

24 June 2011

Mr Geoff Alltimes
Chief Executive
London Borough of Hammersmith and Fulham
Room 138/139
Hammersmith Town Hall
King Street
London W6 9JU

Dear Mr Alltimes

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

We received 203 enquiries and complaints about your council in 2010/2011 a substantial increase from 127 in 2009/2010. We sent 59 to the council to be dealt with under its complaint procedure. In 37 cases we provided advice to the enquirer. The remaining 107 complaints were passed to the investigation team. This included 27 cases where we had previously asked the council to deal with the matter but the complainants were dissatisfied with the outcome and so resubmitted their complaints to us.

As in the previous two years, the majority of enquiries and complaints concerned housing and 61 of those were forwarded for investigation. Around a half were about disrepair. Highways and transport was the other significant complaint category and most of these concerned parking.

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 64 complaints this year, your average response time was 29.5 days, which is just outside the 28 day target but an improvement on last year's figure.

Complaint outcomes

Of the 98 complaints that we decided during the year, 31 were classed as 'local settlements'. 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 2010/2011, across all authorities, 27.1% of complaints the ombudsman decided and which were within our jurisdiction were local settlements. The corresponding figure for your council is 37.8%.

Housing

Most of the local settlements were in relation to complaints about housing services. Fifteen of these were about repairs and many of them involved significant delay. Other themes in these complaints related to poor and/or inaccurate record keeping and poor communication with residents. In one case, there had been long delays and the complainant had been given conflicting and confusing advice; and there was generally poor communication and a lack of liaison between the council, its ALMO and its contractors. We recommended that the council reviews its arrangements to improve record keeping, internal liaison and its procedures for dealing with long running problems. The council also paid the complainant £1,250 compensation.

In another repairs case, the council delayed for seven months in repairing a leak from a flat that caused damage to the complainant's bathroom. The council agreed to pay the complainant £250 compensation for his time and trouble in pursuing matters.

Overall, the council paid compensation of almost £6,000 on complaints about disrepair. It also paid compensation totalling over £3,000 for a range of other complaints which were decided as local settlements. Two of these concerned the way the council dealt with homelessness applications: in both cases the council had failed to provide temporary accommodation.

Benefits & tax

There were three settlements involving the housing benefits service: in one there was a delay of six months in dealing with an application for housing benefit and the complainant's subsequent appeal; and in another case the council failed to act promptly to suspend a housing benefit claim after the complainant, who was the landlord, had requested direct payments on grounds of rent arrears in excess of eight weeks.

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.

Schools in your council area have been covered by our new powers since September 2010. We would like to thank the council for its support in this period. You have facilitated our delivery of training across the borough to head teachers, governors and clerks, thereby helping schools to develop good complaints handling procedures. We delivered two training courses to over 50 delegates. These sessions were shared with the Royal Borough of Kensington and Chelsea as part of your joint working arrangements.

Across the 14 areas, the biggest complaint categories were bullying (34%), teacher conduct (27%) and special educational needs (21%). I received two complaints about schools in your area. These were about special needs and social care. Both complaints were referred back to the school for it to consider using its own procedures as it had not had the opportunity to do so.

Decisions in the 14 areas can be broken down as follows:

- In 47% of cases we initiated an investigation
- In 48% of cases the complaint was referred back to the school for it to consider using its own procedures as it had not had the opportunity to do so
- In 5% of cases we were unable to consider the complaint as it was not within our jurisdiction, for example there was an alternative course of action available or the complainant was not a parent or pupil of the school.

The outcome of the 47% of cases where we initiated an investigation was:

- A satisfactory resolution was reached between the parties in 25% of cases following the Ombudsman's involvement and the investigation was discontinued.
- We secured a remedy and/or agreement for action to prevent similar problems recurring in 13% of the cases.
- In 9% we found that there was no fault in the actions of the school or there was no substance to the complaint.

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.

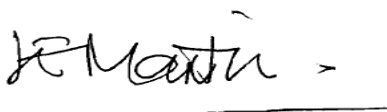
These findings will inform how we develop and provide training in the future. For example, the survey identified that councils are interested in short complaint handling modules and e-learning.

Details of training opportunities are on our web site at www.lgo.org.uk/training-councils/

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



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

LGO Advice Team

Enquiries and complaints received	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	3	13	0	0	5	6	32	0	0	59
Advice given	0	2	0	5	3	6	18	1	2	37
Forwarded in investigative team (resubmitted)	2	2	2	0	1	0	19	0	1	27
Forwarded to investigative team (new)	8	4	0	4	3	17	42	1	1	80
Total	13	21	2	9	12	29	111	2	4	203

Investigative Team

Decisions	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
2010 / 2011	0	31	0	0	31	20	15	97

Adult social care decisions made from 1 Oct 2010*

	To discontinue investigation, other	Total
2010 - 2011	1	1

*These decisions are not included in the main decisions table above. They use the new decision reasons from 1/10/10.

Response times	First enquiries	
	No of first Enquiries	Avg no of days to respond
01/04/2010 / 31/03/2011	61	29.8
2009 / 2010	35	30.3
2008 / 2009	41	24.4

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	3	22.7