

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

**London Borough of
Richmond upon Thames**
for the year ended
31 March 2008

The Local Government Ombudsman (LGO) provides a free, independent and impartial service. We consider complaints about the administrative actions of councils and some other authorities. We cannot question what a council has done simply because someone does not agree with it. If we find something has gone wrong, such as poor service, service failure, delay or bad advice, and that a person has suffered as a result, the Ombudsmen aim to get it put right by recommending a suitable remedy. 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 2007/08 - Introduction

This annual letter provides a summary of the complaints we have received about Richmond upon Thames. We have included comments on the authority's performance and complaint-handling arrangements, where possible, so they can assist with your 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.

Two attachments 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

In 2007/08, I received 47 complaints against your Council. This represents a reduction on the 67 complaints I received in the previous year (although that figure was inflated by 20 complaints about the same planning development). Planning and building control continue to provide the largest number of complaints. The distribution of other complaints remained broadly the same.

Decisions on complaints

During the year, we made decisions on 57 complaints against your authority. We found no maladministration in 16 complaints, and we exercised discretion to close a further 19 without requiring action by the Council. We found that six complaints were outside my jurisdiction.

Reports and local settlements

A 'local settlement' is a complaint where, during the course of our investigation, the Council has agreed to take some action which we consider is a satisfactory response to the complaint. The investigation is then discontinued. In 2007/08 the Local Government Ombudsmen determined 27% of complaints by local settlement (excluding 'premature' complaints - where councils have not had a proper chance to deal with them - and those outside our jurisdiction).

None of the complaints we investigated this year justified the issue of a report. We settled seven complaints. In settling the complaints the Council agreed to pay nearly £1,500 compensation.

Two complaints concerned children and family services. In one the Council had delayed in convening a panel to consider complaints about decisions made at a child protection conference. The Council resolved matters by quickly arranging the necessary hearing. On the second the Council made an unannounced visit to the complainant following a report that she had been shouting at her children. The Council should have made prior contact. Because of her particular circumstances the complainant was very distressed by this visit. The Council then delayed in providing written confirmation that it was taking no further action. The Council had previously paid £400 compensation and readily agreed to increase this to £1,000.

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Three complaints concerned education admissions. In two the Council changed arrangements for admissions to a nursery school, to bring them into line with the published information. But this left the complainants without places at the school when the previous practices, of which they had been aware, indicated they would get places. The Council settled the complaints by agreeing to admit the children to the school in question. In the third complaint the Council agreed to ensure that information in its composite prospectus about admission to a foundation primary school was accurate.

One complaint concerned the Council's failure to respond to a complaint about the behaviour of an officer and the Council's unwillingness to accept a homeless application. The Council settled the matter by paying £100 compensation.

Finally, one complaint concerned the Council's failure to cancel a gym membership. The Council agreed to refund all the payments that had continued to be debited from the complainant's account. It also introduced improvements to the way it maintains records of email and telephone contacts to its leisure services.

Other findings

I decided not to pursue one complaint about the Council's decision to ban the complainant from its premises. The complaint highlighted that the Council had no specific procedure for banning people. At my request the Council has now drawn up such a procedure.

I decided not to pursue seven complaints about the way the Council had dealt with a planning application to develop one particular site. One aspect of the complaints was the way consultation letters were generated and sent. The Council agreed to review its arrangements here.

Your Council's complaints procedure and handling of complaints

During the year, my office referred nine 'premature complaints' to your Council for consideration, as we did not believe that you had had a full opportunity to deal with them through your own procedures. At 16% of all decisions, this was well below the national average.

During that period, three premature complaints were resubmitted to me. We did not uphold two of these and exercised discretion to close the third.

Liaison with the Local Government Ombudsman

The Council's average time for responding to first enquiries was 28 days. This was slightly shorter than in the previous year and now exactly meets my target time.

The Council continues to provide full responses to my enquiries and to respond positively to proposed settlements.

Training in complaint handling

Part of our role is to provide advice and guidance about good administrative practice. We offer training courses for all levels of local authority staff in complaints handling and investigation. This year we carried out a detailed evaluation of the training with councils that have been trained over the past three years. The results are very positive.

The range of courses is expanding in response to demand. 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 and a course on reviewing complaints for social care review panel members. We can run open courses for groups of staff from different 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.

During the year we ran two courses on Effective Complaint Handling for your officers which I hope you found useful. I have enclosed some information on the full range of courses available together with contact details for enquiries and any further bookings.

LGO developments

We launched the LGO Advice Team in April, providing a first contact service for all enquirers and new complainants. Demand for the service has been high. Our team of advisers, trained to provide comprehensive information and advice, has dealt with many thousands of calls since the service started.

The team handles complaints submitted by telephone, email or text, as well as in writing. This new power to accept complaints other than in writing was one of the provisions of the Local Government and Public Involvement in Health Act, which also came into force in April. Our experience of implementing other provisions in the Act, such as complaints about service failure and apparent maladministration, is being kept under review and will be subject to further discussion. Any feedback from your Council would be welcome.

Last year we published two special reports providing advice and guidance on 'applications for prior approval of telecommunications masts' and 'citizen redress in local partnerships'. Again I would appreciate your feedback on these, particularly on any complaints protocols put in place as part of the overall governance arrangements for partnerships your Council has set up.

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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 2008

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
01/04/2007 - 31/03/2008	0	3	1	3	7	9	20	1	3	47
2006 / 2007	2	1	5	9	6	6	31	1	6	67
2005 / 2006	3	1	4	3	1	7	16	3	5	43

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
01/04/2007 - 31/03/2008	0	7	0	0	16	19	6	9	48	57
2006 / 2007	0	9	0	0	11	4	7	24	31	55
2005 / 2006	0	7	0	0	10	7	8	12	32	44

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
01/04/2007 - 31/03/2008	28	28.0
2006 / 2007	11	28.5
2005 / 2006	16	32.9

Average local authority response times 01/04/2007 to 31/03/2008

Types of authority	<= 28 days %	29 - 35 days %	>= 36 days %
District Councils	56.4	24.6	19.1
Unitary Authorities	41.3	50.0	8.7
Metropolitan Authorities	58.3	30.6	11.1
County Councils	47.1	38.2	14.7
London Boroughs	45.5	27.3	27.3
National Park Authorities	71.4	28.6	0.0