

22 June 2012

By email

Mr Mike Cooke
Chief Executive
London Borough of Camden
Town Hall
Judd Street
London WC1H 9JE

Dear Mr Cooke

Annual Review Letter

I am writing with our annual summary of statistics on the complaints made to me about your authority for the year ended 31 March 2012. I 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 forwarded by the Advice Team to my office and decisions made on complaints about your authority. The decision descriptions have been changed to more closely follow the wording in our legislation and to give greater precision. Our guidance on statistics provides further explanation ([see our website](#)).

The statistics also show the time taken by your authority to respond to written enquiries. I set a target of 28 days. The Council's average response time was 31.9 days. Responses to enquiries about environmental services and public protection and regulation took 44.5 days on average, so were well beyond target. In the case of adult care services and education and children's services, the average was 37 days. Performance in these areas compare unfavourably with average response times of 8 days for benefits and tax and 8.3 days for highways and transport.

Complaint Outcomes

During the year, we investigated 74 complaints and decided not to investigate 61 (mainly for jurisdictional reasons). I issued one report, where I found maladministration by the Council had caused injustice. The report concerned a complainant's attempt to obtain a street trading licence. I decided it was in the public interest for me to issue a report as it was the second complaint I had received about similar issues and I had previously found fault with the Council's actions. In the first case the Council led the complainant to believe he would be given a particular street trading pitch and encouraged him to pay for an electricity connection. This cost him almost £3,000, but planning permission for his kiosk was then refused. The Council agreed to reimburse the complainant and pay him compensation.

The new complaint involved the same pitch and the Council's failure to have proper procedures or

policies for allocating miscellaneous street trading sites. It had no waiting list, so it could not prioritise applications and, as there was no transparency and objective fairness, the process was open to the possibility or appearance of corruption. The appearance was given that allocation depended on the whim of officers. Since September 2008, the complainant had been making repeated requests to be allocated the pitch, without success. A further prospective occupier had also unsuccessfully sought to licence the pitch, which remained empty throughout. The complainant's requests were ignored, as were the complaints he submitted. Issues were still not quickly addressed when highlighted by my investigation, which was itself hampered by incorrect information from the Council.

The complainant could not know whether, if the Council had acted properly, he would have been offered the pitch, and he was caused unnecessary time and trouble pursuing matters. The Council agreed to pay compensation to remedy these injustices. It also agreed to draw up new procedures and criteria to allow for the fair and transparent allocation of miscellaneous pitches, to apply these to the pitch in question, to undertake a review of miscellaneous pitch allocations over the previous two years to ensure reasonable practices had been followed, and to implement a critical review of the way complaints in this area are handled. I have been satisfied with the action the Council has since taken to comply with these recommendations.

One of the 36 cases the Council agreed to settle during the investigation involved a complainant who is a tenant of a council-owned property which had been extended to provide accommodation for one of her children who has cerebral palsy. The Council had considered a complaint about delay in fixing a leaking roof to the extension, and other repairs, in September 2010. In February 2011, the complainant approached my office because promised works had still not been effectively completed. When I investigated, the Council was proactive in assessing the required works and carrying them out, and it agreed to pay £620 compensation for its delay.

In a second housing repairs complaint I found the Council had delayed unreasonably for nearly a year in addressing a water leak. This had first been the subject of a complaint to the Council in October 2009. The complainant's bedroom and belongings were damaged. The Council agreed to complete the outstanding repairs and to pay the complainant £600 compensation.

In a case concerning neighbour noise nuisance the Council took too long to take appropriate action to address the disturbance being caused to the complainant. Her upstairs neighbour's home did not have the floor coverings required in her tenancy agreement and the noise was causing stress and lack of sleep, and affecting the complainant's health and work. The Council agreed to pay £600 for its delay in effectively addressing the problem and a further £200 for the complainant's time and trouble in pursuing matters.

Changes to our role

I am also pleased to have this opportunity to update you on changes to our role. Since April 2010 we have been exercising jurisdiction over the internal management of schools on a pilot basis in 14 local authority areas. This was repealed in the Education Act 2011 and the power restored to the Secretary of State for Education. During the short period of the pilot we believe we have had a positive impact on the way in which schools handle complaints. This was endorsed by independent research commissioned by the Department for Education which is available [on their website](#).

Our jurisdiction will end in July 2012 and all complaints about internal school matters will be completed by 31 January 2013.

From April 2013, as a result of the Localism Act 2011, local authority tenants will take complaints about their landlord to the Independent Housing Ombudsman (IHO). We are working with the IHO to ensure a smooth transition that will include information for local authority officers and members.

Supporting good local public administration

We launched a new series of Focus reports during 2011/12 to develop our role in supporting good local public administration and service improvement. They draw on the learning arising from our casework in specific service areas. Subjects have included school admissions, children out of school, homelessness and use of bankruptcy powers. The reports describe good practice and highlight what can go wrong and the injustice caused. They also make recommendations on priority areas for improvement.

We were pleased that a survey of local government revenue officers provided positive feedback on the bankruptcy focus report. Some 85% said they found it useful.

In July 2011, we also published a report with the Centre for Public Scrutiny about how complaints can feed into local authority scrutiny and business planning arrangements.

We support local complaint resolution as the most speedy route to remedy. Our training programme on effective complaint handling is an important part of our work in this area. In 2011/12 we delivered 76 courses to councils, reaching 1,230 individual learners.

We have developed our course evaluation to measure the impact of our training more effectively. It has shown that 87% of learners gained new skills and knowledge to help them improve complaint-handling practice, 83% made changes to complaint-handling practice after training, and 73% said the improvements they made resulted in greater efficiency.

Further details of publications and training opportunities are on [our website](#).

Publishing decisions


Following consultation with councils, we are planning to launch an open publication scheme during the next year where we will be publishing on our website the final decision statements on all complaints. Making more information publicly available will increase our openness and transparency, and enhance our accountability.

Our aim is to provide a comprehensive picture of complaint decisions and reasons for councils and the public. This will help inform citizens about local services and create a new source of information on maladministration, service failure and injustice.

We will publish a copy of this annual review with those of all other English local authorities on our website on 12 July 2012. This will be the same day as publication of our Annual Report 2011/12 where you will find further information about our work.

We always welcome feedback from councils and would be pleased to receive your views. If it would be helpful, I should be pleased to arrange a meeting for myself or a senior manager to discuss our work in more detail.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Martin', with a horizontal line underneath.

Dr Jane Martin
Local Government Ombudsman

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	Planning & Development	Total
Advice given	5	5	1	6	8	9	17	2	53
Premature complaints	2	6	0	1	2	13	19	4	47
Forwarded to Investigative team (resubmitted)	2	2	0	0	2	2	7	1	16
Forwarded to Investigative team (new)	3	7	5	9	12	15	54	4	109
Total	12	20	6	16	24	39	97	11	225

Investigative team - Decisions

Not investigated			Investigated			Report	Total
No power to investigate	No reason to use exceptional power to investigate	Investigation not justified & Other	Not enough evidence of fault	No or minor injustice & Other	Injustice remedied during enquiries		
5	33	23	22	15	36	1	135

	No of first enquiries	Avg no of days to respond
Response times to first enquiries	40	31.9