

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

The London Borough of Tower Hamlets

**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 Tower Hamlets. 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

In this year we received 105 complaints, a reduction for the second year running (I received 112 complaints last year, and 149 in 2005/06). As in previous years, around half of these complaints (51) were about housing. This is not unusual for a London Borough where demand for affordable housing far outstrips supply.

Other significant sources of complaints were transport and highways, with 16. This includes complaints about parking enforcement.

The remaining complaints spanned a number of different services including both Adult Care Services and Children and Family Social Services, Benefit administration, Planning, Local Taxation, and Education. The 13 complaints categorised as "Other" include those made about anti social behaviour.

Decisions on complaints

We made decisions on 121 complaints during the year as we carried some forward from the preceding year. None of the complaints we investigated this year justified the issue of a report.

Local settlements

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 nationally determined 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). We settled 16 complaints against your council this way – which, at 25%, is very close to the national average.

Of the complaints we settled in this way the most striking was where we found that a tenant had been living in unsatisfactory conditions for over two years because of delay in carrying out repairs. We agreed with the Council that the tenant should be offered £2,250 compensation to reflect this. In three other cases we found unreasonable delay in dealing with repairs, for which we agreed a total of £1000 in settlement.

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Housing also produced some justified complaints about the allocation of homes and how the Council dealt with reports of homelessness or threat of homelessness. In one case, the Council's delay of several months in dealing with a request for a review of an applicant's priority for being re-housed caused anxiety. Although the review found that the applicant was not in urgent need and so their priority remained the same as before, we agreed that the unnecessary anxiety in waiting for a re-determination merited £100 in compensation. Two other complaints concerned difficulties over the making of offers of accommodation, because of a breakdown in internal communication. For these two complaints we recommended a total of £600 in compensation.

One unusual complaint concerned the allocation of pitches in a street market. We found that the complainant had been treated less well than other traders, and had had to work in a poor environment. Your Council agreed to offer the complainant £2,000 and to commission a review of the markets by the internal auditors.

Two complaints that were settled arose from delay or failure in dealing with planning enforcement issues. The Council told me that it was reviewing its enforcement procedures. I understand this review is still underway and that it is intended to "re-launch" the enforcement service later this year. I would be grateful if you could keep me updated.

I mentioned above that parking enforcement complaints are part of the transport and highways category. Many such complaints are outside my jurisdiction since there is an alternative right of appeal to a Parking Adjudicator. However, I have settled two complaints which were within my jurisdiction. The first was a case where a car was impounded because the owner did not display the temporary licence she had bought. She said she had not been advised she needed to display the licence, and that she was reluctant to do so because it contained personal information about her (including her name, address and telephone number). Your Council agreed to refund the charges for impounding the car, to ensure that written advice made clear that temporary licences should be displayed, and to amend the licences so that no personal information would be shown.

The other parking complaint involved the Council's failure to respond to correspondence, with the result that the complainant lost the chance to appeal to the Adjudicator. As a result the complainant incurred costs of over £700, which your Council agreed to refund. Again, in this case some procedural improvements were identified, and this is a suitable point to acknowledge your Council's willingness to learn from justified complaints and make appropriate changes.

Other findings

Of the remaining 105 decisions, 33 were referred back as "premature" because I did not think the Council had yet had sufficient opportunity to deal with them. 23 were outside my jurisdiction for other reasons. Of the remaining 49, I found no maladministration in 37 complaints and discontinued my investigation in 12 others, often because there seemed to have been no significant injustice to the complainant.

Your Council's complaints procedure and handling of complaints

A number of complaints were made to me that I considered were 'premature' as the Council had not had a reasonable opportunity of dealing with them in an effort to satisfy the complainant. These accounted for 27% of all decisions which is exactly the same as the national average for all local authorities in England.

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Of the complaints I have considered that have first been through the Council's three stage complaints procedure, it seemed to me that they had been handled well with careful consideration given to the main issues at each stage of the process.

Liaison with the Local Government Ombudsman

Responsibility for dealing with your Council returned to my office this year. As part of that process I met the Council's senior management team and I notice that the Council's Link Officer – tasked with compiling responses to our enquiries – attended a seminar at our office on 18 October 2007. My staff inform me that the arrangements for responding to my enquiries is effective. The average response time is just 17.6 days, well within my requested timescale of 28 days, and in some cases I know the response has been considerably quicker than that. Given that a third of London Boroughs do not manage to achieve an average response time below 36 days, this is a considerable achievement and undoubtedly assists us in arriving at timely decisions on complaints which we receive.

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, 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.

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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
Local Government Ombudsman
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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	2	7	4	4	51	13	6	2	0	16	105
2006 / 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

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	16	0	0	37	12	23	33	88	121
2006 / 2007	0	24	0	0	24	15	19	29	82	111
2005 / 2006	1	31	0	0	46	21	18	50	117	167

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	50	16.2
2006 / 2007	46	18.9
2005 / 2006	72	18.0

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