

EAST DUNBARTONSHIRE COUNCIL

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 planning, and below the average for complaints about roads.

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 14 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 21, which was half of the total determined, and proportionally a significant 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 9 complaints about your Council in 2007-08, of which we upheld 2, partially upheld 3 and did not uphold 4. We have attached a summary sheet showing these complaints, and summarising any recommendations made. As you are no doubt aware, 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.

Of the complaints upheld or partially upheld, three related to planning and there were three recommendations about improvements in complaints handling procedures.

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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 Dunbartonshire 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	1	0	0	0	0%	20	2%
Consumer protection	0	0	0	0	0%	3	0%
Economic development	1	0	0	0	0%	4	0%
Education	3	1	3	3	10%	67	5%
Env Health & Cleansing	3	2	1	1	3%	69	5%
Finance	5	1	3	2	6%	123	9%
Fire & police boards	0	0	0	0	0%	1	0%
Housing	23	14	11	8	26%	394	30%
Land & Property	2	1	1	1	3%	31	2%
Legal & admin	2	2	5	2	6%	66	5%
National Park Authorities	0	0	0	0	0%	2	0%
Other	2	2	1	1	3%	6	0%
Personnel	2	0	0	0	0%	29	2%
Planning	11	11	11	8	26%	243	18%
Recreation & Leisure	0	0	0	0	0%	21	2%
Roads	0	0	0	0	0%	71	5%
Social Work	4	2	6	5	16%	148	11%
Valuation Joint Boards	0	0	0	0	0%	11	1%
Out of jurisdiction	0	0	1	0	0%	0	0%
Subject unknown	1	0	0	0	0%	20	2%
Total	60	36	43	31		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

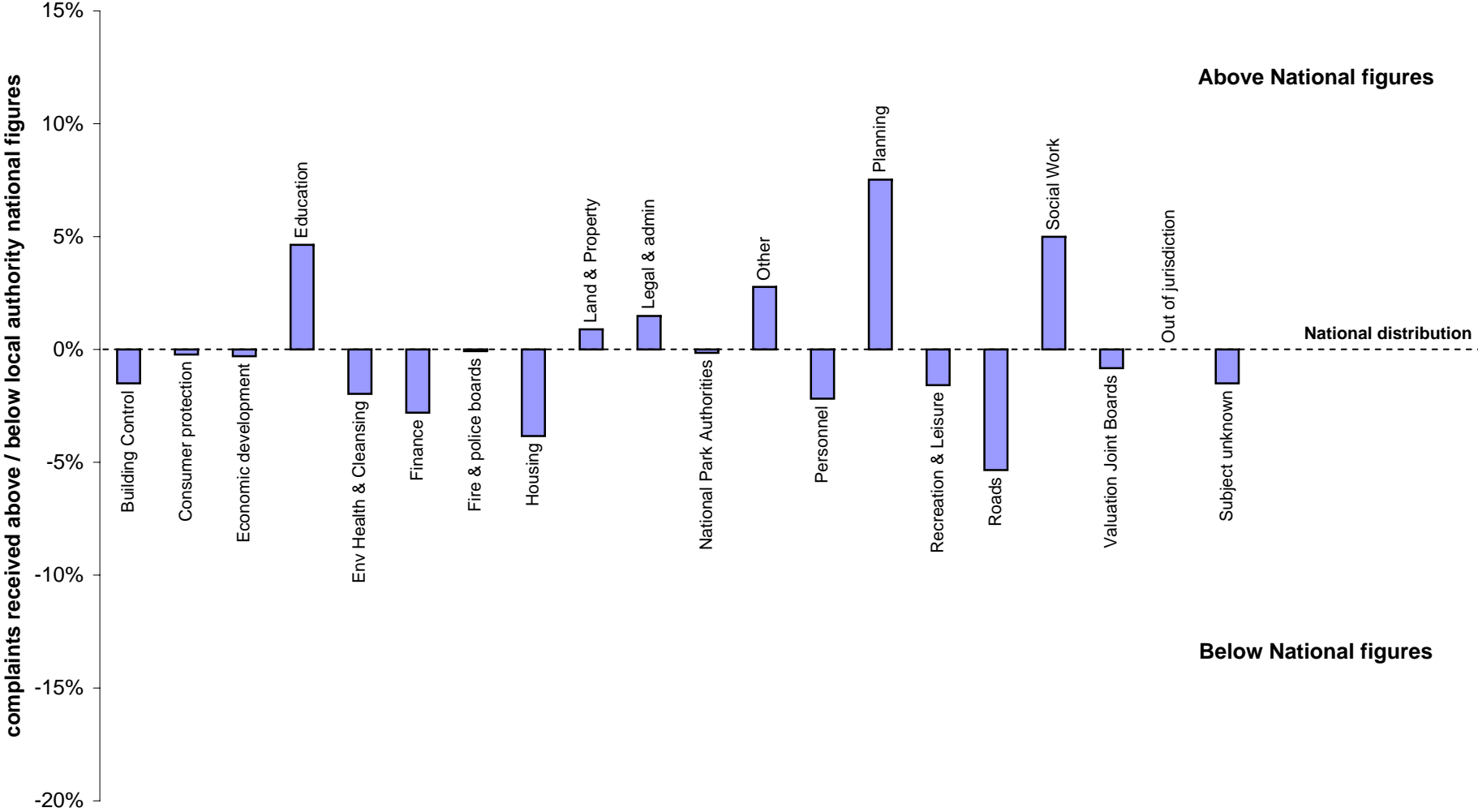
Complaints Determined by Outcome		2006/7	2007/8
Assessment	Premature	24	21
	Out of jurisdiction	2	4
	Discontinued or suspended before investigation	0	3
Examination	Withdrawn / Failed to provide information before investigation	3	1
	Determined after detailed consideration	3	4
Investigation	Report Issued - Not Upheld	2	4
	Report Issued - Partially Upheld	2	4
	Report Issued - Fully Upheld	1	1
	Discontinued during investigation	0	0
	Withdrawn / Failed to provide information during investigation	0	0
Total		37	42

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 Dunbartonshire Council proportions compared to the distribution of all local authority complaints received



East Dunbartonshire Council

	Case Ref	Summary	Finding	Recs	Recommendation(s)
23/05/07	200600463	(a) Council officers pursued a vendetta against Mr C by treating his neighbour more favourably and not enforcing her tenancy conditions (not upheld); and (b) Mr C was incorrectly pursued for Council Tax arrears and that affected his right to buy his Council house (not upheld)	Not upheld	NONE	The Ombudsman has no recommendations to make.
18/07/07	200500815	(a) the kitchen installed by the Council is inadequate due to lack of adequate storage space and drawers (not upheld); (b) the Council did not take adequate action to improve the kitchen which was installed in Mr and Mrs C's home (not upheld); (c) compensation offered to Mr C for damage caused to his home and loss of their cooker hood was inadequate (not upheld); (d) no re-decoration grant was offered to Mr C after installation of new central heating system (not upheld); and (e) the time taken by the Council to carry out and complete various repairs has been unacceptably long (not upheld).	Not upheld	NONE	The Ombudsman has no recommendations to make.
22/08/07	200502814	(a) it was not reasonable to pursue Mr A's Council Tax arrears after six years without notification (not upheld); and (b) the Council failed to link Mr A's old account to his new one, thus making it difficult to pursue his arrears (not upheld).	Not upheld	NONE	The Ombudsman has no recommendations to make.
19/09/07	200601899	the Council failed to provide Mrs A with appropriate advice on two occasions when she attended the Council's Housing Department for advice prior to selling her home and making a homelessness application (not upheld).	Not upheld	NONE	The Ombudsman has no recommendations to make.
24/10/07	200601420	(a) the Council mishandled Ms A's application for housing, following her assessment as unintentionally homeless (partially upheld); (b) the Council did not respond adequately to Ms A's concerns about this (upheld); and (c) the Council mishandled Ms A's application for a DHP (not upheld).	Partially upheld	YES	(i) provide her with a copy of the results of the review of the inventory documentation; (ii) ensure staff who are involved in the award of discretionary social points are aware of the comments in this report; (iii) ensure that all staff dealing with complaints know how to process these effectively; (iv) review guidance given to staff on recording contact with members of the public to ensure that all significant contact is recorded; (v) apologise to Mr C for their failure to respond to his letter of 1 July 2005; and (vi) apologise to Ms A for the failures in their complaint handling. The Council have accepted the recommendations and will act on them accordingly.

21/11/07	200600867	the Council: (a) failed to deal correctly with a planning application and a subsequent application for variation of the application (not upheld); (b) did not respond appropriately to concerns raised during the building process (not upheld); and (c) did not respond in full to Mr C's formal complaint (upheld).	Partially upheld	YES	(i) review the Department's guidance to staff dealing with complaints raised about building works to ensure that, where appropriate, one named member of staff be identified to deal with the complainant's correspondence; (ii) apologise to Mr C for their delay in responding to him and his MP; (iii) review their complaints procedure to ensure that they meet their own standards; and (iv) review their procedures for responding to the Ombudsman's office to ensure that they do so without undue delay. The Council have accepted the recommendations and will act on them accordingly.
21/11/07	200601465	the Council: (a) failed to deal correctly with a planning application and a subsequent application for variation of the application (not upheld); (b) did not respond appropriately to concerns raised during the building process (not upheld); and (c) did not respond in full to Mr C's formal complaint (upheld).	Partially upheld	YES	(i) enforce to all staff dealing with the public, in relation to planning and building regulation matters, the importance to communicate with them as clearly and accurately as possible; (ii) apologise to Mr C for their delay in responding to him and his MSP; (iii) review their complaints procedure to ensure that they meet their own standards; and (iv) review their procedures for responding to the Ombudsman's office to ensure that they do so without undue delay. The Council have accepted the recommendations and will act on them accordingly.
19/12/07	200600109	(a) the communication and advice from the Council was poor (upheld); (b) record-keeping by the Council in relation to council tax was inadequate (upheld); and (c) the Council's complaints handling was poor (no finding).	Upheld	YES	(i) reminds their staff to ensure the accuracy of account details before taking action on council tax accounts; (ii) apologises to Miss C for their errors and the confusion caused; and (iii) makes a payment to Miss C equal to the disputed sum of £242.00. The Council have accepted the recommendations and will act on them accordingly.
19/03/08	200603583	the Council: (a) failed to have regard to their Local Plan guidance on privacy and intervisibility of windows in granting planning consent to the application (partially upheld); (b) failed to take enforcement action to ensure that an upstairs en-suite bathroom window was provided with obscure glazing (partially upheld); and (c) delayed unduly in responding to Mr C's concerns (upheld).	Upheld	YES	he Ombudsman recommends that the Council: (i) apologise to Mr C for their shortcomings; and (ii) explore with Mr C and his neighbour the introduction of screening to preserve Mr C's privacy from overlooking from his neighbour's downstairs windows. The Council have accepted the recommendations and will act on them accordingly. They have indicated with regard to (ii) that if that outcome can be achieved, the Council's Planning Service would, in the interests of customer relations, bear such reasonable costs as might arise.