



The Commission for
Local Administration in England

The Local Government Ombudsman's Annual Letter

London Borough of Redbridge

**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 107 complaints, a marked increase from the previous two years when we received 85 and 83 complaints respectively.

Character

The number of complaints received about education increased significantly, from 13 last year to 22 this year. There were fewer complaints received about housing and a significant reduction in the number received about planning and building control, from 18 last year to just 7 this year. Of the 22 complaints I received which are categorised in the accompanying statistics as "Other", half concerned the way in which the Council had responded to reports of anti-social behaviour. The remainder were about a broad range of issues including environmental health, leisure facilities, and issues relating to Council owned land or rights of way.

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.

We decided 98 complaints. I did not issue any reports but I did agree 17 local settlements with the Council. There was evidence of fault in all of the local settlements. This means there was fault found in 26% of all complaints decided (excluding those which were outside jurisdiction or which I referred back to the Council to deal with in the first as it had not had a reasonable opportunity to do so before the complaint was made to me). This is in keeping with the national average of 27.7% and an improvement for your Council on 33% last year.

As well as taking specific action to remedy complaints and improve procedures where necessary I asked the Council to pay a small amount of compensation where I felt it was merited. The total compensation paid to complainants this year was £3,300. This compares to a total of over £7,500 compensation last year.

In terms of the local settlements reached, most spanned a broad range of issues and did not highlight what I would consider to have been evidence of systemic failures but rather tended to be where things had simply – for a variety of different reasons in each case – gone wrong. These included one complaint about Housing Benefit administration and one in respect of Council Tax Benefit administration where there had been some delays in processing the claims, and a complaint where an individual had mistakenly been issued with two Penalty Charge Notices in respect of the same alleged parking contravention.

Two local settlements related to complaints about anti social behaviour. In one case there were significant delays in responding to the initial report of neighbour nuisance and thereafter further delays in taking effective action to prevent future incidents occurring. On the second complaint I found that although the Council had dealt with the report of neighbour nuisance appropriately, it had then failed to deal properly with the complaint that was made to it about the action it had taken, which in itself caused a degree of frustration and uncertainty for the complainant.

Although they all concerned different issues there were three settlements in respect of housing allocations and the extent to which the priority afforded to applicants for housing, or a transfer to alternative accommodation, accurately reflected their circumstances. In one of these complaints my investigator raised his concerns about the extent to which the Council's Allocations Scheme, and in particular its policy regarding 'local connection', was – in his view - at risk of breaching Part 6 of the Housing Act 1996 and the associated Code of Guidance. I would appreciate any comments the Council has on this and whether it has made any changes as a result of its intended review.

Other findings

One educational admissions complaint concerned the decision letter issued by the Council following an appeal which gave incorrect advice about the jurisdiction of the Ombudsman: it said that a complaint had to be referred by a Councillor for me to investigate it and that, if I found there to be maladministration causing injustice, I could not recommend a new appeal hearing. However, I understand that this was a one-off and your Council has now changed the wording of its decision letters.

Your Council's complaints procedure and handling of complaints

I referred 25 complaints back to the Council last year as "premature" as the Council had not had a sufficient opportunity to respond to them. This represents 23% of the total decisions made, which is a small reduction on 26% last year, and lower than the national average of 28.2%.

Of the 25 premature complaints received this year, eight were subsequently resubmitted to me within the year as the complainants remained dissatisfied with the Council's response. We have closed two of these complaints as there was no evidence of fault, one was settled locally and another was outside my jurisdiction. Although these figures suggest that I should continue to have every confidence in the Council's ability to deal with complaints I refer back to it, I have recently been made aware that a small number of referrals I have made of late have not been processed by the Council through its corporate complaints procedure in a timely fashion which has meant that the complainants have experienced additional delay in getting a response to their concerns.

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.

Staff from your housing department very recently attended the Good Complaint Handling Course and the feedback was that it provided a good opportunity for staff to share their experiences and to comment on the Council's complaints handling process. It was also identified that there were some concerns about the lines of communication between front-line staff and managers, which the Council may wish to review.

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

The target time for councils to respond to enquiries is 28 days. The average response time for your Council is 34.4 days, which although slightly outside the target time, is in keeping with last year's response times. I do note however that the main reason for the failure to adhere to the 28 day target time appears to be that responses to enquiries made about housing complaints are taking – on average - 45 days.

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	Transport and highways	Total
01/04/2006 - 31/03/2007	5	5	3	22	22	24	7	10	9	107
2005 / 2006	0	4	1	13	27	10	18	5	7	85
2004 / 2005	4	6	1	10	21	11	16	3	11	83

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	17	0	0	34	15	7	25	73	98
2005 / 2006	1	14	0	0	18	9	15	20	57	77
2004 / 2005	0	5	0	0	26	8	11	24	50	74

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	51	34.4
2005 / 2006	40	34.1
2004 / 2005	27	31.6

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