

Local Government
OMBUDSMAN

**The Local Government Ombudsman's
Annual Letter
London Borough of Bexley
for the year ended
31 March 2008**

The Local Government Ombudsman (LGO) provides a free, independent and impartial service. We consider complaints about the administrative actions of councils and some other authorities. We cannot question what a council has done simply because someone does not agree with it. If we find something has gone wrong, such as poor service, service failure, delay or bad advice, and that a person has suffered as a result, the Ombudsmen aim to get it put right by recommending a suitable remedy. 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 2007/08 - Introduction

This annual letter provides a summary of the complaints we have received about Bexley Council. We have included comments on the authority's performance and complaint-handling arrangements, where possible, so they can 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.

Complaints received

Volume

Forty two complaints against your Council were received by my office during the year, 14 more than last year but this sort of fluctuation has not been unusual.

Character

Complaints received were spread across most areas of Council services. This year the subject area with the highest number of complaints (nine) was Transport and Highways, and of these seven concerned parking tickets. A total of seven complaints were made about Planning (six) and Building Control (one).

Decisions on complaints

Reports and local settlements

When we complete an investigation we issue a report. I did not issue any reports on complaints against your Council during this year.

A 'local settlement' is a complaint where, during the course of our investigation, the Council has agreed to take some action which we consider is a satisfactory response to the complaint. The investigation is then discontinued. In 2007/08 the Local Government Ombudsmen determined some 27% of complaints by local settlement (excluding 'premature' complaints - where councils have not had a proper chance to deal with them - and those outside our jurisdiction).

Local settlements on two complaints were agreed by your Council during the year.

On a complaint about Housing Benefit the Council recognised that there had been delay in dealing with letters about failure to refer an appeal to the independent tribunal after correspondence from the complainant and the advice agency assisting him had been overlooked. Compensation of £225, in line with the level of compensation I usually recommend in such cases, was offered by the Council without prompting from my office. The Council also took action quickly to deal with the appeal referral. A citizen complained about the Council's failure to respond to his repeated letters raising specific questions about parking issues outside his home. His letters had been treated only as representations on a parking ticket issued to him. The Council accepted my investigator's recommendation for compensation of £100, provided answers on the specific questions asked, took appropriate action to address issues raised, and sent a commendable letter of apology.

A total of £325 was paid in compensation as a result of complaints made to me.

Other findings

Decisions were made on a total of 36 cases during the year, including the two local settlements described above.

Eleven complaints were found to be premature, because they had not yet been considered by the Council, so were referred back to be dealt with under your own complaints procedures. Five complaints concerned matters outside my jurisdiction so could not be investigated. Investigation of 12 complaints was discontinued after no or insufficient evidence of maladministration was found. And six investigations were discontinued for other reasons, generally because there was insufficient evidence that the complainant had suffered an injustice.

Your Council's complaints procedure and handling of complaints

The proportion of premature complaints (11 out of a total of 36 complaints decided) is higher than the national average of 27% but I do not consider this a matter for concern.

The evidence indicates that the Council's own complaints procedure operates effectively. Only one of the premature complaints referred back to the Council was resubmitted to me for investigation after the being considered through your own procedures. Investigation of that complaint was discontinued by my office because no evidence of maladministration was found.

Your complaints procedure is clearly explained and readily accessible on the Council's website. And information about my office is also given, with a link to our website.

Liaison with the Local Government Ombudsman

Your officers respond efficiently and effectively to enquiries made by my investigators. I am very pleased to note that the average number of days for a response to be sent on first enquiries is now 24.1 days, within the target of 28 days and a significant improvement over previous years. I am very grateful for the Council's efforts here.

The Council has responded positively and constructively to recommendations for action to be taken to address complaints made to me.

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. This year we carried out a detailed evaluation of the training with councils that have been trained over the past three years. The results are 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 a course on reviewing complaints for social care 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.

LGO developments

We launched the LGO Advice Team in April 2008, providing a first contact service for all enquirers and new complainants. Demand for the service has been high. Our team of advisers, trained to provide comprehensive information and advice, have dealt with many thousands of calls since the service started.

The team handles complaints submitted by telephone, email or text, as well as in writing. This new power to accept complaints other than in writing was one of the provisions of the Local Government and Public Involvement in Health Act 2008, which also came into force in April 2008. Our experience of implementing other provisions in the Act, such as complaints about service failure and apparent maladministration, is being kept under review and will be subject to further discussion. Any feedback from your Council would be welcome.

Last year we published two special reports providing advice and guidance on 'applications for prior approval of telecommunications masts' and 'citizen redress in local partnerships'. I would appreciate your feedback on these, particularly on any complaints protocols put in place as part of the overall governance arrangements for partnerships your Council has set up.

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.

J R White
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June 2008

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	Transport and highways	Total
01/04/2007 - 31/03/2008	2	3	3	4	3	8	7	3	9	42
2006 / 2007	2	3	1	3	6	1	3	4	5	28
2005 / 2006	1	2	2	3	2	6	18	4	7	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
01/04/2007 - 31/03/2008	0	2	0	0	12	6	5	11	25	36
2006 / 2007	0	5	0	0	12	3	3	9	23	32
2005 / 2006	0	3	0	0	16	7	8	12	34	46

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
01/04/2007 - 31/03/2008	11	24.1
2006 / 2007	4	33.8
2005 / 2006	11	30.8

Average local authority response times 01/04/2007 to 31/03/2008

Types of authority	<= 28 days %	29 - 35 days %	> = 36 days %
District Councils	56.4	24.6	19.1
Unitary Authorities	41.3	50.0	8.7
Metropolitan Authorities	58.3	30.6	11.1
County Councils	47.1	38.2	14.7
London Boroughs	45.5	27.3	27.3
National Park Authorities	71.4	28.6	0.0