

Ruth Dawden
Ref Ms

C. Symonds
Local Government
OMBUDSMAN

18 June 2008

Mr M Smith
Chief Executive
London Borough of Tower Hamlets
Town Hall, Mulberry Place
5 Clove Crescent
London E14 2BG

Our ref: TR/AL
(Please quote our reference when contacting us)

If telephoning please contact Paul Conroy on 020 7217 4628
email address: p.conroy@lgo.org.uk

Dear Mr Smith

Annual Letter 2007/08

I am writing to give you a summary of the complaints about your authority that my office has dealt with over the past year, set out in the annual letter attached. I hope you find the letter a useful addition to other information you have on how people experience or perceive your services.


I would again very much welcome any comments you may have on the form and content of the letter.

We will publish all the annual letters on our website (www.lgo.org.uk) and share them with the Audit Commission. We will wait for four weeks after this letter before doing so, to give you an opportunity to consider the letter first. If a letter is found to contain any material factual inaccuracy we will reissue it. We will also publish on our website a summary of statistics relating to the complaints we have received and dealt with against all authorities.

I would again be happy to consider requests for me or a senior colleague to visit the Council to present and discuss the letter with councillors or staff. We will do our best to meet the requests within the limits of the resources available to us.

I am also arranging for a copy of this letter and its attachments to be sent to you electronically so that you can distribute it easily within the council and put the annual letter on your Council's website. This covering letter is not intended for publication.

Yours sincerely


Tony Redmond

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Tony Redmond
Local Government Ombudsman
Peter MacMahon
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**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.

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.

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.

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
10th Floor Millbank Tower
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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.

Average local authority response times 01/04/2007 to 31/03/2008

Response times	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
01/04/2007 - 31/03/2008	49	17.6
2006 / 2007	46	18.9
2005 / 2006	72	18.0

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

Notes to assist interpretation of the LGO's local authority statistics 2007/08

1. Complaints received

This information shows the number of complaints received by the LGO, broken down by service area and in total within the periods given. These figures include complaints that are made prematurely to the LGO (see below for more explanation) and that we send to the council to consider first. The figures may include some complaints that we have received but where we have not yet contacted the council.

2. Decisions

This information records the number of decisions made by the LGO, broken down by outcome, within the periods given. **This number will not be the same as the number of complaints received**, because some complaints are made in one year and decided in the next. Below we set out a key explaining the outcome categories for 2007/08 complaints.

MI reps: where the LGO has concluded an investigation and issued a formal report finding maladministration causing injustice.

LS (local settlements): decisions by letter discontinuing our investigation because the authority has agreed to take some action which is considered by the Ombudsman as a satisfactory outcome for the complainant.

M reps: where the LGO has concluded an investigation and issued a formal report finding maladministration but causing no injustice to the complainant.

NM reps: where the LGO has concluded an investigation and issued a formal report finding no maladministration by the council.

No mal: decisions by letter discontinuing an investigation because we have found no, or insufficient, evidence of maladministration.

Omb disc: decisions by letter discontinuing an investigation in which we have exercised the Ombudsman's general discretion not to pursue the complaint. This can be for a variety of reasons, but the most common is that we have found no or insufficient injustice to warrant pursuing the matter further.

Outside jurisdiction: these are cases which were outside the Ombudsman's jurisdiction.

Premature complaints: decisions that the complaint is premature. The LGO does not normally consider a complaint unless a council has first had an opportunity to deal with that complaint itself. So if someone complains to the LGO without having taken the matter up with a council, the LGO will usually refer it to the council as a 'premature complaint' to see if the council can itself resolve the matter.

Total excl premature: all decisions excluding those where we referred the complaint back to the council as 'premature'.

3. Response times

These figures record the average time the council takes to respond to our first enquiries on a complaint. We measure this in calendar days from the date we send our letter/fax/email to the date that we receive a substantive response from the council. The council's figures may differ somewhat, since they are likely to be recorded from the date the council receives our letter until the despatch of its response.

4. Average local authority response times 2007/08

This table gives comparative figures for average response times by authorities in England, by type of authority, within three time bands.