

# Local Government & Social Care OMBUDSMAN

21 July 2021

*By email*

Ms Seary  
Chief Executive  
London Borough of Redbridge

Dear Ms Seary

## **Annual Review letter 2021**

I write to you with our annual summary of statistics on the decisions made by the Local Government and Social Care Ombudsman about your authority for the year ending 31 March 2021. At the end of a challenging year, we maintain that good public administration is more important than ever and I hope this feedback provides you with both the opportunity to reflect on your Council's performance and plan for the future.

You will be aware that, at the end of March 2020 we took the unprecedented step of temporarily stopping our casework, in the wider public interest, to allow authorities to concentrate efforts on vital frontline services during the first wave of the Covid-19 outbreak. We restarted casework in late June 2020, after a three month pause.

We listened to your feedback and decided it was unnecessary to pause our casework again during further waves of the pandemic. Instead, we have encouraged authorities to talk to us on an individual basis about difficulties responding to any stage of an investigation, including implementing our recommendations. We continue this approach and urge you to maintain clear communication with us.

## **Complaint statistics**

This year, we continue to focus on the outcomes of complaints and what can be learned from them. We want to provide you with the most insightful information we can and have focused statistics on three key areas:

**Complaints upheld** - We uphold complaints when we find some form of fault in an authority's actions, including where the authority accepted fault before we investigated.

**Compliance with recommendations** - We recommend ways for authorities to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

**Satisfactory remedy provided by the authority** - In these cases, the authority upheld the complaint and we agreed with how it offered to put things right. We encourage the early resolution of complaints and credit authorities that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your authority with similar types of authorities to work out an average level of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data will be uploaded to our interactive map, [Your council's performance](#), along with a copy of this letter on 28 July 2021. This useful tool places all our data and information about councils in one place. You can find the decisions we have made about your Council, public reports we have issued, and the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

I would encourage you to share the resource with colleagues and elected members; the information can provide valuable insights into service areas, early warning signs of problems and is a key source of information for governance, audit, risk and scrutiny functions.

As you would expect, data has been impacted by the pause to casework in the first quarter of the year. This should be considered when making comparisons with previous year's data.

This year, we issued three public reports about your Council. The first concerned a family who were left in bed and breakfast accommodation for too long. Our investigation found the Council failed to refer the matter to its homelessness team, did not assess the family, or provide suitable accommodation while an assessment should have been taking place. There was also evidence the Council wrongly blamed the complainant for not cooperating in resolving the situation. We found it likely, given the Council had sought to persuade the borough from which the family had moved that they were not intentionally homeless, it would have reached the same view if it had acted properly. The failures meant the family had to live in unsuitable accommodation for more than a year.

I am pleased the Council accepted our findings and agreed to apologise for leaving the family in unsuitable accommodation, and for failing to consider appropriate reasonable adjustments. It also agreed to pay the family £3,900, provide staff training, and produce a joint working protocol for housing and children's services to ensure proper communication and a consistent level of service for families in the area.

The second public report detailed the Council's failure to arrange education and Special Educational Needs (SEN) provision for a child with autism and a severe form of epilepsy who was too unwell to attend school. Our investigation found the Council failed to assess if the child could access its home tuition service, meaning he went without any form of education for a full school year. Upon his return to school, the child did not receive his full SEN provision for a further 16 months.

We recommended the Council pay almost £10,000 to recognise the impact its faults had on the child's education and the impact this had on the child's mother. We also recommended the Council remind its staff of the duty to carry out assessments of children who are unable to attend school due to poor health and asked it to carry out an audit of all children who receive SEN support at the child's school, to ensure provision meets identified needs.

While I welcome the Council's acceptance of our findings and recommendations in this case, it is disappointing that during our investigation, the Council repeatedly missed deadlines for providing information and comments.

In the third public report issued, your Council failed to comply with a recommendation to put right a complaint we had previously investigated. We had recommended, and your Council agreed, to carry out an annual review for a young person with an Education, Health and Care Plan. We found that, although two meetings were arranged, both failed to comply with the statutory requirements for an annual review.

Because of your Council's failure to comply, we made new recommendations for it to apologise to the family, make a financial payment and carry out service improvements. I am pleased that, despite originally disagreeing with the recommendations, it has now accepted our remedy and stated its intention to comply.

The year also highlighted more general concerns about your Council's responses to our enquiries. Several of our investigations were delayed by your Council's failure to respond in a timely way to our requests for information. In one case we had to threaten to issue a witness summons to get the information we had requested. I will usually only consider a witness summons where the Council has not provided a response after considerable time and despite our continued efforts. As you will appreciate, delays to the investigation process can result in further avoidable distress to complainants.

Overall, your Council's complaint handling and responses to this office have fallen below the standards we expect. The concerns I have set out here are indicative of corporate, systemic issues, and not contained within a single service area or function. I ask that you urgently consider your Council's approach to all aspects of its complaint handling, prioritising good standards of administrative practice, and seeking to improve the process and outcomes for people who complain to you. In doing so, if there is any support we can provide, please contact us.

### **Supporting complaint and service improvement**

I am increasingly concerned about the evidence I see of the erosion of effective complaint functions in local authorities. While no doubt the result of considerable and prolonged budget and demand pressures, the Covid-19 pandemic appears to have amplified the problems and my concerns. With much greater frequency, we find poor local complaint handling practices when investigating substantive service issues and see evidence of reductions in the overall capacity, status and visibility of local redress systems.

With this context in mind, we are developing a new programme of work that will utilise complaints to drive improvements in both local complaint systems and services. We want to use the rich evidence of our casework to better identify authorities that need support to improve their complaint handling and target specific support to them. We are at the start of this ambitious work and there will be opportunities for local authorities to shape it over the coming months and years.

An already established tool we have for supporting improvements in local complaint handling is our successful training programme. During the year, we successfully adapted our face-to-face courses for online delivery. We provided 79 online workshops during the year, reaching more than 1,100 people. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training).

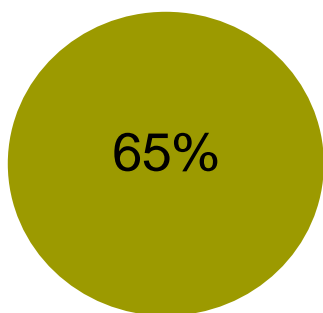
We were pleased to deliver six online complaint handling courses to your staff during the year. I welcome your Council's investment in good complaint handling training and trust the courses were useful to you.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'MK' followed by a stylized flourish.

Michael King  
Local Government and Social Care Ombudsman  
Chair, Commission for Local Administration in England

### Complaints upheld



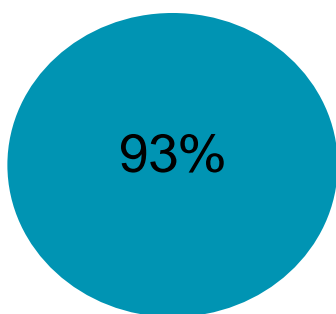
**65%** of complaints we investigated were upheld.

This compares to an average of **72%** in similar authorities.

**20**  
upheld decisions

Statistics are based on a total of 31 detailed investigations for the period between 1 April 2020 to 31 March 2021

### Compliance with Ombudsman recommendations



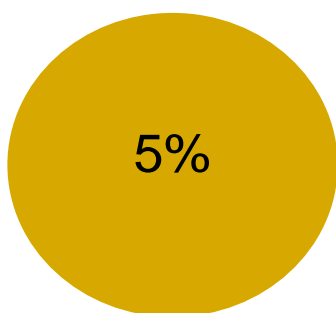
In **93%** of cases we were satisfied the authority had successfully implemented our recommendations.

This compares to an average of **99%** in similar authorities.

Statistics are based on a total of 15 compliance outcomes for the period between 1 April 2020 to 31 March 2021

- Failure to comply with our recommendations is rare. An authority with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

### Satisfactory remedy provided by the authority



In **5%** of upheld cases we found the authority had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **12%** in similar authorities.

**1**  
satisfactory remedy decision

Statistics are based on a total of 31 detailed investigations for the period between 1 April 2020 to 31 March 2021

**NOTE:** To allow authorities to respond to the Covid-19 pandemic, we did not accept new complaints and stopped investigating existing cases between March and June 2020. This reduced the number of complaints we received and decided in the 20-21 year. Please consider this when comparing data from previous years.