

2009-10 Statistics Tables – Explanatory Notes and Commentary

Tables:

Attached are summary details of the complaints that the SPSO received and determined about your Council in 2009-10. Table 1 details the number of complaints (by our subject categories) received for your Council for 2008-09 and 2009-10, alongside the total of local authority complaints for these years. In previous years we have used this table to show the total of all contacts (enquiry calls and complaints) that we received about your council. This year we have not included enquiry calls, as feedback has shown that it is more meaningful for you if we concentrate on the actual complaints received. We recorded 56 complaints about the Council, compared to 40 in the previous year.

Table 2 shows the outcomes of complaints determined about your Council by the SPSO in 2009-10. Received and determined numbers do not normally tally exactly, as figures tend to include cases carried forward from the previous year.

Graph of prematurity rates: The anonymised graph shows, for each Council, the percentage of complaints that we received and determined as premature, against the national average in 2009-10 (55%). This represents a decrease on the 2008-9 average of 60%, which is to be welcomed. Figures have been rounded up or down to the nearest whole percentage.

We consider a complaint to be premature when it reaches us before the complainant has been through the full complaints process of your organisation. The graph does not reflect the number of premature complaints that we received about your Council, but shows how your Council, proportionately, compares against the average for Scottish local authorities. Your Council is number 17 on the graph, just above the average. You will see from Table 2 that the actual number of premature complaints for your Council was 32 out of a total of 57 complaints determined (56% of the total for your Council). The previous year's figure was 18 out of 37 (49% of the total for your Council). The proportion of premature complaints has therefore increased, albeit against an increased number of complaints determined.

NB We do not adjust our figures to mitigate the impact of housing stock transfer. It is evident, however, that there is a tendency for authorities that retain housing stock to receive more complaints and 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 in housing complaints.

Reported Complaints and Recommendations

We investigated and reported on four complaints about your Council in 2009-10, of which we upheld one, partially upheld two and did not uphold one. Attached is a summary sheet showing these complaints, and summarising the recommendations made. As you are no doubt aware, in appropriate cases the Ombudsman may make recommendations where a complaint is not upheld, if he believes that there are lessons that may be learned. You will also be aware that SPSO complaints reviewers follow up to find out what changes have been made as a result of recommendations. We also discontinued one complaint about your Council 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@sps.org.uk. Statistical reports are available on the SPSO website at: <http://www.sps.org.uk/statistics/index.php>.

Table 1

Complaints Received by Subject		Dumfries and Galloway Council	Complaints as % of total	Sector Total	Complaints as % of total
2008-09	Building Control	0	0%	27	2%
	Consumer protection	0	0%	5	0%
	Economic development	0	0%	4	0%
	Education	6	15%	89	6%
	Environmental Health & Cleansing	2	5%	69	4%
	Finance	1	3%	148	9%
	Fire & Police Boards	0	0%	1	0%
	Housing	5	13%	459	29%
	Land & Property	1	3%	32	2%
	Legal & admin	2	5%	79	5%
	National Park Authorities	0	0%	5	0%
	Other	0	0%	9	1%
	Personnel	0	0%	22	1%
	Planning	10	25%	269	17%
	Recreation & Leisure	0	0%	44	3%
	Roads & Transport	3	8%	87	5%
	Social Work	9	23%	188	12%
	Valuation Joint Boards	1	3%	24	1%
	Out of Jurisdiction or Subject Unknown	0	0%	43	3%
	Total	40		1,604	
2009-10	Building Control	1	2%	36	2%
	Consumer protection	0	0%	10	1%
	Economic development	1	2%	2	0%
	Education	2	4%	94	5%
	Environmental Health & Cleansing	2	4%	71	4%
	Finance	5	9%	143	8%
	Fire & Police Boards	1	2%	3	0%
	Housing	2	4%	432	25%
	Land & Property	1	2%	33	2%
	Legal & admin	7	13%	90	5%
	National Park Authorities	0	0%	8	0%
	Other	0	0%	11	1%
	Personnel	1	2%	24	1%
	Planning	15	27%	264	15%
	Recreation & Leisure	2	4%	73	4%
	Roads & Transport	5	9%	94	5%
	Social Work	6	11%	199	11%
	Valuation Joint Boards	1	2%	19	1%
	Subject Unknown or Out Of Jurisdiction	4	7%	128	7%
	Total	56		1,734	

Table 2

Complaints Determined By Outcome			Dumfries and Galloway Council	
			Sector Total	
2008/09	Assessment	Premature	18	923
		Out of Jurisdiction	4	102
		Discontinued before Investigation	3	170
	Examination	Determined after detailed consideration	10	279
	Investigation	Report issued: complaint not upheld	1	25
		Report issued: complaint partially upheld	0	22
		Report issued: complaint fully upheld	1	15
		Discontinued during Investigation	0	10
		Total	37	1,549
	2009/10	Assessment	Premature	32
Out of Jurisdiction			5	118
Discontinued before Investigation			7	194
Other			0	17
Examination		Determined after detailed consideration	8	409
Investigation		Report issued: complaint not upheld	1	13
		Report issued: complaint partially upheld	2	25
		Report issued: complaint fully upheld	1	12
		Discontinued during Investigation	1	6
		Total	57	1,837

Dumfries and Galloway Council

Published	Case Ref.	Summary	Overall Report Decision	Recommendation(s)
20/05/2009	200601182	(a) did not deal appropriately with their enquiries involving Mr C (partially upheld to the extent that Mr C was not given an earlier opportunity to assess the factual accuracy of the Social Background Report); and (b) did not deal appropriately with Mr C's complaint (not upheld).	partially upheld	The Ombudsman has no recommendations to make.
22/07/2009	200703193	there were shortcomings in the consideration of the Application by the Council's Area Committee (not upheld).	not upheld	The Ombudsman has no recommendations to make.
19/08/2009	200800480	the School did not bring to Mrs C's attention that Mr C was entitled to apply for an EMA for the academic year 2006-2007 (upheld).	Upheld	the Council: (i) pay to Mrs C the sum of £1,140 in lieu of the basic allowance payment and an additional payment of £300 in lieu of the bonus payment which Mr C would have been entitled to had he applied for and received an EMA for session 2006-2007; and (ii) issue Mrs C with an apology for any inconvenience which she may have been caused. The Council have accepted the recommendations and will act on them accordingly.
23/09/2009	200800457	the Council: (a) failed to carry out further consultation following a change of specification for School 2 (not upheld); and (b) failed to reply to Mrs C's formal complaint in line with their procedures (upheld).	partially upheld	ensure that their complaints handling systems which are being reviewed make provision for each stage of the process to be dealt with in the timescales which they have set themselves to respond and that an update will be sent to the customer in the event of a delay. The Council have accepted the recommendation and will act on it accordingly.