

**The Local Government Ombudsman's
Annual Review
London Borough of Camden
for the year ended
31 March 2009**

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 reviews.

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Section 1: Complaints about the London Borough of Camden 2008/09

Introduction

This annual review provides a summary of the complaints we have dealt with about the London Borough of Camden. 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 review will be a useful addition to other information your authority holds on how people experience or perceive your services.

Two appendices form an integral part of this review: statistical data for 2008/09 and a note to help the interpretation of the statistics.

Changes to our way of working and statistics

A change in the way we operate means that the statistics about complaints received in 2008/09 are not directly comparable with those from 2007/08. Since 1 April 2008 the new LGO Advice Team has been the single point of contact for all enquiries and new complaints. The number of calls to our service has increased significantly since then. It handles more than 3,000 calls a month, together with written and emailed complaints. Our advisers now provide comprehensive information and advice to callers at the outset with a full explanation of the process and possible outcomes. It enables callers to make a more informed decision about whether putting their complaint to us is an appropriate course of action. Some decide to pursue their complaint direct with the council first.

It means that direct comparisons with some of the previous year's statistics are difficult and could be misleading. So this annual review focuses mainly on the 2008/09 statistics without drawing those comparisons.

Enquiries and complaints received

Our Advice Team received 218 enquiries about your Council, with more contacts about housing (90) than for any other area. Transport and highways received 34 enquiries and planning and building control 16. There were also 42 in our 'other' category, which includes anti social behaviour and environmental health.

These contacts generated a total of 120 complaints which were forwarded for investigation. Housing matters comprised the bulk (57 – of which the majority related to disrepair). There were 23 complaints in the other category. Most were about anti social behaviour (10) or environmental health (9). The remaining 40 complaints concerned a variety of other service areas.

Complaint outcomes

I came to decisions on 118 substantive complaints last year.

When we complete an investigation, we issue a report. This year there was one report against your authority.

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. This can include such things as reconsideration of a decision, repairs carried out, policies reviewed, benefit paid, an apology or other action. In addition I may ask the Council to pay compensation. Nationally, 27.4% of complaints which were within my jurisdiction were concluded as local settlements. This year I agreed 39 local settlements with your Council (33.1%) and asked you to pay compensation of nearly £9,000.

Sometimes, though the Council may be at fault, I use my discretion not to pursue an investigation because there is no significant injustice to the complainant. This year I closed 27 cases using my discretion. There were 32 complaints where I found no or insufficient evidence of fault by the Council to justify further investigation. There were also 19 complaints which fell outside my jurisdiction.

Complaints by service area

Housing

During the year I received 56 complaints about housing issues and made the same number of decisions. In a small but significant number, initial problems were compounded by the Council failing to take the action agreed (including the payment of compensation) in a timely manner.

Housing repairs

I decided 25 disrepair complaints. I found three cases were outside my jurisdiction; two because the matters had not been brought to my attention within 12 months, and one because the complainant had a court remedy which I felt it was reasonable for them to use. In two cases I concluded the Council was not at fault.

I used my discretion not to pursue five cases; in one because the complainant no longer wished me do so and four cases because the action the Council had already agreed to take to resolve matters appeared reasonable. In one of these I did nevertheless recommend a change to the Council's procedures so that, where a repair order has been cancelled, the Council should write to the tenant to explain why so they can challenge any differences of view.

In two thirds of cases which were within my jurisdiction (15) I agreed local settlements; this is much higher than normal. In one case the complainant's property was seriously affected by a water leak and the boiler was also defective, meaning there was limited heating and hot water for around a year. The Council also wrongly reduced the complainant's priority for re-housing, which delayed their transfer application. While there was some dispute about the complainant's willingness to provide access for the repairs I nevertheless felt that compensation of £2,000 was appropriate. The Council agreed this and to review relevant procedures.

In a separate complaint there was delay of around two years in dealing with a water leak and in carrying out other promised refurbishment work. The complainant was disabled and was caused considerable inconvenience: the Council agreed to pay £850 and arrange for the works to be carried out.

Another significant settlement resulted from a two month delay in carrying out repairs to the complainant's property. The extent of the necessary works meant the complainant had to be moved to temporary accommodation. The Council agreed to pay £400 in recognition of this disruption and was proactive in agreeing to pay a further £925 towards the costs of a laminate floor.

In a separate case the Council accepted works needed to be carried out on the damp proof course at the complainant's home, but delayed in carrying out the work. Meantime, the tenant remained in residence and was caused difficulties with day to day living for which the Council apologised, made a payment of £750 and agreed to carry out a further inspection.

Three complaints involved drainage problems. In one case there was delay of around two months in dealing with problems affecting the complainant's toilet, for which the Council agreed to pay £100 compensation. In another, the Council did not properly record the causes of blockages to a toilet or provide proper advice to other residents on how these could be avoided; if this had been done it was possible the problems the complainant was caused could have been prevented. I recommended total compensation of £300. In another case the complainant claimed they had regularly reported issues with their toilet, but there was conflicting evidence. Nevertheless there had been delay by the Council in dealing with the issue once it was aware of it, for which it agreed to pay £100.

In five cases I found the Council had not taken agreed action following previous complaints. I recommended additional compensation totalling £475 and the Council agreed to take speedy action to carry out the repairs. The Council's agreement was of course welcome. But it would not have been necessary if the actions it had originally agreed had been taken. It is in neither the Council's nor complainant's interests to have to deal with further complaints. In one of these cases the complainant then raised further concerns about the work not having been carried out, but the Council said this was because access had been refused. I found there was a dispute over exactly what needed to be done and welcomed the Council's agreement to arrange a further visit by a surveyor so that both parties had a clear understanding of the action to be taken. In another complaint raising similar issues I asked the Council to carry out a further surveyor's visit to assess the complainants list of outstanding repairs.

There was fault by the Council in another case where the complainant was led to believe they could arrange for redecorating works to be carried out and recover the costs from the Council. The Council had also left replastering works unfinished. Here, the Council agreed to pay the complainant the face value of the redecoration vouchers it had previously offered (£325) and to make an appointment to carry out the outstanding works.

I am aware the Audit Commission found the Council's housing performance had improved over the past year but this was not reflected in the disrepair cases I have dealt with. I know the Council is making changes to its estate management services which may assist with future performance in this area and I will of course continue to closely monitor matters.

Homelessness

Decisions were made on five homelessness complaints. In one I found no fault by the Council, and I exercised my discretion not to pursue two cases: one because the complainant no longer wished me to do so and the other because any fault had not caused the complainant an injustice which warranted my involvement. There were two local settlements.

In one local settlement the Council accepted it had not provided the support it should have done for a complainant with mental health difficulties who became homeless. I did not see how I could conclude there would have been a different outcome if it had been provided, but I accepted there was some uncertainty and the Council agreed to make a total payment of £250 to reflect this and the delay in progressing matters through its complaints procedure.

In another case I found unreasonable delay (of around six months) in responding to enquiries from a solicitor about matters relating to the complainant's homelessness application. But I considered the Council's agreement to provide a substantive response, together with an apology for the delay, was an appropriate way of addressing this issue.

Housing allocations

I decided eight allocations complaints. In six I concluded there had been no fault by the Council and in one I used my discretion not to pursue the matter because although there appeared to have been some delay by the Council I did not believe this affected the complainant's housing circumstances. I did however have concerns about the Council's policy on suspending applicants from bidding on its 'Home Connections' scheme where a homelessness decision was being reviewed, and I asked you to reconsider this issue. (We have subsequently been in contact but understand the outcome of your review is not yet known). I would be grateful if you could update me when there is further information available on this.

There was one local settlement. Here the Council had not carried out void works to a property before the complainant moved in. And there was then a further period of delay after the complainant had moved in. The Council agreed a payment of £150 to recognise the inconvenience caused to the complainant and to ensure the repairs were carried out.

Housing sales / leaseholds

I decided 11 complaints in this area. I found no fault in four cases and concluded that a further three were outside my jurisdiction because the complaint related to matters where a right of appeal existed to the Leasehold Valuation Tribunal (LVT). I also agreed four local settlements.

In one case the Council accepted it had delayed in carrying out repairs to windows at a leaseholder's property. It had already offered compensation for this but there was then further delay in progressing the work. This appeared to be because of problems in getting the Council's contractors to take action. I concluded that a total payment of £1,000 would be appropriate here.

In another case the Council wrongly sent the complainant a demand for payment of a disputed service charge invoice and in trying to resolve matters the complainant sought legal advice. I agreed that a total payment of £250 was appropriate to recognise the unnecessary costs incurred as a result of this fault. A separate complaint was about delay in dealing with concerns about who was responsible for the supply of gas to a leaseholder's property; the Council agreed a £50 time and trouble payment but then delayed in making the payment, leading me to ask for additional compensation which would not have been necessary if prompt payment had been made.

A freeholder complained to me about the level of charges being levied by the Council, to which they felt they should not be subject. Although a freeholder has no right of appeal to the LVT, I felt the issue of whether the Council could levy these charges was one that could ultimately only be resolved by the courts. But given the Council had already entered into a separate agreement with another freeholder in a similar position I queried why a different approach was being adopted in respect of my complainant. In response the Council agreed to write off some of the charges and to make a time and trouble payment of £100.

Managing tenancies

I came to a view on five complaints in this area, finding no fault by the Council in one and concluding another was outside my jurisdiction because it had not been brought to my attention within 12 months of the complainant becoming aware of the problem. I used my discretion to discontinue a further complaint because of the unacceptable and offensive remarks made by the complainant made an appropriate investigation impractical.

I agreed two local settlements. In one case I found the Council had wrongly charged the complainant for rent on two properties following a transfer from a flat in serious disrepair (which itself formed the subject of a previous complaint to me). The Council agreed to waive the arrears and pay compensation of £100.

In another complaint the Council delayed in responding to correspondence about charges for a gas supply and wrongly stated the supply would be capped. Although I did not find the charges themselves to be unreasonable, I did find the delay and provision of inaccurate information had caused the complainant inconvenience for which a payment of £50 was appropriate.

Transport and highways

I came to decisions on 16 substantive complaints in this area, of which 12 concerned parking. Because of the statutory rights of appeal that exist in relation to parking enforcement such complaints are often outside my jurisdiction. This was the case in six of these complaints. In two cases I felt there was no evidence of fault and I exercised my discretion not to pursue a further two; in one case there was insufficient injustice and in the other, this was because I felt the complainant's own actions in parking illegally had caused the problem that gave rise to the complaint to me. In the other two parking complaints I came to local settlements. In the first, the Council had agreed to provide the complainant with visitor parking permits as compensation for fault on a separate complaint, but these never arrived and so the Council agreed to make an equivalent cash payment. The other was about parking and clamping charges a disabled complainant incurred while parking on an estate. I considered that the Council's proposed settlement, of waiving the clamping charge and paying compensation for a delay in complaint handling, was a reasonable way of settling the matter.

The remaining complaints concerned highway and traffic management. Two were outside my jurisdiction and I did not pursue matters in another (largely because the Council was not the responsible body for most of the concerns raised). The other complaint, concerning delay in carrying out works to speed humps, was resolved with the Council agreeing to take the necessary action.

Planning and building control

I decided 13 complaints about planning and building control matters. Eight concerned planning applications, three were about enforcement and two about trees.

In four cases I felt there had been no fault and I exercised my discretion not to pursue five complaints. In one, this was because it related to the impact on the complainants trees of a development at a neighbouring property for which planning permission had been granted before they purchased their own property. I felt it would have been reasonable for them to consider the impact of the proposed development before they went ahead with the purchase. Nevertheless, my investigation revealed that the planning file had been 'filleted' after the decision to minimise storage space. This meant that a number of key documents were no longer available. I consider the failure to retain documents for a reasonable time after the decision was taken (which might be necessary for an investigation or court challenge or for audit purposes, for example) to be fault. I understand that this policy was only in force for a short period, and do not expect it to be repeated.

I agreed four local settlements. In one long running planning complaint the Council granted a Certificate of Lawful Development for an extension with a first floor roof terrace, based on 'permitted development rights' for dwelling houses. But the property was laid out as flats and so did not benefit from these rights, so the certificate should not have been issued and a planning application should have been required for the development. Having considered the Council's Development Plan policies I concluded that, if this had been done, the scheme would not have been agreed in its current form. In particular, it was extremely unlikely that the roof terrace would have been approved. I therefore asked the Council to instruct the District Valuer to consider any loss in value of the complainant's property resulting from the roof terrace, and for the Council to pay this to the complainants as compensation. The complaint took some time to resolve because the Council was unhappy with this proposal and sought legal advice, but I am pleased that it has now agreed to implement my recommendation.

Two of the other settlements were about enforcement matters. In one the Council had decided that the installation of an air conditioning unit on a building was not a breach of development control, but three years later it concluded this decision unjustifiable. Although I did not believe the injustice to the complainant was significant, I accepted they had been caused uncertainty and put to some unnecessary time and trouble. In the other complaint the Council had failed to investigate concerns about a breach of planning conditions. The matter was satisfactorily resolved by its agreement to undertake such an investigation.

With the final settlement, the Council had failed to address the complainant's concerns about possible damage during development to a tree that was protected by a planning condition. The tree was subsequently removed. The Council agreed to pay £100 compensation for the complainant's time and trouble and to consider the need for a replacement.

Other

Our 'other' category covers a range of issues, but the key ones are anti social behaviour and environmental health.

Antisocial behaviour

I considered nine complaints about antisocial behaviour. I found no fault by the Council in four cases and concluded there was no injustice in relation to a further complaint. I agreed three local settlements.

In the first, part of the complaint was that the Council had misaddressed a letter about the complainant's complaint about their neighbour, and had sent it to the neighbour. I accepted this would have caused distress and might have increased the level of antisocial behaviour directed towards the complainant (though this had not materialised). To settle this complaint, the Council agreed to pay £100 compensation and install an intercom at the complainant's property to improve their security.

Another case was about failing to take effective action against a family which was causing serious and sustained antisocial behaviour to the complainant. The Council's approach was reactive, not proactive, and it failed to monitor the situation properly or initiate action where appropriate. Although the perpetrator had moved to alternative accommodation the Council agreed to pay £500 for its failure to take proper action and to reconsider training needs for staff involved in dealing with antisocial behaviour.

The third complaint was from a landlord whose tenants felt under threat from young people living in a nearby home. I agreed a local settlement based on steps the Council was taking to deal with nuisance, including crime prevention measures and liaison with the police.

Environmental health

I found no fault in five of the environmental health complaints which were within my jurisdiction and I agreed one local settlement. This related to alleged fault in taking action against unpleasant smells from a neighbouring flat: the Council had previously investigated and found no evidence of nuisance but following my involvement it agreed to carry out further investigations to reassess the problem. I considered that this was a satisfactory remedy.

Other matters

One complaint I decided concerned the Council's attempts to prevent the complainant from providing tennis coaching on its courts. Its own legal advice indicated that it could not do so and following my intervention it informed the complainant of this.

Local taxation

During the year I received four complaints in this area, all of which related to local taxation, and came to seven substantive decisions (including decisions on cases received in the previous year). Two were outside of my jurisdiction; in one case because the complainant had already appealed to the Valuation Tribunal Service and in the other because the complainant had been aware of the problem for more than 12 months. I exercised my discretion not to pursue two complaints either because there was insufficient injustice to justify doing so or because the Council had already taken what I considered to be reasonable steps to deal with the matter.

As set out above, I issued one report. The Council made the complainant bankrupt for non-payment of council tax. But its Community Mental Health Team was aware the complainant had mental health difficulties and was not capable of managing their own affairs. I found the Council was at fault in not making effective internal inquiries, before taking bankruptcy proceedings, about the complainant's potential vulnerability. These would have established their vulnerability and it is likely that different steps with less serious consequences would then have been taken. However, the Council agreed to apply to the court to annul the bankruptcy and I welcomed this.

I agreed two local settlements. In one case the Council failed to properly respond to the complainants representations about entitlement to a council tax exemption and sent a notice of recovery action to the wrong address. In the event the complainant was not entitled to an exemption, so significant injustice did not result. But the Council nevertheless apologised and agreed to withdraw a Liability Order that had been issued, and associated legal costs.

In the other settlement I found the Council had provided confusing information about the year to which council tax bills related, and what enforcement action would be taken. There were also disputes about bailiffs' charges and whether visits had been made (and recognised poor record keeping), a wrong reference used by the bailiffs and a failure by the bailiffs to respond to queries. To resolve the matter the Council agreed to apologise and review the complainant's council tax account, to credit the account with bailiffs' fees (totalling approximately £485).

I welcomed this positive approach but do have concerns about the bailiffs' policy of 'double charging' when carrying out a single visit relating to more than one liability order. I appreciate the Council view of the law differs from my own, but I do not believe it is right for such 'double charging' to take place.

Education

I decided four complaints about education matters. In a special educational needs case I exercised my discretion not to pursue the matter because although I felt there had been delay by the Council I did not believe this had caused delay in educational provision being put in place. The remaining three complaints related to school admissions. I found no fault by the Council in one and did not believe there was sufficient injustice to justify my further involvement in the other two. I was nevertheless concerned that insufficient detail was being recorded about the way the appeal panel (which considered parents' appeals for school places when they had been unsuccessful in securing their choice of school for their child), reached its decision. I was also concerned about incorrect information provided to parents in advance of the appeal hearing and that an out of date Appeals Code (which sets out the way in which appeals should be conducted) was used.

Housing benefit

There was one local settlement in this area, where the complainant alleged the Council had acted unreasonably in pursuing rent arrears in the light of their personal circumstances. Given the significant and increasing level of arrears I did not consider this to be the case, but I did consider there had been some fault in communicating with the vulnerable complainant, and that this caused unnecessary distress and confusion. I therefore welcomed the Council's agreement to write off court charges from the complainant's rent account as a gesture of goodwill.

Liaison with the Local Government Ombudsman

The average time taken by the Council to reply to our written enquiries was 33.4 days which is outside my target of 28 days and represents a deterioration on the previous year's performance. Housing was the area on which I made most enquiries and the overall response time for these complaints was 37.8 days (with three complaints taking more than 70 days); the key to improving performance may well lie here.

I have however again also been struck by the many positive comments that have been made by my staff about the assistance provided by the Central Complaints Unit and other officers. There are many references to a proactive approach to resolving complaints which I would like to commend. I note the Central Complaints Unit is now fully staffed and was pleased that your new complaints investigation officer was able to attend our recent link officer seminar.

I know the Council has now switched from a three to a two stage complaint procedure and note this appears to have caused some transitional problems. I would be interested to learn more about the outcome of your related review of departmental complaint handling arrangements, which I understand will take place later this year.

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. All courses are presented by experienced investigators. They give participants the opportunity to practise the skills needed to deal with complaints positively and efficiently. We can also provide customised courses to help authorities to deal with particular issues and occasional open courses for individuals from different authorities.

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

Conclusions

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.

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June 2009

Section 2: LGO developments

Introduction

This annual review also provides an opportunity to bring councils up to date on developments – current and proposed – in the LGO and to seek feedback. It includes our proposal to introduce a ‘statement of reasons’ for Ombudsmen decisions.

Council First

From 1 April 2009, the LGO has considered complaints only where the council’s own complaints procedure has been completed. Local authorities have been informed of these new arrangements, including some notable exceptions. We will carefully monitor the impact of this change during the course of the year.

Statement of reasons: consultation

The Local Government and Public Involvement in Health Act 2007 made provision for the LGO to publish statements of reasons relating to the individual decisions of an Ombudsman following the investigation of a complaint. The Ombudsmen are now consulting local government on their proposal to use statements of reasons. The proposal is that these will comprise a short summary (about one page of A4) of the complaint, the investigation, the findings and the recommended remedy. The statement, naming the council but not the complainant, would usually be published on our website.

We plan to consult local authorities on the detail of these statements with a view to implementing them from October 2009.

Making Experiences Count (MEC)

The new formal, one stage complaint handling arrangement for adult social care was also introduced from 1 April 2009. The LGO is looking to ensure that this formal stage is observed by complainants before the Ombudsmen will consider any such complaint, although some may be treated as exceptions under the Council First approach. The LGO also recognises that during the transition from the existing scheme to the new scheme there is going to be a mixed approach to considering complaints as some may have originated before 1 April 2009. The LGO will endeavour to provide support, as necessary, through dedicated events for complaints-handling staff in adult social care departments.

Training in complaint handling

Effective Complaint Handling in Adult Social Care is the latest addition to our range of training courses for local authority staff. This adds to the generic Good Complaint Handling (identifying and processing complaints) and Effective Complaint Handling (investigation and resolution), and courses for social care staff at both of these levels. Demand for our training in complaint handling remains high. A total of 129 courses were delivered in 2008/09. Feedback from participants shows that they find it stimulating, challenging and beneficial in their work in dealing with complaints.

Adult Social Care Self-funding

The Health Bill 2009 proposes for the LGO to extend its jurisdiction to cover an independent complaints-handling role in respect of self-funded adult social care. The new service will commence in 2010.

Internal schools management

The Apprenticeship, Skills, Children and Learning Bill (ASCL) 2009 proposes making the LGO the host for a new independent complaints-handling function for schools. In essence, we would consider the complaint after the governing body of the school had considered it. Subject to legislation, the new service would be introduced, in pilot form, probably in September 2010.

Further developments

I hope this information gives you an insight into the major changes happening within the LGO, many of which will have a direct impact on your local authority. We will keep you up to date through LGO Link as each development progresses but if there is anything you wish to discuss in the meantime please let me know.

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June 2009

Appendix 1: Notes to assist interpretation of the statistics 2008/09

Introduction

This year, the annual review only shows 2008/09 figures for enquiries and complaints received, and for decisions taken. This is because the change in the way we operate (explained in the introduction to the review) means that these statistics are not directly comparable with statistics from previous years.

Table 1. LGO Advice Team: Enquiries and complaints received

This information shows the number of enquiries and complaints received by the LGO, broken down by service area and in total. It also shows how these were dealt with, as follows.

Formal/informal prematures: The LGO does not normally consider a complaint unless a council has first had an opportunity to deal with that complaint itself. So if someone complains to the LGO without having taken the matter up with a council, the LGO will usually refer it back to the council as a 'premature complaint' to see if the council can itself resolve the matter. These are 'formal premature complaints'. We now also include 'informal' premature complaints here, where advice is given to the complainant making an enquiry that their complaint is premature. The total of premature complaints shown in this line *does not include* the number of resubmitted premature complaints (see below).

Advice given: These are enquiries where the LGO Advice Team has given advice on why the Ombudsman would not be able to consider the complaint, other than the complaint being premature. For example, the complaint may clearly be outside the Ombudsman's jurisdiction. It also includes cases where the complainant has not given enough information for clear advice to be given, but they have, in any case, decided not to pursue the complaint.

Forwarded to the investigative team (resubmitted prematures): These are cases where there was either a formal premature decision, or the complainant was given informal advice that their case was premature, and the complainant has resubmitted their complaint to the Ombudsman after it has been put to the council. *These figures need to be added to the numbers for formal/informal premature complaints (see above) to get the full total number of premature complaints. They also needed to be added to the 'forwarded to the investigative team (new)' to get the total number of forwarded complaints.*

Forwarded to the investigative team (new): These are the complaints that have been forwarded from the LGO Advice Team to the Investigative Team for further consideration. The figures may include some complaints that the Investigative Team has received but where we have not yet contacted the council.

Table 2. Investigative Team: Decisions

This information records the number of decisions made by the LGO Investigative Team, broken down by outcome, within the period given. **This number will not be the same as the number of complaints forwarded from the LGO Advice Team** because some complaints decided in 2008/09 will already have been in hand at the beginning of the year, and some forwarded to the Investigative Team during 2008/09 will still be in hand at the end of the year. Below we set out a key explaining the outcome categories.

MI reps: where the LGO has concluded an investigation and issued a formal report finding maladministration causing injustice.

LS (local settlements): decisions by letter discontinuing our investigation because action has been agreed by the authority and accepted by the Ombudsman as a satisfactory outcome for the complainant.

M reps: where the LGO has concluded an investigation and issued a formal report finding maladministration but causing no injustice to the complainant.

NM reps: where the LGO has concluded an investigation and issued a formal report finding no maladministration by the council.

No mal: decisions by letter discontinuing an investigation because we have found no, or insufficient, evidence of maladministration.

Omb disc: decisions by letter discontinuing an investigation in which we have exercised the Ombudsman's general discretion not to pursue the complaint. This can be for a variety of reasons, but the most common is that we have found no or insufficient injustice to warrant pursuing the matter further.

Outside jurisdiction: these are cases which were outside the Ombudsman's jurisdiction.

Table 3. Response times

These figures record the average time the council takes to respond to our first enquiries on a complaint. We measure this in calendar days from the date we send our letter/fax/email to the date that we receive a substantive response from the council. The council's figures may differ somewhat, since they are likely to be recorded from the date the council receives our letter until the despatch of its response.–

Table 4. Average local authority response times 2008/09

This table gives comparative figures for average response times by authorities in England, by type of authority, within three time bands.

LGO Advice Team

Enquiries and complaints received	Adult care services	Children and family services	Education	Housing	Benefits	Public Finance inc. Local Taxation	Planning and building control	Transport and highways	Other	Total
Formal/informal premature complaints	3	3	2	22	2	2	3	10	11	58
Advice given	2	0	0	12	1	2	5	11	6	39
Forwarded to investigative team (resubmitted prematures)	2	0	0	10	0	1	3	1	10	27
Forwarded to investigative team (new)	4	1	6	48	2	3	5	12	13	94
Total	11	4	8	92	5	8	16	34	40	218

Investigative Team

Decisions	MI reps	LS	M reps	NM reps	No mal	Omb disc	Outside jurisdiction	Total
01/04/2008 / 31/03/2009	1	39	0	0	32	27	19	118

Average local authority resp times 01/04/2008 to 31/03/2009

Response times	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
1/04/2008 / 31/03/2009	61	33.4
2007 / 2008	48	29.8
2006 / 2007	86	31.6

Types of authority	<= 28 days %	29 - 35 days %	> = 36 days %
District Councils	60	20	20
Unitary Authorities	56	35	9
Metropolitan Authorities	67	19	14
County Councils	62	32	6
London Boroughs	58	27	15
National Parks Authorities	100	0	0