

22 June 2012

Local Government
OMBUDSMAN

Mr B Quirk
Chief Executive
London Borough of Lewisham
Lewisham Town Hall
Catford
LONDON SE6 4RU

Dear Mr Quirk

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 appreciate the feedback the Council provided on the revised format for annual letters we introduced last year. We have taken it and other comments into account, together with how we can use our resources most effectively. We have decided not to reintroduce a commentary on the statistics we provide unless there is a specific point of note. We have also decided to continue to limit any commentary on individual complaints to those that raise issues of particular concern.

The Council's feedback was particularly helpful. It prompted us to include a standard sentence explaining that the absence of a commentary means there were no such concerns - as was the position with Lewisham last year.

This year I want to comment on one complaint investigation. It involved a delay of eighteen months before the Council would agree to install a second hoist in the home of a severely disabled man. He lived in a three bed room flat with his elderly father. They shared a bedroom and the father provided care during the night. His two sisters lived close by and provided extensive care to him.

A change in the family's circumstances meant they wanted the man to have his own bedroom and to change the rooms used as day room and bed room for him. That meant installing a hoist in a room that did not have one. The sisters used a day room to wash, toilet and feed their brother and

/....

to provide a clear space where he could lay on the floor to play or watch television. A social worker supported their choice but in May 2007 an occupational therapist refused to agree to it. A manager supported the occupational therapist's decision.

The family made numerous contacts with the Council. After a year a senior occupational therapist reviewed the position. She recommended rearrangement of internal walls but the family felt the building work would be too disruptive.

Another occupational therapist was appointed and in October 2008 recommended a hoist where the family wanted it.

My investigator says the occupational therapy did not start with the needs experienced and identified by the disabled man and his carers or work in a partnership relationship with them. For eighteen months the sisters had to manually lift and handle their brother when providing basic care or entertaining him.

Officers said they had reservations about my investigator's findings but agreed to pay the family £3,000. This was in recognition of the difficulties caused for the sisters in caring for their brother and time, trouble and stress of pursuing the complaint.

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



Anne Seex
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	2	3	3	8	2	1	10	0	29
Premature complaints	3	16	1	4	4	7	20	13	68
Forwarded to Investigative team (resubmitted)	0	2	1	2	3	1	7	3	19
Forwarded to Investigative team (new)	4	4	1	8	6	3	17	2	45
Total	9	25	6	22	15	12	54	18	161

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		
3	13	18	19	11	18	0	82

	No of first enquiries	Avg no of days to respond
Response times to first enquiries	21	28.2