

**Statutory Performance Indicators**

**Council Profiles 2007/08**

**Section 1**

**Introduction**

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# Introduction

## Background

The Council Profiles summarise information on council performance for use by council chief executives and senior officers, and other people interested in council performance. They are produced by Audit Scotland on behalf of the Accounts Commission.

The performance information included in the Council Profiles has also been published by Audit Scotland in the data Compendium. However, it is presented here in the form of a Profile of each council that shows trends in performance against a range of measures taken from the statutory performance indicators specified by the Accounts Commission.

The main value of the Profiles lies in the questions they generate about the management of services in the future, as investigating factors underlying trends can help management understand what is necessary to improve performance.

The Profiles are set out in three sections:

- Section 1 introduces the approach to the Profiles. It covers details of the way in which the performance information, other work undertaken by Audit Scotland and appointed auditors, inspectorate and Scottish Public Services Ombudsman publications are used in the Profiles. It also shows details of a number of pieces of contextual information given about each council's area.
- Section 2 contains a Profile for each council, with measures drawn from the SPIs for the financial years 2005/06, 2006/07 and 2007/08; there is also information for each council drawn from other reports.
- Section 3 contains Profiles on an indicator-by-indicator basis showing the comparative performance of each council over the three years.

## Statutory performance indicators

The Accounts Commission has a statutory responsibility<sup>1</sup> to specify information that councils must publish about their performance, in the form of statutory performance indicators (SPIs). Councils are required to publish the information locally.

In order to facilitate comparison between councils' performance, Audit Scotland publishes on its web site:

- a comprehensive compendium of all the information for all the services for which there are SPIs
- these Council Profiles.

New indicators are developed following wide-ranging consultation that involves councils, professional associations, the Convention of Scottish Local Authorities (COSLA), various Scottish Government directorates, inspectorates and other interested parties.

Performance information is important both to council managers for performance management, and to others for holding a council to account. The SPIs:

- help council managers to see whether services are improving or deteriorating, so that action can be taken to make changes
- help councillors to fulfil their scrutiny role
- help others to hold a council to account for its work

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1. 'The Local Government Act 1992'.

- are used for measuring and benchmarking performance locally.

The SPIs cover many of the main services in all councils but they are only one element – albeit a significant one – in a larger performance assessment framework that includes:

- the Best Value audits carried out on each council by Audit Scotland every three years or so
- the reports of other inspectorates and regulatory bodies ensuring that the quality of particular service areas is maintained to a satisfactory standard
- information on the council's Single outcome Agreement with the Scottish Government
- the use of customer feedback and local performance information.

Several factors affect the way a council performs its activities. It is necessary to be aware of these in order to understand why results may vary. Some factors are outwith the control of the council – for example, the level of deprivation and the mix between urban and rural settlements. Other factors may be specific to a particular service or to the groups of people it serves.

These local factors may mean that a council with a performance which, at first sight, appears to be worse than that of another has, in fact, done better given the circumstances it faces.

### **SPI measures included in the Profiles**

During 2000, we consulted widely on the development of the SPIs and, in particular, on the criteria to be used when determining what indicators to include in the Commission's annual Direction. As a result it was agreed that:

- indicators should, where possible, be output or outcome focused – ie concentrate on what the service delivers. These should be balanced with economy/efficiency indicators to allow a rounded view of how well services are managed
- it should be generally agreed whether a change in performance reflects an improvement or a decline, eg a shorter time to process planning applications is an improvement, as is a higher percentage of food hygiene inspections completed within the target times; but a higher average number of weeks taken to complete an assessment of special educational needs is a decline in performance
- indicators should refer to nationally set or agreed targets or standards, rather than local ones. This means that comparison between councils can be made on a more like-for-like basis. Councils' local targets, and their performance in meeting them, should now be included in local public performance reports (PPRs).

The principle followed is that each of the council-related SPIs is represented in the Profiles unless they fail to comply with these criteria. However, we have also excluded a small number of SPIs:

- that measure very small differences between councils where, to a large extent, they are meeting national standards and there is no significant difference in performance (eg, the proportion of primary classes with more than 33 pupils)
- where the incidence of problems is generally very low
- where several councils report very small numbers (eg, children leaving care away from home) and, therefore, ranking is inappropriate

- where, since the inclusion of the indicator in the Direction, it has become clear that the number of councils able to provide robust full year data is too small to make ranking appropriate (eg the age of street lighting columns).

In all, the Council Profiles for 2007/08 contain 82 measures taken from the SPIs. Information on the full range of SPIs specified by the Accounts Commission for 2007/08 can be found in the data Compendium on this web site.

### **Change over time – presentation**

The Profiles highlight the extent to which councils recorded a significant decline or improvement in their actual recorded level of performance for specific service areas over the three years between 2005/06 and 2007/08.

Not all measures were applicable throughout this period because some SPIs have been deleted, some have been modified and a number of new SPIs have been introduced. Of the 82 measures in the Profiles 69 facilitate the comparison of performance over time.

For each council, change in performance is measured as an improvement or decline relative to the performance level in 2005/06. For example, a council that collected 91% of council tax income due in 2007/08, within that year, compared to 82% in 2005/06, would be recorded as having a 10% improvement.

We report performance change in the following bands:

- between 5% and less than 10% (shown in data tables as 5-9%)
- between 10% and less than 15% (shown in data tables as 10-14%)
- 15% or more (shown in data tables as >15%).

In Section 2, a tick against the highest applicable band shows an improvement. For example, where performance improved by 11.5%, then a tick is shown in the column for 10-14%. If performance declined a cross is shown instead of a tick. Changes of less than +/- 5% are not highlighted.

Each council's Profile identifies those measures where the council's performance was relatively poor in 2005/06 ie, it had a ranking of 25 or worse, and where its performance for these measures has not materially improved over the last two years. That is, the council has not improved its 2005/06 performance by at least 5%.

Clearly, a council's individual priorities affect where it puts its improvement efforts. It is also more difficult to improve if performance is already relatively high. However, in view of the duty of Best Value, councils should be seeking to improve performance across the range of services and so we would expect to see more improvements than deteriorations.

Section 3 also shows, for each measure where comparison between 2005/06 and 2007/08 is possible, the extent to which those councils whose performance was comparatively poor in 2005/06 ie, those with a ranking of 25 or below, have not made any improvement on their performance for that indicator. That is, they have not improved their relatively poor 2005/06 performances by at least 5%.

### **Change over time – analysis**

In 2007/08 each council saw its performance improve on some measures and decline on others (**Exhibit 1**).

The analysis shows an overall gain of 906 identified improvements compared to 623 last year, set against 533 identified deteriorations compared to 421 last year. It should be borne in mind that the number of comparable measures (69) for 2007/08 is considerably higher than in previous years. However, the overall ratio of improvement to decline for these measures was 1.7 to 1, continuing an encouraging trend of improvement over the five years since the introduction of the 2003 Act when the ratio was 1.04 to 1 (**Exhibit 2**).

Clackmannanshire, with a reported improvement/decline ratio of 3.25 to 1 has the best record for the year, with North Ayrshire and Scottish Borders also reporting ratios of at least 2.5 to 1.

This year, Angus (again) and Dumfries & Galloway were the only councils to report more declining measures than improving ones.

For each council it is necessary to consider the information on improvement or deterioration in relation to how well it is doing in comparison with other councils. Some councils have a higher proportion of higher ranking indicators. These councils might have less scope to make material improvements across a range of indicators than councils with a higher proportion of relatively poor performance results. Therefore, in Section 2, the analysis of indicators for each council shows both the indicators where change has occurred and the relative ranking of the council in comparison with other councils' performance.

Of particular concern is what has happened to indicators where councils reported relatively poor performance two years ago – have they improved or not?

**Exhibit 3** shows how many relatively poor performances have improved over the last two years. It shows the extent to which councils have made material improvement (ie, of at least 5%) in indicators where they were ranked 25 or worse in 2005/06.

It is important to look at Section 2 to see the details of performance against each indicator, as not all the indicators that were poorly ranked will be of equal importance to the council or to service users. Accepting that caveat, the exhibit highlights that several councils have made material improvements in many of the areas where they reported problems two years ago.

Among councils with fewer than ten low rankings, four (East Renfrewshire, Moray, Falkirk and Stirling) have improved in most of the affected service areas. Three councils (North Ayrshire, Renfrewshire and South Lanarkshire) have improved in less than 50% of the service areas where their ranking is low.

Among those with ten or more low ranking indicators, Aberdeen City, Clackmannanshire, City of Edinburgh, Fife and Midlothian have made significant improvements. However, Angus and Perth & Kinross with 15 and 14 low rankings respectively, each failed to improve on at least 50% of the service areas where their ranking is low.

It is important to note that this is only one analysis of data taken from the SPIs. It should not be considered on its own to imply that a particular council is a good or bad council. Nevertheless, it does highlight a number of issues about performance for a wide variety of service areas and shows the extent to which, for those areas, councils have achieved significant improvement over time. Different analyses, for example using smaller percentage change intervals, will give other comparative results.

**Exhibit 1: Performance change in councils**

Councils have a ratio of improved indicators to deterioration ranging from 3.25:1 to 0.77:1.

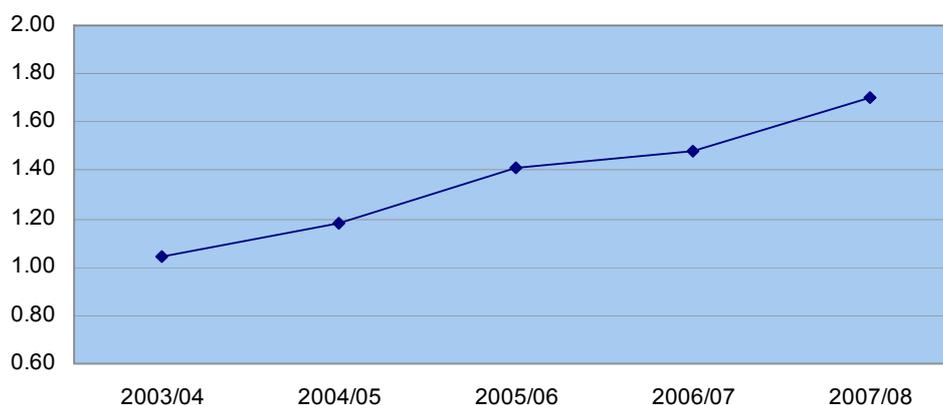
	Performance change between 2005/2006 and 2007/2008		
	total number that declined by >5%	total number that improved by >5%	Overall ratio of improvement to decline
Aberdeen City	12	22	1.83
Aberdeenshire	19	30	1.58
Angus	26	20	0.77
Argyll & Bute	16	24	1.50
Clackmannanshire	12	39	3.25
Dumfries & Galloway	18	17	0.94
Dundee City	17	24	1.41
East Ayrshire	16	36	2.25
East Dunbartonshire	17	36	2.12
East Lothian	19	31	1.63
East Renfrewshire	15	30	2.00
City of Edinburgh	18	33	1.83
Eilean Siar	19	19	1.00
Falkirk	19	27	1.42
Fife	12	29	2.42
Glasgow City	16	26	1.63
Highland	23	27	1.17
Inverclyde	14	29	2.07
Midlothian	20	29	1.45
Moray	17	32	1.88
North Ayrshire	11	29	2.64
North Lanarkshire	17	31	1.82
Orkney Islands	19	26	1.37
Perth & Kinross	19	26	1.37
Renfrewshire	16	24	1.50
Scottish Borders	12	31	2.58
Shetland Islands	16	27	1.69
South Ayrshire	19	31	1.63
South Lanarkshire	17	29	1.71
Stirling	12	29	2.42
West Dunbartonshire	15	36	2.40
West Lothian	15	27	1.80
<b>Scotland</b>	<b>533</b>	<b>906</b>	<b>1.70</b>

The table excludes measures where performance changed by less than 5%.

Audit Scotland

**Exhibit 2: Ratio of improvement to decline over time.**

This table shows the change in ratio of improvement to decline for those measures that facilitate comparison, used in the Council Profiles since the introduction of the BV legislation in 2003.



**Exhibit 3: The extent to which councils have improved in poorly performing service areas.**

The extent to which problem areas have improved varies among councils. The figures in brackets show the number of indicators that were ranked 25 or lower in 2005/06 and the number of these that had improved in 2007/08.

Improvement in at least 75%	Improvement in between 50 and 75%	Improvement in less than 50%
Aberdeen City (10 of 12)	Aberdeenshire (7 of 10)	Angus (7 of 15)
Clackmannanshire (14 of 15)	Argyll & Bute (11 of 19)	North Ayrshire (2 of 7)
East Renfrewshire (7 of 9)	Dumfries & Galloway (7 of 14)	Perth & Kinross (6 of 14)
City of Edinburgh (11 of 13)	Dundee City (9 of 13)	Renfrewshire (3 of 8)
Fife (10 of 12)	East Ayrshire (11 of 15)	South Lanarkshire (3 of 7)
Midlothian (8 of 10)	East Dunbartonshire (10 of 16)	
Moray (7 of 9)	East Lothian (8 of 14)	
	Eilean Siar (10 of 17)*	
	Falkirk (5 of 7)	
	Glasgow City (12 of 18)	
	Highland (6 of 11)	
	Inverclyde (11 of 17)*	
	North Lanarkshire (10 of 15)	
	Orkney Islands (11 of 19)	
	Scottish Borders (10 of 16)	
	Shetland Islands (14 of 20)	
	South Ayrshire (5 of 10)	
	Stirling (6 of 9)	
	West Dunbartonshire (11 of 15)	
	West Lothian (7 of 12)	

\* Excludes indicators relating to housing stock transfer.

## Ranking and data quality

Within the data tables for each measure in Section 3, councils are ranked 1 to 32 on their performance against each measure in 2007/08. Councils in the top quarter, ie ranked 1 to 8 inclusive, are identified with a tick (✓) in the ranking column. Conversely, councils in the bottom quarter, ranked from 25 to 32, are highlighted with a cross (X).

Where, for example, three councils are rated 'first equal', the next best performing council is given a rank of 4. Similarly, where two councils have a rank of 15, the next best performing council is ranked 17.

There are a few instances where a council did not provide a particular service and therefore did not report a corresponding PI measurement. This is shown as NS (no service) in the tables.

For services that were provided, the PI data reported by each council may have been qualified by its external auditor in one of two ways. Firstly, where a council failed to report specific items of data, relevant cells within tables are marked FTR (failure to report).

Secondly, the external auditor may have expressed reservations about the council's arrangements for producing reliable performance information. In such cases, the relevant reported numbers are underlined within data tables, eg 98%. Audit Scotland takes the view that it is inappropriate to compare the performance of councils on the basis of unreliable data. Therefore, information that has been identified as unreliable has not been used for either:

- demonstrating change in performance over time (section 2)
- making comparison between the relative performance and ranking of councils in the year (sections 2 and 3)
- calculating the average performance of councils (sections 2 and 3)

Consequently, councils are ranked 1 to 32 for most measures but there are cases where, for example, the poorest performing council may be ranked 30 because two councils did not return data.

Family groups have been developed in consultation with councils and professional bodies for eight measures:

- Finance – council tax:
  - the gross cost of collecting council tax per chargeable dwelling
  - the percentage of council tax income due for the year that was collected in the year
- Housing – rent arrears:
  - current tenants' arrears as a percentage of the net amount of rent due in the year
  - the percentage of current tenants owing more than 13 weeks' rent at year end, excluding those owing less than £250.
- Waste Management:
  - the gross cost of refuse collection per property
  - the gross cost of refuse disposal per property
  - street cleanliness
  - the removal of abandoned vehicles

In Section 3, the indicator-by-indicator tables report data within these family groups, without an all-Scotland ranking.

The family groups for these indicators are based on factors that are outwith the control of the councils but are recognised as affecting their ability to perform (eg, population density and deprivation). The SPIs use the family groups developed by detailed analysis in relevant earlier Accounts Commission reports:

- 'Council tax collection' (February 1998)
- 'Benchmarking refuse collection' (April 2000)
- 'Managing rent arrears' (June 2000)

These reports may be found on our web site at:

<http://www.audit-scotland.gov.uk/work/>

### **Sustainable development**

Early in 2006 the Scottish Executive published its revised strategy for sustainable development in Scotland and introduced a series of new indicators against which to demonstrate achievement. The new indicators may be found on the Scottish Government web site at:

<http://www.scotland.gov.uk/Resource/Doc/921/0033440.pdf>

However, prior to these changes, the Executive had identified a series of 24 indicators reflecting its sustainable development objectives for Scotland. These may be found on the Scottish Government web site at:

[www.scotland.gov.uk/Publications/2004/02/18983/33601](http://www.scotland.gov.uk/Publications/2004/02/18983/33601)

Four of these indicators are directly linked to services provided by councils in 2007/08. They are:

- the number of homeless people entitled to permanent accommodation
- municipal waste tonnage
- the percentage of household waste recycled
- the tonnage of biodegradable municipal waste landfilled.

In Section 2, each council's Profile contains two indicators reflecting its performance in tackling homelessness and one indicator reflecting performance in relation to recycling.

In Section 3 the indicator-by-indicator tables report data showing the comparative performance of councils in relation to these indicators.

## **Audit of Best Value and Community Planning**

### **Local Government in Scotland Act 2003**

The Local Government in Scotland Act 2003 gives each council a duty to:

- secure Best Value, broadly defined as achieving continuous improvement in the performance of their services; and
- maintain a Community Planning process, for consultation and cooperation in the provision of local public services.

Scottish Ministers have issued statutory guidance to assist councils to implement these duties. Most of the key concepts within the Best Value guidance have been adopted by Scottish councils since 1997 on a voluntary basis. Other elements, such as equalities and sustainable development, are new explicit requirements. Councils are generally less well advanced in implementing the key elements of the Community Planning guidance.

The Local Government in Scotland Act 2003 specifically requires auditors to satisfy themselves that councils are complying with its provisions. The powers of the Accounts Commission to carry out studies, and the Controller of Audit's reporting duties, are extended to include Best Value and Community Planning, as set out in the statutory guidance.

### **The audit**

The audit of Best Value and Community Planning has been designed to match the requirements and the tone of the 2003 Act, which sets a series of high-level goals for councils but leaves considerable local discretion on the methods to be used.

The audit adopts a new approach to auditing Best Value, based on some key defining principles, which are listed below.

#### **Local context**

Councils have a local democratic mandate, with differing priorities. This is recognised in the Best Value legislation, which is descriptive, not prescriptive. Each council is free to determine its own arrangements in order to achieve Best Value and respond to the distinctive needs of its local community. While the audits will have an interest in comparisons between councils in order to assess the potential for improvement, the emphasis will be on performance trends within each council.

#### **No league tables or scores**

The emphasis on local context recognises the difficulty of making comparisons between councils. In addition, councils are large and complex organisations, with a range of strengths and weaknesses. Therefore, there will not be any use of simplistic league tables or overall labels for each council. Instead, reports will aim to provide a robust assessment of each council's strengths and weaknesses, focusing on the need for specific improvements.

#### **Corporate focus**

Councils have a corporate responsibility for Best Value and Community Planning. Therefore, the audit will have a corporate focus. The performance of individual services may be examined in some detail, but selected within the context of the council as a whole. As well as senior managers, the audit will directly involve elected members, assessing how they are able to meet their distinctive corporate responsibilities.

#### **Performance**

Best Value is essentially concerned with continuous improvement in performance. While the audit will address a council's management arrangements, it will also focus on the effectiveness of these processes. The key concern is not with service inputs. It is with results, aiming to obtain evidence on tangible impacts being made on the needs of the community.

At the conclusion of each council audit, a report is submitted by the Controller of Audit to the Accounts Commission. The legislation provides for the Accounts Commission to:

- direct the Controller of Audit to carry out further investigations,
- hold a public hearing to explore issues arising from an audit with elected members and senior managers, and/or
- state resulting findings (which may include recommendations to the Scottish Ministers).

Ministers have the power to give a council a statutory direction to remedy faults, where the Accounts Commission has made recommendations or where ministers feel there is a need to protect the public interest.

By October 2008 the Accounts Commission had published its findings on the following councils:

- Aberdeen City (May 2008)
- Aberdeenshire (June 2008)
- Angus (September 2004)
- Argyll & Bute (February 2006)
- Clackmannanshire (September 2007)
- Dundee City (October 2005)
- East Ayrshire (September 2006)
- East Lothian (October 2007)
- Eilean Siar (August 2006)
- Falkirk (May 2008)
- City of Edinburgh (February 2007)
- East Renfrewshire (October 2005)
- Falkirk (May 2008)
- Glasgow City (January 2006)
- Highland (April 2006)
- Inverclyde (June 2005)
- Inverclyde (follow-up) (November 2005)
- Inverclyde (2nd follow-up) (February 2007)
- Midlothian (June 2008)
- Moray (February 2006)
- Moray (follow-up) (August 2007)
- North Ayrshire (February 2005)
- North Lanarkshire (May 2008)
- Orkney Islands (June 2008)
- Perth & Kinross (August 2008)
- Renfrewshire (July 2006)
- Scottish Borders (March 2007)
- Shetland (March 2005)
- Shetland (follow-up) (June 2006)
- Stirling (March 2005)
- West Dunbartonshire (October 2006)
- West Dunbartonshire (follow-up) (January 2008)
- West Lothian (June 2005)

These reports are on our web site at: <http://www.audit-scotland.gov.uk/work/>

## **Additional Information**

As well as the statutory performance information the Profiles contain details of reports and information published or available from:

- Audit Scotland / Accounts Commission
- Inspectorates
- The Scottish Public Services Ombudsman

Summaries of these for all councils are given in the following pages and information on each council is shown in Section 2. Each Council Profile also carries some contextual information showing:

- the total resident population – from the General Register Office for Scotland's mid-year estimate for 2007<sup>2</sup>
- the number of households – from the Council records reported in the SPIs
- The proportion of population from ethnic minority backgrounds – from the 2001 Census data
- Grant-Aided Expenditure (GAE), for the financial year 2008/09 – from data provided by the Scottish Government, Finance and Sustainable Growth

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2. Further information is available on the Internet at [www.gro-scotland.gov.uk](http://www.gro-scotland.gov.uk)

- Council Tax charge for Band 'D', for the financial year 2008/09 – from data provided by the Scottish Government, Finance and Sustainable Growth

Additionally, a profile of each council area has been prepared by all 32 councils as part of their 2008/09 Single Outcome Agreements (SOAs) with the Scottish Government. The profiles provide the basis for a clearer understanding of the environment within which each council provides its services. The SOAs are available on the Improvement Service web site at: [Click here to go to the SOAs](#)

### **Accounts Commission reports**

The Profiles contain information for the period April 2007 to October 2008 relating to:

- Accounts Commission statutory reports
- Qualifications on councils' final accounts
- Value for money studies.

### **Statutory reports**

The Accounts Commission may require the Controller of Audit to submit statutory reports to it on any matters with respect to the accounts of a council<sup>3</sup>. Similarly, the Controller may choose to submit reports to the Commission on any matters in connection with a council's accounts.

Apart from the BV audit reports shown above, no statutory reports concerning particular councils were submitted by the Controller of Audit to the Accounts Commission during this period.

The Commission published three statutory reports between April 2007 and October 2008:

- 'East Lothian Council: Departmental reorganisation and voluntary redundancy of the Chief Executive' (June 2007)
- Overview report of the local authority audits 2007 (February 2008)
- 'Aberdeen City Council: Property sales investigation' (April 2008)

### **Qualification on councils' final accounts**

Local authorities are legally required to submit their accounts for audit by 30 June each year. All councils submitted their 2007/08 accounts to their appointed auditors by the specified date.

Following the audit, the external auditor is required to place a certificate on the accounts specifying whether, in his or her opinion, the accounts fairly present the financial position of the authority.

Generally the accounts of a council may be qualified for one of two reasons:

- where there has been a limitation in the scope of the information made available to the auditor, or
- where the auditor disagrees with the treatment or disclosure of a matter in the council's financial statement

and, in the auditor's judgement, the effect of the matter may be material to the financial statements.

Councils are required to comply with the Code of Practice on Local Authority Accounting published by CIPFA/LASAAC.

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3. 'Local Government (Scotland) Act 1973'.

The accounts of Shetland Islands Council were qualified due to the omission from the council's group accounts of a related trust. In the auditors view this results in a material mis-statement of the group accounts.

The accounts of Aberdeen City Council were qualified because the auditor was unable to obtain sufficient appropriate audit evidence concerning the bank reconciliation as at 31 March 2008 to confirm that all bank transactions had been properly recorded.

### **Value for money studies**

The Commission has a statutory duty<sup>4</sup> to “undertake or promote comparative and other studies designed to enable it to make recommendations for improving economy, efficiency and effectiveness in the provision of services by local authorities... and for improving (their) financial or other management...”

The study reports produced by Audit Scotland for the Commission include recommendations aimed at all councils. Where a council has been named in a VFM report in relation to particularly good or poor performance levels, or regarding the need to review an issue, this is noted in each council's Profile.

Between April 2007 and October 2008 there were no published reports making reference to the comparative performance levels of the councils. However, the Commission published the following reports and is concerned that the findings and recommendations in these are looked at and acted upon by all councils:

- Dealing with offending by young people: performance update, August 2007
- Sustainable waste management, September 2007
- Improving the schools estate, March 2008

### **Joint work with Inspectors and Regulators**

Audit Scotland has joint scrutiny arrangements in place with inspectorates for fire, police and education. Under these arrangements, auditors contribute to the examination of financial and resource management and Best Value. This process enables Audit Scotland and the inspectorates to discharge their statutory responsibilities in a more efficient and 'joined up' manner. It also minimises the audit and inspection burden on local services.

Audit Scotland also works closely with the Scottish Housing Regulator (in relation to housing matters) and is developing closer links with the Social Work Inspection Agency.

### **Inspectorate reports**

Each council's Profile shows whether it has been the subject of a report published between April 2007 and October 2008, by either:

- Her Majesty's Inspectorate of Education
- The Social Work Inspection Agency
- The Scottish Housing Regulator
- The Food Standards Agency

NB The responsibilities of the Benefit Fraud Inspectorate (BFI) in Scotland were integrated with the benefits audit work of Audit Scotland on 1 April 2008. During the period 1 April 2007 to 31 March 2008 the BFI published no inspection reports on Scottish councils.

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4. 'Local Government (Scotland) Act 1973'.

## HM Inspectorate of Education

HM Inspectorate of Education (HMIE)...

*“began operating as an Executive Agency of the Scottish Executive on 1 April 2001. As an Executive Agency, HM Inspectorate operates independently and impartially, whilst remaining directly accountable to the Scottish Ministers for the standards of its work. Her Majesty’s Senior Chief Inspector leads HM Inspectorate and has direct access to appropriate Ministers.”<sup>5</sup>*

The HMIE’s Mission is:

*“to promote improvements in standards, quality and attainment in Scottish education through first-hand, independent evaluation.*

*“Our independent inspections, reviews and public reporting on educational establishments, community learning and the education functions of local authorities contribute strongly to continuous improvement in the quality of education and to raising standards of attainment. Through collating, analysing and publishing evidence from our evaluations, we inform parents, schools, colleges and other providers of education and the Scottish Ministers about standards and quality in education.”*

Each year, HM Inspectors...

*“inspect and report on the quality of education in pre-school centres, primary schools, secondary schools, special schools, and community learning and development; and also on initial teacher education, residential provision for pupils and the education functions of local authorities.”*

### School inspections

The HMIE is currently moving towards a ‘generational cycle’ of school inspection. In this cycle, parents can expect to receive both a primary school and a secondary school inspection report as their children move through school education.

### Inspections of education authorities

Section 9 of the ‘Standards in Scotland’s Schools Etc. Act 2000’ charges HMIE, on behalf of the Scottish Ministers, to provide an external evaluation of the effectiveness of the local authority in its quality assurance of educational provision within the Council and of its support to schools in improving quality.

Inspections are conducted within a published framework of quality indicators (Quality Management in Education – QMiE), which embody the Government’s policy on Best Value.

Each inspection is planned and implemented in partnership with Audit Scotland on behalf of the Accounts Commission for Scotland. The external auditor member of the inspection team carries out and takes the lead in inspecting financial arrangements and resource planning within the education function of the council.

The inspection team also includes an Associate Assessor who is a senior member of staff currently serving in another Scottish local authority.

The education functions of all 32 councils in Scotland were subject to a formal inspection and HMIE published its reports on these between February 2001 (Highland and East Dunbartonshire) and June 2005 (Argyll & Bute). A number of follow-up inspections have also been undertaken. QMiE inspection reports are on the Internet at [www.hmie.gov.uk/](http://www.hmie.gov.uk/)

A second cycle of QMiE inspections began early in 2006 and inspection reports have so far been published on:

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5. From the website for HMIE: [www.scotland.gov.uk/hmie](http://www.scotland.gov.uk/hmie)

- Aberdeen City - report published May 2007
- Aberdeenshire – report published March 2008
- Angus - report published August 2007
- Argyll and Bute - report published June 2007
- Clackmannanshire - report published June 2006
- Dumfries & Galloway - report published May 2007
- Dundee - report published November 2006
- East Ayrshire - report published May 2006
- East Renfrewshire – report published June 2007
- Falkirk - report published July 2007
- Fife - report published May 2008
- Moray – report published January 2008
- Orkney Islands - report published March 2007
- Perth & Kinross - report published September 2006
- Renfrewshire - published November 2006
- Scottish Borders - report published May 2006
- Shetland Islands – report published July 2008
- South Lanarkshire – report published July 2006
- Stirling - report published March 2007
- West Lothian - report published June 2007

#### Other inspections

Local authorities can expect to have an inspection of community learning and development every four years. Each inspection will focus on an area within the authority or on a cross-authority theme. A wide range of inspections have been undertaken so far. Further information on HMIE can be found on the Internet at: [www.hmie.gov.uk/](http://www.hmie.gov.uk/)

#### **Social Work Inspection Agency (SWIA)**

SWIA was launched in April 2005, taking over from the Social Work Services Inspectorate. It inspects all social work services in Scotland and reports publicly and to Parliament on the quality of these services, locally and nationally.

SWIA seeks to inspect all local authority social work services on a three-year cycle and undertakes joint inspection work with other agencies such as HMIE.

Additionally, at the request of Scottish Ministers, SWIA also carries out investigations, provides professional support to policy development and undertakes other tasks that need up-to-date professional knowledge and expertise.

SWIA has been developing service inspections with a view to a full programme starting early in 2006.

Between April 2007 and October 2008 it has published the following reports on specific aspects of services provided by councils and their partners:

- Aberdeen City Performance Inspection Report – October 2008
- Aberdeenshire Performance Inspection Follow-up Report – January 2008
- Argyll and Bute Performance Inspection Follow-up Report - October 2008
- Argyll and Bute Performance Inspection Report – October 2007

- Ayrshire Partnership Criminal Justice Inspection Report – June 2007
- City of Edinburgh Performance Inspection Report – April 2008
- Clackmannanshire Performance Inspection Report – September 2008
- Dumfries & Galloway Performance Inspection Follow-up Report – August 2008
- Dundee Performance Inspection Report – November 2007
- East Dunbartonshire Performance Inspection Report – August 2008
- East Renfrewshire Performance Inspection Follow-up Report – June 2008
- Eilean Siar Performance Inspection Follow-up Report – October 2008
- Fife Performance Inspection Follow-up Report – November 2007
- Forth Valley Multi-agency Inspection - Services for Older People – Jan 2008
- Glasgow City Performance Inspection Report – June 2007
- Grampian Multi-agency Inspection – Substance Misuse – August 2007
- Highland Performance Inspection Report – May 2007
- Moray Performance Inspection Report – December 2007
- North Ayrshire Performance Inspection Report – December 2007
- Shetland Islands Criminal Justice Inspection Report – July 2007
- Shetland Islands Performance Inspection Report – August 2007
- Shetland Islands Performance Inspection Follow-up Report – October 2008
- Tayside Multi-agency Inspection – Collaborative working across service for older people – May 2007
- West Lothian Performance Inspection Follow-up Report – September 2008

These reports and more information about SWIA can be found on its web site at: [www.swia.gov.uk](http://www.swia.gov.uk)

### **The Scottish Housing Regulator (SHR)**

The SHR is an executive agency of the Scottish Government. It was established in April 2008 to exercise the regulatory powers in the Housing (Scotland) Act 2001 previously carried out by Communities Scotland which has now been abolished.

The SHR's purpose is to:

- protect the interests of current and future tenants, and other service users;
- ensure the continuing provision of good quality social housing in terms of decent homes, good services, value for money and financial viability; and
- maintain the confidence of funders.

Together with the Convention of Scottish Local Authorities and the Scottish Federation of Housing Associations the SHR published performance standards, which are common for both RSLs and local authorities and let all social housing tenants know what they can expect from their landlord.

The Standards provide a framework for both the regulator to assess performance and for landlords to self-assess their own performance. Local authorities and RSLs can access comprehensive guidance and good practice about each Performance Standard to use in self-assessment and in the development and continuous improvement of their services.

Between April 2008 and October 2008 the following inspection reports on local authorities were published:

- Inverclyde Council (August 2008)

- North Ayrshire Council (August 2008)
- East Lothian Council (June 2008)
- Midlothian Council (May 2008)
- East Ayrshire Council (April 2008)

During the period April 2007 to March 2008 the following inspection reports on local authorities were published by Communities Scotland:

- Clackmannanshire Council (June 2007)
- Dumfries & Galloway Council (July 2007)
- East Dunbartonshire Council (March 2008)
- Falkirk Council (February 2008)
- Perth & Kinross Council (June 2007)
- Scottish Borders Council (October 2007)
- Shetland Islands Council (December 2007)

These reports and more information about the work of the Scottish Housing Regulator is available on their website: [www.scottishhousingregulator.gov.uk](http://www.scottishhousingregulator.gov.uk)

### **The Food Standards Agency Scotland**

The Food Standards Agency Scotland was launched on 3 April 2000 with a commitment to '...improving food safety and standards in Scotland and protecting the health of Scotland's population in relation to food.'

Audits of local authorities' food law enforcement services are part of the Agency's arrangements to improve consumer protection and confidence in relation to food. These arrangements recognise that the enforcement of UK food law relating to food safety, hygiene, composition, labelling, imported food and feeding stuffs is largely the responsibility of local authorities.

Agency audits assess councils' conformance against the Food Law Enforcement Standard 'The Standard', which was published by the Agency as part of the Framework Agreement on Local Authority Food Law Enforcement.

Each local authority in Scotland has been audited against specific areas of the Standard and the agency plans that each council will be fully audited against all areas of the standard over a three year period.

Between April 2007 and October 2008 the Food Standards Agency Scotland published reports on its core audits of:

- Aberdeen - published August 2007
- Aberdeenshire - published August 2007
- Dumfries & Galloway – published June 2007
- East Ayrshire – published July 2007
- East Dunbartonshire – published July 2007
- East Renfrewshire – published August 2008
- Falkirk – published September 2008
- Fife – published January 2008
- Glasgow - published July 2007
- Inverclyde – published May 2008
- Midlothian - published September 2007
- North Ayrshire – published April 2008

- North Lanarkshire – published December 2007
- Renfrewshire – published May 2008
- Scottish Borders – published December 2007
- Shetland Islands – published November 2007
- West Dunbartonshire - published May 2007

Further information about the work of the Food Standards Agency Scotland and copies of reports relating to individual councils are available from the agency's web site: [www.food.gov.uk/scotland](http://www.food.gov.uk/scotland)

### **The Scottish Public Services Ombudsman**

The Scottish Public Services Ombudsman Act 2002 came into force in October 2002. The act established a new service that would carry out the work previously done by the Scottish Parliamentary Ombudsman, the Scottish Health Service Ombudsman, the Scottish Local Government Ombudsman and the Housing Association Ombudsman for Scotland. The Ombudsman's aim is *'to provide a free, accessible, independent and responsive complaints system across public services in Scotland'*

The Ombudsman can deal with complaints about the following bodies:

- local government
- the Scottish Parliament and Administration
- the Health Service
- housing
- cross border public authorities
- institutions of further and higher education
- other public organisations

Complaints may be about:

- poor service
- failure to provide a service
- administrative failure
- the NHS including hospital staff, GPs, dentists and other health professionals

Although the Ombudsman can deal with most areas, there are certain matters that cannot be investigated. These are:

- properly made decisions that a public authority or someone providing services has a right to make even if you do not agree with the decision
- complaints which you could take to court or an independent tribunal
- personnel issues such as appointments of staff, pay or discipline
- most commercial or contractual matters
- services in a non-NHS hospital or nursing home, unless they are paid for by the NHS
- complaints about UK Government Departments, such as the Inland Revenue and Department for Work and Pensions. Those are for the UK Parliamentary Ombudsman.

In relation to local government, a finding of maladministration indicates that management procedures or practices within the council are not operating as they should, and that injustice has been caused to complainants. However, the Ombudsman cannot question a council's decision just because someone does not agree with it.

Between April 2007 and October 2008, the Ombudsman found against councils in the following cases:

- Aberdeen City Council - complaint upheld regarding a planning matter – December 2007
- Aberdeen City Council - complaint upheld regarding a housing matter – December 2007
- Aberdeenshire Council - complaint upheld regarding an education matter – October 2008
- Aberdeenshire Council - complaint upheld regarding a housing matter – February 2008
- Aberdeenshire Council - complaint partially upheld regarding a planning matter – December 2007
- Aberdeenshire Council - complaint upheld regarding council's own complaints handling – December 2007
- Aberdeenshire Council - complaint upheld regarding a planning matter - May 2007
- Angus Council - complaint upheld regarding council's own complaints handling – May 2008
- Angus Council - complaint upheld regarding a housing matter - October 2007
- Angus Council - complaint partially upheld regarding a roads and transport matter - May 2007
- Argyll and Bute Council - complaint upheld regarding a roads and transport matter - October 2007
- City of Edinburgh Council - complaint upheld concerning a roads and transport matter - August 2008
- City of Edinburgh Council - complaint partially upheld concerning council's own complaints handling - August 2008
- City of Edinburgh Council - complaint upheld concerning a planning matter - February 2008
- City of Edinburgh Council - complaint upheld and 2 complaints partially upheld concerning a planning matter - February 2008
- City of Edinburgh Council - complaint upheld and 2 complaints partially upheld concerning special education needs - February 2008
- City of Edinburgh Council - complaint upheld concerning council's own complaints handling - February 2008
- City of Edinburgh Council - complaint upheld concerning a housing matter – November 2007
- City of Edinburgh Council - complaint upheld concerning council's own complaints handling – October 2007
- City of Edinburgh Council – 3 complaints upheld concerning a planning matter – October 2007
- City of Edinburgh Council – 2 complaints upheld concerning council's own complaints handling – October 2007
- City of Edinburgh Council - complaint upheld concerning a council tax and correspondence matter - September 2007

- City of Edinburgh Council - complaint upheld concerning a finance matter - September 2007
- City of Edinburgh Council - complaint upheld concerning a housing matter - September 2007
- City of Edinburgh Council - complaint partially upheld concerning an exclusion from council offices - August 2007
- City of Edinburgh Council - complaint upheld concerning failure to deal appropriately with concerns raised by a member of the public - July 2007
- City of Edinburgh Council - complaint upheld regarding a roads and transport issue - June 2007
- City of Edinburgh Council - complaint partially upheld concerning a housing matter - June 2007
- City of Edinburgh Council - complaint partially upheld concerning a planning matter - June 2007
- City of Edinburgh Council - complaint partially upheld concerning a housing matter - May 2007
- Clackmannanshire Council – 3 complaints upheld concerning an education matter – April 2008
- Comhairle nan Eilean Siar – 1 complaint upheld and 1 complaint partially upheld concerning a land and property matter - August 2007
- Comhairle nan Eilean Siar - complaint upheld concerning an education matter - July 2007
- Dumfries & Galloway Council - complaint upheld concerning a benefits matter - August 2007
- Dundee City Council – 2 complaints upheld and 1 complaint partially upheld concerning a housing matter – February 2008
- Dundee City Council - complaint partially upheld concerning incorrect information given - September 2007
- East Dunbartonshire Council – 1 complaint upheld and 2 complaints partially upheld concerning a planning matter – March 2008
- East Dunbartonshire Council – 2 complaints upheld concerning a council tax matter – December 2007
- East Dunbartonshire Council – complaint upheld concerning a planning matter – November 2007
- East Dunbartonshire Council – 1 complaint upheld concerning a planning matter – November 2007
- East Dunbartonshire Council – 1 complaint upheld and 1 complaint partially upheld concerning a housing matter - October 2007
- East Lothian Council – 4 complaints upheld concerning a building control matter – October 2008
- East Lothian Council – complaint upheld concerning a community care matter – November 2007
- East Lothian Council - complaint upheld concerning a recreation and leisure matter - September 2007
- East Lothian Council - complaint partially upheld concerning failure to explain sufficiently a new system to tenants - July 2007
- East Lothian Council - complaint upheld regarding a building control matter - June 2007
- East Lothian Council - complaint upheld concerning a planning matter - June 2007

- East Renfrewshire Council – 2 complaints upheld concerning an education matter - June 2007
- Falkirk Council – 1 complaint upheld and 1 complaint partially upheld concerning a tenancy matter March 2008
- Falkirk Council – 2 complaints upheld concerning housing benefit matters – January 2008
- Falkirk Council – 2 complaints upheld and 1 partially upheld concerning a planning matter - October 2007
- Fife Council – complaint upheld concerning a planning / enforcement matter – October 2008
- Fife Council – 2 complaints upheld concerning a planning matter – July 2008
- Fife Council – 1 complaint upheld and 2 complaints partially upheld concerning a planning matter – April 2008
- Glasgow City Council – 2 complaints upheld and 1 complaint partially upheld concerning a benefits matter – December 2007
- Highland Council – complaint upheld concerning a planning matter – June 2008
- Highland Council – complaint upheld concerning a planning matter – March 2008
- Highland Council – complaint partially upheld concerning a transportation matter – February 2008
- Inverclyde Council – 1 complaint upheld and 1 complaint partially upheld concerning a tenancy matter – November 2007
- Midlothian Council – complaint upheld concerning a consultation matter – May 2008
- Midlothian Council – 2 complaints partially upheld concerning an anti-social behaviour matter – February 2008
- Midlothian Council - complaint upheld concerning an environmental matter - October 2007
- Midlothian Council – complaint partially upheld concerning an anti-social behaviour matter - August 2007
- Moray Council – complaint upheld concerning an environmental matter – September 2008
- Moray Council – complaint upheld concerning a funding application matter – July 2008
- Moray Council – 2 complaints partially upheld concerning a planning matter – February 2008
- Moray Council – 2 complaints upheld concerning a planning matter – November 2007
- North Ayrshire Council - complaint upheld concerning a planning matter - August 2007
- North Lanarkshire Council – 2 complaints upheld concerning council's own complaints handling – October 2008
- North Lanarkshire Council – complaint partially upheld concerning a homelessness matter – August 2008
- North Lanarkshire Council – 2 complaints partially upheld concerning a housing matter – February 2008
- North Lanarkshire Council – complaint upheld concerning a housing matter – September 2007

- North Lanarkshire Council – complaint upheld regarding a land and property matter - August 2007
- North Lanarkshire Council – complaint upheld concerning a housing matter - July 2007
- North Lanarkshire Council – complaint upheld concerning a policy/admin matter - July 2007
- North Lanarkshire Council – 1 complaint upheld and 2 complaints partially upheld concerning an education matter - May 2007
- Orkney Islands Council - complaint upheld concerning a policy/admin matter - May 2007
- Perth & Kinross – complaint upheld concerning an education matter – March 2008
- Perth & Kinross Council – complaint partially upheld concerning an environmental matter - October 2007
- Perth & Kinross Council – 2 complaints upheld concerning a housing matter - May 2007
- Renfrewshire Council – 4 complaints upheld concerning a grant application – September 2008
- Renfrewshire Council - complaint partially upheld concerning a building control matter - October 2007
- Scottish Borders Council – complaint upheld concerning council’s complaints handling – September 2008
- Scottish Borders Council – 2 complaints upheld concerning roads and transportation matter – March 2008
- Scottish Borders Council – complaint upheld concerning an education matter – December 2007
- Scottish Borders Council - complaint partially upheld regarding a planning matter - May 2007
- Shetland Islands Council – complaint upheld concerning a policy and administration matter - May 2007
- South Ayrshire Council – complaint partially upheld concerning a planning matter – October 2008
- South Ayrshire Council – 3 complaints upheld concerning a rights of way matter – March 2008
- South Ayrshire Council – complaint upheld concerning a social work matter – February 2008
- South Lanarkshire Council – complaint upheld concerning a planning matter – June 2008
- South Lanarkshire Council – complaint upheld concerning an education matter – June 2008
- South Lanarkshire Council – 2 complaints upheld concerning a benefits matter – April 2008
- South Lanarkshire Council – 2 complaints partially upheld concerning a planning matter – April 2008
- South Lanarkshire Council – complaint upheld concerning an education matter – February 2008
- South Lanarkshire Council – complaint upheld concerning a social work matter - October 2007
- South Lanarkshire Council – complaint partially upheld concerning a planning matter - July 2007

- South Lanarkshire Council – complaint upheld concerning a housing matter - June 2007
- South Lanarkshire Council – complaint upheld concerning a housing matter - May 2007
- Stirling Council – complaint partially upheld concerning a planning matter – August 2008
- Stirling Council – complaint upheld concerning a housing matter – February 2008
- Stirling Council – complaint upheld concerning a housing matter – December 2007
- Stirling Council – 1 complaint upheld and 1 complaint partially upheld concerning an education matter – November 2007
- West Dunbartonshire Council – 3 complaints upheld concerning a planning matter – February 2008
- West Dunbartonshire Council – complaint upheld concerning an administration matter – May 2007

The reports and more information about the Scottish Public Services Ombudsman are available at: [www.spsso.org.uk](http://www.spsso.org.uk)