

Local Government & Social Care OMBUDSMAN

19 July 2023

By email

Mr Dosunmu
Chief Executive
London Borough of Lambeth

Dear Mr Dosunmu

Annual Review letter 2022-23

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2023. The information offers valuable insight about your organisation's approach to complaints. As always, I would encourage you to consider it as part of your corporate governance processes. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to encourage effective ownership and oversight of complaint outcomes, which offer such valuable opportunities to learn and improve.

The end of the reporting year, saw the retirement of Michael King, drawing his tenure as Local Government Ombudsman to a close. Paul Najsarek was appointed interim Ombudsman in April. Ombudsmen are prohibited from examining cases in organisations where they have been involved in the last five years. Your Council is affected by that and I, as Reserve Commissioner, am empowered to adjudicate in such cases and am responsible for your annual review letter this year.

Complaint statistics

Our statistics focus on three key areas that help to assess your organisation's commitment to putting things right when they go wrong:

Complaints upheld - We uphold complaints when we find fault in an organisation's actions, including where the organisation accepted fault before we investigated. We include the total number of investigations completed to provide important context for the statistic.

Over the past two years, we have reviewed our processes to ensure we do the most we can with the resources we have. One outcome is that we are more selective about the complaints we look at in detail, prioritising where it is in the public interest to investigate. While providing a more sustainable way for us to work, it has meant that changes in uphold rates this year are not solely down to the nature of the cases coming to us. We are less likely to carry out investigations on 'borderline' issues, so we are naturally finding a higher proportion of fault overall.

Our average uphold rate for all investigations has increased this year and you may find that your organisation's uphold rate is higher than previous years. This means that comparing uphold rates with previous years carries a note of caution. Therefore, I recommend comparing this statistic with that of similar organisations, rather than previous years, to better understand your organisation's performance.

Compliance with recommendations - We recommend ways for organisations 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 organisation upheld the complaint and we were satisfied with how it offered to put things right. We encourage the early resolution of complaints and credit organisations that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your organisation with similar authorities to provide an average marker of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data, and a copy of this letter, will be uploaded to our interactive map, [Your council's performance](#), on 26 July 2023. This useful tool places all our data and information about councils in one place. You can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

Your organisation's performance

During the year, we [issued a public report](#) about your Council after we found it had failed to provide suitable accommodation to a family with a disabled child for over three years. The child's wheelchair did not fit through the door of the property and there was no space for the specialist equipment required. This put the child and her mother at risk of injury and caused significant and avoidable pain to the child. Over the three-year period concerned, the Council had agreed to several relevant service improvements in other complaints but the fault in this case continued. We therefore recommended the Council commission an independent review of its homelessness service as well as making a personal remedy to the complainant. I welcome the Council's swift acceptance of our recommendations and recognised in the report the steps the Council had already taken to improve.

It is unfortunate, therefore, the Council failed to comply with the recommendations we made to remedy a children's services complaint. The recommendations were straightforward and not complex. Despite this, the Council failed to take the actions within the agreed timescales. This led to a new complaint being registered to investigate the non-compliance. The Council eventually provided evidence it had fully complied with our recommendations, and we asked for an additional payment to be made to acknowledge the further frustration the delay caused.

Non-compliance is taken very seriously; it reflects extremely poorly on the Council and undermines residents' confidence that it is genuinely willing and committed to putting matters right when it has been at fault. I ask you ensure your Council has robust mechanisms in place to enable it to comply fully with agreed recommendations.

Late compliance with agreed recommendations has also been an issue during the year, with timescales missed in 45% of relevant cases. Where we identify service improvements, we are keen to see them implemented promptly, especially as there is often a continued risk that others will be similarly affected by a fault. I encourage the Council to discuss with us at draft decision stage if the timescales we suggest for service improvement recommendations are not achievable or realistic.

Unlike some complex service improvements, apologies and payments should be straightforward to administer. Therefore, it is disappointing there have been cases where complainants have had to

wait several months before payments have been received or apologies made. This is unacceptable and causes further unnecessary frustration for the complainant.

Delay is also a concern when we seek responses to our enquiries. In five cases your Council took more than twice the permitted 20 working days we allow to respond to our request. Even more concerning is that we had to threaten to issue a witness summons in several cases to secure responses to be able to progress our investigations. Delay causes further distress and frustration for complainants, and I hope to see improved performance in the year to come.

With improvement in mind, my staff have welcomed the opportunity to meet regularly with complaint officers from the Council. These meetings have been constructive and positive, and we have been able to provide regular updates on performance and concerns. We look forward to continuing this dialogue and I hope to be able to report an improved picture next year.

Supporting complaint and service improvement

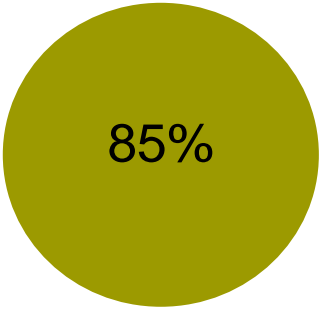
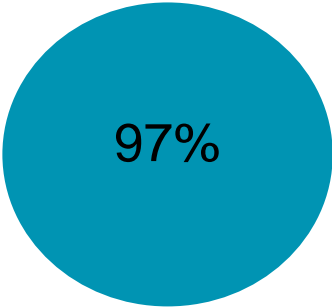
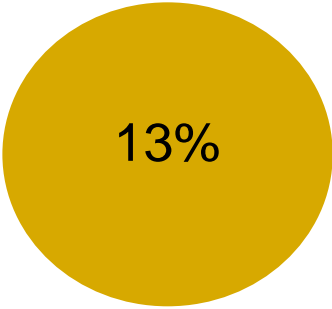
I know that complaints offer organisations a rich source of intelligence and insight that has the potential to be transformational. These insights can indicate a problem with a specific area of service delivery or, more broadly, provide a perspective on an organisation's culture and ability to learn. To realise the potential complaints have to support service improvements, organisations need to have the fundamentals of complaint handling in place. To support you to do so, we have continued our work with the Housing Ombudsman Service to develop a joint complaint handling code that will provide a standard for organisations to work to. We will consult on the code and its implications prior to launch and will be in touch with further details.

In addition, our successful training programme includes practical interactive workshops that help participants develop their complaint handling skills. We can also offer tailored support and bespoke training to target specific issues your organisation might have identified. We delivered 105 online workshops during the year, reaching more than 1350 people. To find out more visit www.lgo.org.uk/training or get in touch at training@lgo.org.uk.

Yours sincerely,



Nigel Ellis
Reserve Commissioner
Chief Executive, Local Government and Social Care Ombudsman

Complaints upheld		
	<p>85% of complaints we investigated were upheld.</p> <p>This compares to an average of 77% in similar organisations.</p>	<p>46 upheld decisions</p> <p>Statistics are based on a total of 54 investigations for the period between 1 April 2022 to 31 March 2023</p>
Compliance with Ombudsman recommendations		
	<p>In 97% of cases we were satisfied the organisation had successfully implemented our recommendations.</p> <p>This compares to an average of 99% in similar organisations.</p>	<p>Statistics are based on a total of 38 compliance outcomes for the period between 1 April 2022 to 31 March 2023</p>
<ul style="list-style-type: none">Failure to comply with our recommendations is rare. An organisation with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.		
Satisfactory remedy provided by the organisation		
	<p>In 13% of upheld cases we found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman.</p> <p>This compares to an average of 15% in similar organisations.</p>	<p>6 satisfactory remedy decisions</p> <p>Statistics are based on a total of 46 upheld decisions for the period between 1 April 2022 to 31 March 2023</p>