

SOUTH LANARKSHIRE 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 education.

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 8 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 46, representing 57% of the total determined, and proportionally an increase 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 eight complaints about your Council in 2007-08, of which we upheld two, partially upheld three and did not uphold three. 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.

We discontinued one complaint about your Council at the investigation stage; this complaint 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@spsso.org.uk. Fuller statistical reports are available on the SPSO website at: <http://www.spsso.org.uk/statistics/index.php>.

South Lanarkshire Council

Table 1

Received by Subject	2006/7		2007/8			All Local Authority Complaints	
	Total Contacts	Complaints Only	Total Contacts	Complaints Only	complaints as % of total	Authority Complaints	complaints as % of total
Building Control	2	2	1	1	1%	20	2%
Consumer protection	0	0	0	0	0%	3	0%
Economic development	0	0	0	0	0%	4	0%
Education	6	3	11	8	11%	67	5%
Env Health & Cleansing	5	1	2	2	3%	69	5%
Finance	13	5	10	7	10%	123	9%
Fire & police boards	0	0	0	0	0%	1	0%
Housing	36	14	38	22	31%	394	30%
Land & Property	8	4	1	1	1%	31	2%
Legal & admin	3	2	5	4	6%	66	5%
National Park Authorities	0	0	0	0	0%	2	0%
Other	3	0	1	1	1%	6	0%
Personnel	1	0	0	0	0%	29	2%
Planning	20	12	11	10	14%	243	18%
Recreation & Leisure	2	1	0	0	0%	21	2%
Roads	4	3	6	4	6%	71	5%
Social Work	7	5	10	9	13%	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	3	2	3%	20	2%
Total	111	52	100	71		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.spsa.org.uk/statistics>.

Table 2

Complaints Determined by Outcome		2006/7	2007/8
Assessment	Premature	22	46
	Out of jurisdiction	14	7
	Discontinued or suspended before investigation	0	6
	Withdrawn / Failed to provide information before investigation	6	1
Examination	Determined after detailed consideration	1	12
	Report Issued - Not Upheld	6	3
Investigation	Report Issued - Partially Upheld	2	3
	Report Issued - Fully Upheld	1	2
	Discontinued during investigation	0	1
	Withdrawn / Failed to provide information during investigation	0	0
Total		52	81

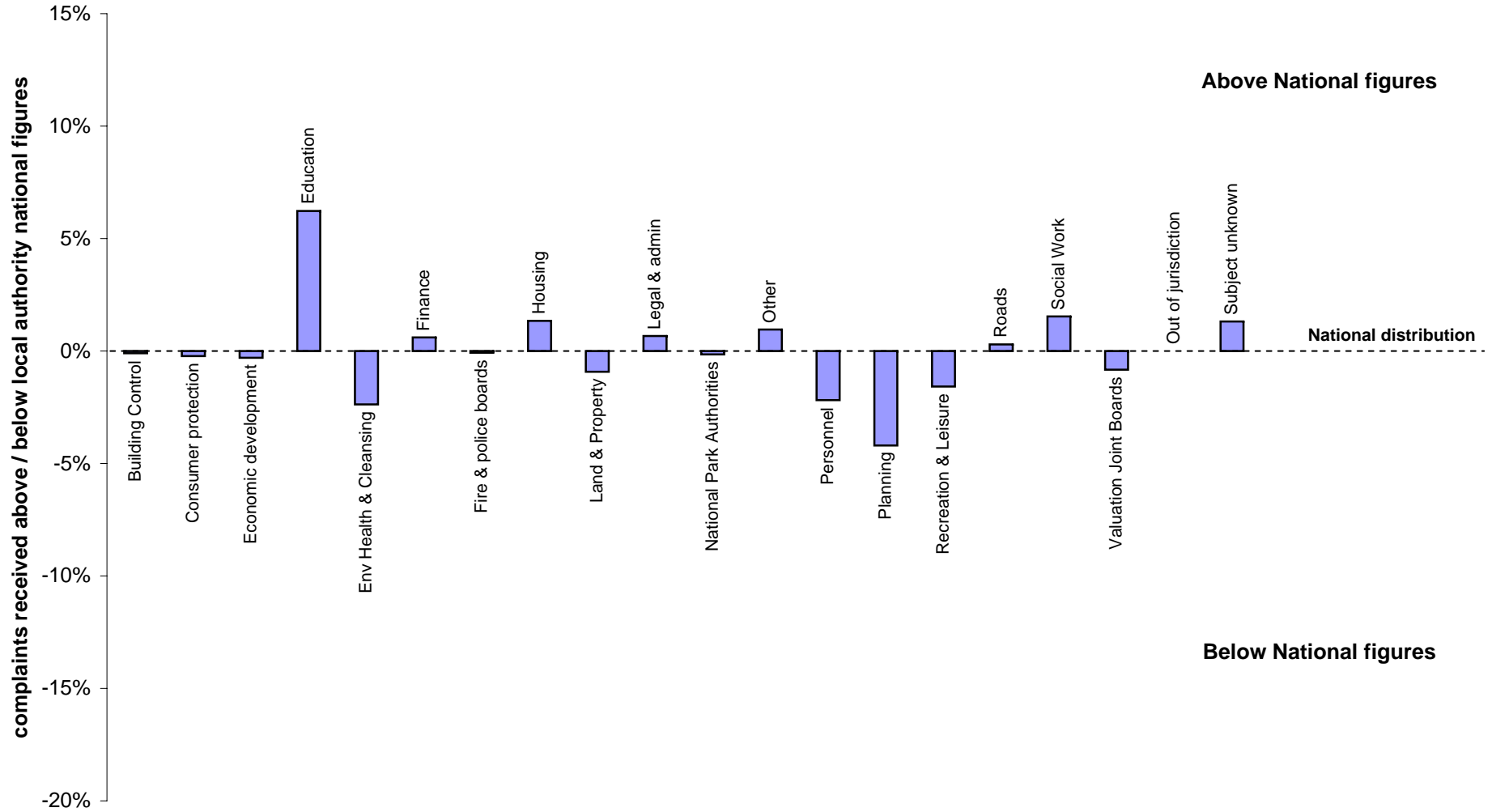
Note about comparing 2007-08 complaint numbers to the previous year:

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.spsa.org.uk/statistics>.

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



South Lanarkshire Council

	Case Ref	Summary	Finding	Recs	Recommendation(s)
23/05/07	200400549	the Council refused to replace a wooden floor that allegedly was damaged by water penetration into the living room, caused by Contractors acting on behalf of the Council in the course of a Capital Repairs Programme (upheld).	Upheld	YES	The Ombudsman recommends that in order to restore Ms C's living room to the condition it was in before the flooding occurred, the Council makes arrangements to replace the wooden floor and at the same time fulfils their previous offer to Ms C, to replace the living room ceiling and decorate the room. The Council have accepted the recommendations and will act on them accordingly.
23/05/07	200601668	(a) should have carried out an assessment of the property and Mrs A's needs in advance of carrying out any work (not upheld); (b) initially proposed the wrong kind of stair lift (not upheld); (c) took too long to install the stair lift agreed upon and failed to keep Mr C and Mrs A updated on progress (not upheld); (d) have still to complete all the required works (not upheld); (e) failed to address the problem of car parking (not upheld); and (f) have not apologised for the fact that officers took photographs outside the house without identifying themselves causing Mrs A some anxiety (not upheld).	Not upheld	NONE	The Ombudsman has no recommendations to make.
20/06/07	200600487	(a) the Council offered a property that had been offered to Mr and Mrs C to someone else on 16 February 2006, even though Mr and Mrs C were only informed that the offer had been withdrawn on 20 March 2006 (not upheld); (b) the Council fabricated a complaint of anti-social behaviour against Mr and Mrs C in order to justify having offered the property to someone else (not upheld); (c) Mr and Mrs C were shown no evidence they were responsible for anti-social behaviour (not upheld); and (d) Mr and Mrs C were not given the opportunity to respond to the complaint of anti-social behaviour that had been made against them (upheld). (e) failed to keep adequate records of their investigation (upheld); and (f) failed to follow their Estate Management Procedures (upheld).	Partially upheld	YES	(i) use this report to inform their review of their Estate Management Procedures and address the failures in record-keeping that have been highlighted; (ii) address my concerns regarding failure to follow procedures as part of their planned review of the Estate Management Procedures; and (iii) apologise to Mr and Mrs C for their failure to follow their Estate Management Procedures in investigating the allegations made against them. The Council have accepted the recommendations and have already begun implementing them.

20/06/07	200600950	(a) the Council failed to consult properly with Mrs C in advance of the works being carried out (not upheld); (b) the Council disregarded Mrs C's alternative suggestion (no finding); (c) works were completed inadequately (not upheld); (d) neighbours had similar works completed more cheaply (not upheld); and (e) the Council failed to adhere to an agreement to resolve Mrs C's complaint (not upheld).	Not upheld	NONE	The Ombudsman has no recommendations to make.
18/07/07	200501980	(a) the Council unfairly denied Mr C, on behalf of the objectors whom he was representing, the opportunity to put points to the Council's Planning Committee on 30 August 2005 (not upheld); and (b) the Council failed to properly deal with Mr C's complaints (partially upheld).	Partially upheld	NONE	The Ombudsman has no recommendations to make.
24/10/07	200600504	(a) the Review Sub-Committee was not fully aware of the terms of her complaint and hence could not make a proper decision (not upheld); (b) the outcome of the Hearing was censored (not upheld); and (c) the outcome of the Hearing was unclear (upheld).	Partially upheld	YES	The Ombudsman recommends that, in order to avoid dubiety, when the Council report their findings with regard to Review Sub-Committee hearings, care is taken to ensure that each identified head of complaint is specifically addressed and responded to. The Council have accepted the recommendation and will act on it accordingly.
21/11/07	200601843	the Council failed to engage in proper community consultation regarding the relocation of young homeless persons' accommodation to Main Street, High Blantyre, despite having done so for a similar project at Blairtum Park, Rutherglen (not upheld).	Not upheld	NONE	The Ombudsman has no recommendations to make.
20/02/08	200502440	the Council are not using the correct school boundaries when establishing school placements and free school transport (upheld).	Upheld	YES	The Ombudsman recommends that the Council carries out the actions that they have suggested to address the issues raised in this complaint, these are: (i) notify all effected parents of their intentions to guarantee school transport for their children until the end of their schooling; and (ii) ensure that the Catchment Area Review Group consider the issues raised in this report to ensure that a long term solution to the school boundary problems is achieved. The Council have accepted the recommendations and will act on them accordingly.