



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
London Borough of Camden
for the year ended
31 March 2007**

The Local Government Ombudsman (LGO) investigates complaints by members of the public who consider that they have been caused injustice through administrative fault by local authorities and certain other bodies. The LGO also uses the findings from investigation work to help authorities provide better public services through initiatives such as special reports, training and annual letters.

Annual Letter 2006/07 - Introduction

The aim of the annual letter is to provide a summary of information on the complaints about your authority that we have received and try to draw any lessons learned about the authority's performance and complaint-handling arrangements. These might then be fed back into service improvement.

I hope that the letter will be a useful addition to other information your authority holds on how people experience or perceive your services.

There are two attachments which form an integral part of this letter: statistical data covering a three year period and a note to help the interpretation of the statistics.

Complaints received

I received 212 complaints against your Council in 2006/07, 10 fewer than in the previous year and 46 fewer than in 2004/05 which was a peak for complaints against the Council.

As in previous years, more than four in ten complaints were about housing. Here, complaint numbers rose slightly. This was particularly clear with complaints about housing repairs, which increased from 22 to 30 in 2006/07 and was the main area of complaints about housing issues. I am aware that the Council has only felt able to put limited funds into the repair and renovation of its housing stock in recent years, and that it has reorganised its repairs function: the rise in complaints about housing repairs may be some reflection of these issues. Complaints about housing sales/leaseholds and then housing allocations were the next most numerous, though almost stable with 20 and 17 complaints respectively. Those relating to managing tenancies went up, from eleven to 15.

Our 'other' category was the second largest area of complaint. This category covers a wide range of subject areas but, in the Council's case, anti-social behaviour was notable. There were 17 complaints about anti-social behaviour in 2006/07, up from 10 in 2005/06, although six complaints concerned the same issue.

There was a fall in the number of planning and building control complaints (from 20 to 12: these were largely about planning applications) and in those about education (from 9 to 2). Complaints about benefits also fell from 6 to 2 continuing the downward trend of recent years. Children and family service complaints increased from 5 to 11 last year.

Decisions on complaints

I made 228 decisions on complaints against your Council in 2006/07.

Reports and local settlements

We use the term 'local settlement' to describe the outcome of a complaint where, during the course of our investigation, the Council takes, or agrees to take, some action which we consider is a satisfactory response to the complaint and the investigation does not need to be completed. These form a significant proportion of the complaints we determine. When we complete an investigation we must issue a report.

Last year I issued no reports against your Council, but I did agree 58 local settlements. This was 43% of those cases which were within my jurisdiction and which had not come to me before the Council had been able to consider and respond to the complaint. Nationally these comprised 28% of complaints, so it was more common than normal that some action to remedy the complaint seemed appropriate. In 2005/06 the figure for Camden was 36%. So, such cases also became more prevalent. This causes me concern.

/...

Action taken by the Council to remedy injustice as part of local settlements included the payment of about £12,000 compensation. While this was significantly less than in 2005/06, it was roughly the same as in the year before that. As part of settlements the Council also agreed to review procedures and to take action such as the carrying out of repair works. Importantly, it also apologised.

The Council settled fourteen complaints relating to delay or failure to take action in relation to problems of disrepair in its housing stock. These included problems with inspections prior to tenants moving in, boiler replacement and problems with leaks and flooring. In one case the complainant's property had very poor water pressure and, every three or four weeks for about three days at a time, no water in the bathroom. In another, the Council failed to repair a disabled tenant's intercom system for ten months. In last year's Annual Letter I referred to four complaints where I had found delay and failure to take action. As the number has risen so markedly, I shall monitor the situation here closely.

In a homelessness case a number of errors in the Council's computer based lettings system meant that an elderly man to whom it had accepted a homelessness duty missed a number of opportunities to bid for properties. The Council agreed a financial remedy and to increase his housing priority, but the complaint highlighted repeated failures to correct the errors on the system which was of concern. I have not seen similar issues in other complaints, but the Council may nevertheless wish to check that there is no evidence of a wider problem here.

I agreed local settlements on twelve complaints about anti-social behaviour. In one case the Council inappropriately housed a person with mental health problems in the flat below the complainants, causing significant nuisance to them. The Council agreed a significant settlement and to provide temporary accommodation until the matter was resolved. In another case six neighbours raised concerns about the actions of another. The Council delayed by four months in taking action – it does not seem that officers knew how to pursue legal action - and did not keep the neighbours properly informed of the steps it was taking. In three further cases I also found delay by the Council in investigating neighbour nuisance problems. I welcome the Council's agreement to my recommendations in relation to these complaints, but again the Council may wish to explore the common themes to see whether procedural changes are required.

A number of highways cases involved the actions of bailiffs acting on behalf of the Council. In two cases inadequate information was provided in bailiffs' letters and it was unclear whether visits had been carried out. In another, the bailiff refused to accept payment by the complainant's father. As well as recommending compensation in these cases I also asked the Council to confirm what steps it had taken to improve bailiffs' documentation, and to carry out reviews of procedures more generally. I should be grateful if you could update me.

In two unrelated planning complaints I agreed settlements where there were inaccuracies in the reports on the application. I was also concerned to find that the Council does not routinely retain site visit notes and photographs relating to planning applications. Without this information the full story of an application cannot be told and review of decision making and proper investigation is made more difficult. In another case, while I did not propose a remedy, I was nevertheless concerned that the Council was unable to locate the case file. I again recommended a review of the Council's procedures here and should be grateful to learn of any changes made.

In a children and family services case a social worker provided inaccurate advice about consulting the complainant on her child's statement of special educational needs. There were also other communication failures and fault in acting on agreed recommendations. While I welcomed the Council's agreement to settle this matter I was concerned about a somewhat defensive attitude in its responses and what appeared to be a lack of corporate acceptance of the fault that had occurred. This contrasted with the Council's normal willingness to acknowledge errors on its part.

Other findings

Of the other decisions I made, 36 were that there was no or insufficient fault by the Council to warrant my involvement (the same figure as last year), and in 41 cases I used my discretion to discontinue the investigation, generally because I did not consider the complainant had been caused sufficient injustice to justify pursuing the matter. In one case relating to a council tax student discount the matter had been resolved before I made enquiries so there were no grounds for me to pursue it. But I nevertheless recommended that the Council made clear what evidence of student status was required, and when this needed to be produced. Again, I should be grateful to learn of any changes that have been made.

I concluded that 49 cases were outside my jurisdiction. In most cases this was because the complainant had an alternative means of resolving the complaint which it was reasonable to expect them to pursue.

Your Council's complaints procedure and handling of complaints

44 complaints were referred back to your Council because it had not been given a reasonable opportunity to deal with them before they came to me. This is fewer than last year and significantly fewer than the year before that. In 13 cases the complainant remained dissatisfied once the Council had completed its investigation and referred the matter back to me. In one case I agreed a local settlement. In another six, the complaint was still open at the end of the year.

I should like to draw your attention to one complaint involving bailiffs where the Council said that, because they were not employees of the Council, their actions could not be considered through your complaints procedure. As there was no doubt that the bailiffs were acting on behalf of the Council, there seemed no reason why these matters should not have been considered through the complaints procedure. I should be grateful for confirmation that the Council's practice here has changed.

In response to last year's Annual Letter the Council said it was continuing to review the structure of its decision letters at Stage 3 of the complaints process. I welcome the fact that the Council has recently received some positive customer feedback on the handling of complaints at Stage 3. If this exercise is repeated it might be worthwhile to invite particular comments on the structure of the Stage 3 letter.

Training in complaint handling

As part of our role to provide advice in good administrative practice, we offer training courses for all levels of local authority staff in complaints handling and investigation. The feedback from courses that have been delivered over the past two and a half years is very positive.

The range of courses is expanding in response to demand and in addition to the generic Good Complaint Handling (identifying and processing complaints) and Effective Complaint Handling (investigation and resolution) we now offer these courses specifically for social services staff. We have also successfully piloted a course on reviewing complaints for social services review panel members. We can run open courses for groups of staff from smaller authorities and also customise courses to meet your Council's specific requirements.

All courses are presented by an experienced investigator so participants benefit from their knowledge and expertise of complaint handling.

I have enclosed some information on the full range of courses available together with contact details for enquiries and any further bookings.

Liaison with the Local Government Ombudsman

As you know I ask councils to respond to my enquiries within 28 calendar days. Last year the Council's average time was 31.6 days, almost exactly the same as the previous year. Planning and building control took the longest to respond with an average of 46.3 days. One such case took 78 days. I know the Council hoped to improve response times once some internal issues had been resolved but there has clearly not been a significant change to date. However, I am sure that we can work together to try and ensure that my target is met during the current year.

I know that my staff have continued to appreciate the assistance provided by the Central Complaints Unit and that this has helped us to resolve matters on occasion without the need for formal enquiries. I was pleased that a member of the Unit was able to attend our Link Officer seminar earlier this year and hope to see other officers at future events.

LGO developments

I thought it would be helpful to update you on a project we are implementing to improve the first contact that people have with us as part of our customer focus initiative. We are developing a new Access and Advice Service that will provide a gateway to our services for all complainants and enquirers. It will be mainly telephone-based but will also deal with email, text and letter correspondence. As the project progresses we will keep you informed about developments and expected timescales.

Changes brought about by the Local Government Bill are also expected to impact on the way that we work and again we will keep you informed as relevant.

We have just issued a special report that draws on our experience of dealing with complaints about planning applications for phone masts considered under the prior approval system, which can be highly controversial. We recommend simple measures that councils can adopt to minimise the problems that can occur.

A further special report will be published in July focusing on the difficulties that can be encountered when complaints are received by local authorities about services delivered through a partnership. *Local partnerships and citizen redress* sets out our advice and guidance on how these problems can be overcome by adopting good governance arrangements that include an effective complaints protocol.

Conclusions and general observations

I welcome this opportunity to give you my reflections about the complaints my office has dealt with over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

Tony Redmond
Local Government Ombudsman
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June 2007

Enc: Statistical data
Note on interpretation of statistics
Leaflet on training courses (with posted copy only)

Complaints received by subject area	Adult care services	Benefits	Children and family services	Education	Housing	Other	Planning & building control	Public finance	Social Services - other	Transport and highways	Total
01/04/2006 - 31/03/2007	4	2	11	2	94	33	12	8	0	46	212
2005 / 2006	5	6	5	9	90	26	20	11	1	49	222
2004 / 2005	7	22	4	4	106	55	22	14	0	24	258

Note: these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority for consideration.

Decisions	MI reps	LS	M reps	NM reps	No mal	Omb disc	Outside jurisdiction	Premature complaints	Total excl premature	Total
01/04/2006 - 31/03/2007	0	58	0	0	36	41	49	44	184	228
2005 / 2006	0	49	0	0	36	49	41	52	175	227
2004 / 2005	0	27	0	0	38	37	31	82	133	215

See attached notes for an explanation of the headings in this table.

Response times	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
01/04/2006 - 31/03/2007	86	31.6
2005 / 2006	86	31.8
2004 / 2005	56	29.1

Average local authority response times 01/04/2006 to 31/03/2007

Types of authority	<= 28 days %	29 - 35 days %	>= 36 days %
District Councils	48.9	23.4	27.7
Unitary Authorities	30.4	37.0	32.6
Metropolitan Authorities	38.9	41.7	19.4
County Councils	47.1	32.3	20.6
London Boroughs	39.4	33.3	27.3
National Park Authorities	66.7	33.3	0.0