

24 June 2011

Ms M Harpley
Chief Executive
Civic Centre
Lampton Road
Hounslow TW3 4DN

Dear Ms Harpley

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. The following paragraphs highlight and comment on the key issues arising from the statistics.

Enquiries and complaints received

In 2010-11 we received 195 enquiries and complaints about your council. Advice was given in 42 cases and 72 were considered to be premature, because the council had not yet been given a reasonable opportunity to deal with them. The main subject areas were benefits, housing and highways and transport.

Eighty one complaints were passed on to my investigation team to consider. They covered a broad range of services, but highways and transport complaints were the most common (22, including 17 about parking), and 20 concerned housing.

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 48 complaints this year, your average response time was 22.3 days, which is within the 28 day target and an improvement on last year.

Complaint outcomes

We made decisions on 78 complaints. We closed 23 because there was either no or insufficient evidence of fault to warrant further investigation and 15 complaints were outside our jurisdiction, generally because there was an alternative remedy which it was reasonable to have expected the complainant to pursue. We exercised our discretion not to pursue investigations into a further 20 complaints, including cases where the council had already agreed to take appropriate action and cases where the injustice was insufficient to justify expending further resources on an investigation.

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. For your council the figure was 31.7%.

Highways & transport

We made decisions on 18 complaints relating to transport & highways issues, of which 15 related to parking issues. In one case which we decided not to pursue we nevertheless asked the council to consider whether the requirements of the relevant statutory guidance were being met by not providing motorists with a telephone contact number for parking services. We had raised this matter with the council previously and we are pleased to note it has now re-instated a telephone 'call-back' service, and has recently adopted a new parking and traffic enforcement policy. One decision was a local settlement when the council agreed to refund a penalty charge and the associated recovery costs after it had served the statutory documents at an old address despite having been told of the change of address by the complainant.

Housing

We agreed to locally settle eight housing complaints, including:

A complaint about the quality and extent of repairs and improvement works was settled when the council confirmed the schedule of works it was prepared to undertake. We noted that the council was very proactive in seeking to carry out the agreed works, but it was hindered by the tenant's own actions.

A delay in implementing measures to address damp and mould problems, which caused the complainant to incur costs and spend time on pursuing the council, was remedied when the council agreed to undertake the works recommended in previous surveys, and to pay £400 compensation.

A complaint about the failure to properly deal with a housing transfer application, which had resulted in a two year delay, was remedied when the council agreed to immediately process the application and backdate the complainant's priority to when the application had been received in 2008.

A delay of six months in stopping a leak and completing repairs and redecoration was remedied when the council agreed to pay a total of £250 compensation.

Planning & development

We closed three of ten planning and building control complaints as local settlements:

The council failed to take effective enforcement action, in particular in relation to a garage which it had agreed to monitor as part of the settlement of a previous complaint, and failed to keep records of key documents and events. We concluded that subsequent anti-social behaviour experienced by the complainant could have been prevented, that she had been put to unnecessary time and trouble and was likely to feel a justified sense of outrage at the council's failure to adhere to our previous recommendations. Although unhappy with our proposal for £1,000 compensation, the council nevertheless agreed to pay.

Two complaints about the failure to properly handle a major planning application, were settled when the council agreed to apologise to the complainants and to pay both of them £1,000 compensation in recognition of the significant time and trouble spent on pursuing the complaints. The settlement also involved a payment to a third party, whose complaint was one of a number which had been closed pending the outcome of these complaints.

Environmental services, public protection & regulation

We agreed to settle a complaint about environmental health concerns, and a complaint about anti-social behaviour.

While we did not consider the council was at fault for the way it had handled the environmental health issue, the complaint revealed that Hounslow Homes, which manages the council's housing, had inadequate policies to deal with unreasonably persistent complainants. It agreed to adopt the council's own policy, which is based on our guidance;

The anti-social behaviour complaint involved delay in removing racially offensive wording from the complainant's front door, for which the council agreed to pay £150 in compensation. We also concluded there had been fault in the way the council responded to the reports of nuisance, but we were not persuaded that the outcome would have been different if additional action had been taken. Nevertheless, we recommended that officers were reminded about steps which might be taken to gather evidence when a complaint is made.

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.

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	0	32	1	2	4	9	17	0	7	72
Advice given	3	7	1	2	8	8	7	1	5	42
Forwarded in investigative team (resubmitted)	1	5	0	0	3	2	5	0	2	18
Forwarded to investigative team (new)	2	8	2	7	4	20	15	1	4	63
Total	6	52	4	11	19	39	44	2	18	195

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	20	0	0	23	20	15	78

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	47	22.6
2009 / 2010	49	31.0
2008 / 2009	90	85.1

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	8.0