

2009-10 Statistics Tables – Explanatory Notes and Commentary

Tables:

Attached are summary details of the complaints that the SPSO received and determined about your Council in 2009-10. Table 1 details the number of complaints (by our subject categories) received for your Council for 2008-09 and 2009-10, alongside the total of local authority complaints for these years. In previous years we have used this table to show the total of all contacts (enquiry calls and complaints) that we received about your council. This year we have not included enquiry calls, as feedback has shown that it is more meaningful for you if we concentrate on the actual complaints received. We recorded 58 complaints about the Council, compared to 43 in the previous year.

Table 2 shows the outcomes of complaints determined about your Council by the SPSO in 2009-10. Received and determined numbers do not normally tally exactly, as figures tend to include cases carried forward from the previous year.

Graph of prematurity rates: The anonymised graph shows, for each Council, the percentage of complaints that we received and determined as premature, against the national average in 2009-10 (55%). This represents a decrease on the 2008-9 average of 60%, which is to be welcomed. Figures have been rounded up or down to the nearest whole percentage.

We consider a complaint to be premature when it reaches us before the complainant has been through the full complaints process of your 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 8 on the graph, above the average. You will see from Table 2 that the actual number of premature complaints for your Council was 36 out of a total of 59 complaints determined (61% of the total for your Council). The previous year's figure was 29 out of 46 (63% of the total for your Council). The proportion of premature complaints has therefore reduced slightly against an increased number of complaints determined, although it still represents a fairly high level of premature complaints received about your Council.

NB We do not adjust our figures to mitigate the impact of housing stock transfer. It is evident, however, that there is 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 is a disproportionately high incidence of prematurity in housing complaints.

Reported Complaints and Recommendations

We investigated and reported on two complaints about your Council in 2009-10, both of which we upheld. Attached is a summary sheet showing these complaints, and summarising the recommendations made. You will be aware that SPSO complaints reviewers 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 provided, please contact Annie White, SPSO Casework Knowledge Manager, on 0131 240 8843 or by emailing awhite@spsos.org.uk. Statistical reports are available on the SPSO website at: <http://www.spsos.org.uk/statistics/index.php>.

Table 1

Complaints Received by Subject		Aberdeenshire Council	Complaints as % of total	Sector Total	Complaints as % of total
2008-09	Building Control	0	0%	27	2%
	Consumer protection	0	0%	5	0%
	Economic development	0	0%	4	0%
	Education	3	7%	89	6%
	Environmental Health & Cleansing	1	2%	69	4%
	Finance	5	12%	148	9%
	Fire & Police Boards	0	0%	1	0%
	Housing	9	21%	459	29%
	Land & Property	1	2%	32	2%
	Legal & admin	1	2%	79	5%
	National Park Authorities	0	0%	5	0%
	Other	0	0%	9	1%
	Personnel	1	2%	22	1%
	Planning	12	28%	269	17%
	Recreation & Leisure	0	0%	44	3%
	Roads & Transport	2	5%	87	5%
	Social Work	5	12%	188	12%
	Valuation Joint Boards	0	0%	24	1%
	Out of Jurisdiction or Subject Unknown	3	7%	43	3%
	Total	43		1,604	
2009-10	Building Control	1	2%	36	2%
	Consumer protection	0	0%	10	1%
	Economic development	0	0%	2	0%
	Education	2	3%	94	5%
	Environmental Health & Cleansing	0	0%	71	4%
	Finance	5	9%	143	8%
	Fire & Police Boards	0	0%	3	0%
	Housing	11	19%	432	25%
	Land & Property	1	2%	33	2%
	Legal & admin	6	10%	90	5%
	National Park Authorities	0	0%	8	0%
	Other	1	2%	11	1%
	Personnel	0	0%	24	1%
	Planning	21	36%	264	15%
	Recreation & Leisure	0	0%	73	4%
	Roads & Transport	2	3%	94	5%
	Social Work	8	14%	199	11%
	Valuation Joint Boards	0	0%	19	1%
	Subject Unknown or Out Of Jurisdiction	0	0%	128	7%
	Total	58		1,734	

Table 2

Complaints Determined By Outcome			Aberdeenshire Council	
			Sector Total	
2008/09	Assessment	Premature	29	923
		Out of Jurisdiction	4	102
		Discontinued before Investigation	4	170
	Examination	Determined after detailed consideration	6	279
	Investigation	Report issued: complaint not upheld	0	25
		Report issued: complaint partially upheld	0	22
		Report issued: complaint fully upheld	1	15
		Discontinued during Investigation	2	10
		Total	46	1,549
	2009/10	Assessment	Premature	36
Out of Jurisdiction			5	118
Discontinued before Investigation			3	194
Other			0	17
Examination		Determined after detailed consideration	13	409
Investigation		Report issued: complaint not upheld	0	13
		Report issued: complaint partially upheld	0	25
		Report issued: complaint fully upheld	2	12
		Discontinued during Investigation	0	6
		Total	59	1,837

Aberdeenshire Council

Published	Case Ref.	Summary	Overall Report Decision	Recommendation(s)
17/06/2009	200602628	(a) the failure of the Council to repair or modernise the house and garden, prior to and since taking up tenancy, and to make the house wind and watertight (upheld); (b) the System in place when Mrs C took up tenancy was not fit for the purpose intended and the Replacement System was inadequate (upheld); and (c) the failure of the Council to connect a mains water supply to the home (upheld).	upheld	(i) meet with Mrs C to identify and agree the repairs still required to the house, taking account of the issues identified in paragraphs 13 and 16, together with any other outstanding repairs, and their decision to upgrade all Cruden homes as reported in paragraph 38; (ii) provide him with an action plan detailing timescales to complete the outstanding works; (iii) reconsider Mrs C's claim for compensation for damage caused to her property from the flood; (iv) take action to insulate and draught proof Mrs C's property adequately; (v) re-assess the effectiveness of the Replacement System in relation to Mrs C's property, following action to insulate and draught proof Mrs C's home; and (vi) provide a full formal apology for the delay in connecting Mrs C to a mains water supply and for the failings identified in this report.
17/02/2010	200703201	(a) the Council failed to fulfil their proposal on a remedy for the acknowledged procedural errors associated with the determination of the planning applications on Plots A and B; (upheld) and (b) there were shortcomings in the handling of a further planning application for changes to Plot B (upheld)	upheld	(i) without further delay, make arrangements to pay Mr C the balance of the outstanding legal costs; (ii) without delay, take steps to have Mr C's bills independently audited to verify the costs he has claimed he has expended, as a result of the loss of his right to make representations on the planning applications related to Plots A and B and in pursuing his complaint to the Council; (iii) take steps to arrange for the planting of mature laurel bushes of at least 3 metres high to add to or replace those which are sited in front of the habitable rooms on the plane of the main gable of the house on Plot A and over a length of 10 metres, the position to be decided by Mr C; (iv) take immediate steps to enter into dialogue with the Agents of the owner of Plot B to secure a formal planning consent for the opaque windows or a formal planning agreement and make this conditional on the Council meeting the costs involved; and (v) in recognition of their failure to provide a solution through planning permission, which dealt with the problem of overlooking from Plot B, the Council should formally apologise to Mr C for their further shortcomings in the handling of this planning matter. The Council have accepted the recommendations and will act on them accordingly.