

Local Government OMBUDSMAN

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

London Borough of Hillingdon
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 the London Borough of Hillingdon. 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

The number of complaints rose slightly from 70 in 2006/07 to 74 last year. Complaints about housing matters fell from 22 to 15, while planning complaints increased from 15 to 20. There was also an increase in complaints about adult care services, from four to seven. I saw no underlying themes which had led to the changes in the distribution of these complaints. The remaining complaints were spread across the range of services provided by your Council.

Decisions on complaints

Local settlements and reports

The term 'local settlement' refers to the outcome of a complaint where, during the course of our investigation, a council has agreed to take some action which we consider is a satisfactory response to the complaint. The investigation can then be discontinued without the need for a report. In 2007/08, the Local Government Ombudsmen nationally determined 27% of complaints by local settlement. This figure excludes 'premature' complaints – which councils have not had a proper chance to deal with – and those outside our jurisdiction. None of the complaints we investigated this year justified the issue of a report. 11 complaints of the 80 decided were resolved by way of a local settlement.

Four local settlements concerned housing complaints. Two of these concerned repairs. In one case, a tenant had intermittent problems with her boiler, leaving her at times without hot water. There was delay and a number of inspections before the cause of the problems was identified, and the boiler was repaired. In another complaint the property was not included in the 'Decent Homes' improvement programme, although works were necessary to the kitchen and bathroom. Again, there were delays.

Two local settlements concerned adult care services. In one, there was delay providing information on the direct payment process for meeting the costs of home care for the complainant's mother. During the course of the investigation, you offered to meet the relevant costs from the time of the complainant's original enquiry. Consequently, the complainant and his mother did not lose out as a result of the delay. In the other case, there had been delay in concluding an assessment of the complainant's care needs. When the matter was raised with your Council, a fresh assessment was offered which the complainant welcomed.

Other local settlements related to children and family services, land, trees, waste management and housing benefit.

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Other decisions

I referred 16 complaints back to your Council as you had not had a reasonable opportunity to consider and respond to them before I became involved. I considered a further 11 complaints were outside my jurisdiction because there was an alternative remedy available: for example, in three cases the complainant had a right of appeal to the Secretary of State through the Planning Inspectorate. Another four cases were outside my jurisdiction because they were made too long after the event and another was about a contractual matter which I have no power to consider.

There were 20 complaints where I concluded that there was insufficient evidence of fault by your Council to warrant my involvement and a further 13 cases were also discontinued at my discretion, generally because I did not consider that there had been a significant level of injustice caused to the complainant.

Although I did not pursue these complaints, some did highlight issues which I drew to the Council's attention. In one such case, an email to your Council complaining about service delivery was acknowledged but subsequently went missing. The substantial issue had been otherwise resolved and I did not consider the loss of the email in itself warranted my investigation, but the complaint prompted a review of procedures by your staff. In housing repairs case, I found the Council did not retain customer feedback sheets commenting on works done. This meant there was no proper record of concerns, so I asked the Council to address this. And a planning case highlighted concerns about delays in registering planning applications, and in issuing decision letters, which I again asked the Council to address.

Your Council's complaints procedure and handling of complaints

Your Council's average time to respond to enquiries from my staff was 26 days, which is below the target time of 28 days. In one case the response time was recorded as 80 days. In this instance, however, you needed to obtain information from a school which was closed for a holiday. Excluding this complaint, the average figure was 24 days.

In the complaint about intermittent boiler problems referred to above, my investigator noted your Council's willingness to seek a resolution. This positive attitude noted in several other complaints last year. I am grateful for this approach, which assists me in my work and which benefits the Council's residents.

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.

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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, 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, has 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, which also came into force in April. 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'. Again, 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.

Tony Redmond
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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	Social Services - other	Transport and highways	Total
01/04/2007 - 31/03/2008	7	6	3	2	15	9	20	5	0	7	74
2006 / 2007	4	4	2	4	22	8	15	4	0	7	70
2005 / 2006	4	4	5	1	19	11	21	1	1	6	73

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	11	0	0	20	17	16	16	64	80
2006 / 2007	1	10	0	0	19	15	10	15	55	70
2005 / 2006	0	10	0	0	21	14	10	15	55	70

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	29	26.0
2006 / 2007	24	29.7
2005 / 2006	31	32.7

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