

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 101 complaints about the Council, compared to 93 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. As last year, your Council is number 3 on the graph, well above the average. You will see from Table 2 that the actual number of premature complaints for your Council was 75 out of a total of 105 complaints determined (71% of the total for your Council). The previous year's figure was 60 out of 100 (60% of the total for your Council). The number and proportion of premature complaints has therefore increased significantly against a slightly 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 all these complaints, and summarising recommendations made. You will be aware that SPSO complaints reviewers follow up to find out what changes have been made as a result of recommendations. We discontinued one complaint about your Council at the investigation stage; it 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		North Lanarkshire 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	13	14%	89	6%
	Environmental Health & Cleansing	2	2%	69	4%
	Finance	8	9%	148	9%
	Fire & Police Boards	0	0%	1	0%
	Housing	36	39%	459	29%
	Land & Property	1	1%	32	2%
	Legal & admin	3	3%	79	5%
	National Park Authorities	0	0%	5	0%
	Other	0	0%	9	1%
	Personnel	1	1%	22	1%
	Planning	9	10%	269	17%
	Recreation & Leisure	1	1%	44	3%
	Roads & Transport	6	6%	87	5%
	Social Work	11	12%	188	12%
	Valuation Joint Boards	0	0%	24	1%
	Out of Jurisdiction or Subject Unknown	2	2%	43	3%
	Total	93		1,604	
2009-10	Building Control	1	1%	36	2%
	Consumer protection	1	1%	10	1%
	Economic development	0	0%	2	0%
	Education	3	3%	94	5%
	Environmental Health & Cleansing	0	0%	71	4%
	Finance	16	16%	143	8%
	Fire & Police Boards	0	0%	3	0%
	Housing	44	44%	432	25%
	Land & Property	2	2%	33	2%
	Legal & admin	1	1%	90	5%
	National Park Authorities	0	0%	8	0%
	Other	2	2%	11	1%
	Personnel	0	0%	24	1%
	Planning	7	7%	264	15%
	Recreation & Leisure	0	0%	73	4%
	Roads & Transport	3	3%	94	5%
	Social Work	13	13%	199	11%
	Valuation Joint Boards	0	0%	19	1%
	Subject Unknown or Out Of Jurisdiction	8	8%	128	7%
	Total	101		1,734	

Table 2

Complaints Determined By Outcome			North Lanarkshire Council	
			Sector Total	
2008/09	Assessment	Premature	60	923
		Out of Jurisdiction	2	102
		Discontinued before Investigation	9	170
	Examination	Determined after detailed consideration	24	279
	Investigation	Report issued: complaint not upheld	2	25
		Report issued: complaint partially upheld	1	22
		Report issued: complaint fully upheld	1	15
		Discontinued during Investigation	1	10
		Total	100	1,549
	2009/10	Assessment	Premature	75
Out of Jurisdiction			1	118
Discontinued before Investigation			10	194
Other			0	17
Examination		Determined after detailed consideration	14	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	105	1,837

North Lanarkshire Council

Published	Case Ref.	Summary	Overall Report Decision	Recommendation(s)
17/06/2009	200502695	Ms A was not receiving a care package that was adequate for her needs (not upheld).	not upheld	the Council and Ms C enter into constructive dialogue to resolve any outstanding issues and to deal with future changes to Ms A's care package, to help all involved understand the issues and gain reassurance about the support being provided. This would, of course, take place only with Ms A's consent in the light of the Council's stated responsibility to give primary consideration to Ms A's needs and wishes. The Council have accepted the recommendation and will act on it accordingly.
19/08/2009	200502514	(a) the Council failed to properly handle complaints made by Mrs C and her husband (Mr C) (upheld); and (b) procedures in the Department for considering complaints are biased against the complainant (upheld to the extent that there is insufficient independence in the complaints process).	Upheld	(i) apologise to Mr and Mrs C for the failings identified in the handling of the complaints; and (ii) review their complaints process and include an independent element in the final stage of the process for handling complaints about education. Additionally, the Ombudsman suggests that the Council should ensure that information about how to make a complaint about a school or their staff is made available in the Council's schools.
21/10/2009	200800888 200800890	(a) the planning/management of the trip was inadequate (upheld); (b) the investigation into an incident on the trip was inadequate in that the School asked students to complete a questionnaire without involving or informing parents; a senior male teacher interviewed female students about sensitive issues; the Head Teacher made unsubstantiated allegations about some of the students and some of them consider that they have been victimised; the matter should have been referred to the police or the other local authority involved; and parents were not kept informed of the progress of the investigation (partially upheld); and (c) the Council should have offered counselling to the students (no finding).	partially upheld	(i) ensure that the revised draft procedures on excursions and outdoor activities are finalised urgently; (ii) ensure that the new procedures contain adequate guidance on agreeing and discussing expected standards of behaviour with parents; (iii) consider how they can improve the procedures for notifying parents promptly of changes in the arrangements for school trips and excursions; (iv) issue an apology to the Complainants for the failings identified in relation to the investigation into the matter; and (v) take steps to ensure that complainants are kept informed whilst an investigation into a complaint is ongoing. The Council have accepted the recommendations and will act on them accordingly.