Freedom of Information Act 2000.

Should any of this paper (in whole or in part) be considered for exemption under freedom of information? **No**

## **Introduction**

1. The purpose of this paper is to provide an overview of the following functions within the SIA for financial the year 2023 - 2024:
  - Complaints volumes, demographics, and root causes
  - Enquiries from MPs and the Home Office
  - Freedom of Information requests
  - The internal “Ideas” process

This paper has also been to ARAC.

Prior to 2023 this paper also covered data subject rights requests. This information is now included in the DPO Annual Assurance Report instead.

## **Recommendation or purpose**

2. The SIA Board is asked to note and discuss this paper.

## **Strategic relevance**

3. Set out how the issue relates to the strategic plan and annual business plan. Identify whether core business or the relevant strategic theme and insert the specific business plan deliverable.

<b>Strategic theme</b>		<b>Business Plan deliverable</b>
Regulating effectively		
Improving individual standards		
Improving business standards		
Driving strategic partnerships		
Supporting our people		
Regulating efficiently		
Core business		SIA Framework agreement section 9.2 and section 20 on SIA Board Scheme of Delegations- 2024 revisions.

## **Legal and policy**

4. There are no particular legal or policy issues to draw attention to.

## **Risks**

5. There are no particular risks to draw attention to.

## **Statutory and regulatory requirements**

6. There are no particular issues to raise in connection with the discharge of SIA’s public sector duties.

7. There are no particular actions required to comply with these requirements including Regulator's Code, Public Sector Equality Duty, Growth Duty, Human Rights Act, General Data Protection Regulation, Welsh Language Scheme, Data Protection Act.

## Analysis and implications

### Incoming Complaints

8. The SIA regards a complaint as “any expression of dissatisfaction with what we do that cannot be dealt with quickly or easily by our customer support team. (By ‘quickly and easily’ we mean where a specific issue can be put right straight away, and the customer has no further issues or concerns.)”
9. Most submissions received through our complaints form are not logged as formal complaints. Reasons for this include:
  - There is no expression of dissatisfaction, such as when the submission is a general service request from a customer.
  - The submission is not about the SIA itself. For example, it is about a security operative, company, or training provider. Where appropriate these are forwarded on internally usually to the intelligence team.
  - The issue can be quickly resolved by the front line Customer Support team.

Every submission received on the complaints form is reviewed by a member of the Complaints Team to decide what action needs taking.

10. In financial year 2023-24 we logged **682** formal complaints. This was from a total of **5304** submissions on the complaint form, meaning **13%** of submissions were logged as complaints. This is down from **17%** in the previous financial year. This figure does not include complaints from MPs or the Home Office, which are covered separately later in this report.
11. In the previous year (2022-23) we logged **735** complaints from **4423** submissions. This shows a significant increase (**20%**) in submissions received. This is only the second full year of data we have on this so we cannot draw a trend at this point.
12. The higher number of submissions but lower number of formal complaints is possibly caused by more customers going straight to the complaints form for standard service requests. This is an effect of having a complaints option alongside other contact options on the website, as customers may choose if either because they are unsure which other option fits their enquiry, or because they perceive it will get them a quicker response.

13. We are aware that response times by Customer Support to standard service requests have been extremely good all year. Therefore, there should be no pressure towards the complaints form due to delays on other channels of contact. However, this does not mean there is not a perception that using the complaints form will result in a faster response.

14. The following table shows complaint numbers over the past 5 financial years:

Year	Complaints received
2023/24	682
2022/23	735
2021/22	630
2020/21	282
2019/20	596

15. The SIA has had a specific complaints option on both the website contact form and user's online account contact forms since April 2001. This made it much easier to complain and accounts for the huge increase in complaints at that point. However it also made our complaints process much more efficient allowing the team to forecast and handle the increased volume.

16. We have a target to resolve complaints within 20 working days of receiving them. We achieved this in **643 out of 652 complaints (99%)** in 2023/24.

- The 682 complaints we acknowledged were from the following groups:

Complainant type	Complaints raised
Licence Applicants	529
Licence Holders	107
Security Business (non ACS)	11
Security Business (ACS)	7
Member of the Public	28

17. We have only been contacted by the Parliamentary and Health Service Ombudsman (PHSO) once this year. This was regarding our refusal to log a complaint about a security operative as this is not something that would fall under our complaints process. We had, however, treated the information correctly as intelligence. The PHSO accepted our explanation of this.

- We are aware of one more person who has contacted the PHSO about a very similar issue. We therefore expect to hear from the PHSO on this in the coming months and if this materialises it will fall into the new financial year 2024- 2025.

### Trend Analysis (Why we receive complaints)

**18.** In 2023/24 we resolved **652** complaints. This number is different to the number in the previous section as not all complaints are resolved in the same reporting period that they are received.

- Of these by far the largest cause was the time taken to process an application with this being a factor in **383** complaints.

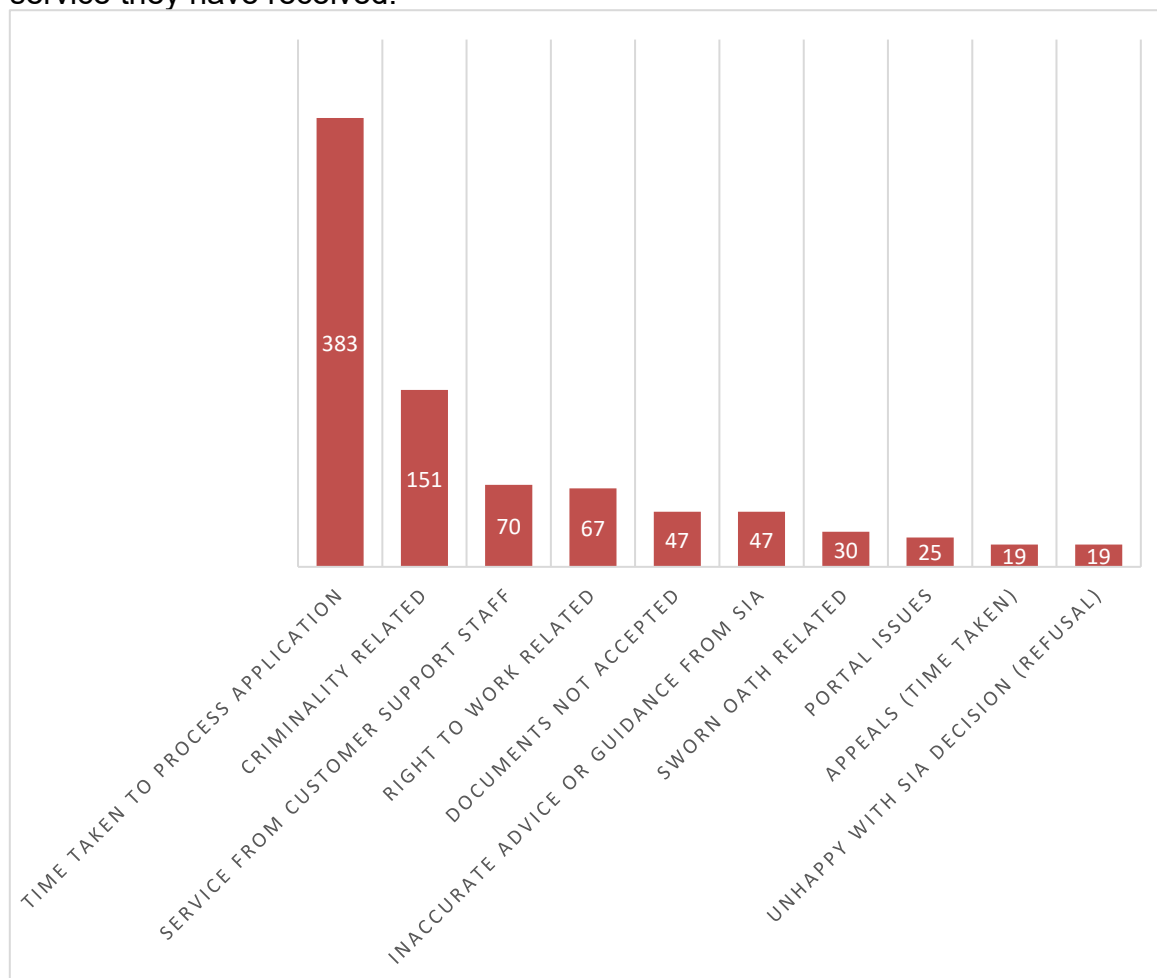
*Note\**- It should be noted that the SIA handled nearly 180,000 applications over the same period, meaning that only roughly **0.2%** triggered complaints about timeliness.

**19.** The 10 most frequent reasons for complaints are shown in the chart below.

- This data makes no distinction on whether a complaint was upheld or not.
- It also records the reason we received a complaint based on what the customer said.
- This may be different to the true root cause and we report on root cause data later in this report.

**20.** These numbers will also not correlate with the number of complaints resolved as we can record more than one cause for a complaint. For example, a customer may be unhappy with both the time an application is taking and the

service they have received.



**21.** The biggest trend we have seen this year is that a large proportion of complaints are now coming from applicants going through additional checking due to having sexual offences on their record. These complaints are normally caused by a combination of the following:

- The particularly long time it takes to handle these applications (often several months)
- The lack of information provided to the applicant on what we are doing (beyond additional checks)
- The fact that they have often held multiple licences in the past without issue

**22.** A noticeable factor in the delays on our end in many of these cases has been the pause and subsequent backlog in PND checks.

**23.** We have seen an increasing number of these complainants also requesting internal reviews by a senior manager. While we are not aware that any of

these complainants have contacted the PHSO so far, the increasing volume of internal reviews makes it increasingly likely.

- These complaints have also impacted the complaints team elsewhere, as we have started to see more subject access requests from these applicants, as they try to find out what checks we are doing and what information we hold.

**24.** The quotes below are taken from actual complaints to give examples of the sort of complaints we receive:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

### **Complaint Demographics**

**25.** This demographic data on complaints relates to the **682** submissions that we acknowledged as formal complaints in the past year.

- Demographic data on licence holders overall is pulled from a snapshot of all licence holders on 2 April 2024.

**26.** We have compared these to look for where we receive significantly more or fewer complaints from a demographic when compared against the proportion of our licence holders from that demographic.

**a. Country of residence:** This information is generated based on the postcode listed for the complainant at the time of reporting. “Other” includes both addresses outside the UK, and complaints from people we do not hold a postal address for.

- The most noticeable anomaly here is that people in Scotland make up 5% of our licence holder population yet 9% of our complaints. However this is actually a slight reduction from last year where the proportion of licence holders in Scotland was the same but accounted for 10% of complaints. We attribute the increased complaints from Scotland to the manual and relatively time consuming nature of Disclosure Scotland checks when compared to other disclosure bodies.

Country	Complaints received	% of total	% of licence holder population
England	558	82	90
Scotland	61	9	5

<b>Wales</b>	28	4	3
<b>Northern Ireland</b>	21	3	2
<b>Other</b>	14	2	0.1

**b. Gender:** The proportions of licence holders and complainants are broadly similar, with women slightly more likely to complain than men.

<b>Gender</b>	<b>Complaints received</b>	<b>% of total</b>	<b>% of licence holder population</b>
<b>Male</b>	623	91	89
<b>Female</b>	59	9	11

**c. Nationality:** The top 5 nationalities that we receive complaints from are shown below.

- This mostly tracks with the nationalities of our licence holders, shown in the right hand column.
- The most obvious exception to this is that **2%** of complaints were received from Afghan nationals, who make up under **0.4%** of licence holders.
- It should be noted that this is still only **13** complaints in total though. This is likely due to the high proportion of Afghan nationals who have to follow our overseas criminal record exception process.
- A dip test of 6 of these complaints showed that 5 related to this process.

<b>Nationality</b>	<b>Complaints received</b>	<b>% of total</b>	<b>% of licence holders</b>
<b>British</b>	406	60	57
<b>Pakistani</b>	67	10	11
<b>Nigerian</b>	42	6	4
<b>Indian</b>	20	3	5
<b>Afghan</b>	13	2	0.4

**d. Age:** There is no obvious trend or people being more or less likely to complain based on age.

- Most notable is that people 24 or under and 65 or older raise a significantly lower percentage of complaints than would be expected by their proportion of the licence holder population.

Age	Complaints received	% of total	% of licence holders
18-24	51	7	12
25-34	215	32	28
35-44	181	27	23
45-54	121	18	19
55-64	90	13	14
65-74	14	2	4
75+	1	0	0.3

### Complaints Root Cause Data and Analysis

27. Of the 652 complaints that we resolved in 652 we upheld **261 (40%)**. This is slightly down on last year where we upheld **43%**. By “upheld” we mean that the complaints team determined the SIA is to be either wholly or partially at fault for issue that occurred.

The table below shows the top 5 teams where errors originated that caused upheld complaints.

Team	Number of complaints
<b>Decisions – Applications and Appeals</b>	80
<b>Customer Support</b>	58
<b>Decisions – Right to Work</b>	26
<b>Identity Document Centre</b>	24
<b>Decisions – Licence Review</b>	21

28. This shows a significant change from last year, where Customer Support caused the most upheld complaints with **111**. This exceptional decrease to almost half the number of errors leading to complaints is testament to great work this team are doing.

- 29.** By contrast errors in the Applications and Appeals team have increased from **42 to 80**, nearly doubling.
- **68** of these related to queue management rather than individual errors by staff.
  - We believe this increase is caused by the current high workload this team are experiencing in conducting additional checks related to sexual offences and offences against children.
- 30.** Of the **261** complaints we upheld, the biggest root cause was queue management, causing **121** complaints. This is an increase on the previous year when this was the cause of **100** complaints.
- However, there was a large reduction in the number of complaints caused by human error, from 136 last year to **94** this year.
  - We have also seen a significant decrease in technical errors, from 61 to **34**.
- 31.** We reported last year that we were hoping to incorporate error reporting from complaints into the new quality monitoring software being procured. This procurement is still ongoing and therefore this has not been achieved yet.
- 32.** **92** upheld complaints related to our criminality checks this year. This in contrast to last year where no single process stood out as causing a large number of complaints. We believe a large part of this is the current special consideration of offences, and the knock on effects this workload is having in the applications team.
- 33.** The options we have within STeP to record root cause data have remained the same since we started using the current complaints system in April 2001.
- There is an update coming to these in the next STeP update which will allow us to capture more granular data and also ensure that the options we have better reflect our processes and team structure as they now stand. For example we cannot currently distinguish between complaints where there has been an issue ordering a criminal record disclosure and one where there has been an issue in us assessing a criminal record. The changes will allow us to do this.

### MP and Home Office Enquiries

- 34.** In 2023/24 we were contacted **78** times by MPs or the Home Office. This is down from **110** in 2022/23 and 141 in 2021/22.
- There is no clear reason for this trend however, we have noted in 2019/20 there was a significant increase in the amount of contact received from MPs in the months immediately following the general election when compared to the months leading up to it.
  - Of the 78 times we were contacted **14** were from the Home Office following someone contacting them directly. A further 5 were received from the

Home Office following an MP contacting the Home Office on a constituent's behalf.

- We were contacted directly by MPs 57 times and twice by MSPs. We received no contact this year from Welsh Senedd or Northern Ireland Assembly members.
- The 62 times we were contacted by MPs (57 directly and 5 via the Home Office broke down by nation as follows:

Nation	
England	52
Wales	6
Scotland	4
Northern Ireland	0

**35.** Out of the total of **78** times we were contacted, **55** met our definition of a complaint. Those that were not complaints included the following:

- Enquiries about SIA licence linked training, particularly course availability and adjustments for learners with disabilities
- Reporting training malpractice
- Reporting security operatives or companies
- ULEZ linked enquiries

**36.** Of the 55 that we would consider a complaint, we only identified no errors by the SIA in **15 (27%)**. This is down from **36%** last year and significantly lower than the uphold rate in complaints that we receive directly from customers.

- This is likely because people are more likely to complain to their MP about our policies, such as how we check criminal records, or the requirement to complete top-up training. Where someone is having problems with our service they would normally be able to resolve this by contacting us directly and would not feel the need to escalate to an MP.
- Of the **15** cases where we discovered errors, **2** were human errors, **2** were technical errors, and **11** were queue management issues. All of these 11 came from within the Decisions area of Licensing and Service Delivery.

### **Freedom of Information Requests**

**37.** Since April 2021 Freedom of Information (FOI) requests have been handled by Legal Services.

- 38.** In financial year 2023-2024 the SIA responded to **108** FOI requests. Of these, 104 (**96%**) were responded to within the statutory timeframe of 20 working days.
- 39.** The **4** that were responded to late were caused by the following:
- Information Asset Owner incurred delays in quality-checking the information (this was the case for **2** of the requests);
  - Highly sensitive request requiring extra quality-checking from senior management;
  - Additional quality-checks required by Legal Services to verify the accuracy of information.
- 40.** We received **3** requests for an internal review of a response. **2** of the internal reviews were upheld and **1** upheld our original response. No requests were escalated to the Information Commissioner's Office (ICO).
- 41.** The way we respond to FOI requests is categorised as follows:

Response	Number of cases
<b>Provided in full</b>	<b>60</b>
<b>Refused in full</b>	<b>2</b>
<b>Refused in part</b>	<b>20</b>
<b>Information not held</b>	<b>13</b>
<b>Exemption Used</b>	<b>11</b>
<b>Refusal Notice</b>	<b>2</b>
<b>Other</b>	<b>0</b>

*Includes cases where we either partially refused due to an exemption or because we did not hold all the information requested.*

- 42.** Please note that these figures may vary to what the figure is online as some requests are published and others are not as they are deemed not to serve a wider public interest.
- For example, requests from ACS companies in respect of all the information the SIA holds for them, and repeated responses where we tell requestors we do not hold the information and an identical response is already on our website.
- 43.** The requests that we refused in full were refused using the following exemptions:

- Section 21 which is where the information was publicly available elsewhere;
  - Section 22 which relates to future publication;
  - Section 31 which relates to law enforcement;
  - Section 36 which relates to prejudice to the effective conduct of public affairs;
  - Section 40(2) which relates to personal information where individuals could be come easily identifiable;
  - Section 43 which relates to commercial interests (typically applicable to procurement tenders and supplier information).
- 44.** The requests where we did not hold the information requested were related to:
- Qualification, training and assessment information;
  - Immigration controls;
  - Specific requests relating to contracts the SIA don't have;
  - General requests related to an apparent lack of understanding of our regulatory remit or activities, such as the number of SIA operatives employed by us and their average salary.
- 45.** For cases where the request was partially refused, the most common exemption applied was section 43, where the information requested was commercially sensitive, and section 21, where the information was publicly available elsewhere. We also used section 40 for some requests where personal information was requested, or where individuals requested information which, due to very low figures, could not be released as it would easily identify SIA employees.
- 46.** We also refused **two** requests in full, one for being vexatious and another for being repeated.
- 47.** The number of FOI requests received each year for the past 5 years is as follows:

Year	FOI requests received
<b>2019-20</b>	<b>102</b>
<b>2020-21</b>	<b>60</b>
<b>2021-22</b>	<b>108</b>
<b>2022-23</b>	<b>90</b>
<b>2023-24</b>	<b>108</b>

- 48.** Trends, risks and learnings: We have noted that depending upon what is being reported in the media about the security industry the number of requests tend to increase.

- For example, during December 2023 we received a significant number of requests in respect of close protection operatives on behalf of TfL who were guarding ULEZ mobile camera vans.
- When multiple similar and sometimes identical FOI requests are received concerning the same subject matter, this can stretch the FOI team's resources.
- During times when FOI requests peak concerning the same subject matter, the FOI team have learnt that they can engage with the SIA's Online Services Team and Communications Teams.
- This is so that a public comment can be released, addressing frequently asked questions to deter repeated and identical requests and direct the public to information available on our website.

### Ideas Process

- 49.** We are currently redesigning this process to automate large sections of it by using Microsoft Forms, Planner, and Power Automate. We also intend to make this process more transparent by publishing internally the ideas we receive and whether they were accepted or not.
- 50.** We hope that this will both encourage more ideas and discourage repeat ideas or those similar to ones already in the pipeline or previously rejected.