

24 June 2011

Mr H Dunnachie
Chief Executive
London Borough of Hillingdon
Civic Centre
UXBRIDGE
Middlesex UB8 1UW

Dear Mr Dunnachie

Annual Review Letter

We are writing with our annual summary of statistics on the complaints made to us about your authority for the year ending 31 March 2011. We 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.

Enquiries and complaints received

A total of 108 enquiries and complaints were received about your council in 2010/11, up from 69 in the previous year. The main subjects were housing (24), benefits and tax (23), education and children's services (17), and planning and development (15). We regarded 38 as premature because it did not appear that your council had had a reasonable opportunity to deal with the matter. In another 24 cases, the prospective complainants were given advice about the options open to them. The remaining 46 complaints were forwarded to my investigative team to consider.

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 29 complaints this year, your average response time was 22.3 days, which is within the 28 day target.

Complaint outcomes

We decided 45 complaints against your council during the year. In 28 cases we found no or insufficient evidence of fault or injustice to warrant our further involvement and we had no jurisdiction to investigate a further five complaints.

A 'local settlement' is a complaint where, during the course of our investigation, a council takes or agrees to take some action that we consider to be a satisfactory response to the complaint. In 2010/11, 27.1% of all complaints the ombudsmen decided and which were within our jurisdiction were local settlements. Of the complaints we decided against your authority, 27.5% (11) were local settlements, so this was very much in line with the norm.

Adult care services

We found that there had not been proper consideration of an individual's needs prior to the council withdrawing taxi transport to a day centre. The council agreed to undertake a full assessment of the complainant's needs and he received a refund of the costs incurred in travelling by private taxi.

Housing

We found that there had been unreasonable delay in processing a homelessness application and that this had led to the complainant spending unnecessary time in unsuitable accommodation. Your council subsequently made offers of suitable accommodation and paid compensation to the complainant.

Education & children's services

A further investigation found that your council had failed for a year to provide education to a child with substantial special educational needs. In addition to an apology to the complainant for wrongly suggesting that he was responsible, a substantial payment was made to recognise the loss of educational and other opportunities.

Other

Other settlements included the addressing of unreasonable delay in resolving an issue relating to the boundary fence between the complainant's home and a council-owned dwelling; confusion about whether or not your council was taking enforcement action against development at the complainant's neighbours' property; and delay in making a payment of housing benefit, during which the complainant's life was disrupted.

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. Our 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 89 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.

Schools in your area have been covered by our new powers since September 2010. We would like to thank your council for their support in this period. You have facilitated us in delivering training across the borough to head teachers, governors and clerks, initially about the new legislation and more recently in supporting the development of good complaints handling procedures in schools. We have delivered three courses in developing complaints handling procedures in schools to over 80 delegates, with an overwhelmingly positive response.

We had received 13 complaints about schools in your area to the end of March 2011. These were about bullying, special educational needs, teacher conduct and parking on site.

Across the 14 areas, the biggest complaint categories were bullying (34%), teacher conduct (27%) and special educational needs (21%).

Of the complaints decided in your area:

- Ten have been closed.
- In two cases we initiated an investigation.
- In six cases the complaint was referred back to the school for it to consider using its own procedures as it had not had the opportunity to do so.
- In two cases we were unable to consider the complaint as it was not within our jurisdiction; for example there was an alternative course of action available or the complainant was not a parent or pupil of the school.

The outcomes of the two cases where we initiated an investigation were:

- A satisfactory resolution was reached between the parties in one case following the Ombudsman's involvement and the investigation was discontinued.
- We secured a remedy and/or agreement for action to prevent similar problems recurring in the other case.

Decisions in the 14 areas can be broken down as follows:

- In 47% of cases we initiated an investigation.
- In 48% of cases the complaint was referred back to the school for it to consider using its own procedures as it had not had the opportunity to do so.
- In 5% of cases we were unable to consider the complaint as it was not within our jurisdiction, for example there was an alternative course of action available or the complainant was not a parent or pupil of the school.

The outcome of the 47% of cases where we initiated an investigation was:

- A satisfactory resolution was reached between the parties in 25% of cases following the Ombudsman's involvement and the investigation was discontinued.
- We secured a remedy and/or agreement for action to prevent similar problems recurring in 13% of the cases.
- In 9% we found that there was no fault in the actions of the school or there was no substance to the complaint.

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.

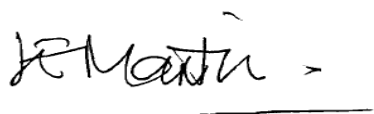
These findings will inform how we develop and provide training in the future. For example, the survey identified that councils are interested in short complaint handling modules and e-learning.

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 we should be pleased to arrange for a senior manager to meet and explain our work in greater detail.

Yours sincerely

A handwritten signature in black ink, appearing to read "J Martin", with a horizontal line underneath it.

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	13	0	4	5	4	9	0	1	38
Advice given	0	6	0	4	3	2	3	1	5	24
Forwarded in investigative team (resubmitted)	0	1	0	0	0	1	4	0	2	8
Forwarded to investigative team (new)	3	3	1	9	3	3	8	1	7	38
Total	5	23	1	17	11	10	24	2	15	108

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	11	0	0	11	17	5	45

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	28	21.9
2009 / 2010	18	18.8
2008 / 2009	22	19.9

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	35.0