



The Commission for  
Local Administration in England

**The Local Government Ombudsman's  
Annual Letter**

**The London Borough of Harrow**  
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***

We received 109 complaints during the year, which is a significant increase on the 57 received in the previous year. This is a steep rise and I consider some possible reasons for it below.

### ***Character***

The most notable increase in complaints came under the other and public finance categories. Together those two categories were responsible for 45 of the 52 additional complaints received during the year. The increase relates mainly to complaints about waste management and local taxation. It is perhaps to be expected that waste management formed a larger percentage of the complaints received during the last year given that the Council changed its refuse collection arrangements during the year. However, the increase in complaints about how the Council dealt with people's council tax accounts is concerning and the Council may want to consider whether it is able to identify any improvements it could make to the handling of those complaints.

## **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. Fifteen complaints were settled locally. The total amount paid out in compensation this year was £640, a significant reduction on £3,600 in the previous year.

In one complaint about housing benefit the Council delayed for five months before reinstating the complainant's benefit due to enquiries being made about her benefit entitlement for a previous address. During that period the complainant was threatened with eviction by her landlord and had to take out a loan to pay her rent. In that case the Council agreed to pay £225 compensation. But, I am concerned to note that the Council delayed agreeing to the settlement and failed to determine the complainant's housing benefit claim within the time period notified to my investigator. I am sure you can appreciate that this increases a complainant's sense of frustration and I would ask that the Council ensures that it responds promptly to suggestions for settlement when things have clearly gone wrong.

In another case concerning housing repairs the complainant was left for seven months without hot water because his immersion heater was broken. In that case the Council agreed to pay £140 compensation. I considered that to be a reasonable outcome for the complaint as the complainant had contributed to some of the delays.

In a third case concerning housing repairs, the Council refused to make good damage caused to the complainant's door which it broke in when the complainant turned off his water supply before going on holiday, not realising that the supply also served the flat below. The Council delayed replacing the

door, lock and door frame for seven months. The Council agreed to pay the complainant £150 compensation for the delay. However, I am concerned to note that when my investigator wrote to the Council asking it to complete the repairs before settling the complaint it wrote to the complainant offering him the compensation but indicating that he had to contact the maintenance department himself if he had outstanding repairs he wanted completed. I do not consider this to be a customer-focused approach, given that the Council was aware of the repair required.

In another case concerning local taxation the Council delayed dealing with the complainant's emails about his council tax account until after a liability order had been obtained. This meant that the complainant could not resolve the matter without attending Court. The Council offered to settle the complaint when responding to my enquiries by writing off the costs incurred on the account.

When we complete an investigation we must issue a report. I issued no reports against the Council during the year.

### ***Other findings***

Ninety nine complaints were decided during the year. Of these 16 were outside my jurisdiction for a variety of reasons. Forty-seven complaints were premature, of which 14 concerned waste collection. As I mentioned earlier, 15 were settled locally. The remaining 21 were not pursued because no evidence of maladministration was seen or because it was decided for other reasons, largely lack of injustice, not to pursue them. In my investigation of various complaints about the way in which the Council handled the change in its refuse collection arrangements I found no evidence of fault.

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

The number of premature complaints has increased dramatically in the past year. This suggests that the Council's complaints process may not be sufficiently visible to customers or that staff, when dealing with requests for assistance, do not signpost the complaints process for those who remain unhappy with what the Council has done. I commented on the accessibility of the Council's complaints procedure in last year's letter. The process is still not easily accessible on the Council's website, despite reassurances that the links would be amended by October last year. The failure to provide easy access to the complaints process may explain why the number of premature complaints submitted to me this year has increased so dramatically. I hope that the Council will now look carefully at ways of helping customers make complaints quickly and effectively via its website, clearly signposting the facility from the home page.

### **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**

We made enquiries on 24 complaints this year, and the average time for responding was 31 days, an improvement on the 33 days it took last year but still greater than the 28 day target. I am pleased to see an improvement here. But I am aware that there have been a number of cases where, although the Council has responded promptly, its first response did not include all the relevant documentation and so requiring further enquiries of the Council. I believe that this is an area that still needs some attention by the Council.

I was pleased to welcome your link officer to the seminar I held in Coventry in November. I hope he found the seminar useful. You may wish to consider sending your new link officer to the seminar to be held later in November. If so, please let Stephen Purser, the Assistant Ombudsman, know and he will arrange for an invitation to be sent.

I have agreed to give a presentation to senior managers later this year and I look forward to meeting you then.

## **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>Transport and highways</b>	<b>Total</b>
<b>01/04/2006 - 31/03/2007</b>	2	7	4	2	20	32	11	22	9	<b>109</b>
<b>2005 / 2006</b>	0	3	3	3	16	5	11	4	12	<b>57</b>
<b>2004 / 2005</b>	2	3	2	7	14	8	9	6	10	<b>61</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>	0	15	0	0	16	5	16	47	52	<b>99</b>
<b>2005 / 2006</b>	0	9	0	0	20	4	11	21	44	<b>65</b>
<b>2004 / 2005</b>	1	13	0	0	18	5	6	14	43	<b>57</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>	24	31.0
<b>2005 / 2006</b>	17	33.1
<b>2004 / 2005</b>	31	31.5

**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