

24 June 2011

By email

Ms Mary Ney
Chief Executive
London Borough of Greenwich

Dear Ms Ney

Annual Review Letter

I am writing with our annual summary of statistics on the complaints made to me about your authority for the year ending 31 March 2011. I hope the information set out in the enclosed tables will be useful to you.

The statistics include the number of enquiries and complaints received by our Advice Team, the number that the Advice Team forwarded to my office and decisions made on complaints about your council. Not all complaints are decided in the same year that they are received. This means that the number of complaints received and the number decided will be different.

The statistics also show the time taken by your authority to respond to written enquiries and the average response times by type of authority.

Complaints received during 2010-11

As you will see, we received 184 enquiries and complaints about the council in 2010/11, 72 of which were referred for investigation. As you know, we consider it important to deal with complaints as swiftly as possible and council response times to our enquiries are a significant factor in achieving timely outcomes. From formal enquiries made on 38 complaints this year, your average response time was 33.9 days. This is above the 28 day target, but the council's performance this year marks a significant improvement on the average response time for 2009/10, which was 51.4 days for the same number of enquiries. Eleven enquiry responses took over 40 days this year. One education complaint response took 105 days, although I understand your council kept my Investigator informed throughout, apologised for the delay, and provided a detailed response. Seventeen responses were received before or on the 28 day target, which is encouraging, and the council's overall improvement in its performance is to be commended.

Complaint outcomes

We decided 74 complaints during the year. In 38 cases we found no evidence of maladministration and in 10 cases we used our discretion to discontinue the investigation. Eleven cases were considered to be outside my jurisdiction. I would like to thank the council for agreeing to settle 15 complaints.

Complaints to us covered a range of areas of the council, but as in previous years, many of the 184 complaints received were about housing. Eighty-six complaints made were on this issue, of which 31 were investigated.

In one case about housing allocations, the council had suspended the complainant from the housing register because they had declined two direct offers of properties. But the council's policy as written was to suspend housing applicants if they declined two properties on which they had actively bid. There was no mention of suspension for declining two directly offered properties. Your council agreed to amend its policy, immediately reinstate the complainant to the housing register, and pay a total of £600 compensation to the complainant. £100 was paid for time and trouble, and £500 to compensate for the complainant's loss of opportunity to bid on properties while suspended.

In a case about housing benefit, the complainant, who was a landlord, had asked your council to pay the benefit directly to his agent, because there was clear evidence the tenant would be unable to manage their own housing affairs. But your council did not follow this request and paid the benefit to the tenant, who then did not use it to pay the rent. In response to our investigation, your council promptly agreed to pay £1,350 to the landlord's agent, which equalled the sum in benefit paid to the tenant.

An adult care services complaint was received, which stated that your council had failed to resolve a dispute with another local authority. The disagreement centred on which authority area the complainant's father should have been considered as 'ordinarily resident' for the purpose of receiving care services. Your council accepted responsibility for the care and agreed to settle the complaint the day after receiving my Investigator's enquiries. You paid the outstanding fees and also made a time and trouble payment of £250.

Communicating decisions

We want our work to be transparent and our decisions to be clear and comprehensible. During the past year we changed the way we communicate our decisions and reasons. We now provide a stand-alone statement of reasons for every decision we make to both the citizen who has complained and to the council. These statements replace our former practice of communicating decisions by letter to citizens that are copied to councils. We hope this change has been beneficial and welcome comments on this or any other aspect of our work.

In April 2011 we introduced a new IT system for case management and revised the brief descriptions of our decisions. My next annual letter will use the different decision descriptions that are intended to give a more precise representation of complaint outcomes and also add further transparency to our work.

Extended powers

During 2010/11 our powers were extended to deal with complaints in two significant areas.

In October 2010 all complaints about injustice connected to adult social care services came under our jurisdiction. The greater use of direct payments and personalised budgets mean that it is particularly important for us to be able to deal with such complaints irrespective of whether a council has arranged the care. The increasing number of people who arrange and pay for their own social care now have the right to an independent and impartial examination of any complaints and concerns they may have about their care provider.

In the six months to April 2011 we received 75 complaints under our new adult social care powers. Between 2009/10 and 2010/11 complaints about care arranged or funded by councils doubled from 657 to 1,351.

The Apprenticeships, Skills, Children & Learning Act 2009 introduced powers for us to deal with complaints about schools by pupils or their parents. This was to be introduced in phases and currently applies in 14 council areas. By the end of 2010/11 we had received 169 complaints about schools in those areas and 183 about schools in other areas where we had no power to investigate. The Education Bill currently before Parliament proposes to rescind our new jurisdiction from July 2012.

Our new powers coincided with the introduction of Treasury controls on expenditure by government departments and sponsored bodies designed to reduce the public spending deficit. This has constrained our ability to inform care service users, pupils and their parents of their new rights.

Assisting councils to improve

For many years we have made our experience and expertise available to councils by offering training in complaint handling. We regard supporting good complaint handling in councils as an important part of our work. During 2010/11 we surveyed a number of councils that had taken up the training and some that had not. Responses from councils where we had provided training were encouraging:

90% said it had helped them to improve their complaint handling

68% gave examples of how the knowledge and skills gained from the training had been applied in practice

55% said that complaints were resolved at an earlier stage than previously

almost 50% said that citizens who complained were more satisfied.

These findings will inform how we develop and provide training in the future. For example, the survey identified that councils are interested in short complaint handling modules and e-learning.

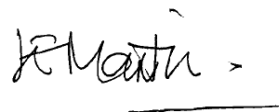
Details of training opportunities are on our web site at www.lgo.org.uk/training-councils/

More details of our work over the year will be included in the 2010/11 Annual Report. This will be published on our website at the same time as the annual review letters for all councils (14 July).

If it would be helpful to your council I should be pleased to arrange for me or a senior manager to

meet you and explain our work in greater detail.

Yours sincerely

A handwritten signature in black ink that reads "J Martin". The signature is written in a cursive style with a small flourish above the 'i' and a horizontal line underneath the name.

Dr Jane Martin
Local Government Ombudsman

For further information on interpretation of statistics click on this link to go to www.lgo.org.uk/CouncilsPerformance

LGO Advice Team

Enquiries and complaints received	Adult Care Services	Benefits & Tax	Corporate & Other Services	Education & Childrens Services	Environmental Services & Public Protection & Regulation	Highways & Transport	Housing	Other	Planning & Development	Total
Formal/informal premature complaints	2	10	2	5	9	5	35	1	1	70
Advice given	1	6	1	4	5	3	20	1	1	42
Forwarded in investigative team (resubmitted)	2	3	0	1	0	1	13	0	4	24
Forwarded to investigative team (new)	1	7	2	8	5	1	18	3	3	48
Total	6	26	5	18	19	10	86	5	9	184

Investigative Team

Decisions	Reports: maladministration and injustice	Local settlements (no report)	Reports: Maladministration no injustice	Reports: no Maladministration	No Maladministration (no report)	Ombudsman's discretion (no report)	Outside jurisdiction	Total
2010 / 2011	0	15	0	0	38	10	11	74

No adult social care decisions were made in the period

Response times	First enquiries	
	No of first Enquiries	Avg no of days to respond
01/04/2010 / 31/03/2011	38	33.9
2009 / 2010	38	51.4
2008 / 2009	23	44.7

Provisional comparative response times 01/04/2010 to 31/03/2011

Types of authority	<= 28 days %	29 - 35 days %	>= 36 days %
District councils	65	23	12
Unitary authorities	59	28	13
Metropolitan authorities	64	19	17
County councils	66	17	17
London boroughs	64	30	6
National parks authorities	75	25	0

Response times adult social care 1/10/10 - 31/3/11	First enquiries	
	No of first Enquiries	Avg no of days to respond
2010/2011	1	40.0