



The Commission for  
Local Administration in England

**The Local Government Ombudsman's  
Annual Letter**

**London Borough of  
Haringey**

**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 your authority 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**

Complaints against the Council increased to 185 during 2006/07, a rise of over a quarter since last year. With the exception of complaints against children and family services, the increase covered the range of council services.

The most pronounced rise was in complaints about housing, up from 38 to 56. The single largest category was housing allocations (17), followed by repairs (10), managing tenancies (10), sales and leaseholds (9) and homelessness (5).

Complaints about highways and transport increased from 17 to 26 and covered a wide variety of council activities: the issue of penalty charge notices, removal of abandoned vehicles, resident and disabled parking, consultations on controlled parking zones and general highways management issues.

The planning and building control category included 10 complaints about planning applications and seven about planning enforcement.

Complaints about benefits were exclusively about housing benefit while all of the public finance complaints were about local taxation, mostly billing and recovery.

The "other" category includes nine complaints about antisocial behaviour and five about environmental health issues.

During the year your staff have asked for our views on the possible reasons for the overall increase in complaints we received against the Council. It does go against the national picture which shows an overall reduction in complaints to the Ombudsman of under 2%. But it is not easy to draw conclusions at a local level. I would be interested in seeing the Council's own analysis of the situation, in the context of its wider complaints management reporting.

## **Decisions on complaints**

### ***Reports and local 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. /...

I issued no reports against the Council and I decided 28 complaints as local settlements. The proportion of complaints decided as settlements and reports was 28%, just 1% short of the average for all authorities. The settlements included compensation totalling just under £6,000. I set out below a summary of the main settlements.

### **Housing benefit**

Four complaints about housing benefit uncovered delay by the Council in requesting information in support of a claim, delay in amending a claim following a change in circumstances, delay in following up a request made to the Rent Officer Service and failure to respond to a request for a review of a decision on benefit entitlement. In addition to paying compensation, the Council agreed to review internal procedures relating to the claw back of overpaid housing benefit and the follow up of referrals which have gone to the Rent Officer service.

### **Housing repairs**

The Council paid compensation of £1,650 to a complainant for its delay of over three years in repairing a leak in her bathroom. It also paid compensation to settle a complaint about a leaking boiler and in two other complaints it took action to ensure that outstanding work was diagnosed and repaired.

### **Homelessness and housing allocations**

In one complaint the Council failed to consider properly letters from a complainant's physician and to apply its own policy on the award of welfare points. Although I could not conclude that the complainant had lost out on an offer, I was satisfied that the Council's faults had caused distress and inconvenience for which the remedy of £500 was in addition to the proper award of points. Flaws in the way points were assessed provided the basis for the settlement of two other complaints where the complainants were participating in the Council's recently introduced choice based lettings scheme. I should be interested to know whether the Council plans to review the operation of the scheme and, if so, what improvements it considers are necessary.

In one complaint the Council failed to accept a homelessness application. To remedy that error it interviewed the complainant, provided temporary accommodation and paid compensation of £100. In another homelessness case there was poor communication with a complainant about her temporary accommodation, which in my view led to a delay in her rehousing. The Council paid compensation of £350.

### **Private housing grants**

The Council paid £350 compensation to reflect distress caused to a complainant by its delay in dealing with her application for a grant to adapt her home. I am pleased that all the works have been completed satisfactorily and that the Council has introduced new procedures to help prevent a recurrence of this problem.

### **Antisocial behaviour**

A complainant who was the victim of harassment was awarded management transfer status but the Council did not properly consider his reasons for not wanting an offer in a particular part of the borough. He was given misleading information at times and the Council's evidence gathering was unsatisfactory. Eventually the Council agreed to make a new offer in the complainant's preferred areas and to pay compensation of £1,000. In another case the Council delayed in dealing with allegations of antisocial behaviour and did not seem to be following the relevant procedures. The Council paid compensation and agreed to pursue the case with a degree of priority.

### **Planning**

In one case the Council misfiled the complainant's letter of objection to a planning application and there was a loss of opportunity to have those comments considered, for which the Council paid compensation of £250. A similar level of compensation was paid when the Council delayed in taking enforcement action against the complainant's neighbour whose rear extension breached the planning consent. In another case the Council broke an undertaking to send the complainant a copy of the enforcement notice served on a neighbour.

### **Education**

The Council dealt incorrectly with a late application for a school place (made after all the offers had gone out) when it placed the application at the bottom of its waiting list rather than ranking it according to its admissions criteria. But for that fault, the child would have been offered a place over the summer and so the Council agreed to give the child a place. The Council also said it would review its procedures in time for the 2007 admissions round and I trust that this has now been done.

### **Highways and transportation**

A complainant was misled into believing that there would be a statutory consultation about a roundabout outside her home. The Council paid compensation and agreed to hold a site meeting to discuss with the complainant how to make access to her drive easier.

## **Your Council's complaints procedure and handling of complaints**

During the year we referred 54 complaints back to the Council to be dealt with under its complaints procedure. At 30% of all decisions, that is above the average for all authorities (28%).

We decided 11 complaints which had previously been referred back to the Council but where the complainants resubmitted their complaints to us. We did not uphold 8 of those complaints, but we decided the other three as local settlements. In one of those, about disrepair, the Council's delay in responding to our further enquiries was because of difficulties in obtaining information from a contractor.

In one complaint which we did not uphold when it was resubmitted to us, we noted that after our referral the Council declined to pursue the complaint because it was about matters which were over twelve months old. But it did not signpost the remaining stages of its procedure. The Council has since confirmed that officers have been reminded of the importance of providing information about how a complaint can be taken to the next stage of the procedure.

### **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 run open courses for groups of staff from smaller authorities and also 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.

### **Liaison with the Local Government Ombudsman**

Earlier in the year I was pleased to make two visits to the Council. In the first I met the Council's Executive and its Management Board. Members were clear that they wished to continue to improve services and complaint handling. In the second visit, I met the Board of Homes for Haringey, the Arms Length Management Organisation set up in April 2006 to manage the Council's housing stock. One of the matters discussed was the need to ensure a "joined up" service to complainants whose complaints cover both ALMO and Council services.

The average time taken by the Council to respond to our written enquiries on complaints was just over 18 days, much the same as last year and all the more creditable when you take into account that the number of enquiries increased by over 40%. My staff have made various comments about the promptness of the Council's replies and, at times, its willingness to agree to our proposals for settlement. There are times when the Council, quite reasonably, wishes to contest our assessments. We are always willing to listen to what the Council says and we are open to persuasion. But where there is no agreement, we have a duty to the complainant not to let matters drift and in those circumstances we will consider issuing a formal report.

One of the Council's officers attended a link officer seminar which we held in November. I hope that she found the event to be informative.

## **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 that 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**

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.

**Tony Redmond**  
**Local Government Ombudsman**  
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**Millbank**  
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**June 2007**

Enc: Statistical data  
Note on interpretation of statistics  
Leaflet on training courses (with posted copy only)

<b>Complaints received by subject area</b>	<b>Adult care services</b>	<b>Benefits</b>	<b>Children and family services</b>	<b>Education</b>	<b>Housing</b>	<b>Other</b>	<b>Planning &amp; building control</b>	<b>Public finance</b>	<b>Social Services - other</b>	<b>Transport and highways</b>	<b>Total</b>
<b>01/04/2006 - 31/03/2007</b>	11	19	2	9	56	29	17	16	0	26	<b>185</b>
<b>2005 / 2006</b>	9	18	8	7	38	23	10	14	2	17	<b>146</b>
<b>2004 / 2005</b>	6	17	17	10	43	22	14	6	1	18	<b>154</b>

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

<b>Decisions</b>	<b>MI reps</b>	<b>LS</b>	<b>M reps</b>	<b>NM reps</b>	<b>No mal</b>	<b>Omb disc</b>	<b>Outside jurisdiction</b>	<b>Premature complaints</b>	<b>Total excl premature</b>	<b>Total</b>
<b>01/04/2006 - 31/03/2007</b>	0	28	0	0	42	30	25	54	125	<b>179</b>
<b>2005 / 2006</b>	0	25	0	0	34	23	23	43	105	<b>148</b>
<b>2004 / 2005</b>	0	38	0	0	31	33	22	42	124	<b>166</b>

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

<b>Response times</b>	<b>FIRST ENQUIRIES</b>	
	<b>No. of First Enquiries</b>	<b>Avg no. of days to respond</b>
<b>01/04/2006 - 31/03/2007</b>	63	18.4
<b>2005 / 2006</b>	44	18.1
<b>2004 / 2005</b>	69	20.7

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

<b>Types of authority</b>	<b>&lt;= 28 days %</b>	<b>29 - 35 days %</b>	<b>&gt;= 36 days %</b>
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