

22 June 2012

By email

Mr Kim Bromley-Derry
Chief Executive
London Borough of Newham
Newham Dockside
1000 Dockside Road
London
E16 2QU

Dear Mr Bromley Derry

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. 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 53 complaints this year, the average response time for your Council was 33 days which is above the 28 day target set. I would welcome your attention to this matter over the forthcoming year.

Complaint outcomes

We decided 105 complaints about your Council during the year. Of those complaints, I elected not to initiate an investigation into 35 cases, primarily for jurisdictional reasons. Of the 70 complaints I did investigate, 69 were closed for the following reasons:

- Not enough evidence of fault (16)
- No or minor injustice & Other (15)
- Injustice remedied during our enquiries (38)

I completed the investigation on the remaining complaint and issued a report.

A number of complaints I dealt with this year highlighted where some service improvements were

either needed or were undertaken as a result of an investigation.

In one case, I found the Council failed to provide appropriate support to an unaccompanied asylum seeker minor who was leaving care. This resulted in the young person missing out on personal and emotional support as well as an opportunity of being provided with affordable social housing. As a remedy, the Council agreed to nominate the young person for a "leaving care" flat. It also agreed to meet some of the costs the young person had incurred in finding private rented accommodation in the interim, apologise for its failures, provide a leaving care grant, and assist with continuing support. At the time of my decision the Council was already reviewing its policy for care leavers.

Several cases involved delay in taking action in response to reports of anti social behaviour. In one instance the complainants had been diligent in reporting antisocial behaviour since 2008 yet no effective action was taken by the Council until September 2010. As a result the complainants experienced noise nuisance for a period of almost two years. As a remedy the Council agreed to pay the complainants £1,500 compensation for the delay in taking action and a further £250 for their time and trouble in pursuing their complaint.

We agreed remedies on nine complaints where there had been unacceptable delays in completing repairs to council properties. There was often delay in responding to the initial requests for repairs to be done; ineffective or incomplete repairs then being undertaken; and a lack of good record keeping in respect of the progress of the repairs and frequency of contact with tenants. LGO staff have held a number of meetings with council officers this year to help to improve responses to complaints and concerns raised by tenants about repairs.

This year, I issued a report about the Council's handling of a homelessness application. A homeless family with two young children had to spend a night in a car because the Council wrongly refused them temporary accommodation on the day they approached it for help. I found that, even when the Council agreed that the family was homeless, there was a delay of nearly seven weeks in dealing with the case. I recommended the Council review its policy and procedures and make a progress report to me within three months, which it has now done. I also recommended the Council send a letter of apology to the complainant and pay him £300 compensation.

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 that reads "J Martin". The signature is written in a cursive style and is positioned above a horizontal line.

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	3	2	2	5	6	13	16	2	49
Premature complaints	4	13	30	2	6	13	26	2	96
Forwarded to Investigative team (resubmitted)	1	2	2	0	2	1	8	0	16
Forwarded to Investigative team (new)	0	3	6	6	5	20	40	4	84
Total	8	20	40	13	19	47	90	8	245

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		
6	19	10	16	15	38	1	105

	No of first enquiries	Avg no of days to respond
Response times to first enquiries	53	33.2