

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 49 complaints about the Council, compared to 54 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 9 on the graph, 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 53 complaints determined (60% of the total for your Council). The previous year's figure was 30 out of 49 (61% of the total for your Council). The proportion of premature complaints has therefore reduced slightly against an increased number of complaints determined, although it still represents a fairly high level of premature complaints received about your Council.

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 two complaints about your Council in 2009-10, both of which we partially upheld. Attached is a summary sheet showing these complaints, and summarising recommendations made. You will also be aware that SPSO complaints reviewers follow up to find out what changes have been made as a result of recommendations.

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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		Falkirk 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	1	2%	89	6%
	Environmental Health & Cleansing	1	2%	69	4%
	Finance	4	7%	148	9%
	Fire & Police Boards	0	0%	1	0%
	Housing	25	46%	459	29%
	Land & Property	1	2%	32	2%
	Legal & admin	4	7%	79	5%
	National Park Authorities	0	0%	5	0%
	Other	0	0%	9	1%
	Personnel	1	2%	22	1%
	Planning	7	13%	269	17%
	Recreation & Leisure	0	0%	44	3%
	Roads & Transport	1	2%	87	5%
	Social Work	6	11%	188	12%
	Valuation Joint Boards	1	2%	24	1%
	Out of Jurisdiction or Subject Unknown	2	4%	43	3%
	Total	54		1,604	
2009-10	Building Control	1	2%	36	2%
	Consumer protection	0	0%	10	1%
	Economic development	0	0%	2	0%
	Education	4	8%	94	5%
	Environmental Health & Cleansing	5	10%	71	4%
	Finance	0	0%	143	8%
	Fire & Police Boards	0	0%	3	0%
	Housing	20	41%	432	25%
	Land & Property	2	4%	33	2%
	Legal & admin	2	4%	90	5%
	National Park Authorities	0	0%	8	0%
	Other	0	0%	11	1%
	Personnel	2	4%	24	1%
	Planning	4	8%	264	15%
	Recreation & Leisure	1	2%	73	4%
	Roads & Transport	2	4%	94	5%
	Social Work	6	12%	199	11%
	Valuation Joint Boards	0	0%	19	1%
	Subject Unknown or Out Of Jurisdiction	0	0%	128	7%
	Total	49		1,734	

Table 2

Complaints Determined By Outcome			Falkirk Council	
			Sector Total	
2008/09	Assessment	Premature	30	923
		Out of Jurisdiction	4	102
		Discontinued before Investigation	7	170
	Examination	Determined after detailed consideration	8	279
	Investigation	Report issued: complaint not upheld	0	25
		Report issued: complaint partially upheld	0	22
		Report issued: complaint fully upheld	0	15
		Discontinued during Investigation	0	10
		Total	49	1,549
	2009/10	Assessment	Premature	32
Out of Jurisdiction			3	118
Discontinued before Investigation			5	194
Other			0	17
Examination		Determined after detailed consideration	11	409
Investigation		Report issued: complaint not upheld	0	13
		Report issued: complaint partially upheld	2	25
		Report issued: complaint fully upheld	0	12
		Discontinued during Investigation	0	6
		Total	53	1,837

Falkirk Council

Published	Case Ref.	Summary	Overall Report Decision	Recommendation(s)
22/07/2009	200502604	(a) the Council failed to deal adequately with the pre-planning application enquiry (upheld); (b) the Council failed to handle the outline planning application adequately and within statutory deadlines (partially upheld); (c) there were delays by the Council in submitting information in connection with Ms C's appeal to the Scottish Executive Inquiry Reporter's Unit (SEIRU) (upheld); and (d) the Council failed both to respond and to respond adequately to reminder letters, emails, faxes and telephone calls (not upheld).	partially upheld	(i) offer Ms C a full apology for the shortcomings identified, and consider whether it would be appropriate for this to be reinforced by a modest payment in recognition of the effect of those shortcomings on her; (ii) apologise to Ms C for the delay in submitting information to SEIRU and explain why it occurred.
22/07/2009	200503618	the Council: (a) in considering the planning application for the Plot and in treating requests for variations in the finished floor and ground level as non-material, failed to have proper regard to the effect on the amenity of Mr C and his immediate neighbour (Mr B) (upheld); and (b) failed to acknowledge Mr C's correspondence and respond in a timely manner (partially upheld).	partially upheld	(i) explore further with Mr C and Mr B whether steps can be taken at the Council's expense to mitigate the detriment to their privacy as a result of overlooking from the house constructed on the Plot; and (ii) take steps to ensure that they keep complainants updated when they are unable to respond to their complaints within the published timescales.