

Statistics Tables – Explanatory Notes and Commentary

Attached are summary details of the enquiries and complaints about your Council that the SPSO has received and determined.

The first document attached shows (in Table 1) details of total contacts (by complaint subject) received for your Council for 2006-07 and 2007-08, along with the total of local authority complaints for 2007-08. Table 2 shows the outcomes of complaints about your Council determined by the SPSO in 2007-08.

Please note that, as the notes accompanying the tables explain, we changed our incoming logging procedures in April 2007, which has implications for comparing 2007-08 complaints data with previous years. The total numbers of contacts (enquiries plus complaints) received for each year are not affected and are therefore directly comparable. However, the figures shown as 'complaints only' in Table 1 are recorded on a different basis in each year and are, therefore, not directly comparable. Similarly, the change to our logging procedure has affected comparison of cases determined between 2006-07 and 2007-08 in Table 2.

The second document attached is a visual representation of the information from the right side of Table 1. You will see that in 2007-08 your Council was above the national average in terms of complaints about planning, and below the average for complaints about finance and roads.

Prematurity rates

A graph is also enclosed showing for each Council the percentage of complaints that we identified as premature, and the national average for all Councils. Your Council is number 24 on that graph. We consider a complaint to be premature when it reaches us before the complainant has been through the full complaints process of the organisation concerned. Please note that the graph does not reflect the number of premature complaints that we received about your Council, but shows how your Council, proportionally, compares against the average for all Scottish local authorities. The actual number of premature complaints for your Council was 42, almost 39% of the total determined, and proportionally a slight reduction on the previous year.

Please note that no adjustments have been made in the graph to estimate the impact of housing stock transfer. It is evident, however, that there is a tendency for authorities that retain housing stock to fall higher within the prematurity graph than those that have undertaken stock transfer – this is to be expected given that housing complaints are usually the largest category of complaint and that there is a disproportionately high incidence of prematurity with housing complaints.

The SPSO considers it important that organisations have the chance to resolve complaints through their own procedures and we are actively working with service providers with the aim of reducing the number of complaints that reach us prematurely. You will be aware that our Valuing Complaints website (<http://www.valuingcomplaints.org.uk/>) contains information designed to assist with such issues, and that our Outreach Team (ask@spsso.org.uk) are pleased to answer enquiries about how we can support your Council.

Investigated Complaints and Recommendations

We investigated 11 complaints about your Council in 2007-08, but upheld none of them. We have attached a summary sheet showing these complaints, and summarising the single set of recommendations made. As you are no doubt aware, where she thinks it appropriate, the Ombudsman may make recommendations even where a complaint is not upheld, if she believes that there are lessons that may be learned. You will also be aware that SPSO Complaints Investigators normally follow up to find out what changes have been made as a result of recommendations. In this case we have noted that a new Planning Charter has addressed the issues in the recommendations.

One complaint about your Council was closed at the investigation stage; this complaint was not reported on.

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We hope that you find this summary information useful. If you have any enquiries about the statistics provided, please contact Annie White, SPSO Casework Knowledge Manager, on 0131 240 8843 or by emailing awhite@spsso.org.uk. Fuller statistical reports are available on the SPSO website at: <http://www.spsso.org.uk/statistics/index.php>.

Fife Council

Table 1

Received by Subject	2006/7		2007/8		complaints as % of total	All Local Authority Complaints	complaints as % of total
	Total Contacts	Complaints Only	Total Contacts	Complaints Only			
Building Control	0	0	0	0	0%	20	2%
Consumer protection	0	0	1	1	1%	3	0%
Economic development	0	0	0	0	0%	4	0%
Education	7	3	3	3	3%	67	5%
Env Health & Cleansing	3	1	10	6	7%	69	5%
Finance	12	7	8	2	2%	123	9%
Fire & police boards	0	0	0	0	0%	1	0%
Housing	45	19	37	28	32%	394	30%
Land & Property	1	0	7	5	6%	31	2%
Legal & admin	4	1	4	3	3%	66	5%
National Park Authorities	0	0	0	0	0%	2	0%
Other	1	0	0	0	0%	6	0%
Personnel	2	1	3	2	2%	29	2%
Planning	46	25	35	22	25%	243	18%
Recreation & Leisure	1	0	2	2	2%	21	2%
Roads	10	6	0	0	0%	71	5%
Social Work	6	4	14	11	13%	148	11%
Valuation Joint Boards	0	0	1	1	1%	11	1%
Out of jurisdiction	1	0	1	0	0%	0	0%
Subject unknown	4	0	6	2	2%	20	2%
Total	143	67	132	88		1,329	

Note about comparing 2007-08 complaint numbers to the previous year:

Please note that we made a change to our logging procedures in April 2007 which has implications for comparing 2007-08 complaints data with previous years. Of the total number of local authority complaints received in 2007-08, we estimate that approximately 33% could previously have been classed as enquiries. This does not affect the number of total contacts (enquiries + complaints) received.

For more information please see the full explanation at <http://www.sps.org.uk/statistics>.

Table 2

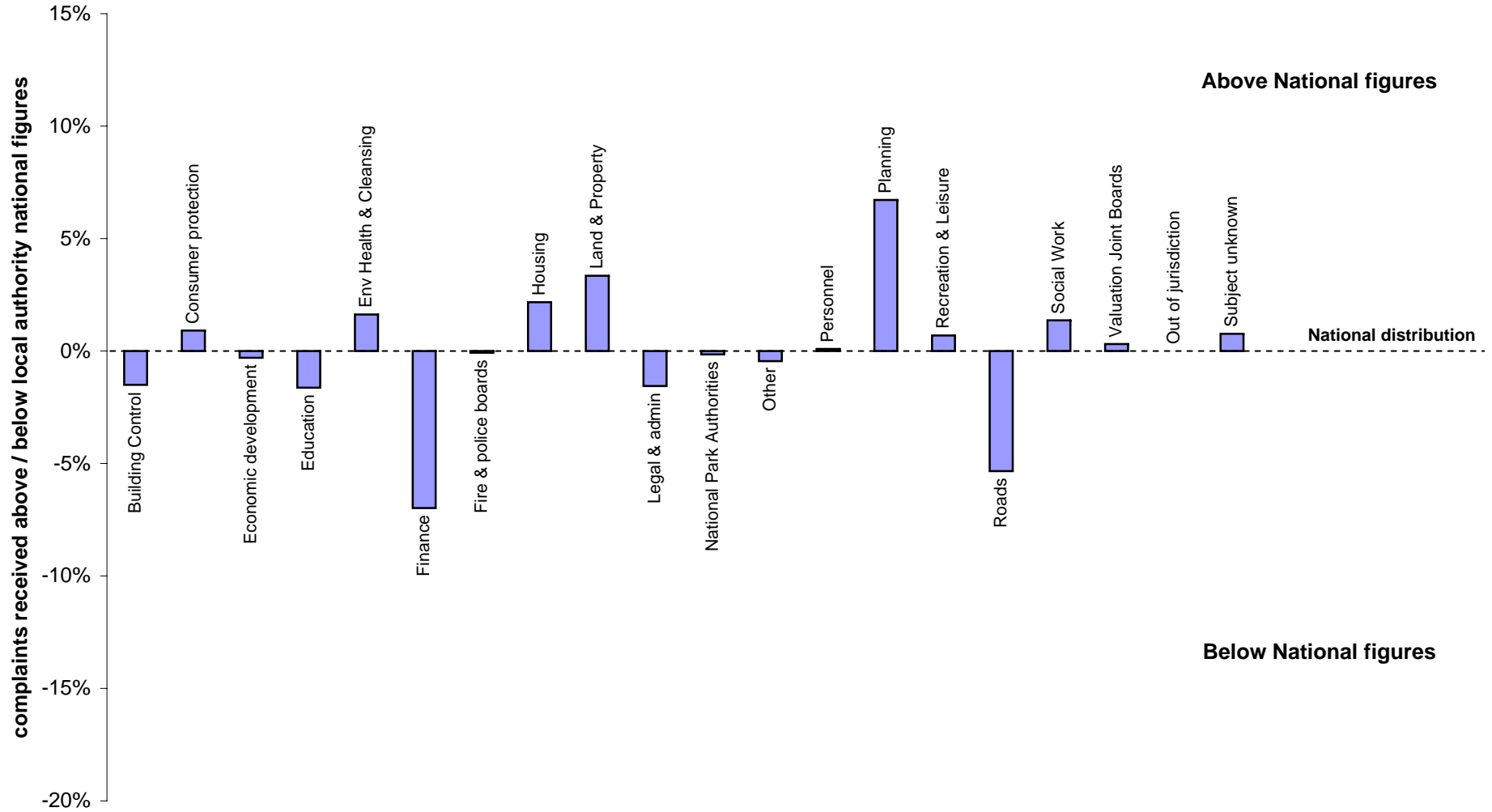
Complaints Determined by Outcome		2006/7	2007/8
Assessment	Premature	28	42
	Out of jurisdiction	13	7
	Discontinued or suspended before investigation	1	16
Examination	Withdrawn / Failed to provide information before investigation	3	2
	Determined after detailed consideration	6	29
Investigation	Report Issued - Not Upheld	5	11
	Report Issued - Partially Upheld	6	0
	Report Issued - Fully Upheld	4	0
	Discontinued during investigation	0	0
	Withdrawn / Failed to provide information during investigation	0	1
Total		66	108

Note about comparing 2007-08 complaint numbers to the previous year:

Please note that we made a change to our logging procedures in April 2007 which has implications for comparing 2007-08 complaints data with previous years. Of the total number of local authority complaints determined at the assessment stage in 2007-08, we estimate that approximately 39% could previously have been classed as enquiries. There has been no change to cases determined at examination or investigation stages.

For more information please see the full explanation at <http://www.sps.org.uk/statistics>.

Complaints received by subject in 2007/8: Fife Council proportions compared to the distribution of all local authority complaints received



Fife Council

	Case Ref	Summary	Finding	Recs	Recommendation(s)
18/07/07	200501891	(a) failed to carry out local consultation before changing the local plan boundaries (not upheld); (b) failed to take account of the complainant's views despite confirmation that they would do so (not upheld); (c) misrepresented the situation (not upheld); and (d) encouraged staff not to disclose information (not upheld).	Not upheld	NONE	The Ombudsman has no recommendations to make.
18/07/07	200501975	(a) failed to carry out local consultation before changing the local plan boundaries (not upheld); (b) failed to take account of the complainant's views despite confirmation that they would do so (not upheld); (c) misrepresented the situation (not upheld); and (d) encouraged staff not to disclose information (not upheld).	Not upheld	NONE	The Ombudsman has no recommendations to make.
18/07/07	200502032	(a) failed to carry out local consultation before changing the local plan boundaries (not upheld); (b) failed to take account of the complainant's views despite confirmation that they would do so (not upheld); (c) misrepresented the situation (not upheld); and (d) encouraged staff not to disclose information (not upheld).	Not upheld	NONE	The Ombudsman has no recommendations to make.
18/07/07	200600918	(a) the Council failed to act in accordance with their policies (not upheld); (b) the Council's contractors left the gate open which allowed the travellers to gain access to the site (no finding); and (c) the Council failed to handle Ms C's complaints in a reasonable manner (not upheld).	Not upheld	NONE	The Ombudsman has no recommendations to make.
22/08/07	200600024	the Council: (a) failed to produce a finalised Draft Local Plan within the stated timescale (not upheld); and (b) failed to alter the wording of the online Draft Local Plan to give a true picture of the planning proposals (not upheld).	Not upheld	NONE	The Ombudsman has no recommendations to make.

19/09/07	200502631	(a) the Council acted incorrectly when they advised Mr C he had to pay privately for the transportation costs incurred by the Home Care staff in attending to Ms D (not upheld); (b) the Council's decision not to pay transportation costs resulted in an impasse that meant no home care was provided for Ms D over a considerable period (not upheld); and (c) the Council refused to allow their carers to attend the elderly who live in off-main-road accessed accommodation, due to the possibility of vehicle damage occurring (not upheld).	Not upheld	NONE	The Ombudsman has no recommendations to make.
19/09/07	200601662	(a) failed to take timely enforcement action against the developer after complaints were first raised in October 2004 (not upheld); (b) failed to take enforcement action after the East Area Development Committee (the Development Committee) granted enforcement powers on 27 September 2005 (not upheld); (c) failed to inform the complainant and the aggrieved that the original retrospective planning application had been withdrawn (not upheld); (d) failed to serve an enforcement notice in a timely fashion after the Development Committee decided to take enforcement action in June 2006 (not upheld); and (e) failed to carry out the decision of the Development Committee that the owners of the site (the Developers) should have only 28 days to appeal as they gave the Developers three additional days (not upheld).	Not upheld	YES	(i) put measures in place to ensure that, when complaints are received about alleged unauthorised developments or when requests for enforcement action are received, complainants are provided with an explanation of the Council's duties in relation to enforcement and of the options generally available to deal with unauthorised development; and (ii) should ensure that, where possible and appropriate, complainants' expectations are managed with regard to likely outcomes and timescales and are kept up to date with significant developments. The Council have provided me with a copy of a new Planning Enforcement Charter, which adequately addresses the issues raised in my recommendation.
21/11/07	200501344	the Council: (a) failed to give appropriate consideration to the terms of the local and structure plans with regard to scale and character when considering the original application (not upheld); (b) failed to ensure proper neighbour notification (not upheld); and (c) gave misleading advice on a Council moratorium on the erection of mobile telephone masts (not upheld).	Not upheld	NONE	The Ombudsman has no recommendations to make.
19/12/07	200502323	the Council failed to take appropriate and timely action in respect of Ms C's requests for repairs and improvements outlined in her letter of 6 November 2005 (not upheld).	Not upheld	NONE	The Ombudsman has no recommendations to make.
19/12/07	200600558	the Council in their handling of the planning application failed to consider the effects of the proposed development on Mr and Mrs C's home in relation to privacy (not upheld).	Not upheld	NONE	The Ombudsman has no recommendations to make.
23/01/08	200501640	the Council inappropriately pursued Mr C for a support charge in connection with his sheltered housing (not upheld).	Not upheld	NONE	The Ombudsman has no recommendations to make.