

Statistics Tables – Explanatory Notes and Commentary

Attached are summary details of the enquiries and complaints about your Council that the SPSO has received and determined.

The first document attached shows (in Table 1) details of total contacts (by complaint subject) received for your Council for 2006-07 and 2007-08, along with the total of local authority complaints for 2007-08. Table 2 shows the outcomes of complaints about your Council determined by the SPSO in 2007-08.

Please note that, as the notes accompanying the tables explain, we changed our incoming logging procedures in April 2007, which has implications for comparing 2007-08 complaints data with previous years. The total numbers of contacts (enquiries plus complaints) received for each year are not affected and are therefore directly comparable. However, the figures shown as 'complaints only' in Table 1 are recorded on a different basis in each year and are, therefore, not directly comparable. Similarly, the change to our logging procedure has affected comparison of cases determined between 2006-07 and 2007-08 in Table 2.

The second document attached is a visual representation of the information from the right side of Table 1. You will see that in 2007-08 your Council was above the national average in terms of complaints about education and social work, and below the average for complaints about finance.

Prematurity rates

A graph is also enclosed showing for each Council the percentage of complaints that we identified as premature, and the national average for all Councils. Your Council is number 21 on that graph. We consider a complaint to be premature when it reaches us before the complainant has been through the full complaints process of the organisation concerned. Please note that the graph does not reflect the number of premature complaints that we received about your Council, but shows how your Council, proportionally, compares against the average for all Scottish local authorities. The actual number of premature complaints for your Council was 17, 42% of the total determined, and proportionally a reduction on the previous year.

Please note that no adjustments have been made in the graph to estimate the impact of housing stock transfer. It is evident, however, that there is a tendency for authorities that retain housing stock 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 with housing complaints.

The SPSO considers it important that organisations have the chance to resolve complaints through their own procedures and we are actively working with service providers with the aim of reducing the number of complaints that reach us prematurely. You will be aware that our Valuing Complaints website (<http://www.valuingcomplaints.org.uk/>) contains information designed to assist with such issues, and that our Outreach Team (ask@spsso.org.uk) are pleased to answer enquiries about how we can support your Council.

Investigated Complaints and Recommendations

We investigated four complaints about your Council in 2007-08, but upheld none of them. We have attached a summary sheet showing these complaints, and summarising any recommendations made. As you know, where she thinks it appropriate, the Ombudsman may make recommendations even where a complaint is not upheld, if she believes that there are lessons that may be learned. You will also be aware that SPSO Complaints Investigators will be following up to find out what changes have been made as a result of recommendations.

Two of the investigated complaints related to planning and, although not upheld, improvement recommendations were made.

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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@spsso.org.uk. Fuller statistical reports are available on the SPSO website at: <http://www.spsso.org.uk/statistics/index.php>.

East Ayrshire Council

Table 1

Received by Subject	2006/7		2007/8		complaints as % of total	All Local Authority Complaints	complaints as % of total
	Total Contacts	Complaints Only	Total Contacts	Complaints Only			
Building Control	0	0	0	0	0%	20	2%
Consumer protection	0	0	0	0	0%	3	0%
Economic development	0	0	0	0	0%	4	0%
Education	2	0	6	4	11%	67	5%
Env Health & Cleansing	2	0	2	1	3%	69	5%
Finance	1	0	4	1	3%	123	9%
Fire & police boards	0	0	0	0	0%	1	0%
Housing	22	10	18	12	33%	394	30%
Land & Property	1	0	2	2	6%	31	2%
Legal & admin	2	1	3	1	3%	66	5%
National Park Authorities	0	0	0	0	0%	2	0%
Other	0	0	0	0	0%	6	0%
Personnel	2	1	0	0	0%	29	2%
Planning	6	5	6	5	14%	243	18%
Recreation & Leisure	1	1	1	1	3%	21	2%
Roads	2	1	2	2	6%	71	5%
Social Work	4	3	8	7	19%	148	11%
Valuation Joint Boards	0	0	0	0	0%	11	1%
Out of jurisdiction	0	0	0	0	0%	0	0%
Subject unknown	2	0	1	0	0%	20	2%
Total	47	22	53	36		1,329	

Note about comparing 2007-08 complaint numbers to the previous year:

Please note that we made a change to our logging procedures in April 2007 which has implications for comparing 2007-08 complaints data with previous years. Of the total number of local authority complaints received in 2007-08, we estimate that approximately 33% could previously have been classed as enquiries. This does not affect the number of total contacts (enquiries + complaints) received.

For more information please see the full explanation at <http://www.sps.org.uk/statistics>.

Table 2

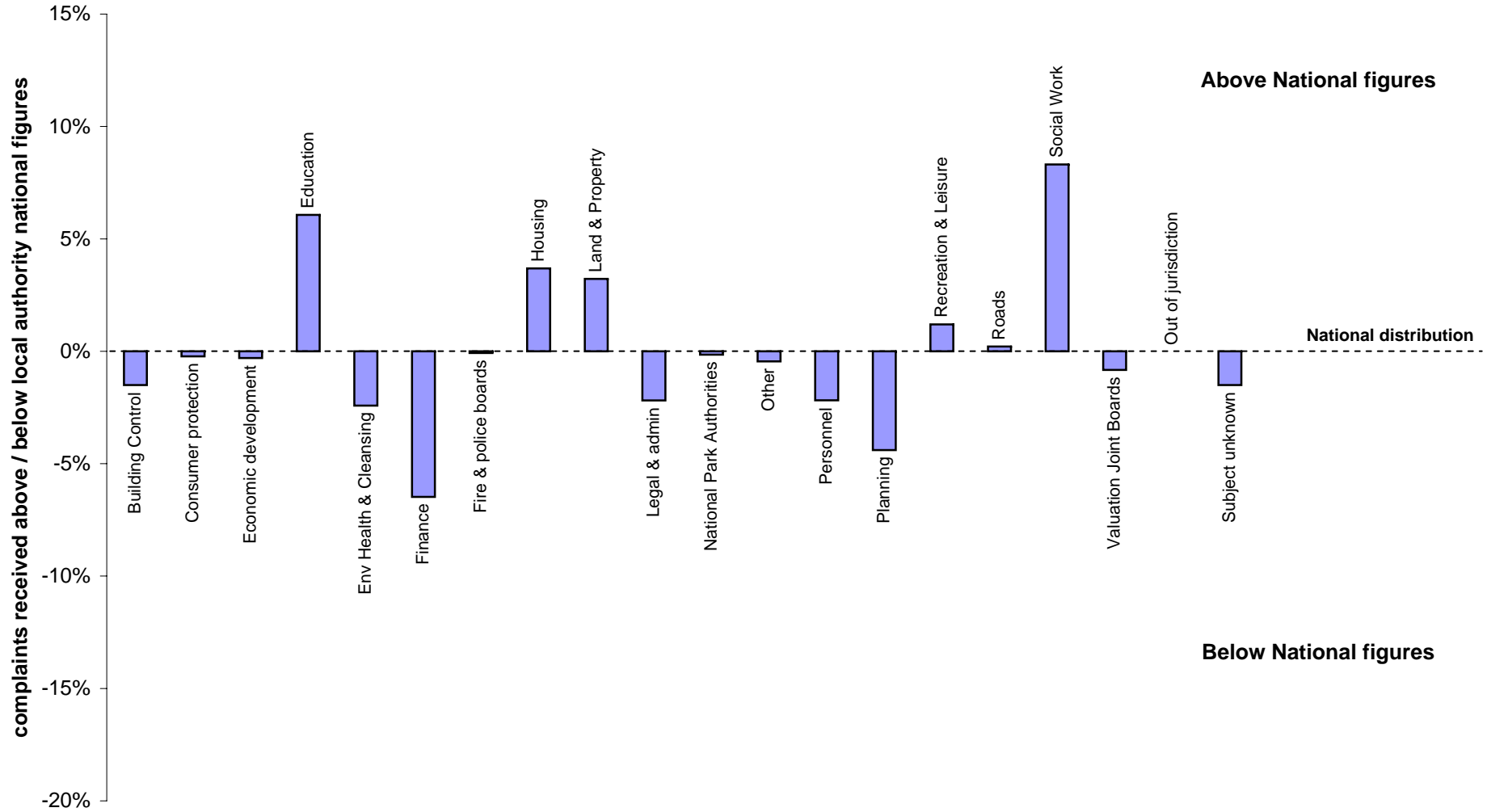
Complaints Determined by Outcome		2006/7	2007/8
Assessment	Premature	14	17
	Out of jurisdiction	5	4
	Discontinued or suspended before investigation	0	8
	Withdrawn / Failed to provide information before investigation	0	0
Examination	Determined after detailed consideration	1	8
	Report Issued - Not Upheld	1	4
Investigation	Report Issued - Partially Upheld	0	0
	Report Issued - Fully Upheld	0	0
	Discontinued during investigation	0	0
	Withdrawn / Failed to provide information during investigation	0	0
Total		21	41

Note about comparing 2007-08 complaint numbers to the previous year:

Please note that we made a change to our logging procedures in April 2007 which has implications for comparing 2007-08 complaints data with previous years. Of the total number of local authority complaints determined at the assessment stage in 2007-08, we estimate that approximately 39% could previously have been classed as enquiries. There has been no change to cases determined at examination or investigation stages.

For more information please see the full explanation at <http://www.sps.org.uk/statistics>.

Complaints received by subject in 2007/8: East Ayrshire Council proportions compared to the distribution of all local authority complaints received



East Ayrshire Council

	Case Ref	Summary	Finding	Recs	Recommendation(s)
23/05/07	200401691	the Council showed favouritism to the developer throughout their consideration of the various planning applications submitted by the developer (not upheld).	Not upheld	YES	(i) take steps to ensure that the administrative errors which had been identified prior to my involvement in relation to the Council's planning files are addressed to ensure that they do not arise in the future; and (ii) revisit their Scheme of Planning Application Delegation (the mechanism which allows Council Officers discretion to determine applications) to see whether there is a need, in cases such as this, for a referral to committee. The Council have accepted the recommendations and will act on them accordingly.
20/06/07	200500770	(a) the Building Control Department are unfairly insisting that new drainage be installed to deal with the roof water from the silage clamp roof (not upheld); (b) the Planning Department failed to ensure that a planning condition in respect of planting for screening purposes was enforced (not upheld); (c) the Planning Department failed to ensure that the condition for screen fencing and planting was transferred to the new application (not upheld); (d) as a result of the failings in (b) and (c) above, Mr C had unfairly to include the provision of screen fencing in his application to construct his silage clamps (not upheld); (e) Mr C was inappropriately advised to withdraw his application for a cubicle shed by Council officers when he should have been advised to amend the proposals (not upheld); (f) the Council are putting too much emphasis on the decision of the Reporter rather than considering every application on its merits (not upheld); (g) the Council should consider Mr C's application as permitted development as the Council did not exercise its right to comment on his proposals within the statutory time scale (not upheld); and (h) the Council is not working with Mr C to try and resolve these outstanding matters (not upheld).	Not upheld	YES	(i) highlight to staff in the Planning Department the particular issues which can arise when Agricultural Prior Notification is received; and (ii) continue to work closely with Mr C in an attempt to find acceptable solutions to both the outstanding building control and planning problems.
20/06/07	200600026	the Council have not taken appropriate action following injury and damage to property caused by the use of a Council owned sports field (not upheld).	Not upheld	NONE	The Ombudsman has no recommendations to make.
22/08/07	200601461	the Council did not correctly follow their own Roads Development Guide (not upheld).	Not upheld	YES	clarify in the Guide that they can relax the standards to reflect specific local conditions. The Council have accepted the recommendation and will act on it accordingly.