

Local Government & Social Care OMBUDSMAN

19 July 2023

By email

Mr Donald
Chief Executive
London Borough of Haringey

Dear Mr Donald

Annual Review letter 2022-23

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2023. The information offers valuable insight about your organisation's approach to complaints. As always, I would encourage you to consider it as part of your corporate governance processes. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to encourage effective ownership and oversight of complaint outcomes, which offer such valuable opportunities to learn and improve.

The end of the reporting year, saw the retirement of Michael King, drawing his tenure as Local Government Ombudsman to a close. I was delighted to be appointed to the role of Interim Ombudsman in April and look forward to working with you and colleagues across the local government sector in the coming months. I will be building on the strong foundations already in place and will continue to focus on promoting improvement through our work.

Complaint statistics

Our statistics focus on three key areas that help to assess your organisation's commitment to putting things right when they go wrong:

Complaints upheld - We uphold complaints when we find fault in an organisation's actions, including where the organisation accepted fault before we investigated. We include the total number of investigations completed to provide important context for the statistic.

Over the past two years, we have reviewed our processes to ensure we do the most we can with the resources we have. One outcome is that we are more selective about the complaints we look at in detail, prioritising where it is in the public interest to investigate. While providing a more sustainable way for us to work, it has meant that changes in uphold rates this year are not solely down to the nature of the cases coming to us. We are less likely to carry out investigations on 'borderline' issues, so we are naturally finding a higher proportion of fault overall.

Our average uphold rate for all investigations has increased this year and you may find that your organisation's uphold rate is higher than previous years. This means that comparing uphold rates with previous years carries a note of caution. Therefore, I recommend comparing this statistic with

that of similar organisations, rather than previous years, to better understand your organisation's performance.

Compliance with recommendations - We recommend ways for organisations to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

Satisfactory remedy provided by the authority - In these cases, the organisation upheld the complaint and we were satisfied with how it offered to put things right. We encourage the early resolution of complaints and credit organisations that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your organisation with similar authorities to provide an average marker of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data, and a copy of this letter, will be uploaded to our interactive map, [Your council's performance](#), on 26 July 2023. This useful tool places all our data and information about councils in one place. You can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

Your organisation's performance

It is disappointing that your Council failed to provide evidence it had complied with the recommendations we made in one complaint during the year. In this case, the Council failed to update its records and a financial remedy was paid into an incorrect, closed bank account. This led to a new complaint being registered for non-compliance. The Council eventually provided evidence it had complied, and we asked for an additional payment to be made to acknowledge the further frustration the delay caused.

Non-compliance with our recommendations is taken very seriously; it reflects extremely poorly on the Council and undermines residents' confidence that it is genuinely willing and committed to putting matters right when it has been at fault. Even more concerningly, this is the fourth consecutive year we have reported your Council's failure to comply. I ask you to ensure your Council has robust mechanisms in place to enable it to fully evidence compliance with the recommendations it agrees to and reduce any repeat of these failings.

Alongside the failure to comply, this is also the fourth consecutive year we have concerns about your Council's late compliance with our recommendations. It is very disappointing that in a third of cases, the necessary evidence has not been provided within the agreed timescales. This is unacceptable.

Some of the delays occurred in cases where we recommended policy changes or reviews. I encourage the Council to engage at the draft decision stage of our process if the timescales suggested for these types of service improvement recommendations are not achievable or realistic. We are mindful that, while there remain flaws in policies or procedures, there is the continued risk that others may be affected so we will not allow indeterminate timescales. However, if the timescales we propose are not achievable, the Council needs to explain why this is the case before a decision is finalised.

As well as delays to some of the more complex service improvement recommendations we have made, we have also seen delays in apologies being given and payments being made. Recommendations such as these should be straightforward to administer, but we have seen examples of complainants having to wait for unnecessarily long periods. This is unacceptable and causes further frustration for complainants.

Beyond our recommendations, we have also experienced issues with delayed and incomplete enquiry responses from your Council. In several cases, it took double the permitted period of time to respond. We have also had to take the unusual step of threatening to issue a witness summons in order to secure the information we needed. There were also a number of instances where complainants were incorrectly directed to the Housing Ombudsman rather than to this office, creating further delay.

In summary, your Council's complaint handling remains below the standards we expect, resulting in poor outcomes for those that make complaints to you. I ask that you contact my office to arrange a meeting with my officers to discuss what steps the Council can take to improve and any support we can offer you to do so.

Supporting complaint and service improvement

I know that complaints offer organisations a rich source of intelligence and insight that has the potential to be transformational. These insights can indicate a problem with a specific area of service delivery or, more broadly, provide a perspective on an organisation's culture and ability to learn. To realise the potential complaints have to support service improvements, organisations need to have the fundamentals of complaint handling in place. To support you to do so, we have continued our work with the Housing Ombudsman Service to develop a joint complaint handling code that will provide a standard for organisations to work to. We will consult on the code and its implications prior to launch and will be in touch with further details.

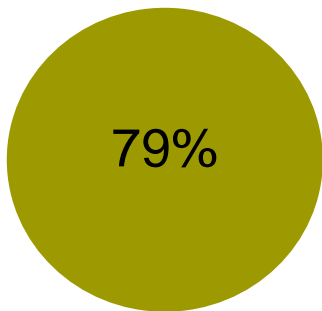
In addition, our successful training programme includes practical interactive workshops that help participants develop their complaint handling skills. We can also offer tailored support and bespoke training to target specific issues your organisation might have identified. We delivered 105 online workshops during the year, reaching more than 1350 people. To find out more visit www.lgo.org.uk/training or get in touch at training@lgo.org.uk.

Yours sincerely,



Paul Najsarek
Interim Local Government and Social Care Ombudsman
Interim Chair, Commission for Local Administration in England

Complaints upheld



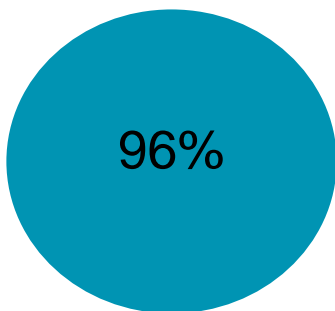
79% of complaints we investigated were upheld.

This compares to an average of **77%** in similar organisations.

31
upheld decisions

Statistics are based on a total of **39** investigations for the period between 1 April 2022 to 31 March 2023

Compliance with Ombudsman recommendations



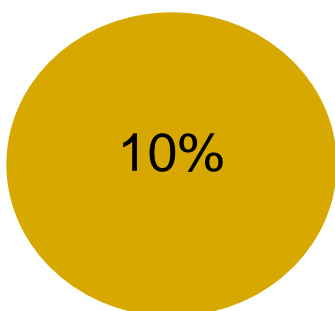
In **96%** of cases we were satisfied the organisation had successfully implemented our recommendations.

This compares to an average of **99%** in similar organisations.

Statistics are based on a total of **24** compliance outcomes for the period between 1 April 2022 to 31 March 2023

- Failure to comply with our recommendations is rare. An organisation with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

Satisfactory remedy provided by the organisation



In **10%** of upheld cases we found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **15%** in similar organisations.

3
satisfactory remedy decisions

Statistics are based on a total of **31** upheld decisions for the period between 1 April 2022 to 31 March 2023