

24 June 2011

Mr G Daniel  
Chief Executive  
London Borough of Brent  
Town Hall  
Forty Lane  
WEMBLEY HA9 9HX

Dear Mr Daniel

### **Annual Review Letter**

We are writing with our annual summary of statistics on the complaints made to us about your authority for the year ending 31 March 2011. We hope the information set out in the enclosed tables will be useful to you.

The statistics include the number of enquiries and complaints received by our advice team, the number that the advice team forwarded to my office and decisions made on complaints about your council. Not all complaints are decided in the same year that they are received. This means that the number of complaints received and the number decided will be different.

The statistics also show the time taken by your authority to respond to written enquiries and the average response times by type of authority.

### ***Enquiries and complaints received***

Our advice team received more enquiries and complaints about Brent than in the previous year: 155 as compared to 147 in 2009/10. However, only half of these were passed on to our investigation team.

Nearly a third of these 155 enquiries and complaints concerned housing issues. The spread of enquiries and complaints is broadly similar to previous years. The only notable differences are that a higher number of both enquiries and complaints were made about adult care services and about education and children's services in 2010/11. The number received about benefits and council tax was lower.

As you know, we consider it important to deal with complaints as swiftly as possible and council response times to our enquiries are a significant factor in achieving timely outcomes. From formal enquiries made on 25 complaints this year, your average response time was 24.8 days, which is within the 28 day target.

## ***Complaint outcomes***

We reached decisions on 72 complaints in 2010/11. Four of them were classed as a 'local settlement'. A 'local settlement' is a complaint where, during the course of our investigation, a council takes or agrees to take some action that we consider to be a satisfactory response to the complaint. In 2010/11, 27% of all complaints the ombudsmen decided and which were within our jurisdiction were local settlements. The corresponding proportion of the complaints we decided against your authority was only 7%.

### *Housing*

Two of the local settlements concerned complaints about disrepair. In one of these there had been a delay of about five months in carrying out effective repairs to a complainant's boiler. The council's attempts to repair it were unsuccessful and there was unnecessary delay once it decided the boiler needed to be replaced. It had already offered £400 compensation, but agreed on our recommendation to increase that amount to £550. The other settlement also involved delay, in repairing windows, and the council had also already offered compensation to the complainant. It agreed to pay a further £50 for a missed appointment and another week's delay before the work was completed.

### *Highways & transport*

A complaint about parking also resulted in a local settlement, although my investigator found no administrative fault in the way the council had processed the penalty charge notice concerned. While we were considering the matter, the complainant produced further evidence about the vehicle being damaged and un-driveable and the council agreed to review the charge and agreed to cancel it and refund the payment.

### *Education & children's services*

The fourth complaint decided as a local settlement was from the parent of a severely autistic teenager, who had a care plan which included 14 hours a week of domiciliary care. The council was unable to provide carers trained in a particular handling technique. Following our investigation it made an arrangement with a care agency, which agreed to recruit and train workers to this specification, and to fund the additional costs.

## ***Communicating decisions***

We want our work to be transparent and our decisions to be clear and comprehensible. During the past year we changed the way we communicate our decisions and reasons. We now provide a stand-alone statement of reasons for every decision we make to both the citizen who has complained and to the council. These statements replace our former practice of communicating decisions by letter to citizens that are copied to councils. We hope this change has been beneficial and welcome comments on this or any other aspect of our work.

In April 2011 we introduced a new IT system for case management and revised the brief descriptions of our decisions. Our next annual letter will use the different decision descriptions that are intended to give a more precise representation of complaint outcomes and also add further

transparency to our work.

### ***Extended powers***

During 2010/11 our powers were extended to deal with complaints in two significant areas.

In October 2010 all complaints about injustice connected to adult social care services came under our jurisdiction. The greater use of direct payments and personalised budgets mean that it is particularly important for us to be able to deal with such complaints irrespective of whether a council has arranged the care. The increasing number of people who arrange and pay for their own social care now have the right to an independent and impartial examination of any complaints and concerns they may have about their care provider.

In the six months to April 2011 we received 89 complaints under our new adult social care powers. Between 2009/10 and 2010/11 complaints about care arranged or funded by councils doubled from 657 to 1,351.

The Apprenticeships, Skills, Children & Learning Act 2009 introduced powers for us to deal with complaints about schools by pupils or their parents. This was to be introduced in phases and currently applies in 14 council areas. By the end of 2010/11 we had received 169 complaints about schools in those areas and 183 about schools in other areas where we had no power to investigate. The Education Bill currently before Parliament proposes to rescind our new jurisdiction from July 2012.

Our new powers coincided with the introduction of treasury controls on expenditure by government departments and sponsored bodies designed to reduce the public spending deficit. This has constrained our ability to inform care service users, pupils and their parents of their new rights.

### ***Assisting councils to improve***

For many years we have made our experience and expertise available to councils by offering training in complaint handling. We regard supporting good complaint handling in councils as an important part of our work. During 2010/11 we surveyed a number of councils that had taken up the training and some that had not. Responses from councils where we had provided training were encouraging:

- 90% said it had helped them to improve their complaint handling
- 68% gave examples of how the knowledge and skills gained from the training had been applied in practice
- 55% said that complaints were resolved at an earlier stage than previously
- almost 50% said that citizens who complained were more satisfied.

These findings will inform how we develop and provide training in the future. For example, the survey identified that councils are interested in short complaint handling modules and e-learning.


Details of training opportunities are on our web site at [www.lgo.org.uk/training-councils/](http://www.lgo.org.uk/training-councils/)

More details of our work over the year will be included in the 2010/11 Annual Report. This will be

published on our website at the same time as the annual review letters for all councils (14 July).

If it would be helpful to your council we should be pleased to arrange for a senior manager to meet and explain our work in greater detail.

Yours sincerely

A handwritten signature in black ink that reads "J Martin". The signature is written in a cursive style and is positioned above a solid horizontal line.

**Dr Jane Martin**  
**Local Government Ombudsman**

For further information on interpretation of statistics click on this link to go to [www.lgo.org.uk/CouncilsPerformance](http://www.lgo.org.uk/CouncilsPerformance)

**LGO Advice Team**

<b>Enquiries and complaints received</b>	Adult Care Services	Benefits & Tax	Corporate & Other Services	Education & Childrens Services	Environmental Services & Public Protection & Regulation	Highways & Transport	Housing	Other	Planning & Development	Total
Formal/informal premature complaints	5	13	1	5	4	0	18	1	2	49
Advice given	5	4	0	3	1	5	6	1	2	27
Forwarded in investigative team (resubmitted)	1	3	0	0	3	1	3	0	1	12
Forwarded to investigative team (new)	7	4	1	8	6	10	21	4	6	67
<b>Total</b>	<b>18</b>	<b>24</b>	<b>2</b>	<b>16</b>	<b>14</b>	<b>16</b>	<b>48</b>	<b>6</b>	<b>11</b>	<b>155</b>

**Investigative Team**

<b>Decisions</b>	Reports: maladministration and injustice	Local settlements (no report)	Reports: Maladministration no injustice	Reports: no Maladministration	No Maladministration (no report)	Ombudsman's discretion (no report)	Outside jurisdiction	Total
<b>2010 / 2011</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>26</b>	<b>29</b>	<b>13</b>	<b>72</b>

No adult social care decisions were made in the period

Response times	First enquiries	
	No of first Enquiries	Avg no of days to respond
01/04/2010 / 31/03/2011	23	24.5
2009 / 2010	30	21.9
2008 / 2009	30	22.6

**Provisional comparative response times 01/04/2010 to 31/03/2011**

Types of authority	<= 28 days %	29 - 35 days %	>= 36 days %
District councils	65	23	12
Unitary authorities	59	28	13
Metropolitan authorities	64	19	17
County councils	66	17	17
London boroughs	64	30	6
National parks authorities	75	25	0

Response times adult social care 1/10/10 - 31/3/11	First enquiries	
	No of first Enquiries	Avg no of days to respond
2010/2011	2	28.5