

SOUTH LANARKSHIRE COUNCIL

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 87 complaints about the Council, compared to 71 in the previous year. Table 2 shows the outcomes of complaints determined by the SPSO in 2008-09.

Graphs: The first graph provides a visual representation of the information from the right side of Table 1. You'll see that in 2008-09 your Council was above the national average in terms of complaints about housing. We received more complaints for your Council about housing and planning than in the previous year.

The second 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 6 on the graph, above the average. You'll see from Table 2 that the actual number of premature complaints for your Council was 61 out of a total of 89 complaints determined (69% of the total for your Council). This was an increase on the previous year's figure of 46 out of 81 (57% of the total for your Council).

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 five complaints about your Council in 2008-09. We upheld two, partially upheld two and did not uphold one. Attached is a summary sheet showing these complaints, and summarising the recommendations made. As you are no doubt aware, SPSO Complaints Investigators follow up to find out what changes have been made as a result of recommendations.

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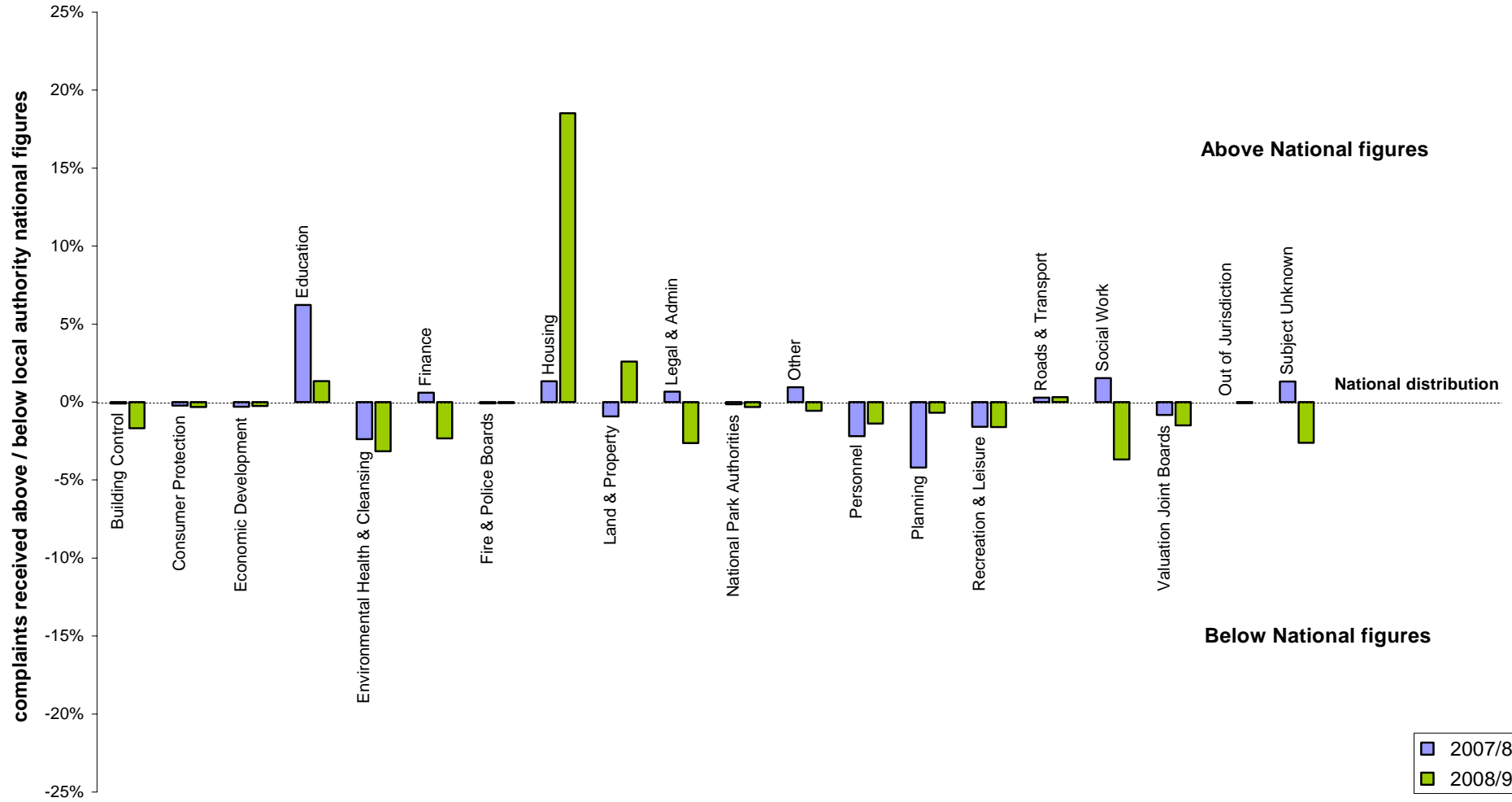
We hope that you find this summary information useful. If you have any enquiries about the statistics, please contact Annie White, SPSO Casework Knowledge Manager, on 0131 240 8843 or email awhite@spsso.org.uk . Fuller statistical reports are available on our website at: <http://www.spsso.org.uk/statistics/index.php>.

South Lanarkshire Council

Table 1

Received by Subject	2007/8			All Local Authority Complaints			2008/9			All Local Authority Complaints		
	Total Contacts	Complaints Only	complaints as % of total	Total Contacts	Complaints Only	complaints as % of total	Total Contacts	Complaints Only	complaints as % of total	Total Contacts	Complaints Only	complaints as % of total
Building Control	1	1	1%	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	11	8	11%	67	5%		6	6	7%	89	6%	
Environmental Health & Cleansing	2	2	3%	69	5%		2	1	1%	69	4%	
Finance	10	7	10%	123	9%		7	6	7%	148	9%	
Fire & Police Boards	0	0	0%	1	0%		0	0	0%	1	0%	
Housing	38	22	31%	394	30%		44	41	47%	459	29%	
Land & Property	1	1	1%	31	2%		4	4	5%	32	2%	
Legal & Admin	5	4	6%	66	5%		3	2	2%	79	5%	
National Park Authorities	0	0	0%	2	0%		0	0	0%	5	0%	
Other	1	1	1%	6	0%		0	0	0%	9	1%	
Personnel	0	0	0%	29	2%		0	0	0%	22	1%	
Planning	11	10	14%	243	18%		15	14	16%	269	17%	
Recreation & Leisure	0	0	0%	21	2%		1	1	1%	44	3%	
Roads & Transport	6	4	6%	71	5%		6	5	6%	87	5%	
Social Work	10	9	13%	148	11%		8	7	8%	188	12%	
Valuation Joint Boards	0	0	0%	11	1%		0	0	0%	24	1%	
Out of Jurisdiction	1	0	0%	0	0%		0	0	0%	1	0%	
Subject Unknown	3	2	3%	20	2%		1	0	0%	42	3%	
Total	100	71		1,329			97	87		1,604		

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



South Lanarkshire Council

Table 2

Complaints Determined by Outcome		2007/8		2008/9	
			<i>All Local Authority</i>		<i>All Local Authority</i>
Assessment	Premature	46	760	61	923
	Out of Jurisdiction	7	154	5	102
	Withdrawn or failed to provide information before investigation	6	178	4	158
	Discontinued or suspended before investigation	1	42	0	12
Examination	Determined after detailed consideration	12	240	14	279
Investigation	Report issued: not upheld	3	82	1	25
	Report issued: partially upheld	3	62	2	22
	Report issued: fully upheld	2	23	2	15
	Withdrawn or failed to provide information during investigation	0	4	0	1
	Discontinued or suspended during investigation	1	13	0	9
Total		81	1,558	89	1,546

South Lanarkshire Council

Published	Case Ref.	Summary	Decision	Recommendation(s)
23/04/08	200602228	the Council: (a) took an unacceptable amount of time to resolve this issue (upheld); and (b) failed to investigate Mr C's complaints against two members of staff and also failed to follow the Council's complaints procedure when they received his formal complaint (upheld).	upheld	(i) write to Mr C to apologise for the delays in assessing his claim for Council Tax Benefit; and (ii) reinforce to staff the importance of ensuring that formal complaints are considered in line with the Council's complaints procedure. The Council have accepted the recommendations and will act on them accordingly.
23/04/08	200603125	(a) gave Mr C incorrect or misleading advice regarding his initial enquiries about an application for outline planning permission to build a one bedroom single storey dwelling adjacent to his property (not upheld); (b) gave incorrect status to Mr N's planning application, to Mr C's detriment (not upheld); (c) failed to deal with Mr C's initial planning enquiries within the correct timescales (partially upheld); and (d) failed to address the specific points in Mr C's letters and emails of complaint (partially upheld).	partially upheld	(i) apologise to Mr C for failing to deal with his enquiry in accordance with Council guidance and provide feedback to the staff involved in this case on the timescales contained in the guidance; and (ii) apologise to Mr C for failing to adequately address all issues raised in his complaints. The Council have accepted the recommendations and will act on them accordingly.
21/05/08	200501028	(a) the Council did not give proper consideration to the planning application (not upheld); (b) the Council did not deal with Mr C's enquiries properly or satisfactorily (not upheld); (c) the Council's publication 'A Guide to the Planning Decision-Making Process' was deficient (not upheld); and (d) the Council's complaints process was flawed (not upheld).	not upheld	The Ombudsman recommends that the Council apologise to Mr C for not responding appropriately to his point in letters of 19 March 2005, 28 March 2005 and 2 April 2005 advising that he had not received the promised letter of 11 March 2005. The Council have accepted the recommendations and will act on them accordingly.
18/06/08	200600025	(a) the letter of 11 July 2005 resulted in unnecessary delay affecting the progression of the application (not upheld); (b) the terms of the letter dated 11 July 2005 which was issued to Mr C's client were inaccurate (upheld); (c) the Council failed to register the application which resulted in an unnecessary two-month delay (not upheld); and (d) the Council failed to issue a letter requesting an extension for dealing with the application as required by statute (not upheld).	partially upheld	apologise to Mr C for issuing an inaccurate and misleading letter. The Council have accepted the recommendations and will act on it accordingly.
18/06/08	200701326	the Council unfairly withdrew Mrs A's son's right to free transport on his transfer to secondary school (upheld).	upheld	(i) formally apologise to Mrs A for the errors which have occurred in this case; and (ii) put in place arrangements to provide Mrs A's son with free transport to and from school, during his secondary education, for such time as he remains at his current school. The Council have accepted the recommendations and will act on them accordingly.