

# **Annual report for the year 2008–09 on the Council’s handling of:**

- **customer feedback - complaints, compliments and suggestions**
- **members’ enquiries**

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**Feedback and Information Team  
August 2009**

## 1. Introduction and overview

1.1 This annual report provides information for the financial year 2008-09 about the key features and statistics of the Council's handling of

- complaints, WOW! nominations and other compliments, and suggestions under the corporate feedback procedure, and
- members' enquiries under the corporate members' enquiries procedure

1.2 There are separate statutory procedures for the handling of social care complaints for both adults, and children and young people. Adults, Culture and Community Services, and the Children and Young People's Service produce separate annual reports for these two complaint categories.

### Definitions of a complaint and a member enquiry

1.3 We define a complaint as *"any expression of dissatisfaction, whether justified or not, requiring a response"*

1.4 We define a member's enquiry as *"any enquiry from an elected member requesting information on behalf of an individual or community group, and/or in relation to a council policy, where the member is entitled to that information"*.

(‘Elected member’ includes councillors, members of parliament, members of the European parliament, members of the Greater London Assembly, and the London Mayor.)

### Key achievements in 2008-09

1.5 Key achievements in the year include the following:

- Improved performance to timescale at all complaints stages: target achieved for completion of stage 1 and exceeded for stages 2 and 3;
- Improved and above target performance for completion of members' enquiries to timescale
- Fewer new complaints at stage 1 for the second successive year
- A 2% increase in satisfaction with complaint handling compared with 2007-08
- Improvement on already excellent response times to Ombudsman first enquiries
- A 12% increase in the number of compliments to staff from services users
- Receiving one WOW nomination/compliment for good customer service for every 1.4 complaints, a significant improvement on the 1.8 recorded in 2007-08
- Staff winning 165 national WOW! awards, a 211% increase on the 49 won the previous year

## 2. Corporate complaints summary of performance

### Our procedure

2.1 There are three stages to Haringey's corporate complaints procedure:

- *Stage 1, local resolution:* this is dealt with by the service, who aim to reply within 10 working days of receipt of the complaint
- *Stage 2, service investigation:* if the customer is unhappy with the stage 1 reply, a more senior manager investigates and aims to reply within 25 working days
- *Stage 3, independent review:* if the customer is still dissatisfied, the Feedback and Information Team conducts a review and aims to reply within 20 working days.

(Stage 3 replies inform complainants of their right to complaint to the Ombudsman.)

We aim to acknowledge receipt within two working days at each stage, and to inform the customer, giving reasons, if we can't send a reply on time.

### Summary of performance in 2008-09

2.2 We received 1,594 stage 1 complaints during the year of which 1,442 were replied to within the 10 working day timescale, hitting the more challenging 90% target set. This represents an improvement of 2% on 2007-08. For the more complex stage 2, 152 out of 172 complaints, 88%, were resolved within the 25 working day timescale. This was an improvement of 4% on 2007/08, and exceeded the more challenging target set of 85%. These figures exclude complaints received by Homes for Haringey.

2.3 The Feedback and Information Team conducts stage 3 reviews for Homes for Haringey as well as the Council. In total they completed 50 out of 51 cases, 98%, within timescale, exceeding the target of 90%, compared with 52 out of 61 cases, 85%, in 2007-08. Of the total of 51, 34 cases related to Council services, and 17 were in respect of Homes for Haringey.

### **3 Members' enquiries summary of performance**

3.1 We aim to reply to members' enquiries within 10 working days of receipt.

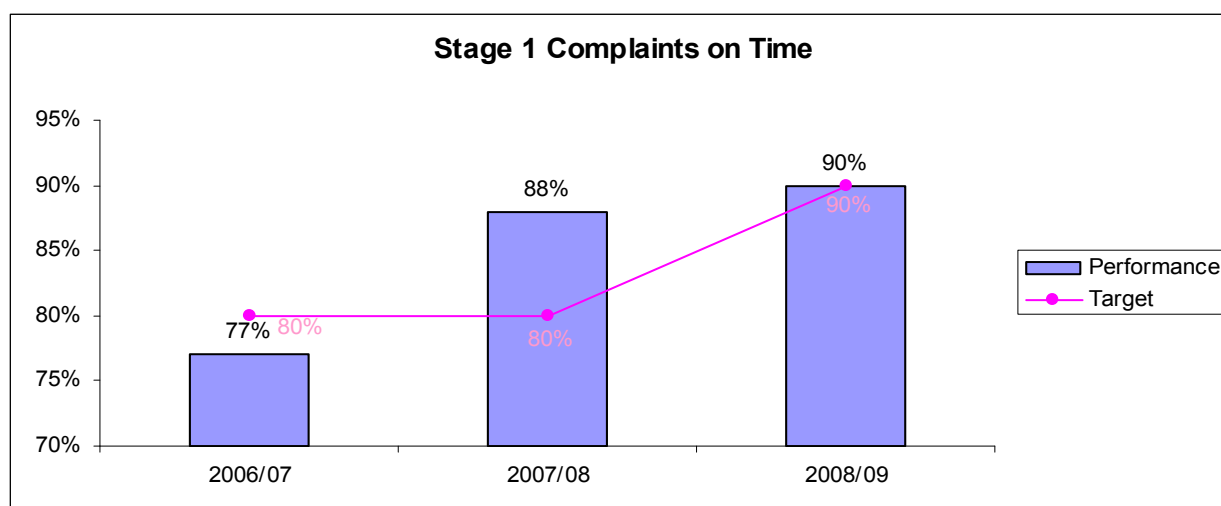
3.2 We received 3,193 members' enquiries during the year, and replied to 2,910, 91%, within timescale. This represents a performance improvement of 3% compared with 2007-08 and exceeded the target of 90%. These figures exclude Homes for Haringey.

### **4 Handling of complaints under the corporate procedure**

#### Complaints performance

4.1 There was a 14% overall reduction in new stage 1 complaints to the Council in the year: a total of 1,594, compared with 1,846 in 2007-08.

4.2 There was a 2% improvement in dealing with stage 1 complaints within timescale, compared with the previous year, and a 13% improvement compared with 2006-07. The percentage completion performance within timescale for the last three years is shown in the table below.



4.3 At stage 2, performance within the 25 day timescale improved from 76% in 2006-07 and 84% in 2007-08, against an 80% target, to 88% against an 85% target in 2008-09.

At stage 3, total performance to timescale was 98% in 2008-09, compared with 85% the previous year.

4.4 Performance in handling complaints to timescale at all three stages is shown in the table below. It can be seen that overall performance increased by 11% compared with 2006-07, and by 9% compared with 2005-06, when the timescales for stages 1 and 3 were 5 days longer.

| Stage        | 2006-07      |            | 2007-08      |            | 2008-09     |            |
|--------------|--------------|------------|--------------|------------|-------------|------------|
|              | Nos          | % on time  | Nos          | % on time  | Nos         | % on time  |
| 1            | 1,896        | 77%        | 1,846        | 88%        | 1594        | 90%        |
| 2            | 270          | 76%        | 170          | 84%        | 172         | 88%        |
| 3 *          | 54           | 93%        | 61           | 85%        | 51          | 98%        |
| <b>Total</b> | <b>2,220</b> | <b>77%</b> | <b>2,077</b> | <b>88%</b> | <b>1817</b> | <b>90%</b> |

\* Including Homes for Haringey.

4.5 Performance in average time taken to reply to complaints improved at stages 2 and 3, and maintained last year's standard at stage 1, as shown in the table below.

|                 | Average working days to complete complaints |         |         |
|-----------------|---|---------|---------|
|                 | 2006-07                                     | 2007-08 | 2008-09 |
| <b>Stage 1</b>  | 10  | 9       | 9       |
| <b>Stage 2</b>  | 13  | 13      | 12      |
| <b>Stage 3*</b> | 14  | 13      | 11      |

\* including Homes for Haringey`

### Escalation of complaints

4.6 The table below shows the number of cases that complainants took to the next stage. The figures exclude Homes for Haringey at stages 1 and 2, but include them at stage 3 (as the Feedback and Information Team handle their stage 3 cases and the Ombudsman also deals with complaints about them).

| Stage        | Numbers completed |             |             | Numbers to next stage |            |            | % to next stage |             |              |
|--------------|-------------------|-------------|-------------|-----------------------|------------|------------|-----------------|-------------|--------------|
|              | 2006/7            | 2007/8      | 2008/9      | 2006/7                | 2007/8     | 2008/9     | 2006-7          | 2007/8      | 2008/9       |
| 1            | 1896              | 1846        | 1594        | 224                   | 136        | 147        | 11.8%           | 7.4%        | 9.2%         |
| 2            | 270               | 170         | 172         | 40                    | 28         | 31         | 14.8%           | 16.4%       | 18.0%        |
| 3*           | 54+               | 61+         | 51+         | 11                    | 21         | 17         | 22.5%           | 34.4%       | 33.3%        |
| <b>Total</b> | <b>2220</b>       | <b>2077</b> | <b>1817</b> | <b>275</b>            | <b>185</b> | <b>195</b> | <b>12.4%</b>    | <b>9.5%</b> | <b>10.7%</b> |

\* including Homes for Haringey

+ 40, 31 and 34 respectively for Council services

4.7 A higher proportion of complaints escalated from stage 1 to stage 2 and from stage 2 to stage 3 than in previous years, but significantly fewer than in 2006-07, and the small increase needs to be set against the fall in new stage 1 complaints. A slightly lower proportion of stage 3 complaints went to the Ombudsman.

### Decisions taken on complaints

4.8 The chart below indicates the decisions taken on complaints at each stage. The proportion of complaints that were upheld or partly upheld at stage 1 was the same in 2008-09 as in 2007-08, 54%, but fell at both stages 2 and 3: at stage 2 from 55% to 45%, and at stage 3 from 62% to 59%.

| Decision   | Stage 1 |        |        | Stage 2 |        |        | Stage 3 |        |        |
|------------|---------|--------|--------|---------|--------|--------|---------|--------|--------|
|            | 2006-7  | 2007-8 | 2008/9 | 2006-7  | 2007-8 | 2008/9 | 2006-7  | 2007-8 | 2008/9 |
| Not upheld | 38%     | 42%    | 39%    | 37%     | 40%    | 50%    | 38%     | 38%    | 41%    |

|               |     |     |     |     |     |     |     |     |     |
|---------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Partly upheld | 27% | 24% | 23% | 37% | 28% | 24% | 46% | 43% | 47% |
| Upheld        | 30% | 30% | 31% | 21% | 27% | 21% | 15% | 19% | 12% |
| Withdrawn     | 2%  | 1%  | 2%  | 4%  | 0%  | 1%  | 2%  | 0%  | 0%  |
| No finding    | 3%  | 4%  | 5%  | 1%  | 4%  | 3%  | 0%  | 0%  | 0%  |

#### Issues raised by complainants, what they wanted, and how they made contact

4.9 The main issues raised by complainants concerned lack of service provision, poor quality of service and employee behaviour. There was an increase in complaints of demands for payment and promised service not being provided or being of poor standard. There was a decrease in cases of staff not replying to emails/letters, bailiff action/summons, and inaccurate records.

4.10 As in 2007-08, the main things that complainants wanted us to do were to provide a service, explain a decision, apologise, provide information and offer better customer care.

4.11 As in previous years, the main methods by which complainants contacted us remained email, letter, feedback form, web form and phone. There was a small percentage increase in contact by web form, phone and letter, and a small decrease in contact by email and feedback form.

#### Directorate performance

4.12 Complaints at stages 1 and 2 are the responsibility of the relevant service. The tables below set out performance by directorate.

| Stage 1              | Total       |             | On time     |             | % on time |           |
|----------------------|-------------|-------------|-------------|-------------|-----------|-----------|
|                      | 2007-08     | 2008-09     | 2007-08     | 2008-09     | 2007-08   | 2008-09   |
| Directorate          |             |             |             |             |           |           |
| Adult, Culture       | 309         | 282         | 280         | 263         | 91        | 93        |
| Chief Exec's         | 31          | 42          | 26          | 38          | 84        | 90        |
| Children & YP        | 91          | 63          | 79          | 57          | 87        | 90        |
| Corporate Res        | 740         | 568         | 668         | 543         | 90        | 96        |
| Urban Env            | 675         | 639         | 573         | 541         | 85        | 85        |
| <b>Council total</b> | <b>1846</b> | <b>1594</b> | <b>1626</b> | <b>1442</b> | <b>88</b> | <b>90</b> |

| Stage 2              | Total      |            | On time    |            | % on time |           |
|----------------------|------------|------------|------------|------------|-----------|-----------|
|                      | 2007-08    | 2008-09    | 2007-08    | 2008-09    | 2007-08   | 2008-09   |
| Directorate          |            |            |            |            |           |           |
| Adult, Culture       | 7          | 9          | 6          | 9          | 86        | 100       |
| Chief Exec's         | 7          | 9          | 5          | 8          | 71        | 89        |
| Children & YP        | 6          | 7          | 5          | 7          | 83        | 100       |
| Corporate Res        | 79         | 68         | 68         | 64         | 86        | 94        |
| Urban Env            | 71         | 79         | 58         | 64         | 82        | 81        |
| <b>Council total</b> | <b>170</b> | <b>172</b> | <b>142</b> | <b>152</b> | <b>84</b> | <b>88</b> |

4.13 The Feedback and Information Team conduct all stage 3 investigations, including for Homes for Haringey. The table below gives details of cases by directorate.

| Stage 3        | Total   |         | On time |         | % on time |         |
|----------------|---------|---------|---------|---------|-----------|---------|
|                | 2007-08 | 2008-09 | 2007-08 | 2008-09 | 2007-08   | 2008-09 |
| Directorate    |         |         |         |         |           |         |
| Adult, Culture | 1       | 1       | 1       | 1       | 100       | 100     |
| Chief Exec's   | 1       | 1       | 1       | 1       | 100       | 100     |

|                      |           |           |           |           |           |            |
|----------------------|-----------|-----------|-----------|-----------|-----------|------------|
| Children & YP        | 1         | 2         | 1         | 2         | 100       | 100        |
| Corporate Res        | 10        | 12        | 9         | 12        | 90        | 100        |
| Urban Env            | 18        | 18        | 15        | 18        | 83        | 100        |
| <b>Council total</b> | <b>31</b> | <b>34</b> | <b>27</b> | <b>34</b> | <b>87</b> | <b>100</b> |
| Homes for Haringey   | 30        | 17        | 25        | 16        | 83        | 94         |
| <b>Overall total</b> | <b>61</b> | <b>51</b> | <b>52</b> | <b>50</b> | <b>85</b> | <b>98</b>  |

## 5 Customer satisfaction with complaint handling

5.1 Complaints teams conduct postal surveys of a proportion of complainants after sending the responses. Comparisons of the figures for stage 1 for the last three years are shown in the table below. As in 2007-08, there was an increase in those satisfied or very satisfied.

|                          | Handling of stage 1 complaints |         |         |
|--------------------------|--------------------------------|---------|---------|
|                          | 2006-07                        | 2007-08 | 2008-09 |
| <b>Very/satisfied</b>    | 46%                            | 51%     | 53%     |
| <b>Very/dissatisfied</b> | 52%                            | 47%     | 47%     |
| <b>N/a</b>               | 1%                             | 1%      | -       |

5.2 The things that customers most liked about the way we dealt with complaints were an apology, a quick reply, a clear reply, a good outcome, being listened to straight away, and helpful staff. They most disliked an unsatisfactory outcome, a long procedure, an unfair reply, and staff taking to long too listen.

5.3 A customer focus group was held to obtain views on how much people know about the complaints process, what they would expect and how it would be best for them to provide feedback to us on how we deal with complaints.

5.4 The key recommendations were that awareness of the complaints process should be improved, in particular that a simplified leaflet be produced, and that consideration be given to phone surveys of complainants to obtain feedback for improving both services and the complaints process. We intend to produce a brief explanatory leaflet with a view to it being sent to all complainants with the initial acknowledgement letter.

## 6 Complaints to the Local Government Ombudsman

### Complaint numbers

6.1 The Local Government Ombudsman received 235 enquiries and complaints about the Council in 2008/09, including Homes for Haringey. Details of these are at appendix 2 of his annual review at Appendix 1 of this report. He made decisions on 119 complaints about the Council.

6.2 The table below lists these decisions by directorate:

| Directorate | Maladmin report | Local settlement | No maladmin | Ombudsman discretion | Outside jurisdiction | Total |
|-------------|-----------------|------------------|-------------|----------------------|----------------------|-------|
| Adult       | -               | 2                | 1           | 1                    | -                    | 4     |

|             |   |    |    |    |    |     |
|-------------|---|----|----|----|----|-----|
| Chief Exec  | - | 1  | 3  | -  | -  | 4   |
| Children    | - | 3  | 5  | 2  | 1  | 11  |
| Corp Res    | - | 8  | 7  | 3  | 6  | 24  |
| Urban Env   | 1 | 20 | 11 | 5  | 5  | 42  |
| Homes for H | - | 19 | 6  | 4  | 5  | 34  |
| TOTAL       | 1 | 53 | 33 | 15 | 17 | 119 |

6.3 As the Ombudsman states, because of changes in the way he operated from 1 April 2008, the statistics are not directly comparable. However, there were 53 “local settlements” agreed as a satisfactory outcome, compared with 55 in 2007-08, and one report of maladministration in both of the last two years.

#### Performance in responding

6.4 Our performance in responding to the Ombudsman’s written enquiries averaged 17.2 calendar days. This was below our 18 calendar day target, 1.2 days less than in 2007-08, and considerably below the Ombudsman’s target of 28 days. The Ombudsman commented on this was improvement on our already excellent response times of previous years. It was the best of all London boroughs, for which the overall average was 31.3 days.

#### The Local Government Ombudsman’s Annual Review 2008-09

6.5 This year, the Ombudsman has changed the format of his annual report from annual letter to annual review to better describe its updated format. The review provides:

- a summary of the complaints received about the Council, and
- comments on our performance and complaint handling arrangements, where possible, so they can assist our service improvement

6.6 There are two sections to the review. The first concerns complaints about Haringey, and the second details current and proposed Ombudsman developments. The annual review and the Council’s reply are attached at Appendices 1 and 2.

6.7 Key points about Haringey cases were:

- The highest numbers of the 235 enquiries and complaints received were Housing, including Homes for Haringey (90), and transport and highways (33 – all but one of which concerned parking)
- There was one finding of maladministration in a homelessness case, and in 53 of 119 investigation decisions (52%), the Council agreed to take action in response
- The Council’s average of 17.2 days to respond to the Ombudsman’s enquiries was ‘an improvement on your already excellent response times...’

## **7 Learning from complaints**

### Learning reports

7.1 In 2008-09, the Feedback and Information Team instituted a new system of learning from findings of fault arising from stage 3 investigations and Ombudsman cases. Each month, schedules are circulated of stage 3 and Ombudsman cases closed during the previous month, which summarise the complaints, findings and learning points identified.

7.2 Directors are asked to brief their Cabinet members on these cases, and the comments supplied are circulated the following month to the Leader, Deputy Leader and Chief Executive. The completed schedules provide a permanent record of learning from stage 3 and Ombudsman complaints.

7.3 The Feedback and Information Team produces regular reports to assist services on weekly, monthly, quarterly and annual cycles. These include:

- issues raised and outcomes of stage 1 and 2 complaints.
- decisions on complaints at all stages: upheld, not upheld or partly upheld
- improvement issues arising from a range of data analysis at business unit level
- general findings and recommendations of the Feedback and Information Team and directorate complaints officers.

#### Annual audits

7.4 An annual audit of complaint handling is conducted every year to check for adherence to the requirements of the customer feedback scheme, including the quality of responses. It involves examination of a random sample of cases closed during the year in each directorate against the criteria of an audit guide.

7.5 The results differed between directorates, but the most common faults were not recording whether the complaint was upheld or not and in some cases the quality of response could have been better. The findings were written up for each directorate with guidance on areas for improvement. As many responses are written by the same officers that reply to member enquiries, the areas for improvement will be addressed with the findings of the members' enquiries audit and member survey, which are detailed below.

#### Directorate action

7.6 The Feedback and Information Team meets directorate lead officers twice yearly to review and support their action on audit findings, improving performance and improving services as a result of feedback from complaints and members' enquiries. The lead officers report to their management teams as appropriate, and business units consider and implement the findings as appropriate. Specific work is in hand in a number of business units to improve the quality of responses.

#### Service improvements made as a result of feedback

7.7 Below are some of the improvements that services are making arising from complaints.

- Revision of procedures on the Homelessness Code of Guidance
- Revision of rules on a computer application to prevent unnecessary recovery action being taken for council tax arrears
- Revision of policy on contacting keepers of abandoned vehicles before removal for destruction
- Updating of procedure for review of fee levels for care homes
- New procedure for follow-up reviews at least annually with the Valuation Office of all temporarily banded or unbanded properties to ensure more timely decisions on Council tax banding

7.8 Embedding learning from complaints for service improvement remains a high priority, both corporately and for directorates.



## 8 WOW! nominations, compliments and suggestions

8.1 The corporate feedback scheme provides for compliments and suggestions from the public in addition to complaints. All feedback received is administered by directorate complaints teams in accordance with the customer feedback scheme.

### WOW! Awards

8.2 Since 1 May 2007, all compliments we receive have been dealt with under the WOW! Awards scheme. The WOW! Awards is a national non profit making organisation which seeks to raise standards of customer service by encouraging and motivating staff and holding up examples of good practice. Haringey was the first public sector organisation to participate in this scheme, and has provided advice for a number of authorities who have subsequently joined. The scheme is administered by the Feedback and Information Team, but promoted by the Head of Corporate Customer Focus.

8.3 The importance and significance of customer perceptions of Haringey's services, together with the ease and attractiveness of opportunities for feedback, are key concerns for the council. The WOW! Awards scheme provides a further channel for such feedback. Its positive nature has helped to promote and reward the customer-focussed thinking and behaviour that is integral to delivering excellent services.

8.4 Following Haringey's success in winning the WOW! Of The Year award at the National Customer Service Awards in September 2007, a staff member was one of the four finalists for 2008. The WOW! Scheme featured as the key theme of the Council's stand at the Local Government Association Conference in July 2008, and received very positive feedback.

### Compliments and suggestions received

8.5 The number of compliments and suggestions recorded in the last three years was as follows:

| Directorate                | Compliments/ WOWs |             |             | Suggestions |            |            |
|----------------------------|-------------------|-------------|-------------|-------------|------------|------------|
|                            | 06-07             | 07-08       | 08-09       | 06-07       | 07-08      | 08-09      |
| Adult, Culture & Community | -                 | 395         | 411         | -           | 54         | 69         |
| Chief Executive's          | 62                | 23          | 4           | 52          | 4          | 4          |
| Children & Young People's  | 4                 | 22          | 136         | 8           | 1          | 5          |
| Corporate Resources        | -                 | 522         | 503         | -           | 9          | 11         |
| Environment                | 63                | -           | -           | 65          | -          | -          |
| Finance                    | 2                 | -           | -           | 2           | -          | -          |
| Social Services            | 30                | -           | -           | 1           | -          | -          |
| Urban Environment          | -                 | 84          | 122         | -           | 47         | 25         |
| <b>COUNCIL TOTAL</b>       | <b>161</b>        | <b>1046</b> | <b>1176</b> | <b>128</b>  | <b>115</b> | <b>114</b> |

8.6 The total of 1176 WOW! nominations received in the year represent a 12% increase on the 1,046 WOW! nominations/compliments in 2007-08, which itself was a 550% increase on the 161 compliments received in the previous year before the adoption of the WOW! Awards scheme. This equates to one WOW nomination/compliment for every 1.4 stage 1 complaints, compared with 1.8 in 2007-08, and only one for every 11.8 the previous year prior to adoption of the WOW! scheme.

8.7 There was a 211% increase in the number of national awards to staff made by the WOW! organisation: from 49 in 2007-08 (an 11 month year as the corporate launch was on 1 May 2007), to 165 in 2008-09. This suggests that the quality of front line service is noticeably improving.

8.8 Below are some of the WOW! nominations received during in 2008-09:

- [Name] is an inspiring and fantastic youth worker. She puts in 100% commitment into helping young people getting what they need done. She's enthusiastic and easy to work closely with.
- I am exceptionally pleased. He listened to me and went that extra mile, meeting my specific need and with a beautiful smile...has greatly improved my quality of life.
- Through all the bad press Haringey Social Services have had, I would like to emphasise what a dedicated hard working team you must manage. I would like to express my deepest gratitude...regarding my father in having [name], being a very dedicated, hard working, caring, compassionate person...I could never thank him enough, words would never be enough to thank him for what [name] has done for my father. He has definitely been my dad's guardian angel.
- Of the obvious care, love and individual attention shown to my mother, who suffers from Alzheimer's. Also the smile on my mother's face when the bus arrives to take her to The Grange.
- They were amazing when I needed help.
- The staff member was calm, courteous and sympathetic. Excellent people skills and clear information. A great advert for Haringey Council!
- He was very polite and understanding and took time to explain everything clearly. I was highly impressed.
- I have been in crisis for so long with my CT [council tax]. I didn't think I would ever be able to breathe again – but [name] made me a person again and through her I can actually live my life without being scared.

8.9 The number of suggestions received overall was stable at 114, compared with 115 in 2007-08. All suggestions are considered, and the respondent is informed whether or not they can be implemented, with reasons.

## **9 Improvements to corporate feedback arrangements**

### Complaints protocol for Haringey Strategic Partnership

9.1 The Local Government Ombudsman published a special report in the summer of 2007: *Local partnerships and citizen redress*. It recommended the setting up of complaints protocols for local strategic partnerships to ensure that all partnerships cooperate to provide clear procedures for complaining about services provided by partners, whether jointly or separately.

9.2 The Council consulted partners and the Ombudsman, and implemented a protocol for all members of the Haringey Strategic Partnership at the meeting of the Partnership on 3 July 2008. This is now publicised on the Council website and an article is being featured in 'Haringey People'. The complaints leads of partners are now notified to each other and will cooperate to ensure that all feedback, including complaints, about services provided by Partnership members is dealt with promptly and efficiently by the appropriate partner. During the year, the Feedback and Information Team investigated one complaint about a voluntary sector organisation because of the protocol.

### Corporate Feedback scheme

9.3 The Corporate Feedback Scheme was updated and reissued following the introduction of amended procedures for complaints about data protection and freedom of information requests from 1 April 2008, and to provide for the WOW! Awards scheme. A further update has recently been issued as a result of the revised national arrangements for complaints about councillors, and the formal introduction of a records retention policy for complaints records.

## 10 Handling of members' enquiries

10.1 The number of member enquiries to the Council in 2008-09 was identical to 2007-08: 3,193. Performance in responding improved from 88% to 91% of replies sent within the 10 working day timescale against the target of 90%.

10.2 The table below sets out performance in 2007-08 and 2008-09 by directorate.

| Total                                 |        | On time |        | % on time |        | Average days to complete |        | Over 45 working days |        |
|---------------------------------------|--------|---------|--------|-----------|--------|--------------------------|--------|----------------------|--------|
| 2007-8                                | 2008-9 | 2007-8  | 2008-9 | 2007-8    | 2008-9 | 2007-8                   | 2008-9 | 2006-7               | 2008-9 |
| <b>Adult, Culture &amp; Community</b> |        |         |        |           |        |                          |        |                      |        |
| 298                                   | 319    | 263     | 312    | 88%       | 98%    | 7                        | 6      | 0                    | -      |
| <b>Chief Executive's</b>              |        |         |        |           |        |                          |        |                      |        |
| 110                                   | 95     | 94      | 89     | 85%       | 94%    | 7                        | 6      | 1                    | -      |
| <b>Children &amp; Young People</b>    |        |         |        |           |        |                          |        |                      |        |
| 252                                   | 206    | 237     | 192    | 94%       | 93%    | 7                        | 7      | 0                    | -      |
| <b>Corporate Resources</b>            |        |         |        |           |        |                          |        |                      |        |
| 340                                   | 307    | 317     | 294    | 93%       | 96%    | 7                        | 6      | 0                    | 1      |
| <b>Urban Environment</b>              |        |         |        |           |        |                          |        |                      |        |
| 2193                                  | 2266   | 1888    | 2023   | 86%       | 89%    | 7                        | 8      | 4                    | 2      |
| <b>COUNCIL TOTAL</b>                  |        |         |        |           |        |                          |        |                      |        |
| 3193                                  | 3193   | 2799    | 2910   | 88%       | 91%    | 7                        | 7      | 5                    | 3      |

10.3 A survey of members took place in April and May 2009 to ascertain views on the operation of the members' enquiries procedures. The key findings of the survey were that there are usually no problems when an enquiry is straightforward, but can go wrong in complex cases, with officers failing to answer all points raised, and not offering further necessary information without chasers by the member. The services most frequently complained about were Housing and Frontline Services in Urban Environment, and Homes for Haringey.

10.4 The following action has been agreed with a view to significantly improving responses in complex cases:

- Training
- Briefing
- Improved officer templates and model responses
- Sampling and audits by services
- Personal, rather than just written, contact in complex cases

10.5 The Feedback and Information Team provide advice for members on the operation of the members' enquiries procedures, including assistance with general or specific problems, issuing of updates on service contacts by both email and in Members' Briefing, and induction briefing of new members.

10.6 The Feedback and Information Team also conduct an annual audit of member enquiries. It assesses a sample of cases for each directorate to see whether they were dealt with properly in line with the procedure and whether were recorded properly. The findings are written up for each directorate with guidance on areas for improvement. There were instances of acknowledgement letters not being sent to members or constituents, and of incorrect receipt and sent dates. Responses were of a good standard in all directorates in the cases sampled, although not all issues were addressed in a small number of cases.

10.7 These findings were considered at the meetings with directorate lead officers twice yearly referred to at paragraph 7.6 above, and will be addressed in conjunction with the findings of the complaints audits (see paragraph 7.5 above) and the member survey (see paragraph 10.4 above). Specific work is also in hand in a number of business units to improve the quality of responses.

## **11 Training arrangements**

11.1 There is an 'Investigating Complaints' course, run by Feedback and Information Team staff, and 'Handling Complaints' is a module in the Corporate Customer Focus course, run by Organisational Development and Learning staff. Both are part of the internal short course programme.

11.2 An e-learning course on 'Handling Complaints' was developed by Feedback and Information, as part of the corporate programme. It is available to all staff on the intranet.

11.3 Briefing provided on members' enquiries is detailed at paragraph 10.5 above.

## **12 Publicity and communications**

12.1 This annual report is published in the 'Contact/complaints, compliments and suggestions' section of Council's website and publicised through a press release. The website and intranet entries are regularly updated.

12.2 A new edition of the corporate 'complaints, compliments and suggestions' leaflet was published in March 2009, with appropriate amendments and updates, including reference to the role of the Head of Legal Services and Monitoring Officer in dealing with complaints about councillors.

12.3 New leaflets and posters for the WOW! Awards scheme were produced jointly with Homes for Haringey.

12.4 Appropriate publicity was arranged by the Communications Unit for the launch of the Haringey Strategic Partnership complaints protocol, including a presence on the website and an article in 'Haringey People'.

## **13 Persistent, serial and vexatious complainants**

13.1 We have procedures for dealing with extreme situations where a complainant may impose such demands on our resources that measures need to be taken to address the position, while still providing for complaints to be considered.

13.2 During 2008-09, it was necessary to impose new exceptional measures provided for in our procedures in three cases, as set out below.

- *Option 2b: restrict all communication to writing* was applied in two new cases
- *Option 2c: decline further communication on a specific complaint* was also applied in one new case

## 14 Equalities and community cohesion comments

14.1 Equalities monitoring data is requested on customer feedback forms but this is not always completed. Complaints received by letter, email or fax invariably do not include it. In 2008-09 overall, data was generally known for about 30% of complaints, a similar figure to previous years.

14.2 There were 11 complaints of discrimination in 2008-09, compared with 8 in 2007-08. They were in the following categories:

- Disability: 0 (3 in 2007-08)
- Ethnicity: 4 (2 in 2007-08)
- Religion/faith/belief: 4 (1 in 2007-08)
- Age: 1 (none in 2007-08)
- Gender: 2 (none in 2007-08)

### Gender and disability

14.3 The known percentages of women and disabled people amongst complainants at stage 1 of the Council's procedures are set out in the table below. There were more complaints from women than their proportions in the community but a rather smaller number from people with a disability.

| Year    | % Women | % Disabled |
|---------|---------|------------|
| 2006-07 | 57.8    | 8.4        |
| 2007-08 | 57.6    | 5.6        |
| 2008-09 | 59.4    | 7.8        |

14.4 The over representation of complaints from women reflects the fact that more of our service users are women. It is the Council's experience that more women than men use front line services and therefore more likely to complain.

14.5 There is under representation of disabled people, who constitute some 10% of the local community. This may be because they are more satisfied, or because they face barriers to making complaints. We will continue to monitor this carefully.

### Ethnicity

14.6 Complaints from black/black British people are reflective of the local population. White other groups appear to be over represented, and Chinese/other ethnic groups slightly over represented. White British people appear to be under represented. However, the ethnicity of 68%, 71% and 76% of complainants was unknown in 2006-07, 2007-08 and 2008-09 respectively.

14.7 The percentage ethnicity of complainants at stage 1, where known, is set out below:

| Year | Asian/Asian British | Black/Black British | Mixed | Chinese & other | White British | White Irish | Other White |
|------|---------------------|---------------------|-------|-----------------|---------------|-------------|-------------|
|      |                     |                     |       |                 |               |             |             |

|                |      |       |      |      |       |      |       |
|----------------|------|-------|------|------|-------|------|-------|
| <b>2006-07</b> | 7.7% | 23.2% | 3.8% | 4.0% | 39.7% | 3.8% | 17.8% |
| <b>2007-08</b> | 6.7% | 28.3% | 3.8% | 6.9% | 32.7% | 3.6% | 19.1% |
| <b>2008-09</b> | 7.0% | 20.4% | 3.5% | 6.5% | 36.6% | 5.4% | 20.7% |

#### Age of complainants

14.8 The percentage of known complainants by age group at stage 1 is set out in the table below. The statistics quite accurately reflect the local population in terms of age. The age of 65.8%, 70.4% and 73.9% of complainants was unknown in 2006-07, 2007-08 and 2008-09 respectively.

| <b>Year</b> | <b>Under 16</b> | <b>16-17</b> | <b>18-23</b> | <b>24-45</b> | <b>46-59</b> | <b>Over 60</b> |
|-------------|-----------------|--------------|--------------|--------------|--------------|----------------|
| 2006-07     | 0.7%            | 0.2%         | 5.3%         | 50.4%        | 24.6%        | 18.8%          |
| 2007-08     | 0.5%            | 0.5%         | 6.6%         | 60.0%        | 20.1%        | 12.2%          |
| 2008-09     | 0.5%            | 0.7%         | 9.9%         | 58.0%        | 9.1%         | 21.9%          |

Local Government  
**OMBUDSMAN**

**The Local Government Ombudsman's  
Annual Review**

**London Borough of Haringey  
for the year ended  
31 March 2009**

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 reviews.

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# **Section 1: Complaints about the London Borough of Haringey 2008/09**

## **Introduction**

This annual review provides a summary of the complaints we have dealt with about the London Borough of Haringey. 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 review will be a useful addition to other information your authority holds on how people experience or perceive your services.

Two appendices form an integral part of this review: statistical data for 2008/09 and a note to help the interpretation of the statistics.

## **Changes to our way of working and statistics**

A change in the way we operate means that the statistics about complaints received in 2008/09 are not directly comparable with those from 2007/08. Since 1 April 2008 the new LGO Advice Team has been the single point of contact for all enquiries and new complaints. The number of calls to our service has increased significantly since then. It handles more than 3,000 calls a month, together with written and emailed complaints. Our advisers now provide comprehensive information and advice to callers at the outset with a full explanation of the process and possible outcomes. It enables callers to make a more informed decision about whether putting their complaint to us is an appropriate course of action. Some decide to pursue their complaint direct with the council first.

It means that direct comparisons with some of the previous year's statistics are difficult and could be misleading. So this annual review focuses mainly on the 2008/09 statistics without drawing those comparisons.

## **Enquiries and complaints received**

The largest proportion of the 235 enquiries and complaints received by our Advice Team this year concerned housing (90). Transport and highways (which includes parking) received 33 enquiries and complaints. Other service areas for which enquiries and complaints reached double figures were local taxation (22), benefits (20), and planning and building control (19).

Around four in ten of these enquiries and complaints were passed on to our investigation team. The rest were either considered to be premature and sent back to the Council or were the subject of advice.

Housing comprised the highest number of complaints (39) forwarded to the investigation team. Half of these were about disrepair and the remainder were fairly evenly spread across homelessness, allocations, sales/leaseholds and tenancy management.

All but one of the transport and highways complaints passed for investigation concerned parking. Other service areas which were the subject of complaints passed for investigation included planning and building control (9), local taxation (8), benefits (6) education (5), adult care (4), antisocial behaviour (4), children and family services (3) and environmental health (3).

## **Complaint outcomes**

When we complete an investigation, we generally issue a report. This year we issued one report about homelessness. This complaint raised significant issues about the Councils' interpretation of Sections 183, 184 and 188 of the Housing Act 1996, and in particular what should trigger a duty to secure interim accommodation for a person, in this case a mother and child, who was presenting herself as homeless. Although it was not my role to offer a definitive legal interpretation of the homelessness legislation or to question the Council's reasonable interpretation of that legislation, I found that there was a lack of clarity in the terminology that the Council had used in dealing with this case, and a lack of clear records, especially records of what decisions were being taken, when, or under which provisions of the Housing Act. I concluded that these failings amounted to maladministration. The Council agreed to review its guidance to officers in the light of the Homelessness Code of Guidance 2006; and to address training needs in respect of clear and accurate record keeping about homelessness applications. The complainant was paid £250 in compensation for her time and trouble in pursuing the complaint.

A 'local settlement' is a complaint where, during the course of our investigation, the Council has taken or agreed to take some action which we consider is a satisfactory response to the complaint. This can include such things as reconsideration of a decision, repairs carried out, policies reviewed, benefit paid, an apology or other action. In addition, I may ask the Council to pay compensation. In 2008/09, 27.4% of all complaints the Ombudsmen decided and which were within our jurisdiction were local settlements. Of the complaints within our jurisdiction I decided against your authority, 52% were local settlements and, including the one report issued, you agreed to pay compensation of over £35,000 in total (although over half the compensation paid was for one complaint about Special Educational Needs.)

Sometimes, although the Council may be at fault, I use my discretion not to pursue an investigation because there is no significant injustice to the complainant. But there still may be lessons for the Council to draw from such cases. This year I closed 15 cases using my discretion.

There were 33 complaints where I found no or insufficient evidence of fault by the Council to justify further investigation. There were also 17 complaints which fell outside my jurisdiction.

## **Complaints by service area**

### ***Housing***

#### *Disrepair*

I decided 20 complaints about council house repairs and three quarters of these were local settlements. In addition to ensuring that any outstanding works were done, the Council paid over £4,500 in compensation for housing disrepair complaints.

Most of these complaints involved delay in completing repairs. In one case a complainant was left to live with damp walls caused by a leaking heating pipe for 13 months longer than should have been necessary; the Council paid £1,650 in compensation. In another case the Council's contractor claimed to have repaired a leaking radiator when the repair had not been done and the radiator continued to leak and damage the complainant's possessions; £750 was paid in compensation.

One complainant was left without heating for over nine months and received £730 in compensation. In another case £500 was paid to settle a complaint relating to over a year's delay in repairing a bathroom window.

In one complaint where the Council took six months longer than it should to progress repairs to plaster cracks in the complainant's living room, the disrepair itself was relatively minor but the Council made matters worse by losing emails and sending an inappropriately worded letter to the complainant; the Council paid £300.

### *Housing allocations*

I decided seven complaints about the allocation of housing as local settlements.

In one case a complainant who had been accepted for an urgent move because of fear of violence was not offered temporary accommodation away from the locality for over a year. Council officers believed that the complainant would not accept a move to areas other than a few restricted areas where housing was in high demand. However there was no evidence of this on file, and when an offer was made the complainant accepted it despite it not being in his preferred areas. As well as agreeing to pay £2,300 in compensation, the Council has told me that it is reorganising its service and believes that changes to its lettings policy will ensure quicker resolution of housing problems in future. I have not yet seen your revised lettings policy and look forward to seeing a copy when your review has been completed.

One complainant, who was severely disabled and unable to manage in the unadapted flat which she owned, applied for supported housing but was refused for various reasons including that the Council considered she was too young (under 60) and could afford to buy a suitable home for herself if she sold her existing flat. Following my investigation of this complaint the Council agreed to place the complainant in supported housing and pay her £1,000 in recognition of the delay in reaching this decision.

Three complaints were about delays in assessing applications for additional priority for medical needs and/or vulnerability. A total of £850 compensation was paid for these three complaints. These complaints also highlighted some poor record keeping practices including, in one case, failure to record why a complainant on a shortlist had been passed over when allocating a property.

The other settlements involved the Council backdating a transfer application and paying compensation for the way it dealt with what the complainant thought was a temporary transfer from a secure tenancy to allow repairs to be done; and a case where the Council failed to assess an application from the complainant who was applying for a move to another borough.

### *Homelessness*

Other than the report mentioned earlier in this review, I decided four complaints about homelessness. One resulted in a local settlement. There are legal rights to appeal to court about many decisions about homelessness and such complaints are usually outside my jurisdiction, but in this complaint there was delay in dealing with a fresh homelessness application where the applicant's situation had changed for the worse, which is a matter I could investigate. There was also a failure to assist the complainant with storage of his possessions. Although I could not conclude that the Council's delay had caused injustice, the Council paid compensation of £250 for the distress and inconvenience caused to the complainant by the loss of his possessions. I did not find any fault in the other three complaints, one of which was outside my jurisdiction.

### *Other housing complaints*

One complaint about the Council's complaints process itself highlighted an inaccuracy in the Council's complaints leaflet which has subsequently been corrected when the leaflet was reprinted. In another case the Council failed to take care of a complainant's washing machine following his eviction; £250 was paid in compensation.

One complaint from a leaseholder involved door bells on a communal door not working, causing problems for visitors and delivery of post. The cost of repairing the door system was prohibitive but a solution was eventually reached by putting up a sign redirecting visitors to another door and providing the Royal Mail with a key fob.

### ***Local taxation***

I decided 11 complaints about local taxation, of which six resulted in local settlements. Three complaints (including one which did not lead to a local settlement) were about bailiffs levying distress against cars that were not owned by the complainant and then wrongly charging fees for a levy. In each case the Council agreed to withdraw the wrongly charged fees. The Council agreed to review this issue with its bailiffs to ensure that their practices took account of the settlements in these complaints.

In one complaint the Council's bailiffs pursued the complainant in 2008 for Council Tax arrears that arose between 1994 and 1997, despite having had no contact with him for 10 years. The Council said that the complainant had given an incorrect forwarding address in 1997, but agreed to write off the debt on the basis that there had been such a long time without any contact.

In a complicated complaint about billing for business rates on multiple businesses owned by one complainant, the Council incorrectly billed the complainant and wrongly obtained a summons and instructed bailiffs. The Council had failed to answer some letters. The Council had already offered compensation of £200 but this was increased to £350 after my investigation in line with my guidance on remedies; in agreeing this figure some allowance was made for the fact that it was a complex case and the complainant had not been helpful in trying to resolve this matter.

One of the settled complaints arose because the Council billed a complainant for Council Tax for a property he had never lived at and then summonsed him even after he had told the Council this. In addition to cancelling the summons and the wrong account, the Council paid modest compensation.

### ***Benefits***

In 2008/09 I decided 11 complaints about benefits, mostly housing benefit but some also involved council tax benefit. Two of these gave rise to local settlements.

One was about a Housing and Council Tax Benefit claim having been cancelled in 2006 which was resolved when, following my intervention and that of the local Citizen's Advice Bureau, the Council reassessed the benefits from 2005 and agreed to write off a small amount of Council Tax debt.

In the another case the Council wrongly sent a decision about an overpayment of benefit to the complainant's old address and then failed to tell the Appeal Tribunal that this was the reason her appeal was made late. The appeal was refused as out of time and the Council instructed bailiffs to start recovery action. The complaint was settled by the Council paying £500, and writing to the Tribunal, which then accepted the case.

### ***Adult care services***

I decided two complaints about adult care services as local settlements. In the first, the Council had delayed for at least 18 months in making payments for care and educational provision for a young adult (daughter of the complainant), building up a debt of over £80,000 to the provider which caused the mother to worry that her daughter's placement might be jeopardised; there was also poor communication with the mother about her daughter's care reviews. The Council brought the payments up to date and paid £400 in compensation.

The second complaint concerned the failure to follow a risk management plan to contact the complainant when, in the middle of one night, her daughter (who has mental health problems) left a respite crisis unit run by the Council. As a result it took longer than it might have before the daughter was found in a distressed state and admitted to psychiatric hospital. The Council had offered £250 to the mother as compensation, but increased this to £500. Although it did not agree with my view that the daughter had been caused injustice the Council agreed to pay compensation to her as a goodwill gesture.

### ***Children and family services***

A complainant alleged that the Council had failed to properly investigate her allegation that her child's treatment in school amounted to child abuse. My investigation was not about the treatment of the child in the school which is outside my jurisdiction, only the Council's failure to respond to the complaint about the actions of its educational social worker. The Council provided a response to the complaint and paid a small amount of compensation in recognition of the time and trouble caused to the complainant by its delay in doing so.

### ***Education***

#### ***Special Educational Needs***

I settled one complaint about both special educational needs and children services, where the Council had decided in 2001 that under section 17 of the Children Act 1989 the complainant should be offered a residential therapeutic placement as a child in need. But it did not make a placement until 2005, when it was done to implement a statement of special educational needs rather than under section 17 of the 1989 Act. As a result, the child was not only deprived of education in a suitable therapeutic environment for a number of years, but also would have lost the opportunity to receive leaving care services under the Children (Leaving Care) Act 2000. As a remedy the Council agreed to pay £18,300 and to offer the complainant the services that he would have received under the 2000 Act, including assistance with future employment, education or training if relevant.

### ***Planning and building control***

#### ***Enforcement***

There were two complaints about planning enforcement that resulted in local settlements. In one case the Council delayed in taking action in relation to a satellite dish on a neighbouring property and failed to keep the complainant informed about what it was doing; £50 compensation was agreed. In the other, the Council told the complainant, that any new extension to his neighbour's house would be subject to an existing enforcement notice, but failed to make him aware that any enforcement action would not follow automatically but would be subject to the Council deciding whether such action was expedient, and the outcome of negotiations. The injustice to the complainant took into account a long history of concerns about planning breaches by his neighbour, and was that the Council had falsely raised his expectations. So the Council agreed to pay him compensation of £250.

#### ***Planning Applications***

In a complaint about amended plans for a neighbour's new rear extension the Council failed to consider the effect of a large new corner window and how it would overlook the complainant's property including her bedroom windows. The planning report inaccurately referred to screening where there was none between the window and the complainant's house. The complainant was paid compensation of £1,000.

## ***Transport and Highways***

There were six local settlements of transport and highways complaints, all about parking.

One involved delay in dealing with correspondence; £50 compensation was paid. In another the Council failed to record a letter from the complainant which resulted in him losing his right to appeal; the Council readily agreed to cancel the penalty and pay compensation. However it then failed to take the agreed action resulting in the complainant receiving an order and costs from the court. The Council withdrew the action and costs and paid a further £25.

One complaint involved a dispute about whether yellow lines that the complainant had allegedly parked on were visible. This dispute was outside my jurisdiction as the complainant had appealed against the penalty. But although the Council withdrew from the appeal as it had no photographic evidence, the complainant came to me because he felt his distress and inconvenience should be recognised. The Council paid him £150 to settle the complaint.

In one case the Council instructed bailiffs to take action to recover a parking penalty despite having been asked to cancel the notice to owner and charge certificate by the Traffic Enforcement Centre; to settle the complaint the penalty charge was withdrawn and £50 compensation paid.

There were two further complaints (similar to one mentioned in last year's Annual Letter) about the Council's failure to follow its policy to contact the keeper of an abandoned vehicle, where it has the keeper's contact details, before removing the vehicle for destruction. One complainant had his van, which had been vandalised, removed and destroyed by the Council. The Council had the keeper's details but did not follow its policy of contacting him so that he could decide whether to pay to retrieve and mend the van rather than having it destroyed. The Council paid £200 compensation. In another similar complaint the Council agreed to pay £100. In the light of these complaints the Council's abandoned vehicles policy has been rewritten. The Council kindly sent me a draft copy of its new policy in April this year so that my office could comment on it.

## ***Other***

Other local settlements covered a variety of subjects.

### ***Antisocial behaviour***

This complaint involved a long running complaint about antisocial behaviour where the complainant thought the Council was not dealing with the matter properly and the Council decided the complainant was being vexatious, and banned him from making complaints for a year. The way that the Council had dealt with the complainant was not reasonable, or in line with its policy about vexatious complainants. The complaint was settled by the Council agreeing to meet with the complainant to consider his reports of new antisocial behaviour and take further evidence.

### ***Contracts and business matters***

A complainant who runs a small residential care home had been asking since 2004 for the fees to be reviewed by the Council in line with its placement agreement with her. The Council had not responded. The complaint was settled by the Council agreeing to consider her request for increased fees, and to backdate its decision; it also paid £250 to compensate for the delay.

## *Others*

One complaint concerned delay by the Council in dealing with complaints about overhanging trees, dumped rubbish and vermin at a neighbouring property. The Council agreed to take action and pay the complainant £150.

Another complainant who was complaining about rudeness by a Council officer received an apology, but was also told that he was subject to a policy decision by the Council to limit contact with him. Subsequently this was found not to be the case, but the confusion had unnecessarily prolonged the complaint and the complainant was paid £25 for his time and trouble.

## **Liaison with the Local Government Ombudsman**

The Council took an average of 17.2 days to respond to enquiries from my office. This is an improvement on your already excellent response times of previous years. My Investigators have noted occasions where the Council's has made a quick and helpful response; but on other occasions it has taken time and protracted discussion to reach a settlement.

An Assistant Ombudsman met with the Council's Feedback Team Manager, in December 2008. Much of the discussion at that meeting was about our approach, and that of the Council, to assessing injustice and remedies, including compensation. One of the suggestions arising from this was that both parties might provide more explanation about how proposed remedies, and particularly suggestions about compensation, had been reached. I hope the exchange of views, and subsequent correspondence about this matter has proved helpful; and I would be interested to know whether you feel there is anything else we could do to help your officers gain a better understanding of why we are proposing particular remedies to settle complaints?

I was pleased that two of your officers attended our seminar for link officers in March and hope that they found the day helpful.

## **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. All courses are presented by experienced investigators. They give participants the opportunity to practise the skills needed to deal with complaints positively and efficiently. We can also provide customised courses to help authorities to deal with particular issues and occasional open courses for individuals from different authorities.

I have enclosed some information on the full range of courses available together with contact details for enquiries and bookings.

## **Conclusions**

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**  
**10<sup>th</sup> Floor, Millbank Tower**  
**Millbank**  
**London SW1P 4QP**

**June 2009**

## **Section 2: LGO developments**

### **Introduction**

This annual review also provides an opportunity to bring councils up to date on developments – current and proposed – in the LGO and to seek feedback. It includes our proposal to introduce a ‘statement of reasons’ for Ombudsmen decisions.

### **Council First**

From 1 April 2009, the LGO has considered complaints only where the council’s own complaints procedure has been completed. Local authorities have been informed of these new arrangements, including some notable exceptions. We will carefully monitor the impact of this change during the course of the year.

### **Statement of reasons: consultation**

The Local Government and Public Involvement in Health Act 2007 made provision for the LGO to publish statements of reasons relating to the individual decisions of an Ombudsman following the investigation of a complaint. The Ombudsmen are now consulting local government on their proposal to use statements of reasons. The proposal is that these will comprise a short summary (about one page of A4) of the complaint, the investigation, the findings and the recommended remedy. The statement, naming the council but not the complainant, would usually be published on our website.

We plan to consult local authorities on the detail of these statements with a view to implementing them from October 2009.

### **Making Experiences Count (MEC)**

The new formal, one stage complaint handling arrangement for adult social care was also introduced from 1 April 2009. The LGO is looking to ensure that this formal stage is observed by complainants before the Ombudsmen will consider any such complaint, although some may be treated as exceptions under the Council First approach. The LGO also recognises that during the transition from the existing scheme to the new scheme there is going to be a mixed approach to considering complaints as some may have originated before 1 April 2009. The LGO will endeavour to provide support, as necessary, through dedicated events for complaints-handling staff in adult social care departments.

### **Training in complaint handling**

Effective Complaint Handling in Adult Social Care is the latest addition to our range of training courses for local authority staff. This adds to the generic Good Complaint Handling (identifying and processing complaints) and Effective Complaint Handling (investigation and resolution), and courses for social care staff at both of these levels. Demand for our training in complaint handling remains high. A total of 129 courses were delivered in 2008/09. Feedback from participants shows that they find it stimulating, challenging and beneficial in their work in dealing with complaints.



### **Adult Social Care Self-funding**

The Health Bill 2009 proposes for the LGO to extend its jurisdiction to cover an independent complaints-handling role in respect of self-funded adult social care. The new service will commence in 2010.

### **Internal schools management**

The Apprenticeship, Skills, Children and Learning Bill (ASCL) 2009 proposes making the LGO the host for a new independent complaints-handling function for schools. In essence, we would consider the complaint after the governing body of the school had considered it. Subject to legislation, the new service would be introduced, in pilot form, probably in September 2010.

### **Further developments**

I hope this information gives you an insight into the major changes happening within the LGO, many of which will have a direct impact on your local authority. We will keep you up to date through LGO Link as each development progresses but if there is anything you wish to discuss in the meantime please let me know.

**Tony Redmond**  
**Local Government Ombudsman**  
**10<sup>th</sup> Floor Millbank Tower**  
**Millbank**  
**London SW1P 4QP**

**June 2009**

# Appendix 1: Notes to assist interpretation of the statistics 2008/09

## Introduction

This year, the annual review only shows 2008/09 figures for enquiries and complaints received, and for decisions taken. This is because the change in the way we operate (explained in the introduction to the review) means that these statistics are not directly comparable with statistics from previous years.

## Table 1. LGO Advice Team: Enquiries and complaints received

This information shows the number of enquiries and complaints received by the LGO, broken down by service area and in total. It also shows how these were dealt with, as follows.

**Formal/informal prematures:** 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 back to the council as a 'premature complaint' to see if the council can itself resolve the matter. These are 'formal premature complaints'. We now also include 'informal' premature complaints here, where advice is given to the complainant making an enquiry that their complaint is premature. The total of premature complaints shown in this line *does not include* the number of resubmitted premature complaints (see below).

**Advice given:** These are enquiries where the LGO Advice Team has given advice on why the Ombudsman would not be able to consider the complaint, other than the complaint being premature. For example, the complaint may clearly be outside the Ombudsman's jurisdiction. It also includes cases where the complainant has not given enough information for clear advice to be given, but they have, in any case, decided not to pursue the complaint.

**Forwarded to the investigative team (resubmitted prematures):** These are cases where there was either a formal premature decision, or the complainant was given informal advice that their case was premature, and the complainant has resubmitted their complaint to the Ombudsman after it has been put to the council. *These figures need to be added to the numbers for formal/informal premature complaints (see above) to get the full total number of premature complaints. They also needed to be added to the 'forwarded to the investigative team (new)' to get the total number of forwarded complaints.*

**Forwarded to the investigative team (new):** These are the complaints that have been forwarded from the LGO Advice Team to the Investigative Team for further consideration. The figures may include some complaints that the Investigative Team has received but where we have not yet contacted the council.

## Table 2. Investigative Team: Decisions

This information records the number of decisions made by the LGO Investigative Team, broken down by outcome, within the period given. **This number will not be the same as the number of complaints forwarded from the LGO Advice Team** because some complaints decided in 2008/09 will already have been in hand at the beginning of the year, and some forwarded to the Investigative Team during 2008/09 will still be in hand at the end of the year. Below we set out a key explaining the outcome categories.

**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 action has been agreed by the authority and accepted 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.

## Table 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.

## Table 4. Average local authority response times 2008/09

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

## Appendix 2: Local Authority Report -Haringey LB

For the period ending -31/03/2009

### LGO Advice Team

| Enquiries and complaints received                        | Adult care services | Children and family services | Education | Housing   | Benefits  | Public Finance inc. Local Taxation | Planning and building control | Transport and highways | Other     | Total      |
|--|---------------------|------------------------------|-----------|-----------|-----------|------------------------------------|-------------------------------|------------------------|-----------|------------|
| Formal/informal premature complaints                     | 1                   | 4                            | 1         | 38        | 9         | 11                                 | 10                            | 8                      | 9         | 91         |
| Advice given   | 0                   | 2                            | 2         | 13        | 5         | 3                                  | 1                             | 12                     | 7         | 45         |
| Forwarded to investigative team (resubmitted prematures) | 1                   | 1                            | 0         | 6         | 2         | 4                                  | 0                             | 3                      | 4         | 21         |
| Forwarded to investigative team (new)                    | 3                   | 2                            | 5         | 33        | 4         | 4                                  | 8                             | 10                     | 9         | 78         |
| <b>Total</b>   | <b>5</b>            | <b>9</b>                     | <b>8</b>  | <b>90</b> | <b>20</b> | <b>22</b>                          | <b>19</b>                     | <b>33</b>              | <b>29</b> | <b>235</b> |

### Investigative Team

| Decisions               | MI reps | LS | M reps | NM reps | No mal | Omb disc | Outside jurisdiction | Total |
|-------------------------|---------|----|--------|---------|--------|----------|----------------------|-------|
| 01/04/2008 / 31/03/2009 | 1       | 53 | 0      | 0       | 33     | 15       | 17                   | 119   |

#### FIRST ENQUIRIES

#### Response times

|              | No. of First Enquiries | Avg no. of days to respond |
|--------------|------------------------|----------------------------|
| 2008 / /2009 | 76                     | 17.2                       |
| 2007 / 2008  | 110                    | 18.4                       |
| 2006 / 2007  | 63                     | 18.4                       |

#### Average local authority response times 01/04/2008 to 31/03/2009

| Types of authority        | <= 28 days % | 29 -35 days % | > = 36 days % |
|---------------------------|--------------|---------------|---------------|
| District councils         | 60           | 20            | 20            |
| Unitary authorities       | 56           | 35            | 9             |
| Metropolitan authorities  | 67           | 19            | 14            |
| County councils           | 62           | 32            | 6             |
| London boroughs           | 58           | 27            | 15            |
| National park authorities | 100          | 0             | 0             |

## **Appendix 2**

# **THE COUNCIL'S RESPONSE LETTER TO THE OMBUDSMAN**

Mr Tony Redmond  
Local Government Ombudsman  
10<sup>th</sup> Floor  
Millbank Tower  
London  
SW1P 4QP

Date

Dear Mr Redmond

### **Annual Review 2008/09**

Thank you for your letter of 16 June 2009 and the attached annual review. I set out below the Council's comments on the points you have raised.

### **Enquiries and complaints received**

The largest proportions of cases you received concerned Housing, followed by Parking. The majority of the Housing cases related to Homes for Haringey. Their complaint numbers continued to rise, no doubt due in part to the ongoing promotion of the complaints procedures, and also because of the Decent Homes programme, which continues to generate complaints as heightened expectations are not always met. We anticipate that this will continue throughout the duration of the programme.

During 2008/09 it became apparent that the Homes for Haringey services in receipt of the largest number of complaints required extra support in handling them, and arrangements were made to accommodate this. Measures to improve complaints handling have also been promoted through a new training programme accessible to all staff, inclusion in the induction programme for new staff, and a programme of culture change which the organisation is currently undergoing. We anticipate that the improvements made will result in more cases being resolved at the first internal stage.

There is now a centralised complaints team in our Urban Environment, which includes the Council's housing functions and parking. This should lead to complaints about those services being dealt with more efficiently and effectively with less cases being referred to you.

### **Complaint outcomes**

After the issue of your report about homelessness, every caseworker was given a personal copy of the Homelessness Code of Guidance for Local Authorities and Good Practice Guidance to Homelessness Prevention. In regard to the standard of note keeping which you also raised, a new procedure was introduced so that, whether a case is approved or closed, the notes are now checked and signed off by a senior officer.

The number of local settlements was two lower than in 2007-08. During the year we introduced a new procedure in which the learning points from all local settlements and maladministration reports, together with internal stage 3 cases, are circulated monthly for service comment on reasons for fault and action to be taken to improve the service and prevent a recurrence. This is shared with senior managers and Cabinet members.

### **Complaints by service area**

## **Housing**

### *Disrepair*

Council house repairs are the responsibility of Homes for Haringey. They have recently undertaken a number of initiatives to improve performance and increase customer satisfaction levels. These include:

- a complete restructuring of their repairs directorate, and the creation of the new role of Deputy Director of Repairs Service with specific responsibility for performance management;
- measures to achieve greater efficiency through mobile working, including SMS text messages to customers to avoid missed appointments;
- the creation of a Repairs Resolution Team, dedicated to resolving customers' problems, including investigating and responding to all complaints; and
- a repairs call centre incorporated into the responsive repairs service where specialised staff are available (calls were previously taken by the Council switchboard).

### *Housing allocations*

The new lettings policy is in the process of being revised by a project team which meets regularly. Before finalisation, there will be a three month consultation period with the public and the policy will be presented to the Cabinet for approval in January 2010. We will send you a copy of the new policy when it has been agreed.

The restructuring of the Council's Strategic & Community Housing Service has been agreed and is now being implemented. It includes the creation of a new Special Needs Team, which will help to alleviate the delays experienced in the past in relation to the cases you have mentioned relating to supported housing, vulnerability assessments and medical assessments. The team will assess applications for sheltered housing and medical priority, maintain a sheltered housing register, let all of the Council's sheltered housing and provide registered social landlords with suitable, timely tenancy nominations for their vacant sheltered housing. They will ensure that we have an accurate and regularly updated sheltered housing register, and better, more consistent, assessment of the housing, health and support needs of older people and people with disabilities. Other benefits will include the sharing of medical and social care expertise between staff, reduced void turnaround times for sheltered housing, and better, and quicker, tenancy nominations for registered social landlords' sheltered housing.

### *Homelessness*

I have commented on action we have taken to improve our handling of homelessness cases in the section above on complaint outcomes.

### *Other housing complaints*

As you say, the Council's complaints leaflet has now been amended to address the previous minor inconsistency. As a result of the case involving the washing machine, work instructions have been rewritten regarding the storage of property after eviction, and further staff training has been provided.

The problem in the case of the door bell and communal door arose when an entrance/exit door was converted to exit only. It was resolved as you have indicated.

## **Local taxation**

As you say, we have reviewed our procedures in relation to levying distress on cars. This includes the carrying out of spot checks and more frequent performance meetings to ensure that bailiffs are following the correct procedures.

Procedure has also been improved in the case of long term arrears. Notification will in future be given if recovery action is to be resumed when no action has been taken in the previous 12 months.

Work is in hand to prevent recovery action in the future in similar circumstances to the complicated business rates case: a system is to be established to suppress issue of a summons where unanswered correspondence exists.

Improvements have been implemented to address the issue of billing for a property never lived in, including staff briefing.

## **Benefits**

Following the case involving Citizen's Advice, priority is now given to correspondence from them and solicitors, and such correspondence is dealt with by team leaders. Staff have also been coached on the quality and content of letters to ensure compliance with legislation and customer care.

As a result of the Appeal Tribunal case, a procedure has now been implemented to hold council tax recovery action when a benefit overpayment appeal is outstanding. This will remain in place until the appeal is resolved/heard by the tribunal. There is also now more thorough checking of information held before assessing claims.

## **Adult care services**

The case involving payments for care and educational provision related to a lack of planning for young people moving from children's to adult services. A new transition team has now been set up to prevent a recurrence.

Procedures were reviewed in the light of the issues in the case involving failure to follow a risk management plan. A new risk management plan is now in place for all new clients entering the crisis unit.

## **Children and family services**

### **Education**

#### *Special educational needs*

A number of changes have been implemented to prevent a recurrence of the problems in the residential therapeutic placement case. The recording of Special Educational Needs (SEN) Panel decisions has been improved to highlight those who are out of school and referred to alternative provision. A dedicated SEN officer is responsible for each young person with a statement, and monitors the annual reviews to ensure they are held within the required timescale, shared with relevant staff and a transition plan is in place for those aged 14 years plus. There are monthly meetings to monitor and track the progress of all young people with statements at the Pupil Support Centre. Cases where attendance is at risk are referred to the SEN Panel for action.

## **Planning and building control**

### *Enforcement*

As a result of the satellite dish case, revised planning enforcement procedures have been implemented to ensure that responses are on time and updates are given. The case of concerns about planning breaches was largely due to a backlog of work caused by staff shortages. A review of policies and procedures was subsequently undertaken and, as a result, the backlog was cleared, and timely and full responses are now given.

### *Planning applications*

Staff are being briefed on the importance of looking carefully at proposed developments from different angles/adjacent properties when on site, and ensuring that reports are accurate.

## **Transport and highways**

In the two cases of delay in dealing with correspondence about parking, the correct administrative procedure was not followed, which meant that they fell out of time. All staff who log appeals onto the system have been given additional guidance to ensure that the correct procedures are followed so that this does not happen again.

Procedures have been reviewed and updated to avoid the escalation of complaints regarding parking Penalty Charge Notices. This will ensure that we provide the public with clear advice on taking their queries through the appropriate process of statutory appeal. As many of your enquiries relating to parking have been about this process, we have reviewed the handling of such complaints, which are now being referred to the statutory process when appropriate. Complaints about employee conduct or signage and other issues of parking enforcement continue to be dealt with through the complaints process.

In relation to the case of dispute over yellow lines, officers have been reminded that they need to respond quickly to complaints about incorrect lines and signs, and that they need to give full explanations of programmes of work that are planned as a result.

As you say, we sent you a draft of a new policy on abandoned vehicles, and you have kindly commented recently. We are considering what you have said, and will inform you of any consequential amendments.

## **Other**

### *Antisocial behaviour*

We were happy to accept your guidance in the case you refer to, and no further complaints have been received.

### *Contracts and business matters*

As a result of the residential care case, a new procedure has been introduced under which requests for a fee increase are sent to the head of service, who ensures a prompt response, and that fee levels are reviewed in a timely way.



## *Others*

Action has been taken to address the problems that arose in the case of delay in dealing with complaints about the neighbouring property.

The confusion in the case of alleged rudeness by an officer in Homes for Haringey arose from a lack of clarity at the internal complaint stage. This was a unique occurrence that is most unlikely to recur.

## **Liaison with your office**

My staff always endeavour to respond promptly to your office, not least including the agreement of settlements, and the exchange of views between your Assistant Ombudsman and my Feedback and Information Manager was indeed helpful. We are concerned that some settlements may have been more protracted than necessary and my Feedback and Information Manager has written separately to the Assistant Ombudsman with a view to minimising any delay in the future. I believe that most of the delays predated their meeting.

My two officers found attendance at your seminar to be extremely helpful.

## **Training**

Thank you for the details of your training courses. I have referred these to the appropriate officers.

## **Conclusions**

As in previous years, we have found the annual letter to be helpful to our process of learning from complaints. I have referred above to the use we make of your decisions in our learning process.

We also appreciate the work of you and your staff through the year.

Yours sincerely

Dr Ita O'Donovan  
Chief Executive