

WEST LoTHIAN COUNCIL

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 61 complaints about the Council, compared to 73 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 16 on the graph, just above the average. You will see from Table 2 that the actual number of premature complaints for your Council was 40 out of a total of 70 complaints determined (57% of the total for your Council). The previous year's figure was 41 out of 64 (64% of the total for your Council). The proportion of premature complaints has therefore reduced 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.

Investigated Complaints and Recommendations

We investigated 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 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 | | West Lothian Council | Complaints as % of total | Sector Total | Complaints as % of total |
|---------------------------------------|--|-----------------------------|---------------------------------|---------------------|---------------------------------|
| 2008-09 | Building Control | 1 | 1% | 27 | 2% |
| | Consumer protection | 0 | 0% | 5 | 0% |
| | Economic development | 0 | 0% | 4 | 0% |
| | Education | 9 | 12% | 89 | 6% |
| | Environmental Health & Cleansing | 1 | 1% | 69 | 4% |
| | Finance | 3 | 4% | 148 | 9% |
| | Fire & Police Boards | 0 | 0% | 1 | 0% |
| | Housing | 33 | 45% | 459 | 29% |
| | Land & Property | 3 | 4% | 32 | 2% |
| | Legal & admin | 2 | 3% | 79 | 5% |
| | National Park Authorities | 0 | 0% | 5 | 0% |
| | Other | 1 | 1% | 9 | 1% |
| | Personnel | 0 | 0% | 22 | 1% |
| | Planning | 8 | 11% | 269 | 17% |
| | Recreation & Leisure | 1 | 1% | 44 | 3% |
| | Roads & Transport | 3 | 4% | 87 | 5% |
| | Social Work | 7 | 10% | 188 | 12% |
| | Valuation Joint Boards | 0 | 0% | 24 | 1% |
| | Out of Jurisdiction or Subject Unknown | 1 | 1% | 43 | 3% |
| | Total | 73 | | 1,604 | |
| 2009-10 | Building Control | 0 | 0% | 36 | 2% |
| | Consumer protection | 0 | 0% | 10 | 1% |
| | Economic development | 0 | 0% | 2 | 0% |
| | Education | 6 | 10% | 94 | 5% |
| | Environmental Health & Cleansing | 5 | 8% | 71 | 4% |
| | Finance | 1 | 2% | 143 | 8% |
| | Fire & Police Boards | 0 | 0% | 3 | 0% |
| | Housing | 21 | 34% | 432 | 25% |
| | Land & Property | 4 | 7% | 33 | 2% |
| | Legal & admin | 4 | 7% | 90 | 5% |
| | National Park Authorities | 0 | 0% | 8 | 0% |
| | Other | 0 | 0% | 11 | 1% |
| | Personnel | 1 | 2% | 24 | 1% |
| | Planning | 7 | 11% | 264 | 15% |
| | Recreation & Leisure | 0 | 0% | 73 | 4% |
| | Roads & Transport | 5 | 8% | 94 | 5% |
| | Social Work | 5 | 8% | 199 | 11% |
| | Valuation Joint Boards | 0 | 0% | 19 | 1% |
| | Subject Unknown or Out Of Jurisdiction | 2 | 3% | 128 | 7% |
| | Total | 61 | | 1,734 | |

Table 2

| Complaints Determined By Outcome | | | West Lothian Council | |
|-----------------------------------|---------------|---|----------------------|--------------|
| | | | | Sector Total |
| 2008/09 | Assessment | Premature | 41 | 923 |
| | | Out of Jurisdiction | 4 | 102 |
| | | Discontinued before Investigation | 8 | 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 | 0 | 15 |
| | | Discontinued during Investigation | 0 | 10 |
| | | Total | 64 | 1,549 |
| | 2009/10 | Assessment | Premature | 40 |
| Out of Jurisdiction | | | 3 | 118 |
| Discontinued before Investigation | | | 8 | 194 |
| Other | | | 0 | 17 |
| Examination | | Determined after detailed consideration | 17 | 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 | 70 | 1,837 |

| Published | Case Ref. | Summary | Overall Report Decision | Recommendation(s) |
|------------|-----------|---|-------------------------|--|
| 22/04/2009 | 200601783 | <p>(a) Education Department did not make an appropriate intervention to resolve a problem which had arisen with the School over Child C's timetable choices (not upheld);</p> <p>(b) Education Department failed to direct Mr C to his entitlement to mediation services (partially upheld); and</p> <p>(c) Chief Executive did not carry out an appropriate investigation before responding to Mr C's complaint (upheld).</p> | partially upheld | <p>(i) apologise to Mr C for the Education Department not referring to the procedures for accessing the Mediation Service in June 2006; for not expediting the mediation requested by Mr C on 23 August 2006; and for the inadequacies in their investigation of, and response to Mr C's concerns; and</p> <p>(ii) review Council staff's awareness of the Mediation Service and the availability of the related leaflet.</p> |
| 22/07/2009 | 200800803 | <p>(a) the Council failed satisfactorily to address persistent problems of water ingress and dampness in the house (not upheld);</p> <p>(b) the Council failed to take the opportunity to carry out necessary repairs when the family temporarily vacated the property (partially upheld to the extent that the Council did not immediately let Mrs C know that repairs could not be undertaken when the family were absent);</p> <p>(c) although dehumidifiers were supplied by the Council to dry out the house, Mrs C was not reimbursed for additional electricity consumed (partially upheld); and</p> <p>(d) Council workmen attending to carry out repairs, damaged Mrs C's flooring and, thereafter, misrepresented the extent of that damage to the Council's insurers (not upheld).</p> | partially upheld | <p>(i) revisit the repairs history of the particular house in comparison with similar houses in the immediate vicinity to establish whether there are recurrent problems;</p> <p>(ii) review the arrangements for carrying out repairs where there is a risk to the health of a tenant with a known medical condition; and</p> <p>(iii) review the adequacy of the advice given on the Council's policy with regard to reimbursement when they supply dehumidifiers to tenants.</p> <p>The Council have accepted the recommendations and will act on them accordingly.</p> |