



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
the London Borough of
Greenwich
for the year ended
31 March 2007**

The Local Government Ombudsman (LGO) investigates complaints by members of the public who consider that they have been caused injustice through administrative fault by local authorities and certain other bodies. The LGO also uses the findings from investigation work to help authorities provide better public services through initiatives such as special reports, training and annual letters.

Annual Letter 2006/07 - Introduction

The aim of the annual letter is to provide a summary of information on the complaints about the London Borough of Greenwich that we have received and try to draw any lessons learned about the authority's performance and complaint-handling arrangements. These might then be fed back into service improvement.

I hope that the letter will be a useful addition to other information your authority holds on how people experience or perceive your services.

There are two attachments which form an integral part of this letter: statistical data covering a three year period and a note to help the interpretation of the statistics.

Complaints received

Volume

We received 103 complaints during the year. This is slightly fewer than in the previous year (108) but we expect some fluctuations over time.

Character

The number of complaints about most areas of the Council's work increased this year but not significantly. As in previous years, the majority of complaints we received were about housing – mainly about the way properties are allocated or the way the Council responds to repairs. This is not surprising for an inner London authority still in control of much of its housing stock. But there was a decrease in complaints – down from 42 to 34 – and also reductions in complaints about transport and highways – down from 11 to six – and complaints about other matters such as anti-social behaviour and waste management – down from 20 to 15.

Decisions on complaints

Reports and settlements

We use the term 'local settlement' to describe the outcome of a complaint where, during the course of our investigation, the Council takes, or agrees to take, some action which we consider is a satisfactory response to the complaint and the investigation does not need to be completed. These form a significant proportion of the complaints we determine. When we complete an investigation we must issue a report.

Twenty-two complaints were settled locally and compensation payments totalling £9398 were made. One of these complaints was about anti-social behaviour where the Council delayed taking action against a noisy neighbour – it took a year to serve an anti-social behaviour order and a further year to serve a notice seeking possession after obtaining judgements in the courts for noise nuisance. To address this delay, the Council apologised to the complainant and paid her £2500.

In another complaint about children and family services, the complainant, who was 19 and in foster care, received a poor level of service from the Council when she left care. In this case I asked the Council to pay her £2000.

In one complaint about environmental health and a failure to put enforceable conditions on a wine bar licence next to the complainant's home, I determined that a remedy of £1500 was warranted for the noise nuisance he had suffered as a consequence.

The Council agreed to settle a complaint about local taxation delays by paying the complainant £600 and a complaint about failings in dealing with a planning application, £300.

Two complaints about delays and errors in assessing housing benefit claims were settled by the payment of £250 and £50.

By far, the biggest number of settlements was in housing repairs (seven) and four complaints stand out. In one, the Council delayed carrying out repairs to the complainant's home and this caused damage to her belongings. In view of this, I determined that she should be paid £1000. In another complaint, there was an intermittent fault with the complainant's boiler and she sometimes had no heating or hot water. The Council had failed to identify the problem or replace the boiler. To remedy this I asked the Council to do so and pay £270 compensation. In a third complaint, the Council did not repair the cladding outside the complainant's flat; it banged at night and kept her awake. I determined that this warranted a payment of £200. In a fourth complaint, the Council delayed dealing with a leak and for this I asked £100 compensation.

I am grateful to the Council for its help in providing appropriate redress to complainants once it can be shown that things have gone wrong – in some instances without any prompting from me.

I issued no reports against the Council during the year.

Service improvements

In some complaints, not only did the Council provide a remedy, it also reviewed its procedures to determine if there were lessons to be learned and improvements to be made to prevent the same problems occurring in the future.

As a result of the complaint about the wine bar, the Council agreed to review liaison arrangements between its environmental health and licensing departments. In a complaint about housing benefit, it changed its procedures for dealing with and monitoring correspondence. And in another complaint about school admissions, it reviewed its information and practice about determining the principal home address to be taken into account when deciding which school a child might attend.

I welcome the steps the Council has taken here and also its willingness to review and improve its policies and procedures.

Other findings

One hundred and two complaints were decided during the year. Of these eight were outside my jurisdiction for a variety of reasons, 30 were premature and, as I mentioned earlier, 22 were settled locally. The remaining 42 were not pursued because no evidence of maladministration was seen or because it was decided for other reasons not to pursue them, mainly because no significant injustice flowed from the fault alleged.

In a school exclusion complaint, the Council initially refused to respond to my enquiries arguing that the complainant should pursue his concerns about the exclusion appeal via judicial review, not by complaining to me. It also argued that the issues about which I had made enquiries could not be separated from the merits of the decision that the exclusion panel took and so should not be considered. The Council took legal advice on this and subsequently changed its view.

In a complaint about children and family services, advocates for a child in care told me they were struggling to convince the Council to proceed to stage two of the social services statutory complaints procedure. The Council was insisting on a meeting before deciding what to do. It seems that this was not the only case where this had happened. I believe it is for the Council to determine how it will investigate a complaint and that sometimes a meeting might be useful especially if there is a realistic prospect that the issue can be readily resolved. In some cases, however, where the grounds for moving to stage two are clear, this should happen straight away and so avoid any delay in the investigation.

Your Council's complaints procedure and handling of complaints

I note that 30 or 29% of complaints this year were premature which is in line with the national average for all Councils of 28.2%.

Of the 30 complaints referred back to you as premature, only five were resubmitted to me. One of these was then settled locally. These figures suggest that when complaints reach the appropriate people in the organisation they work hard to resolve them.

Training in complaint handling

As part of our role to provide advice in good administrative practice, we offer training courses for all levels of local authority staff in complaints handling and investigation. The feedback from courses that have been delivered over the past two and a half years is very positive.

The range of courses is expanding in response to demand and in addition to the generic Good Complaint Handling (identifying and processing complaints) and Effective Complaint Handling (investigation and resolution) we now offer these courses specifically for social services staff. We have also successfully piloted a course on reviewing complaints for social services review panel members.

We can customise courses to meet your Council's specific requirements.

All courses are presented by an experienced investigator so participants benefit from their knowledge and expertise of complaint handling.

I have enclosed some information on the full range of courses available together with contact details for enquiries and any further bookings.

In June and July 2006, we delivered two courses for the Council's front line staff in general complaint handling. I hope this was useful. If we can provide any further training for you please let Barbara Hedley, Assistant Ombudsman, know.

Liaison with the Local Government Ombudsman

We made enquiries on 36 complaints this year, and the average time for responding was 37.6 days, a significant increase on the 25.9 days it took last year. Our target is 28 days and an increasing number of Councils are achieving it.

The average time taken to respond to our enquiries by your Council in benefits complaints was 64.5 days with one response taking 86 days. The average time in education complaints was 47.3 with one response taking 127 days. When dealing with complaints about subjects such as environmental health and waste management, the Council took 46.6 days with one reply taking 69 days.

These times inevitably affected the Council's overall average response times.

I am frankly disappointed by the increase in response times. Your Council should now take steps to recover its performance here.

If it would help for Barbara Hedley to visit the Council to give a presentation about how we investigate complaints I would be happy to arrange this.

LGO developments

I thought it would be helpful to update you on a project we are implementing to improve the first contact that people have with us as part of our customer focus initiative. We are developing a new Access and Advice Service that will provide a gateway to our services for all complainants and enquirers. It will be mainly telephone-based but will also deal with email, text and letter correspondence. As the project progresses we will keep you informed about developments and expected timescales.

Changes brought about by the Local Government Bill are also expected to impact on the way we work and again we will keep you informed as relevant.

We have just issued a special report that draws on our experience of dealing with complaints about planning applications for phone masts considered under the prior approval system, which can be highly controversial. We recommend simple measures that councils can adopt to minimise the problems that can occur.

A further special report will be published in July focusing on the difficulties that can be encountered when complaints are received by local authorities about services delivered through a partnership. *Local partnerships and citizen redress* sets out our advice and guidance on how these problems can be overcome by adopting good governance arrangements that include an effective complaints protocol.

Conclusions and general observations

My staff tell me that they find working with Greenwich is positive and constructive and I would like to thank the Council for the forward looking way in which it continues to handle complaints, especially its willingness to put things right when mistakes have been made.

I welcome this opportunity to give you my reflections about the complaints my office has dealt with over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

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June 2007

Enc: Statistical data
Note on interpretation of statistics
Details of training courses

Complaints received by subject area	Adult care services	Benefits	Children and family services	Education	Housing	Other	Planning & building control	Public finance	Social Services - other	Transport and highways	Total
01/04/2006 - 31/03/2007	3	5	8	8	34	15	17	7	0	6	103
2005 / 2006	2	4	4	5	42	20	15	5	0	11	108
2004 / 2005	1	13	0	9	35	17	9	7	1	10	102

Note: these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority for consideration.

Decisions	MI reps	LS	M reps	NM reps	No mal	Omb disc	Outside jurisdiction	Premature complaints	Total excl premature	Total
01/04/2006 - 31/03/2007	0	22	0	0	21	21	8	30	72	102
2005 / 2006	1	21	0	0	30	16	17	33	85	118
2004 / 2005	0	17	0	0	26	9	15	23	67	90

See attached notes for an explanation of the headings in this table.

Response times	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
01/04/2006 - 31/03/2007	36	37.6
2005 / 2006	53	25.9
2004 / 2005	52	23.7

Average local authority response times 01/04/2006 to 31/03/2007

Types of authority	<= 28 days %	29 - 35 days %	>= 36 days %
District Councils	48.9	23.4	27.7
Unitary Authorities	30.4	37.0	32.6
Metropolitan Authorities	38.9	41.7	19.4
County Councils	47.1	32.3	20.6
London Boroughs	39.4	33.3	27.3
National Park Authorities	66.7	33.3	0.0