



The Commission for  
Local Administration in England

**The Local Government Ombudsman's  
Annual Letter  
London Borough of Hounslow  
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**

In 2006/07 I received 150 complaints against your authority, one less than in the previous year.

Housing complaints fell while public finance and transport and highways complaints increased. Where relevant, I have commented on the significance of these changes in my discussion of 'local settlements' below. The distribution of the remaining complaints was broadly similar to the previous year.

## **Decisions on complaints**

During the year we made decisions on 155 complaints. We found no maladministration in 26 complaints. I found that 24 complaints were outside my jurisdiction and we exercised discretion to close a further 24 complaints without requiring any action by the Council.

## **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 your authority during 2006/07. However, my office agreed to settle 38 complaints. I give details of some of these below.

We settled one complaint about *adult services*, concerning delay in carrying out adaptations to a disabled person's bathroom. The Council agreed to complete the works to the complainant's satisfaction. We settled two complaints about *children and family services*. In one the Council withdrew a school escort for an autistic child following an allegation of assault, failed to inform the family of the outcome of disciplinary proceedings and delayed in processing an application from a family friend to be the replacement escort. The Council agreed to inform the complainant of the outcome of the proceedings, deal with the application and pay £50 compensation. In the second the Council failed to record details of a child's history of violent behaviour, which prevented a foster carer from making an informed decision on whether to look after the child. Both the foster carer and her daughter were subsequently assaulted by the child and had their belongings damaged. The Council agreed to pay compensation of £550.

We settled two complaints about *housing benefit*. In one the Council paid backdated benefit to a claimant rather than to the landlord, who was left out of pocket when the claimant absconded. The Council agreed to pay the sum in question, £4,574, to the landlord. In the second the Council delayed in re-issuing a lost cheque. The Council agreed to pay £50 to reflect this. I note that in March 2007 the Benefit Fraud Inspectorate issued a report on the Council's security arrangements when dealing with benefit claims. The Inspectorate made a number of positive comments about the Council's performance and identified areas for further work.

We settled two *education* complaints. In one the Council failed to deal with a child's statement of special educational needs whilst he was excluded from school and there was further delay once the exclusion had ended. The Council agreed to pay compensation of £500. In the second the Council failed to provide speech and language therapy identified in a child's statement. The Council agreed to pay £1,000, this being the cost to the Council of the provision the child had not received, plus a further £250 for the complainant's time and trouble.

We settled 11 *housing* complaints. Details of some of these are as follows:

In one case insufficient notice was given to view a property being offered to a tenant who was being moved in order to release an under-occupied flat. The Council agreed to re-offer the property. In a second the Council failed to repair a communal front door properly or to explain that a security system would not be fitted. The Council repaired the door and apologised for the lack of communication. In a third the Council delayed in installing a video intercom system. The Council agreed to install the system imminently subject to consultation with leaseholders. Given the length of the delay and the particular impact this had had on the complainant the Council also paid £1000 compensation.

Three settlements resulted from complaints from homeless people. Two related to the failure to inform them of their right to request a review of the suitability of temporary accommodation before the Council amended its standard letter in 2005/06 to include such information. The Council paid compensation of £300 in one case. The third related to a failure to move a woman who had shared a room with her 10 year old son for over a year to more suitable accommodation. The Council moved the complainant and paid her £500 compensation.

One complaint concerned the Council's failure to honour an agreement to write-off rent arrears, which prevented the complainant from bidding for permanent accommodation. The Council agreed to write off the arrears and make a direct offer of accommodation.

Only one housing complaint related to problems in carrying out repairs to Council owned properties, compared with six in the previous year. The Council agreed to carry out some additional works to reflect some delay in completing repairs while the complaint had been moved to temporary accommodation. This reduction in repairs cases may reflect the effectiveness of Hounslow Homes' procedures for resolving complaints both through the formal complaints process and informally through the work of its Tenant Liaison Officers.

We settled three *planning and building control* complaints, each concerning delays of between one and three years in taking enforcement action. The Council began enforcement action where appropriate and paid compensation totalling £650. It is revising its enforcement policy and I look forward to receiving a copy of this when it has been agreed.

We settled five *public finance* complaints. Three of these concerned summonses for unpaid Council tax that were issued when they should not have been. In one case, following a failure to transfer credits on linked accounts, the Council also ignored complaints resulting in an avoidable visit to the Council's offices to resolve matters. The Council agreed to pay compensation totalling £800. The Council is reviewing its procedures relating to the pursuit of recovery action and I look forward to receiving the outcome of this.

We settled five complaints about *highways* issues. Although this was five more than in the previous year I do not consider this to be particularly significant given the range of issues covered by the complaints. They concerned failure by the Council to take effective action to deal with the illegal sale of vehicles from the highway for over a year; delay of nine months in implementing changes to a Controlled Parking Zone; difficulties in renewing a parking permit once the changes had been implemented to the same Controlled Parking Zone; delay in cutting back an area of shrubbery which attracted rubbish and recovering £580 in unpaid penalty charge notices from the wrong person. The Council took action where necessary and paid compensation totalling £550.

We settled four complaints about the Council's handling of complaints about *anti-social behaviour*. There was delay and the Council failed to follow procedures. The Council paid a total of £735 compensation.

Finally we settled one complaint about misleading information over the reinstatement of a grave in a cemetery and the use of a particular code of practice by the Council's contractor. The Council apologised, paid compensation of £300 and agreed to use the most recent appropriate guidance. We settled one other complaint about the failure to follow the appropriate procedures for disposing of a plot of land. The Council agreed to review its procedures for the disposal of land. It would be helpful to have a copy of the revised procedures when the Council has completed the review.

Once again, my Investigators have commented on the Council's willingness to settle complaints and, in particular, the Corporate Complaint Manager's helpfulness in securing settlements, on occasion in the face of initial reluctance on the part of the departments concerned.

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

My office referred 50 'premature complaints' to your authority for consideration, as we did not think you had had sufficient opportunity to deal with them through your own procedures. At 32.2% of all decisions, this is slightly above the national average.

Fifteen premature complaints were resubmitted to me during the period. I decided not to pursue eight of these and four were yet to be decided at the end of the year. I secured settlements in three cases. Two of these were ones where the Council had been unable to complete its own stage 3 investigation and this reflects the difficulties the Corporate Complaints Unit was facing at the time, which I refer to below.

### **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**

My target for receiving councils' responses to my enquiries is 28 days. Although my officers made fewer enquiries than in the previous year, your Council's average response time rose from 21.1 to 26.2 days. Nevertheless, this was still within my target and compares favourably with other London Boroughs. I am aware that changes in the staffing of the Corporate Complaints Unit, including the winding down of the Unit in preparation for the introduction of revised procedures for handling Stage 3 complaints and enquiries from my office, is likely to have had an impact on response times.

In February of this year one of my Assistant Ombudsmen and an Investigator were briefed by your Head of Customer Services on the proposed changes to the handling of complaints. These arrangements are now taking effect, including the introduction of a Members' panel to consider cases at stage 3 of the Council's procedure. It would be helpful to have an update on the arrangements now in place. I trust that, when the revised procedures become fully operational, the good relations between my office and those dealing with complaints within the Council will be maintained, and that there continues to be a constructive approach to settling complaints.

## **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.

## **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**  
**10<sup>th</sup> Floor**  
**Millbank Tower**  
**Millbank**  
**LONDON SW1P 4QP**

**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>Transport and highways</b>	<b>Total</b>
<b>01/04/2006 - 31/03/2007</b>	5	18	7	8	37	18	15	21	21	<b>150</b>
<b>2005 / 2006</b>	3	21	6	6	49	27	15	10	14	<b>151</b>
<b>2004 / 2005</b>	4	23	8	7	60	21	10	16	20	<b>169</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	38	0	0	26	24	17	50	105	<b>155</b>
<b>2005 / 2006</b>	0	26	0	0	30	31	15	48	102	<b>150</b>
<b>2004 / 2005</b>	0	37	0	0	34	19	16	63	106	<b>169</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>	50	26.2
<b>2005 / 2006</b>	59	21.1
<b>2004 / 2005</b>	67	29.7

**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