

response to  
statutory  
performance  
indicators –  
consultation on  
the 2001  
direction

#### About the Scottish Consumer Council

The Scottish Consumer Council (SCC) was set up by government in 1975. Our purpose is to promote the interests of consumers in Scotland, with particular regard to those people who experience disadvantage in society. While producers of goods and services are usually well-organised and articulate when protecting their own interests, individual consumers very often are not. The people whose interests we represent are consumers of all kinds: they may be patients, tenants, parents, solicitors' clients, public transport users, or simply shoppers in a supermarket.

Consumers benefit from efficient and effective services in the public and private sectors. Service-providers benefit from discriminating consumers. A balanced partnership between the two is essential and the SCC seeks to develop this partnership by:

- carrying out research into consumer issues and concerns;
- informing key policy and decision-makers about consumer concerns and issues;
- influencing key policy and decision-making processes;
- informing and raising awareness among consumers.

The SCC is part of the National Consumer Council (NCC) and is sponsored by the Department of Trade and Industry. The SCC's Chairman and Council members are appointed by the Secretary of State for Trade and Industry in consultation with the Secretary of State for Scotland. Future appointments will be in consultation with the First Minister. Martyn Evans, the SCC's Director, leads the staff team.

Please check our web site at [www.scotconsumer.org.uk](http://www.scotconsumer.org.uk) for news about our publications.

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The SCC assesses the consumer perspective in any situation by analysing the position of consumers against a set of consumer principles.

These are:

#### ACCESS

Can consumers actually get the goods or services they need or want?

#### CHOICE

Can consumers affect the way the goods and services are provided through their own choice?

#### INFORMATION

Do consumers have the information they need, presented in the way they want, to make informed choices?

#### REDRESS

If something goes wrong, can it be put right?

#### SAFETY

Are standards as high as they can reasonably be?

#### FAIRNESS

Are consumers subject to arbitrary discrimination for reasons unconnected with their characteristics as consumers?

#### REPRESENTATION

If consumers cannot affect what is provided through their own choices, are there other effective means for their views to be represented?

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## **General**

The Scottish Consumer Council welcomes the opportunity to respond to the consultation on the 2001 Direction. We recognise, as the paper does, that the context for performance indicators is changing. For consumers, the role of a wider range of agencies is increasingly important, and it is important to know how well each is performing within its partnership. The growing emphasis on outcome measures has to deal with this issue, and it is a key one to develop for the future.

In the meantime, statutory performance indicators do play a role in raising awareness of what councils do and how well they perform their tasks. The SCC is currently conducting research into incentives for local authorities to respond to consumers' needs, and as part of this work we have examined the role of statutory performance indicators. We submit our draft report for information, which at this time should be treated as confidential. We aim to publish our work later in the year.

We make comments on the question of consumer surveys raised under future development and on the overall proposals for changes to the indicators, before offering some observations on specific indicators.

## **Future development**

Direct evidence of consumers' experience of services is key to understanding where priorities for improvement lie. However, despite Best Value and Community Planning, and while some councils are attempting to improve dialogue with service users, this still remains an underdeveloped area across Scottish local authorities.

The SCC has recently looked at patient surveys in the NHS, and we found a very wide range of practice, varying levels of quality, and that many surveys are not driven by the concerns of patients.

We would like to see more considered thought given to the use of user surveys as a requirement of statutory performance indicators. We would suggest this be taken forward by way of a working group convened specifically to examine the scope for, benefits and drawbacks of such a step. Such a group's remit could also include how to identify where it would be appropriate to require surveys. For example, the government's recent consultation on the assessment and recording of special educational needs recognised that many families find the process difficult and stressful. Education indicator number 6 gives the average time taken to complete an assessment: councils may well speed up the process by limiting the information and support offered to parents or by inadvertently making the process more intimidating and stressful. In this case, it is important to know about people's experience of the process.

The Scottish Consumer Council would be pleased to assist with any work looking at a requirement for user surveys.

## **Proposals for changes to the indicators**

The proposals for the 2001 Direction are limited to allow policy to develop in several key areas. While this appears to be a sensible approach, we would be concerned if keeping the old indicators inhibited service development. A particular worry emerging from our research is the potential for “targetology”, that is shaping the service to meet the performance reporting requirements, rather than users’ needs.

## **Specific indicators**

### **Benefits administration**

Indicator 3: while knowing the percentage of cases that were calculated correctly, it would be helpful if the indicator was set in a context of what should be expected. This would help interpret the performance indicator – whether it means expectations should rise, or whether councils are making good progress.

### **Building control**

Indicator 1 (b): average times are useful only up to a point. They do not reveal the extent to which delays occur in the process, and such delays can lead to significant problems for people. It would be helpful to include an indication of the range of times around the average.

### **Council-wide indicators**

Indicator 2: it is not clear why complaints to the ombudsman are included, as the outcome of these is often dependent on factors outwith the local authority’s control. For example, many complaints to the ombudsman are rejected because people have not used the local authority’s complaints procedure, or because the remit of the complaint lies outside the ombudsman’s jurisdiction. A complaint to the ombudsman, too, may lead to the problem being resolved before reaching the formal investigation stage. In any case, the ombudsman publishes figures and details relating to his complaint handling each year. It would be more helpful for this indicator to give the number of complaints made directly to local authorities each year.

Indicator 4: with regard to equal opportunities in teaching, it is often pointed out that there is a predominance of women head teachers at primary school level and men head teachers at secondary school level. This indicator may be more useful if it were to make such a distinction.

### **Education**

Indicator 1 (a): it is not clear how council performance should be judged on the basis of pre-school provision by non-council providers. Should councils be aiming to increase their own provision at the expense of others’?

Indicator 6: as mentioned earlier in our response, the experience of the assessment process can be more important to families than the time taken. It would be possible for a local authority to improve its time by making the

process more stressful for parents and their children, which would not be a welcome improvement.

Indicator 7: similarly, the important issue for families is not so much that the local authority is meeting its targets for placing children with special educational needs in mainstream schools, but that the schools they are placed in are fully accessible and their children are able to participate in the activities enjoyed by others at the school. The difference between integration and inclusion can have a crucial impact on children's ability to learn at school. An indicator on levels of equal opportunities training among school staff may be helpful in beginning to examine this issue more closely.

## **Housing**

Indicator 1: this is another example of where user surveys would provide more accurate information about a council's performance. Councils may improve their response rates by reducing the quality of the repairs carried out. They may simply end up reporting good response times to repeat visits due to poor repair work in the first place. In our research on common repairs, we found that people complained of the need for repeat visits for this reason.

## **Planning**

Appeals: there may be an important distinction to make between appeals over non-determination and over refusals. Whereas appeals over non-determination are likely to reflect the local authority's administration, appeals over refusals are not. If information is to be given on planning appeals, consideration should be given to this distinction. However, consumers may be reluctant to go to appeal (unless it is a large developer) if they believe this will slow everything down. We believe, therefore, that it would be more helpful to have an indicator of complaints made, rather than appeals.

Development plans: it may be more realistic, and more helpful, to have an indicator of the number of people or proportion of the population who examined or commented on the plan.

## **Social work**

We welcome the changes to indicators 1, 7 and 9. However, the challenge for performance indicators particularly in social work is to reflect the increasing inter-agency nature of service provision.

## **Conclusion**

We welcome the consultation paper's recognition of the changing context for performance indicators, and of the challenges this brings. In the meantime, statutory performance indicators provide some useful information for consumers.

We ask Audit Scotland to consider convening a working group to develop ideas on the potential for user survey requirements, and we hope that by leaving many

performance indicators unchanged (we agree for good reason) this does not inhibit service development.

We are currently researching the issue of incentives for local authorities to be responsive to consumer needs, and the role of performance indicators in this. While we are happy to submit our work on a confidential basis, being at a draft stage, we will publish our findings later in the year.