

ARGYLL AND BUTE 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 we received an above average number of complaints about your Council in the areas of planning, roads and social work.

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 29 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 nine, which was 32% of the total determined, and a significant reduction on the previous year's figure.

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 three complaints about your Council in 2007-08, of which we upheld one, and did not uphold two. 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.

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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>.

Argyll and Bute Council

Table 1

Received by Subject	2006/7		2007/8		complaints as % of total	All Local Authority	
	Total Contacts	Complaints Only	Total Contacts	Complaints Only		Complaints	complaints as % of total
Building Control	1	0	1	1	5%	20	2%
Consumer protection	0	0	0	0	0%	3	0%
Economic development	0	0	0	0	0%	4	0%
Education	1	0	1	0	0%	67	5%
Env Health & Cleansing	2	1	1	1	5%	69	5%
Finance	2	0	4	2	9%	123	9%
Fire & police boards	0	0	0	0	0%	1	0%
Housing	9	4	2	1	5%	394	30%
Land & Property	3	1	2	1	5%	31	2%
Legal & admin	2	0	4	1	5%	66	5%
National Park Authorities	0	0	0	0	0%	2	0%
Other	2	0	1	1	5%	6	0%
Personnel	0	0	0	0	0%	29	2%
Planning	18	10	9	6	27%	243	18%
Recreation & Leisure	1	0	0	0	0%	21	2%
Roads	7	6	3	3	14%	71	5%
Social Work	9	5	6	5	23%	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	59	27	35	22		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	16	9
	Out of jurisdiction	4	4
	Discontinued or suspended before investigation	0	4
	Withdrawn / Failed to provide information before investigation	2	1
Examination	Determined after detailed consideration	3	7
Investigation	Report Issued - Not Upheld	1	2
	Report Issued - Partially Upheld	1	0
	Report Issued - Fully Upheld	2	1
	Discontinued during investigation	0	0
	Withdrawn / Failed to provide information during investigation	0	0
Total		29	28

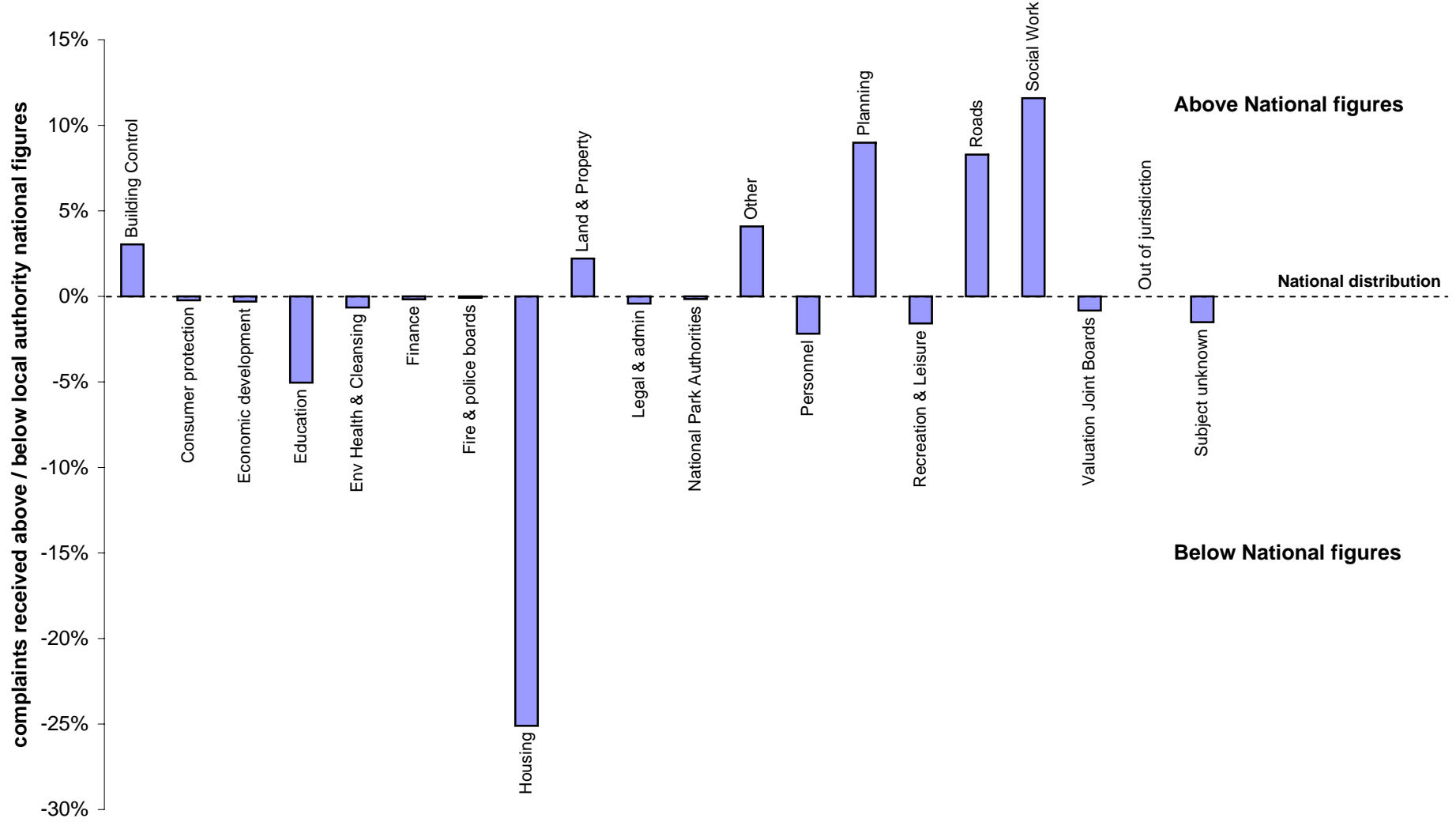
Note about comparing 2007-08 complaint numbers to the previous year:

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: Argyll and Bute Council proportions compared to the distribution of all local authority complaints received



Argyll and Bute Council

	Case Ref	Summary	Finding	Recs	Recommendation(s)
19/09/07	200602214	(a) the procedure followed by the Council in relation to the PAN 41 hearing on 6 January 2006 was insufficiently transparent to the public (not upheld); (b) the Council failed to acknowledge or respond to a petition submitted in April 2006 and refused to allow it as a late objection (not upheld); (c) during the consultation process relating to the Argyll and Bute Local Plan, the Council failed to communicate effectively with the local community (not upheld); and (d) the Council failed to take the community's wishes into account (not upheld).	Not upheld	YES	ensure that the role of the Public Service and Licensing Committee is clarified within the Council. The Council have accepted the recommendations and have acted on them accordingly.
24/10/07	200601959	The complaint which has been investigated is that the notification of a proposed Traffic Order was inadequate and this led to a reduced opportunity for Mr C, as an affected resident, to participate in the consultation on the proposals (upheld).	Upheld	YES	(i) apologise to Mr C for shortcomings in the notification of the proposed Traffic Order; and (ii) undertake a review of the way it notifies proposed Traffic Orders to reflect the concerns raised in this report, giving particular attention to the wording of advertisements and the notification of residents considered likely to be affected by proposed changes.
19/12/07	200603820	(a) the Council raised numerous obstacles delaying the progress of the applications. In particular, Mr C claimed that the subject of road access was only mentioned seven months after the submission of the first application (not upheld); (b) the Council reneged on an agreement reached in September 2006 that, if the access road was included in the application, they would validate it and recommend it for approval (not upheld); (c) the Council failed to advise of a change of policy (Policy ENV 14) and the likely effects of that on Mr C's application (not upheld); (d) Policy ENV 14 is insufficiently specific, leaving it open to differing interpretations (not upheld); and (e) Council officers applied Policy ENV 14 inconsistently in different Council areas (not upheld).	Not upheld	NONE	The Ombudsman has no recommendations to make.