



The Commission for
Local Administration in England

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

Royal Borough of Kensington and Chelsea

**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

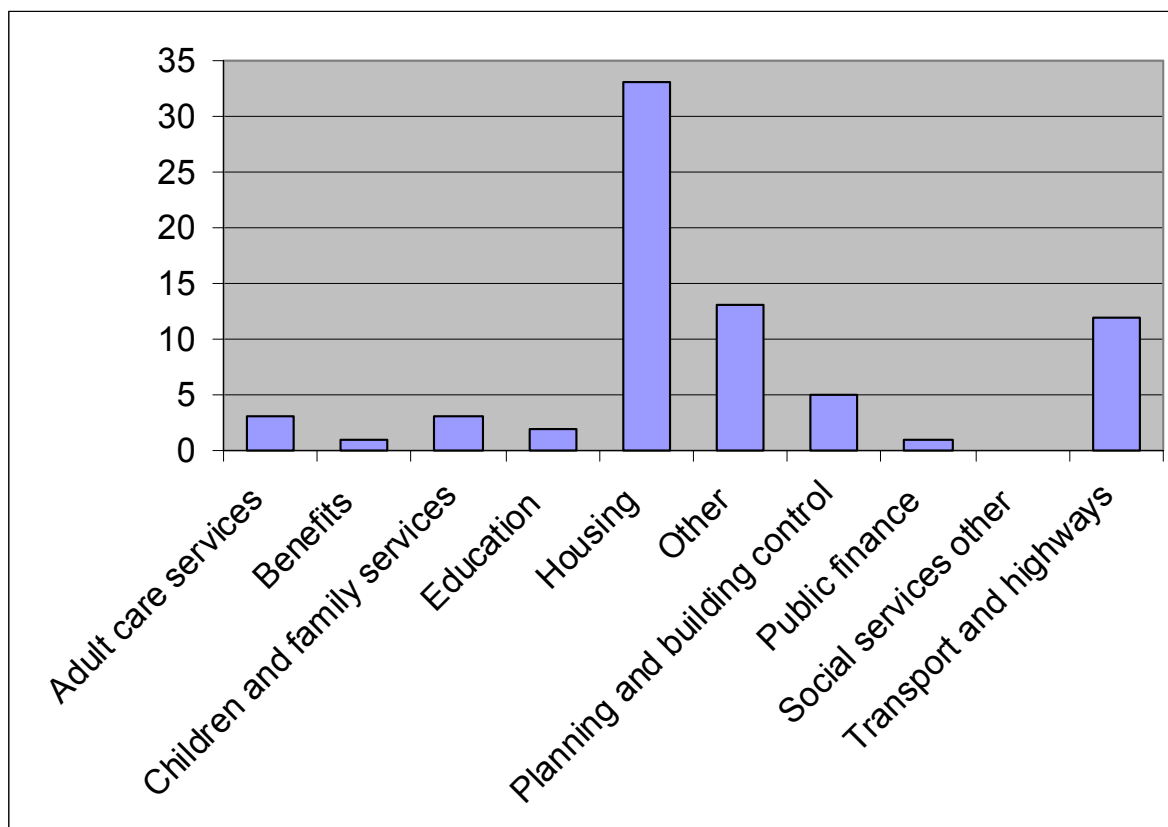
The aim of the annual letter is to provide a summary of information on the complaints about your authority that we have received and try to draw any lessons learned about the authority's performance and complaint-handling arrangements. These might then be fed back into service improvement.

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

During the year 73 complaints were received by my office. This was 18 more than last year. Complaints about housing (33) were up by more than 50% compared to last year and amounted to almost half of all the complaints made against your Council. Ten of these complaints were about managing tenancies and eight about housing repairs. Transport and highways is the second highest category with 12 complaints. The complaints in the 'other' category included five antisocial behaviour complaints and four about environmental health. Planning and building control complaints formed less than seven per cent of the total number of complaints received which is less than a third of the national average (23.7%).



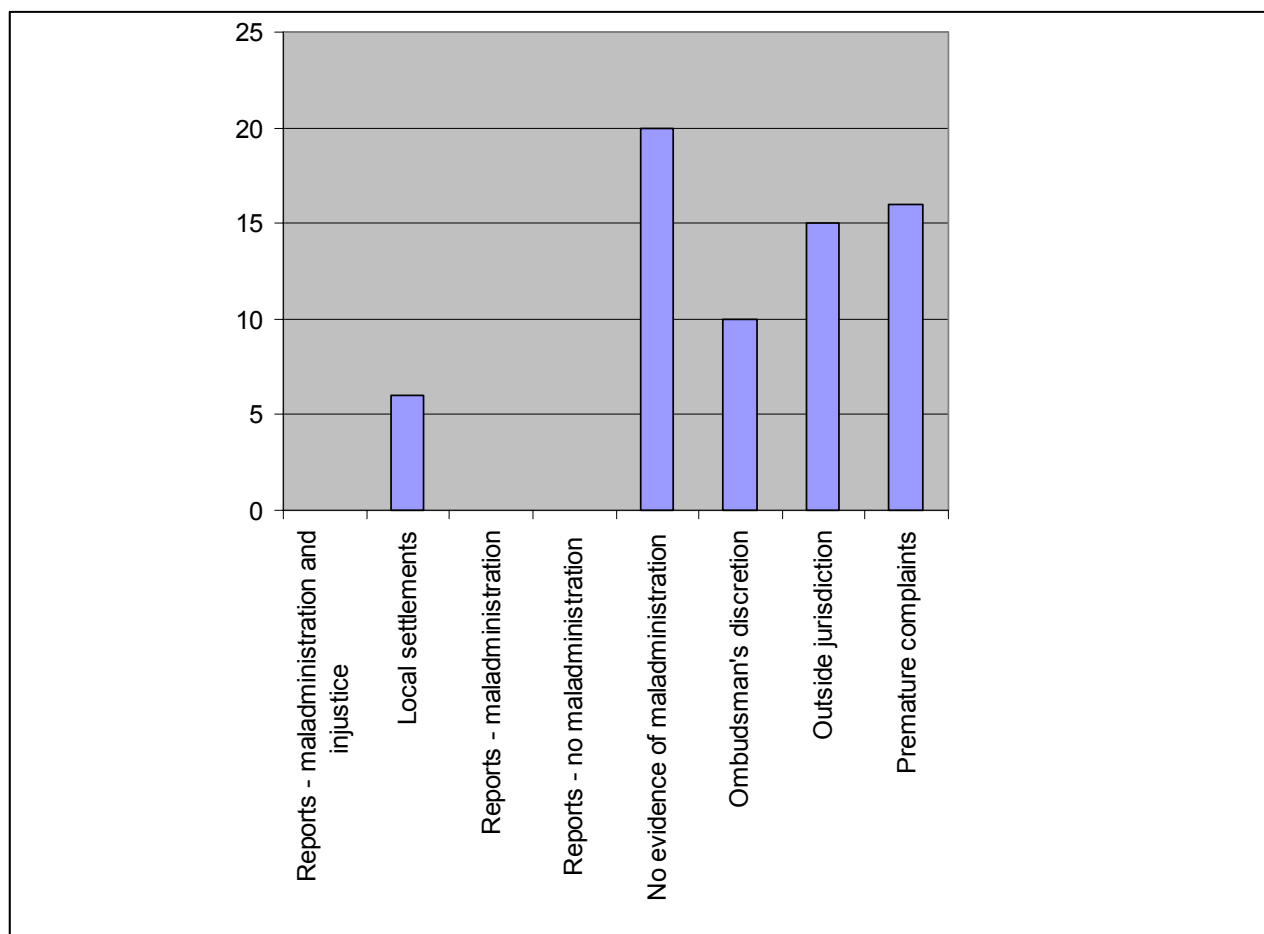
Complaints received for the year ending 31/3/2007

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.

There were just six local settlements this year (16.7% of all decisions excluding those which were premature or outside my jurisdiction) and I issued no reports. This is considerably lower than the national average figure of 27.7%.



Decisions in the year ending 31/3/2007

A total of £1631 was paid in compensation to complainants. A payment of £1181 was made to an asylum seeker who had made a retrospective application for housing benefit following the grant of indefinite leave to remain in the country. The complainant had paid some of the rent due by borrowing money from friends but the Council paid the full amount of benefit direct to the landlady disregarding advice in the relevant Housing Benefit circular. The Council agreed to pay the benefit which should have been paid to the complainant as compensation when negotiations for repayment of the amount wrongly sent to the landlady stalled.

In a highways complaint, your Council agreed to refund a clamping charge to a motorist when my investigator decided it had taken too long for the Council to release the clamp on the complainant's vehicle. My investigator decided that it was reasonable to expect that the clamp would be released within two hours of the motorist first attempting to contact the Council. In this case it was three and a half hours before the clamp was released. The Council also agreed to pay £100 compensation for the time and trouble the complainant was put to in making his complaint to the Ombudsman. My investigator decided that the Council could have addressed the matter when it was first brought to its attention by the complainant. But it did not do so and its intransigence meant that the complainant was put to time and trouble bringing his complaint to me.

A further settlement was reached when my investigator decided that your Housing Arms Length Management Organisation had failed to give satisfactory responses and take positive action when a tenant complained that a black taxi cab was parking on private housing land adjacent to her flat. The parking of the cab was an eyesore and a nuisance to residents. The Council agreed to survey residents of the block for their views and consider clamping the vehicle to prevent unauthorised parking. In addition to taking this action, the Council agreed to pay the complainant £50 to recognise the time and trouble she was put to in making her complaint.

In all the settlements which my office dealt with this year I was impressed by your Council's prompt response to proposals and willingness to accept improvements in procedures.

Your Council's complaints procedure and handling of complaints

Sixteen complaints (23.9%) were considered to be premature and referred back to your Council for consideration under your complaints procedure as it did not seem that you had been afforded a reasonable opportunity of dealing with them before they were made to me. This is slightly below the national average of 28.8%. Four of these complaints were resubmitted during the year. One remains under investigation at the year end; one was outside my jurisdiction and in the other two, I found no evidence of fault.

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

Your Council took an average of 24.1 days to respond to first enquiries by my office. This is a slight increase on last year's performance but should be seen in the context of the target I set of 28 days. 39.4% of London Boroughs respond within this target period.

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
Millbank Tower
Millbank
London
SW1P 4QP

June 2007

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

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	1	3	2	33	13	5	1	0	12	73
2005 / 2006	1	5	2	0	20	6	6	1	2	12	55
2004 / 2005	1	4	3	2	12	11	5	0	1	6	45

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	6	0	0	20	10	15	16	51	67
2005 / 2006	0	4	0	0	15	6	15	13	40	53
2004 / 2005	0	5	0	0	17	4	10	13	36	49

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	31	24.1
2005 / 2006	18	21.4
2004 / 2005	16	23.3

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