



The Commission for
Local Administration in England

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

The London Borough of Tower Hamlets

**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

This annual letter provides a summary of the complaints we have received about your authority. Where possible, we comment on the authority's performance and complaint-handling arrangements to assist with your 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.

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

As you are a local Social Services authority I want to take this opportunity to draw your attention to an issue of significant public interest. In the last two years I have issued reports following complaints from people living in Blackpool, Liverpool and Sheffield about failings in home care services provided under contract.

In each case a vulnerable person was placed at significant risk as a result of carers failing to visit, calling late and failing to provide the specified care. Tragically, in one case the actions of a carer resulted in a death. Complaints had been made to all three Councils but no effective action had been taken. Although the services were provided under contract, it seems clear that similar problems could occur even if the carers are directly employed. I urge you to ensure that senior staff responsible for care services to adults are aware of the issues raised by these reports (which can be found on our web-site) and consider whether action needs to be taken by your Council. The 2006 report of the Commission for Social Care Inspection 'Time to Care? An Overview of Home Care Services for Older People in England' provides very useful contextual information.

Complaints received

Volume

Last year 112 complaints were received against the Council.

Character

Nearly half of the complaints received concerned housing (47) but this was a significant fall of nearly one third from the previous year, when 68 complaints had been received about housing, and fewer than half as many complaints as had been received the year before (97). While this category therefore remains the largest category of complaints against the Council, it appears to be a reducing volume. There were 12 complaints against both planning and building control and transport and highways services. Complaints about adult care services were halved from 14 to 7. There were no complaints about children and family services during 2005/06 last year there were four complaints.

Decisions on complaints

Reports and local settlements

A 'local settlement' is a complaint that is resolved by the Council taking, or agreeing to take, action which we consider is a satisfactory response to the complaint so that the investigation can be discontinued. In 2006/07 27.7% of complaints dealt with by the three Local Government Ombudsmen (excluding premature and those outside jurisdiction) were resolved by local settlement. When we complete an investigation we must issue a report.

In total the Council resolved 24 complaints by local settlement and as remedies paid £6520 to complainants. The largest single payment of compensation was £1500 for delay in progressing matters relating to an enforcement notice and in investigating a change of use from single to multiple occupancy in a property next door to the complainant. This was the second complaint arising out of

the Council's delay and failure to take prompt action on unauthorised work at this address. The second highest payment was £1410 for misleading advice about regeneration and improvement which led the complainant to act to her detriment and also to the detriment of her tenants.

I am pleased to note that I found no need to publish a report critical of the Council last year.

Other findings

Decisions were made on 111 complaints last year, of which 29 were considered to be premature complaints as the Council had not had an opportunity to consider and respond. 19 complaints were outside my jurisdiction and I closed another 15 using my discretion to do so. I found no maladministration in 24 complaints.

Your Council's complaints procedure and handling of complaints

I am pleased to note that the Council clearly outlines its own complaints procedure upon the Council's website, and that there is a clear link to the Commission's own website so that complainants unhappy with the Council's response through its own corporate complaints procedure, may be readily signposted to the Commission's own complaints procedure.

Training in complaint handling

Part of our role is to provide advice and guidance about good administrative practice. We offer training courses for all levels of local authority staff in complaints handling and investigation. The feedback from councils that have taken up the training is very positive.

The range of courses is expanding in response to demand. 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 and 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 different 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.

I am pleased to note that the Council convened an Effective Complaints Handling course in January this year, and hope that those attended benefited, and will be in a better position to swiftly and effectively determine complaints received from customers in future.

Liaison with the Local Government Ombudsman

I particularly commend the Council for the speed of its responses to enquiries made by investigators upon complaints. Last year the Council responded within an average of only 18.9 calendar days to the enquiries made upon 46 complaints. The Council's performance was equally good during the previous year, and only marginally less quick in the year before that. Given the volume of complaints upon enquiries which are made to the Council, and the fact that the Commission's new target is 28 calendar days, the Council is to be warmly commended for its significant over performance of that target.

I have been particularly impressed by the proactive and interventionist approach of the Director of Housing upon a particular complaint which exemplified the Council's constructive attitude to complaints.

Complaints against Tower Hamlets are now being dealt with by the Chairman of the Commission, Tony Redmond, who is the Ombudsman based within the Commission's London office. I would like to thank the several staff of the Council for the constructive and helpful way with which they have worked with my staff in York during the period that we have dealt with complaints against the Council. I am confident that this constructive relationship will continue between the Council's officers and those officers of the Commission now dealing with complaints against the Council.

LGO developments

You may be interested in the development of our initiative to improve the first contact that people have with us. A new Access and Advice Service will provide a gateway to our services for all complainants and enquirers. It will encourage telephone contact but will also deal with email, text and letter correspondence. We will let you have further details about how it will operate and the expected timescales and we will discuss with you the implications for your Council.

I hope you have received our latest special report about telecommunication masts. It draws on our experience of dealing with complaints about planning applications for masts which can be highly controversial. We recommend simple measures that councils can adopt to minimise the chances of maladministration occurring.

In July we will be publishing a special report about the difficulties that can be encountered with complaints when local authorities deliver services or discharge their functions through partnerships. *Local partnerships and citizen redress* provides advice and guidance on how these problems can be overcome by good governance arrangements that include an effective complaints protocol.

Conclusions and general observations

I welcome this opportunity to comment on our experience of complaints about the Council over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

Anne Seex
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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	7	7	4	0	47	18	12	5	0	12	112
2005 / 2006	14	10	0	0	68	25	14	7	1	10	149
2004 / 2005	7	8	10	1	97	20	12	3	1	16	175

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	24	0	0	24	15	19	29	82	111
2005 / 2006	1	31	0	0	46	21	18	50	117	167
2004 / 2005	3	21	0	0	44	24	17	38	109	147

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	46	18.9
2005 / 2006	72	18.0
2004 / 2005	84	19.7

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