

COMHAIRLE NAN EILEAN SIAR

2008-9 Statistics Tables – Explanatory Notes and Commentary

Tables: Attached are summary details of the contacts and complaints about your Council that the SPSO received and determined in 2008-09. Table 1 details total contacts (by our subject categories) received for your Council for 2007-08 and 2008-09, alongside the total of local authority complaints for these years. We recorded 11 complaints about the Council, compared to 10 in the previous year. Table 2 shows the outcomes of complaints determined by the SPSO in 2008-09.

Graph: The graph shows for each Council the percentage of complaints that we received and determined as premature, against the national average in 2008-9 (60%). We consider a complaint to be premature when it reaches us before the complainant has been through the full complaints process of the 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 21 on the graph, slightly below the average. You'll see from Table 2 that the actual number of premature complaints for your Council was 6 out of a total of 11 complaints determined (55% of the total for your Council). This was a slight increase on the previous year's figure of 6 out of 12 (50% of the total for your Council). This doesn't represent an increase in numbers, but shows a slight increase in the *proportion* of complaints we determined to be premature. It is also, however, based on a very low number of complaints received.

NB We don't adjust any of our figures to mitigate the impact of housing stock transfer. It's evident, however, that there's 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's a disproportionately high incidence of prematurity with housing complaints.

Complaints and Recommendations Reported to Parliament

We reported on one complaint about your Council in 2008-09, which we did not uphold. Attached is a summary sheet for this complaint, 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 Investigators follow up to find out what changes have been made as a result of recommendations.

.....

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

Comhairle nan Eilean Siar

Table 1

Received by Subject	2007/8			2008/9						
	Total Contacts	Complaints Only	complaints as % of total	All Local Authority Complaints	complaints as % of total	Total Contacts	Complaints Only	complaints as % of total	All Local Authority Complaints	complaints as % of total
Building Control	1	1	10%	20	2%	0	0	0%	27	2%
Consumer Protection	0	0	0%	3	0%	0	0	0%	5	0%
Economic Development	0	0	0%	4	0%	0	0	0%	4	0%
Education	4	3	30%	67	5%	5	4	36%	89	6%
Environmental Health & Cleansing	0	0	0%	69	5%	0	0	0%	69	4%
Finance	0	0	0%	123	9%	1	1	9%	148	9%
Fire & Police Boards	0	0	0%	1	0%	0	0	0%	1	0%
Housing	1	1	10%	394	30%	1	0	0%	459	29%
Land & Property	0	0	0%	31	2%	0	0	0%	32	2%
Legal & Admin	1	1	10%	66	5%	2	1	9%	79	5%
National Park Authorities	0	0	0%	2	0%	0	0	0%	5	0%
Other	0	0	0%	6	0%	0	0	0%	9	1%
Personnel	2	1	10%	29	2%	1	1	9%	22	1%
Planning	0	0	0%	243	18%	0	0	0%	269	17%
Recreation & Leisure	1	1	10%	21	2%	0	0	0%	44	3%
Roads & Transport	2	2	20%	71	5%	1	1	9%	87	5%
Social Work	2	0	0%	148	11%	3	3	27%	188	12%
Valuation Joint Boards	0	0	0%	11	1%	0	0	0%	24	1%
Out of Jurisdiction	0	0	0%	0	0%	0	0	0%	1	0%
Subject Unknown	0	0	0%	20	2%	0	0	0%	42	3%
Total	14	10		1,329		14	11		1,604	

Comhairle nan Eilean Siar

Table 2

Complaints Determined by Outcome		<i>2007/8</i>		<i>2008/9</i>	
			<i>All Local Authority</i>		<i>All Local Authority</i>
Assessment	Premature	6	760	6	923
	Out of Jurisdiction	1	154	0	102
	Withdrawn or failed to provide information before investigation	1	178	1	158
	Discontinued or suspended before investigation	1	42	0	12
Examination	Determined after detailed consideration	1	240	3	279
Investigation	Report issued: not upheld	0	82	1	25
	Report issued: partially upheld	1	62	0	22
	Report issued: fully upheld	1	23	0	15
	Withdrawn or failed to provide information during investigation	0	4	0	1
	Discontinued or suspended during investigation	0	13	0	9
Total		12	1,558	11	1,546

Comhairle nan Eilean Siar

Published	Case Ref.	Summary	Decision	Recommendation(s)
17/09/08	200701164	<p>(a) failed to provide Miss A with educational services by failing to take appropriate steps to protect her from bullying at School 1 (not upheld);</p> <p>(b) failed to provide Miss A with educational services by unreasonably refusing a transport request to allow her to attend School 2 (not upheld); and</p> <p>(c) failed to deal adequately with Ms C's complaints by constantly delaying the complaints procedure and failing to give adequate reasons for their decisions (not upheld).</p>	not upheld	<p>(i) implement a system to ensure that the receipt of all letters to the Council are logged on the day they are delivered;</p> <p>(ii) apologise to Ms C for the failure to acknowledge her letter of 10 October 2006 within three working days;</p> <p>(iii) review their complaints procedure to ensure that complainants are provided with a formal explanation if the response to a complaint will take longer than the stated timescales;</p> <p>(iv) devise and implement a written procedure for the appeals panel element of the Complaints and Appeals procedure; and</p> <p>(v) review their communication policies and procedures to ensure that it is clear to recipients what documents should be enclosed with letters from the Council.</p> <p>The Council have accepted the recommendations and will act on them accordingly.</p>