

## For Publication

### Housing Service complaints performance 2023/24

<b>Meeting:</b>	Cabinet
<b>Date:</b>	5 <sup>th</sup> February 2024
<b>Cabinet portfolio:</b>	Housing
<b>Directorate:</b>	Housing

#### 1.0 Purpose of the report

- 1.1 In order to comply with the Housing Ombudsman's complaint handling code, it is important that performance on housing complaints is reported to an appropriate governing body.
- 1.2 This report explains the reporting requirements of the Housing Ombudsman and provides details of the Housing Service's complaints handling performance over the first three quarters of 2023/24.

#### 2.0 Recommendations

- 2.1 To note that the Council's Housing Service currently complies with the Housing Ombudsman's code of practice, as evidenced in the self-assessment provided in Appendix 1.
- 2.2 To review and comment on the Housing Service's complaints handling performance for the first three quarters of the financial year 2023/24.
- 2.3 To endorse the measures proposed at paragraph 4.22 of the report to bring about immediate improvements to the Housing Service's complaints handling performance.
- 2.4 To ask officers to prepare an end of year performance report for the financial year 2023/24 and to provide regular performance reports throughout the financial year 2024/25.

#### 3.0 Reason for recommendations

- 3.1 It is important for the Council to receive feedback from tenants who are not satisfied with the performance of the service and to make improvements as a result. Monitoring complaints and reporting activity is a required in order to meet the requirements of the Housing Ombudsman and the Social Housing Regulator.

#### 4.0 Report details

- 4.1 Scrutiny over how social landlords manage complaints has increased since the publication of the social housing white paper in November 2020. The Housing

Ombudsman's complaint handling code sets out the expectation placed on social landlords of how they deal with and manage complaints within their service areas. In addition, the Regulator of Social Housing has introduced a new suite of tenant satisfaction measures to be published from Spring 2024. Three of these measures relate to complaints and complaint handling.

### **Housing Ombudsman complaint handling code 2023**

- 4.2 The purpose of the Housing Ombudsman's complaint handling code is to enable landlords to resolve complaints raised by their residents quickly and to use the learning from complaints to drive service improvements.
- 4.3 The Housing Ombudsman's remit covers services funded by the council's housing revenue account. Housing services such as homelessness, private sector housing and management of the housing register are outside its remit.
- 4.4 The complaint handling code sets standards for complaint handling in the social housing sector. Landlords must comply with the code and the housing service is required to carry out an annual assessment to ensure our complaint handling remains in line with its requirements. Non-compliance could result in the Ombudsman issuing complaint handling failure orders which are reported to the Regulator of Social Housing.
- 4.5 The code also acts as a guide for residents setting out what they can and should expect from us when they complain. The code requires us to provide residents with information about how to make a complaint, how to progress it through our internal complaints procedure and how to contact the Housing Ombudsman if they are not happy with the outcome. The key points from the code are summarised below. The full code can be read here: [Housing Ombudsman complaint handling code](#).

### **Housing Ombudsman complaint handling code key points**

- A complaint is defined as: 'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents'.
- The complaint policy must be available in a clear and accessible format for all residents and must be accessible on the website along with information about how to make a complaint.
- The complaints policy and process, the complaint handling code and the Housing Ombudsman scheme must be publicised to residents in multiple formats and as part of relevant correspondence. Landlords must also provide the Ombudsman's contact details in its relevant correspondence with residents.
- There must be a person or team responsible for complaint handling and an appointed complaint handler must have appropriate skills and no conflict of interest with the complaint they are investigating.
- Landlords must report on wider learning and improvements from complaints in their annual report and more frequently to their residents, staff and scrutiny panels.
- In organisations delivering high quality services, complaints are valued as an opportunity to learn and to identify areas for improvement. The Ombudsman's complaint handling code promotes accessibility to the complaint process and high numbers of complaints should not necessarily be viewed as negative.

- 4.6. Landlords must publish an annual self-assessment showing how they meet the requirements of the Housing Ombudsman code of practice. How the Council's housing service currently complies with the code is shown in **Appendix 1**.
- 4.7 The Council adopted a new complaints policy and ICT system in November 2022 that ensures that the Council's housing service is compliant with the majority of the Housing Ombudsman's code. In order to ensure further compliance with the code, a process to routinely report on complaint performance needs to be established.
- 4.8 The provision of formal reports to an appropriate governing body is to be established to ensure compliance with requirements of the Housing Ombudsman's Code. The relevant part of the code referring to this is shown in *italics* below:

***Internal reporting of complaints and complaints performance***

*The Complaint Handling Code requires one member of the governing body to have lead responsibility for complaints. They will be responsible for ensuring the rest of the governing body receives regular information on complaints that provide insight and learning on Housing Services complaint handling performance.*

*The appointed body should receive:*

- Regular updates on the volume, categories, and outcome of complaints, alongside complaint handling performance including compliance with the Ombudsman's orders.*
- Regular reviews of issues and trends arising from complaint handling.*
- The annual performance report produced by the Ombudsman, where applicable.*
- Individual complaint outcomes where necessary, including where the Ombudsman made findings of severe maladministration or referrals to regulatory bodies. The implementation of management responses should be tracked to ensure they are delivered to agreed timescales.*
- The annual self-assessment against the Complaint Handling Code for scrutiny and challenge.*

**Regulator of Social Housing - tenant satisfaction measures**

- 4.9 The new regime of tenant satisfaction measures was introduced in April 2023. The questions include 12 tenant perception questions that will be asked through the surveying of tenants through 2023/24 and ten management questions reported from data held on the Housing Service's ICT systems. The results of the measures will be published by the Regulator in 2024.
- 4.10 The three questions below are the indicators where the Housing Service will have to report complaint performance to the Housing Regulator.

***Tenant Perception 09: Satisfaction with the landlord's approach to handling of complaints***

*Have you made a complaint to your landlord in the last 12 months? If yes, how satisfied or dissatisfied are you with your landlord's approach to complaints*

handling? This measure will be based on the percentage of tenants who say they are satisfied.

**Complaint handling 01: Complaints relative to the size of the landlord**

This measure will be based on the number of complaints the landlord receives for each 1,000 homes they own.

**Complaint handling 02: Complaints responded to within Complaint Handling Code timescales**

This measure will be based on the percentage of complaints the landlord responds to within the times set by the Housing Ombudsman’s Complaint Handling Code. All social housing landlords have to follow this Code. The Housing Ombudsman is an independent organisation that tenants can ask to look at complaints about social housing landlords.

- 4.11 The introduction of the new complaints ICT system ensures that the information required to provide the data for Complaint Handling 01 and Complaint Handling 02 can be routinely provided.

**Complaint handling performance in quarters 1, 2 and 3 of 2023/24**

- 4.12 The Council changed the complaints policy and ICT complaints system on 8<sup>th</sup> November 2022. The new ICT system for complaints allows for a much more visual presentation of data on performance as well as the ability to interrogate individual complaints. These are shown as ‘dashboards’:

**Appendix 2:** The part of the services covered by the Housing Ombudsman

**Appendix 3:** Housing Management and Careline

**Appendix 4:** Housing Property Services (Assets, repairs and maintenance)

- 4.13 The table below shows the summary of complaints performance for Quarters 1, 2 and 3 of 2023/24:

Indicator	Q1 to Q3 2023/24
Complaints received – stage 1	388
Complaints received – stage 2	28
Average per month	46
Complaints responded to within timescale	179 (43%)
Repairs complaints %	88.2%
Housing management %	11.8%
Average number of days to respond (stage1)	26 days

**Volume of complaints**

- 4.14 The number of complaints has increased, particularly relating to repairs. The main reason for this is that the repairs service has necessarily prioritised emergency repairs, landlord compliance activity and repairs involving damp and mould, meaning that less urgent repairs are taking longer to complete, and we are still

dealing with the legacy effects of the significant backlog of repairs generated during the pandemic.

- 4.15 However, the increase in complaints also shows that our complaints process is accessible to and understood by tenants, and provides us with valuable customer feedback to help inform service improvements.
- 4.16 It should also be noted that we complete around 3,000 repairs each month, and the number of complaints received therefore represents a very small percentage of dissatisfied customers in this context.

### **Response times**

- 4.17 Performance on responding to complaints within timescales has fallen below the standard we would expect, for the following main reasons:
- The increased number of complaints from an average of 25 (2022 average) to 46 per month.
  - Insufficient office-based staff resources to investigate and respond to complaints.
  - More tenants are being encouraged to report disrepair as a result of government campaigns, as well as encouragement by 'claims farmers', meaning more staff time is spent on these complex cases and diverted from complaints handling.
- 4.18 Despite the delays in responding to complaints, it is positive that only a very small proportion of these progress to stage 2, demonstrating that we are resolving the issue as swiftly as possible.
- 4.19 Furthermore, while the Housing Service acknowledges that its performance in responding to complaints has been disappointing, there are positive signs of progress, as evidenced by a reduction in the average number of days taken to respond from 40 days in August 2023, to 12 days by the end of December 2023.

### **Improving performance**

- 4.20 The top five areas in Housing Property Services that were complained about were:
- Chasing up a repair
  - Outstanding or ongoing repairs
  - Delays with repairs / works
  - Missed appointment(s)
  - Poor communication
- 4.21 The top five areas in housing management that were complained about were:
- Overgrown hedges / gardens
  - Communal areas
  - Antisocial behaviour
  - Trees
  - Tenancy procedures
- 4.22 The Housing Service is taking steps to address the underlying causes of complaints, including:
- Conducting an overall review of repairs and maintenance services, including a restructure and additional customer service resources, which will lead to improved performance on repairs completion timescales.

- As a short-term solution, two officers will be recruited to deal with repairs complaints, which will result in an immediate reduction in response times.
- We will conduct a deep dive into the causes of housing management complaints, with a particular focus on antisocial behaviour and communal areas, and work with colleagues in other council departments to implement service improvements in these areas.
- Manager level complaints performance reports will be introduced for housing tier 4 managers, for them to directly review with their teams.
- We will continue to work with our engaged tenants on scrutiny reviews and use their feedback to inform service development improvements.

## **5.0 Alternative options**

- 5.1 Consideration was given to reporting housing complaints performance to the Strategic Housing Board, however this is not recommended because this is an officer forum and Member oversight is important.

## **6.0 Implications for consideration – Financial and value for money**

- 6.1 There are no additional costs associated with the provision of complaints performance reports and statistics. However, there are increased salary costs for the two new temporary customer service officers, and these will be included in the Housing Revenue Account budget monitoring report.

## **7.0 Implications for consideration – Legal**

- 7.1 The Council's revised complaints framework meets the requirements of the Housing Ombudsman and Local Government and Social Care Ombudsman.

## **8.0 Implications for consideration – Human resources**

- 8.1 There are no human resources implications for the provision of complaints performance reports and statistics. The two temporary customer service officers will be appointed in accordance with the Council's HR policies and procedures.

## **9.0 Implications for consideration – Council Plan**

- 9.1 The Council Plan has four values that describe how it will achieve its vision of 'putting our communities first'. Effective complaints management and performance will be central to demonstrating those values:
- We are customer focused
  - We believe in honesty and respect
  - We act as one council, one team

- We take a can do approach

## 10.0 Implications for consideration – Climate change

10.1 There are no direct climate change implications associated with this report.

## 11.0 Implications for consideration – Equality and diversity

11.1 A complaints report by equalities category is included as part of the report.

11.2 There are no adverse impacts to equality and diversity through the provision of housing complaints performance and statistics.

## 12.0 Implications for consideration – Risk management

12.1 Regular complaints performance monitoring will help to ensure that risk is appropriately managed.

### Decision information

<b>Key decision number</b>	<b>N/A</b>
<b>Wards affected</b>	<b>All</b>

### Document information

<b>Report author</b>	
James Crouch Housing Strategy and Engagement Manager	
<b>Background documents</b>	
N/A	
<b>Appendices to the report</b>	
<b>Appendix 1</b>	Housing Ombudsman Code of Practice - Self Assessment September 2023
<b>Appendix 2</b>	Complaints dashboards quarter 1 to quarter 3 2023/24
<b>Appendix 3</b>	Housing Management and Careline quarter 1 to quarter 3 2023/24
<b>Appendix 4</b>	Housing Property Services (Assets, repairs and maintenance) quarter 1 to quarter 3 2023/24
<b>Appendix 5</b>	Equalities report complaints April-December 2023