



The Commission for  
Local Administration in England

**The Local Government Ombudsman's  
Annual Letter  
London Borough of Croydon  
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**

### ***Volume***

The number of complaints I received against your Council increased from 108 to 124. But we expect to see these fluctuations year on year and I see no significance in the rise.

### ***Character***

Complaint numbers remained constant or increased in all service areas except for social services and housing. Complaints about benefits increased from eight to 14; complaints about planning and building control increased from 10 to 15; and complaints about public finance increased from 16 to 25.

## **Decisions on complaints**

### ***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.

I upheld 27 complaints against your Council. Twenty-five of these were settled locally and in the remaining two cases I issued reports with findings of maladministration causing injustice.

In the first of these reported cases the complainant complained that the Council had delayed making adaptations to his home. The investigation showed that the Council took too long to carry out necessary adaptations. It took eight months to assess his needs and a further six months to carry out the work. As a result the complainant had to wait for an unreasonable length of time for the adaptations to be carried out and suffered avoidable discomfort and inconvenience as a consequence. These unreasonable delays were within the time limits the Council had set itself, but I criticised the Council for having time targets which permitted undue delay to occur.

The Council was initially reluctant to pay the complainant £1250 or to review its resources targets and procedures in line with my recommendations. I come back to this point below.

In the second case which resulted in a report, the complainant had applied for a transfer to a larger property and she had asked the Council to award her additional priority due to her medical problems. She complained that the Council took too long to complete the medical assessment which in turn delayed her application to transfer to larger accommodation with no stairs. She was living in severely

overcrowded accommodation for the period of this delay. I found that the Council had taken too long to complete the assessment; in particular the time it took the Occupational Therapist to contribute to the assessment was excessive.

My recommendations in this case were that the Council pay compensation of £500 to the complainant and review its procedures to ensure that medical assessments in respect of housing transfers are completed in a timely fashion. Once again the Council was reluctant to agree to undertake the review I had recommended.

I visited the Council on 2 February 2007 to discuss these cases with Chief Officers. Following a very useful and productive meeting I am pleased to record that the Council has now agreed to implement all my recommendations.

Of the 25 cases remedied by local settlements this year, six related to complaints about social services (both adult care services and children and family services). In one of these cases, the complainant alleged that she had been left without the care she was entitled to on 16 occasions. The statutory complaints procedure was subject to significant delay, with completion of Stages 2 and 3 taking from December 2004 to January 2006. Although the review panel upheld the complaint the Council only initially offered to reimburse the complainant for those occasions for which she was able to prove she had paid privately for care. The Council did remedy this complaint ultimately however, agreeing it was not reasonable to require the proof it had initially considered necessary, and paying her £2750.

In another case involving social services, the Council had given a complainant insufficient notice of his elderly mother's discharge from hospital and it delayed for 12 months in issuing invoices in respect of her subsequent residential care. By this time the Council had promised it would not issue an invoice until a review of the elderly person's needs had been completed, but it broke this promise. The delay also meant that the complainant was unable to commence a legal challenge against the charges imposed by the Council for his mother's care. The Council agreed to settle this complaint locally by issuing a written apology and paying the complainant £1000.

In a housing complaint about a failure to supply hot water for more than a year to a resident of a sheltered housing block, the Council initially offered £150 compensation. But I am pleased to note that with the assistance of the link officer, Ms Panchoo, the Council was able to respond very promptly and positively to my investigator's proposal to pay a total of £1250 and to commence remedial work in the property immediately.

In all, the Council paid compensation of £11,274 in respect of complaints brought to me.

### ***Other findings***

During the year I made 128 decisions on complaints against your Council. Of these, 51 were not upheld because there was insufficient evidence of administrative fault or significant injustice. Of the remainder 23 were referred back to the Council as it appeared you had not had sufficient opportunity to consider them through your own complaints procedure. Twenty-seven complaints determined this year were about matters outside my jurisdiction.

### **Your Council's complaints procedure and handling of complaints**

The number of complaints referred back to the Council to deal with under its own complaints procedure has increased slightly this year from 19 to 23. Despite the slight increase, this is below the average in terms of percentage of complaints received by my office. It indicates that the Council's complaints procedure is readily available to service users. The Council's website includes details of the Council's complaints policy and procedures which users may find helpful.

We also received seven complaints which had previously been referred back to your office. Three of these were about matters outside my jurisdiction; one was deemed still premature, and the remainder are still under consideration by my investigators.

### **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**

My staff made enquiries of your Council on 64 cases during the year. The average response time was 37.4 days, an increase on last year's average of 34 days. With the exception of highways, response times from all service areas exceeded the target response time of 28 days. The areas of planning and building control and adult care services had average response times of 44.7 days and 47.3 days respectively. This is frankly unsatisfactory. The Council should now take steps to make improvements in this area over the coming year.

### **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.

**J R White**  
**Local Government Ombudsman**  
**The Oaks**  
**No 2 Westwood Way**  
**Westwood Business Park**  
**Coventry**  
**CV4 8JB**

**June 2007**

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

<b>Complaints received by subject area</b>	<b>Adult care services</b>	<b>Benefits</b>	<b>Children and family services</b>	<b>Education</b>	<b>Housing</b>	<b>Other</b>	<b>Planning &amp; building control</b>	<b>Public finance</b>	<b>Social Services - other</b>	<b>Transport and highways</b>	<b>Total</b>
<b>01/04/2006 - 31/03/2007</b>	3	14	5	9	26	16	15	25	0	11	<b>124</b>
<b>2005 / 2006</b>	8	8	7	7	31	10	10	16	0	11	<b>108</b>
<b>2004 / 2005</b>	12	7	12	8	35	11	24	12	1	11	<b>133</b>

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

<b>Decisions</b>	<b>MI reps</b>	<b>LS</b>	<b>M reps</b>	<b>NM reps</b>	<b>No mal</b>	<b>Omb disc</b>	<b>Outside jurisdiction</b>	<b>Premature complaints</b>	<b>Total excl premature</b>	<b>Total</b>
<b>01/04/2006 - 31/03/2007</b>	2	25	0	0	29	22	27	23	105	<b>128</b>
<b>2005 / 2006</b>	0	19	0	0	23	13	20	19	75	<b>94</b>
<b>2004 / 2005</b>	0	13	0	0	49	23	15	35	100	<b>135</b>

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

<b>Response times</b>	<b>FIRST ENQUIRIES</b>	
	<b>No. of First Enquiries</b>	<b>Avg no. of days to respond</b>
<b>01/04/2006 - 31/03/2007</b>	64	37.4
<b>2005 / 2006</b>	39	33.9
<b>2004 / 2005</b>	55	41.6

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

<b>Types of authority</b>	<b>&lt;= 28 days %</b>	<b>29 - 35 days %</b>	<b>&gt;= 36 days %</b>
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