

Housing Services Annual Complaints Performance and Service Improvement Report and Self-Assessment

Committee:	Cabinet
Date of Meeting:	12 June 2024
Report of:	Head of Housing and Corporate Assets
Portfolio:	Housing

1 Purpose of Report

- 1.1 To note the contents of the revised Housing Ombudsman Complaint Handling Code and the requirement to complete an annual complaints performance and service improvement report, including a self-assessment against the code.
- 1.2 To seek Cabinet approval for the Housing Services Annual Complaints Performance and Service Improvement Report.
- 1.3 To note the contents of the self-assessment form and its subsequent publication on the Council's website.

2 Recommendations

- 2.1 That Cabinet note the implications of the new Housing Ombudsman Complaint Handling Code.
- 2.2 That Cabinet approve the Annual Complaints Performance and Service Improvement Report and the outcomes from the self-assessment form, further to its subsequent publication on the Council's website.

Reasons for Recommendations

- 2.3 To adhere to membership requirements of the Housing Ombudsman and its Complaint Handling Code 2024 for Landlords to produce an annual complaints performance and service improvement report for scrutiny and challenge by Cabinet, which must include the annual self-assessment against this Code to ensure complaint handling policy remains in line with the Ombudsman's requirements.

3 Key Issues

- 3.1 The Council is required to comply with the Housing Ombudsman's Complaint Handling Code, its latest revision being applicable from 1 April 2024.
- 3.2 One of the implications is the completion of an annual complaints performance and service improvement report, including a self-assessment against the Code. This report forms the annual complaints and service improvement report and the self-assessment is attached as Appendix 1. The Ombudsman expects landlords to report their performance report and outcome of their self-assessment to their board members or, in the case of local authorities, elected members.

- 3.3 The Ombudsman expects landlords to carry out regular self-assessment against the Code and take appropriate action to ensure their complaint handling is in line with the Code.
- 3.4 The updated self-assessment finds that Housing Services continues to adhere to the vast majority of the requirements in the Code as a result of the provisions set out in the Corporate Customer Feedback and Complaints Procedure.

4 Relationship to Corporate Priorities

- 4.1 This report supports the Council’s Corporate Priorities as follows:
 - (i) Adhering to the Complaint Handling Code will assist Housing Services in dealing with complaints and help achieve the Council’s ‘Responsible Council’ priority by delivering Council services that are customer centred and accessible - giving choice to our customers in how they access our services - and to be accountable for our actions.

5 Report Detail

Background

- 5.1 The Social Housing (Regulation) Act 2023 (the Act) empowered the Housing Ombudsman to issue a code of practice about the procedures members of the Scheme should have in place for considering complaints.

[The Housing Ombudsman Scheme](#) sets out the membership obligations to which all landlords must adhere (see paragraphs 9-12). In particular, paragraph 9b specifies that landlords must establish and maintain a complaints procedure in accordance with [The Complaint Handling Code](#).

- 5.2 The Act also placed a duty on the Ombudsman to monitor compliance with the Complaint Handling Code. The statutory Code took effect from 1 April 2024, along with the duty to monitor compliance annually through a submission process, which includes a self-assessment exercise against the Code.
- 5.3 There were a number of changes made to the Code from the previous version issued in April 2022, the majority were minor amendments, clarifications, re-wording or removal of requirements. However, there were a few additions to the Code which should be noted, these are set out in the table below with commentary on how they will be met.

Para.	New Requirement	How it will be met
2.3	Landlords must accept complaints referred to them within 12 months of the issue occurring or the resident becoming aware of the issue, unless they are excluded on other grounds. Landlords must consider whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so.	The existing corporate Complaints procedure allows for this.

Para.	New Requirement	How it will be met
2.5	Landlords must not take a blanket approach to excluding complaints; they must consider the individual circumstances of each complaint.	All complaints would be considered on their individual circumstances, the corporate procedure allows for this.
8.1	Landlords must produce an annual complaints performance and service improvement report for scrutiny and challenge, which must include: a) the annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements.	This report meets this requirement.
9.5	A member of the governing body (or equivalent) must be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This person is referred to as the Member Responsible for Complaints ('the MRC').	As a social housing landlord function, the Housing Portfolio Holder will act as the member responsible for complaints.
9.6	The MRC will be responsible for ensuring the governing body receives regular information on complaints that provides insight on the landlord's complaint handling performance. This person must have access to suitable information and staff to perform this role and report on their findings.	The Housing Portfolio Holder will be provided the necessary information on a regular basis to report to Cabinet Briefing.

- 5.4 Full details of all the changes can be viewed on the [Housing Ombudsman's website](#).

The Annual Complaints Performance and Service Improvement Report

- 5.5 The annual complaints performance and service improvement report must include the following:

- a. the annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements.**

This is provided as Appendix 1, also see paragraphs 5.17 and 5.18.

- b. a qualitative and quantitative analysis of the landlord's complaint handling performance. This must also include a summary of the types of complaints the landlord has refused to accept;**

See paragraphs 5.6 - 5.14 below

- c. any findings of non-compliance with this Code by the Ombudsman;**

The Council was not subject to any findings of non-compliance by the Ombudsman.

d. the service improvements made as a result of the learning from complaints;

See paragraph 5.15 below

e. any annual report about the landlord's performance from the Ombudsman;

The Council was not subject to any reports about its performance from the Ombudsman.

The Ombudsman's latest landlord performance reports are for landlords with five or more findings made in cases determined between 1st April 2022 and 31st March 2023. The Council only had two cases determined by the Ombudsman in 2022/23.

f. any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord.

The Council was not subject to any other reports from the Ombudsman specifically regarding its own work or services.

The Ombudsman produces a large number of reports throughout the year, available on their [website](#). These include Spotlight reports that look at thematic issues to special investigations into specific landlords' failings and quarterly Insight and Complaint Handling Failure Order reports. These reports are regularly digested by officers and any learning noted and implemented where possible.

Complaints Analysis

- 5.6 The Service Improvement Team administer Housing Services' complaints and service requests that get directed to the service. The team use a dedicated email account housingformalenquiries@cannockchasedc.gov.uk and maintain a register of all complaints and enquiries received. All formal complaints are directed through this inbox via the CEO office and their dedicated email account ceoformalenquiries@cannockchasedc.gov.uk.

The team logged a total of 259 enquiries and complaint contacts during 2023/24, with 36 Stage One complaints and 7 Stage Two complaints, the remainder being MP enquiries and service requests (or informal resolutions), this doesn't include a large number of other enquiries that go directly through managers, team leaders and other officers.

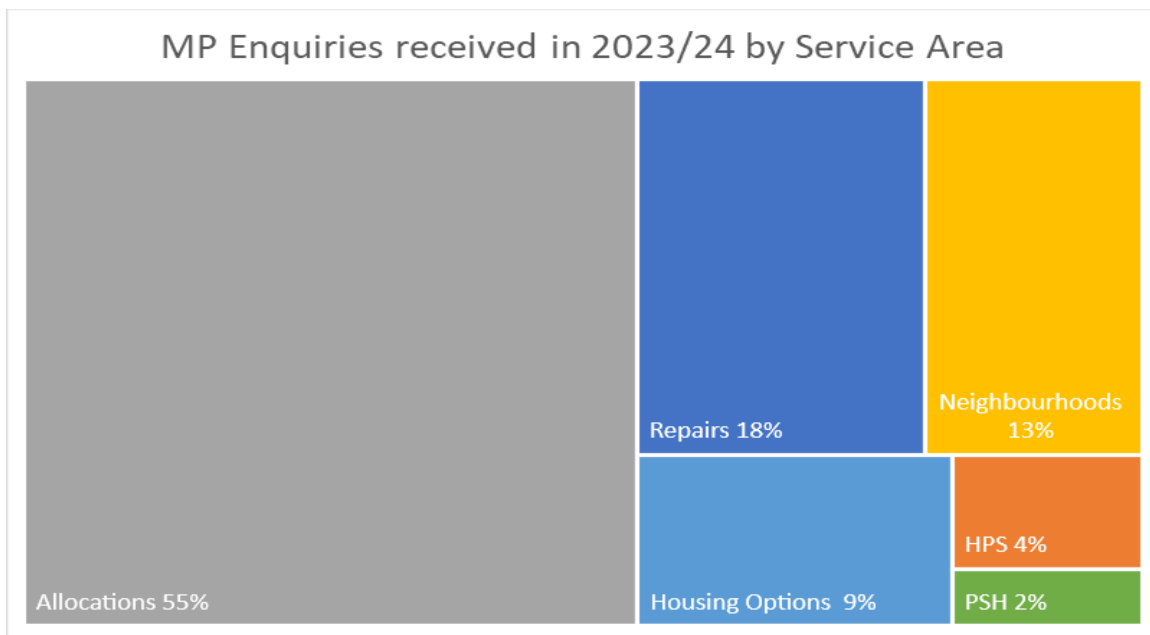
These MP enquiries and service requests were all considered 'informal resolutions' in accordance with the corporate Complaints Procedure and the Complaint Handling Code, they are generally first-time enquiries or where the service hadn't had opportunity to respond where an issue had arisen or it was a query over the service provision or delivery.

- 5.7 There were 113 MP Enquiries received throughout 2023/24, of which the Allocations team were the Service Area to receive the most - they received 62 enquiries which amounts to 55% of total MP Enquiries received. Generally these were queries about applying for housing, or, if they were already an applicant, enquiring about the periods of time they were awaiting for a property, if the banding they were awarded was correct or wanting to get updates on their pending application.

The chart below shows the proportion of MP enquiries received between areas of the Housing Service. The chart also includes Housing Options and Homelessness enquiries as these often involve the Allocations team in subsequent applications for social housing, these enquiries have still continued to be monitored since the move over to the Head of Wellbeing as a result of shared services arrangements. There were also a couple of Private Sector Housing (PSH) enquiries that came through to us that needed some input from Housing Services, so are also included.

Typical MP enquiries included:

- Housing application queries - requests for updates on pending applications, considerations of additional information not disclosed at application, disagreements with banding awards and dissatisfaction with the waiting time for a property.
- Length of time waiting for repairs (most often fencing);
- Repairs reportedly not completed or not attended to;
- Poor communication leading to tenants chasing up work;
- Neighbour issues, reports of ASB, trees in gardens or neighbours gardens, driveway and access queries;
- Homelessness applications - updates for progress, wanting temporary accommodation in closer locations, links with housing applications queries.

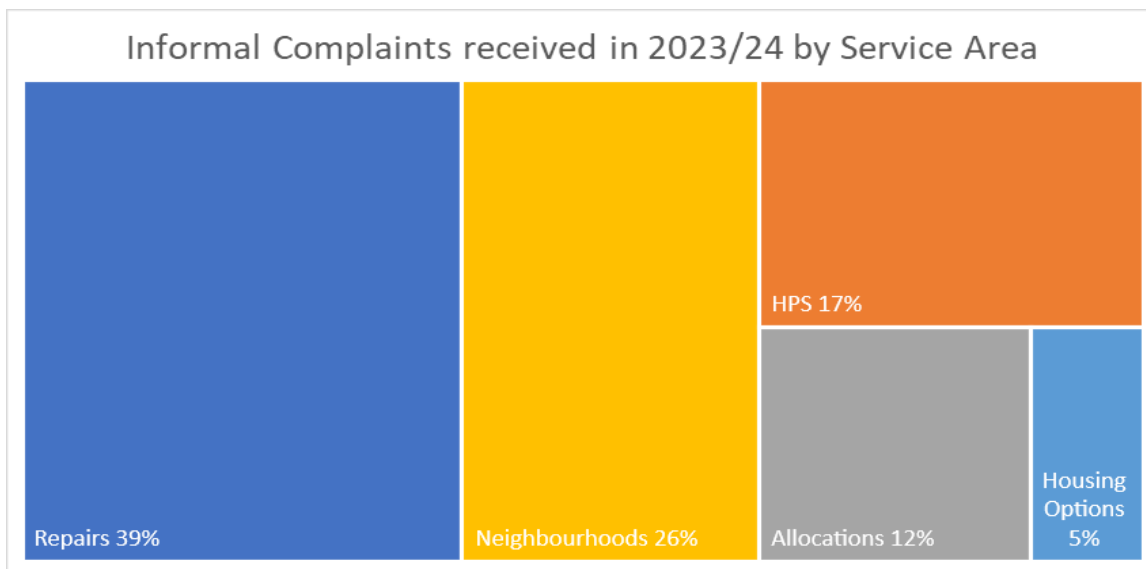


5.8 103 Service Requests (informal resolutions) were received during 2023/24. Repairs received 40 requests, giving them the highest percentage of 39%. The Service Area to receive the second highest number was Neighbourhoods, who received 27 requests (26%).

Similar to MP enquiries, typical service requests included:

- Length of time waiting for repairs (most often fencing);
- Repairs reportedly not completed or not attended to;
- Poor communication leading to tenant chasing up work;

- Gas servicing/repairs, and other issues with contractors undertaking programmed works;
- Neighbour issues, reports of ASB;
- Housing application queries - requests for updates on pending applications, considerations of additional information not disclosed at application, disagreements with banding awards and dissatisfaction with the waiting time for a property.

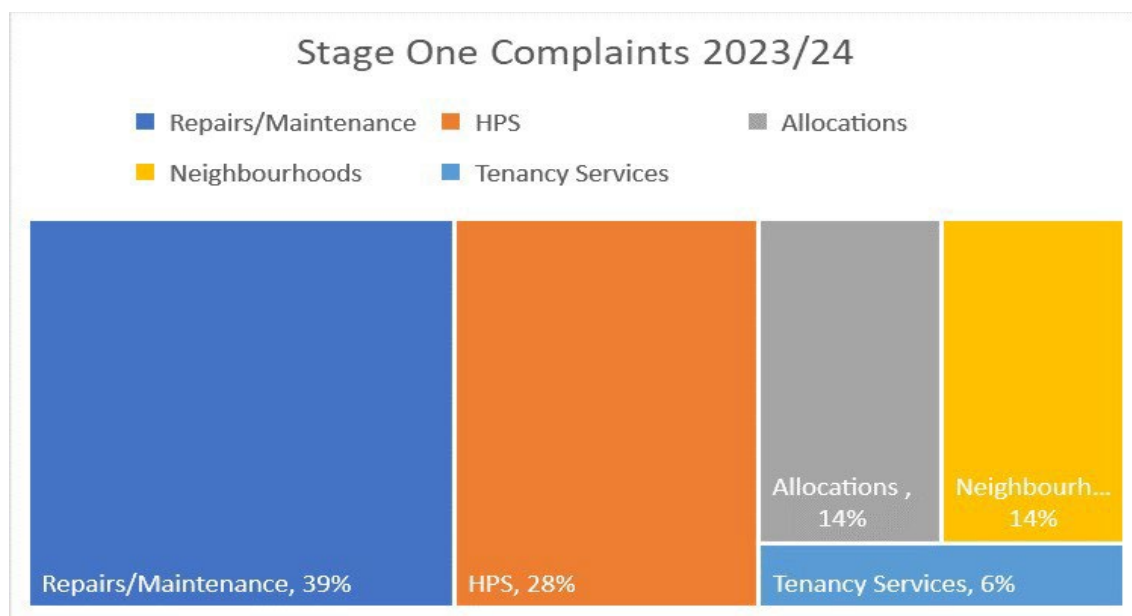


Stage One Complaints

5.9 A total of 36 Stage One complaints were received during 2023/24, this is slightly higher than last year’s figure, where 29 were received.

Service Area	Count	Percentage
Repairs / Maintenance	14	39%
Housing Property Services (HPS)	10	28%
Allocations	5	14%
Neighbourhoods	5	14%
Tenancy Services	2	6%
Total	36	

The majority of Stage One complaints were around property issues with 15 complaints received around Repairs and Maintenance issues and 10 complaints around Housing Property Services. The Tenancy Services section received 11 in total across Allocations and Neighbourhoods teams (five each), and just one for the Rents (Income & Customer Contact) team. The graph below illustrates the proportion received by housing service area.



- 5.10 When looking further into the main areas of concern for Repairs and Maintenance complaints, three complaints were based around outstanding repairs at the time of moving in, and three were regarding repairs that were not resolved first time and therefore escalated into more serious issues. Another common theme was damage to fencing and it not being rectified within good time.

Housing Property Services received the second highest number of Stage One complaints with a total of 10 Stage One Complaints - equating to 28% of the total.

Seven of the Stage One complaints received for HPS were regarding our Contractor - Novus and the duration and poor standard of works carried out by them. Five of the complaints were in relation to kitchen upgrades and two of them were concerning bathroom upgrades.

Three out of the five complaints received for Allocations were based on lack of clarity during the application process and communication issues between the Allocations Team and the Applicants.

It is difficult to identify a common theme when looking into the Neighbourhoods team's complaints as no two complaints were based around a similar issue. Some examples of the complaints received were: the conduct of a Neighbourhoods Officer, Anti-Social Behaviour issues being dealt with by the Police and nuisance issues being dealt with by Environmental Health.

Rents were the department to receive the fewest number of complaints, they received just one complaint regarding the charging of rent during a 53-week rent year.

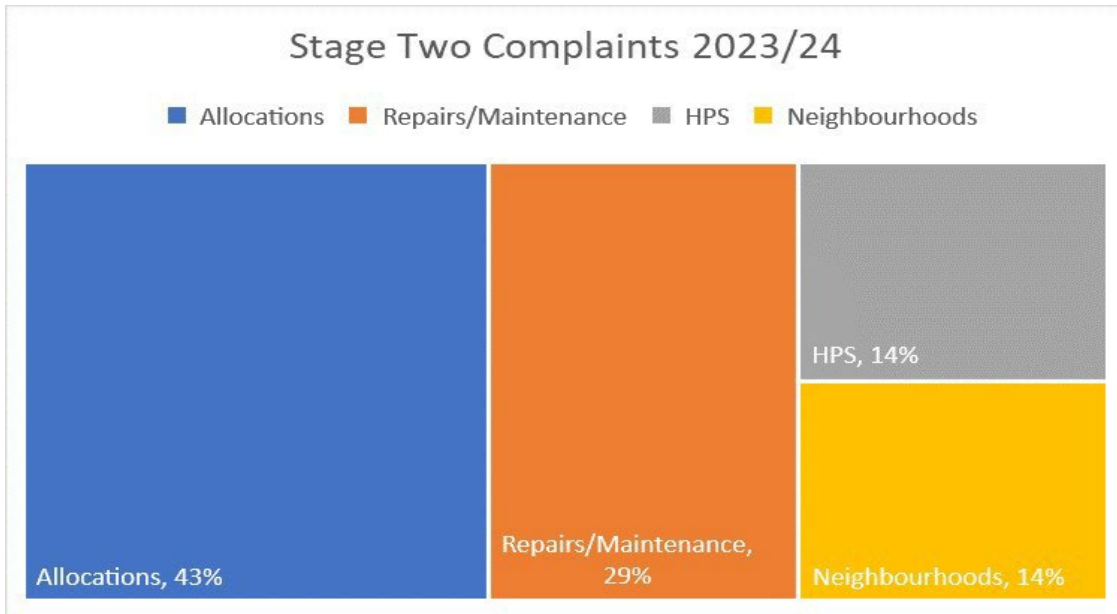
- 5.11 Of these 36 Stage One complaints, 53% of them were upheld fully, 19% were upheld partially, with the remaining 28% not upheld at all.

	Upheld	Partially Upheld	Not upheld
No. of Stage One Complaints	19	7	10
Percentage	53%	19%	28%

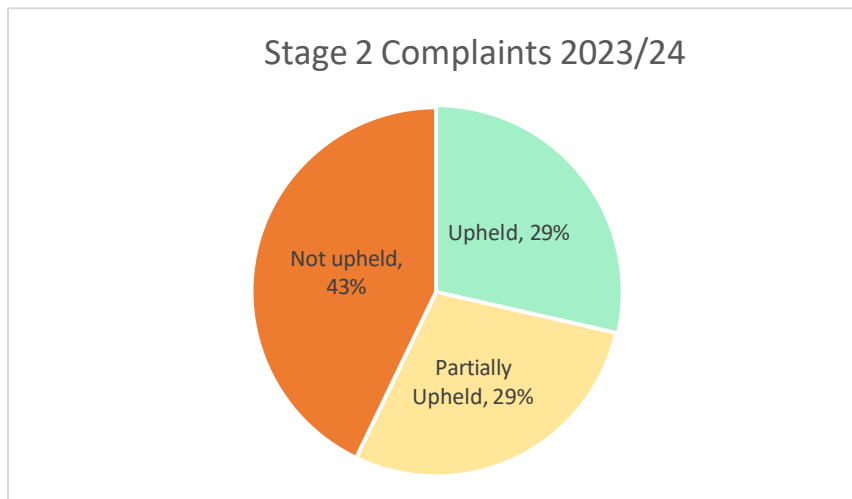
Stage Two Complaints

5.12 19% of Stage One complaints were escalated to Stage Two - putting the total number of Stage Two Complaints at just seven for the year.

The Allocations team received the highest number of these complaints, albeit only three, with Repairs receiving two and Housing Property Services receiving one individual and one involving a number of service areas. The proportion is shown in the graph below.



When looking at the upholding of Stage Two complaints, the majority were not upheld (43%). However, as previously mentioned, because there were only seven Stage Two Complaints received, so there is not much difference in the number of cases that were upheld (2), partially upheld (2) and not upheld (3).



Communication was a central theme in all of the Stage Two complaints. If the teams had communicated better with the tenant in most cases then a complaint could have been prevented from occurring. There was one case where a contractor was at fault and a compensation offer was made and accepted by the tenant, but this also stemmed from a lack of communication with the tenant.

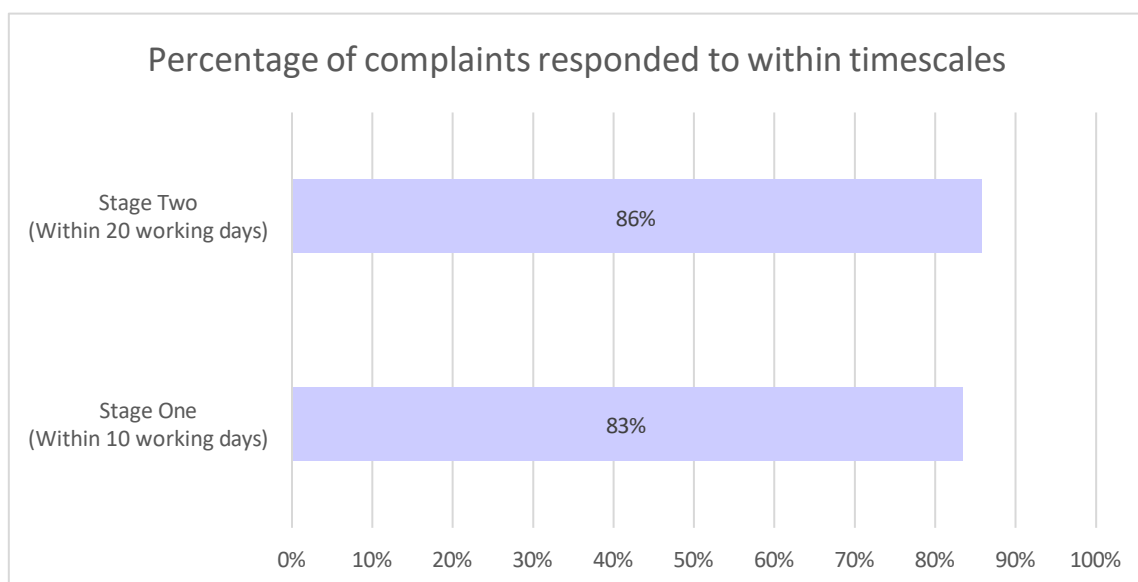
Further information on how we have learnt from the complaints is covered in paragraph 5.15.

Response times

- 5.13 30 Stage One complaints were responded to within timescales (10 working days). This amounts to 83% of them being responded to on time.

However, when we look further into the data, three of the Stage One complaints had their deadline extended as agreed between the Council and the complainant. Therefore, when factoring in these complaints as being responded to on time (as per an agreed extension), the figure rises slightly to 92%.

86% of Stage Two complaints were responded to within 20 working days. This means six were responded to within the timescales, leaving just one that wasn't. Again, an extension of the response due date was agreed for this complaint, meaning we could technically count it as being responded to on time. This would put the overall percentage at 100%.



Tenant Satisfaction Measures

- 5.14 The Regulator of Social Housing (RSH) has created a new system for assessing how well social housing landlords in England are doing at providing good quality homes and services. In addition to introducing revised consumer standards, this will involve a set of tenant satisfaction measures (TSMs) that social housing landlords must report to the RSH annually.

Performance will be reported to the RSH by 30 June 2024 and will subsequently be published by the RSH in the Autumn of 2024.

There are 22 TSMs in total which cover five key themes, one of these themes is Effective Handling of Complaints. There are three tenant satisfaction measures linked to the Effective Handling of Complaints theme which include:

- CH01: Complaints relative to the size of the landlord, based on the number of complaints the Housing service receives for each 1,000 homes of the relevant stock type. This is recorded by the Service Improvement Team.
- CH02: Complaints responded to within Complaint Handling Code timescales, based on the percentage of complaints the Housing service responds to within the timeframes set by the Housing Ombudsman's Complaint Handling Code. This is recorded by the Service Improvement Team.

- TP09: Satisfaction with the landlord’s approach to handling complaints, measured by a tenant perception survey and will be based on the percentage of tenants who say they are satisfied with the approach to handling complaints. This was obtained by the TSM perception survey carried out in Summer 2023, and has already been reported to tenants through our newsletter and on our [website](#).

The performance to be reported to the Regulator will be as follows:

CH01: Complaints relative to the size of the landlord	
Stage one complaints received per 1,000 homes during the reporting year.	7.15
Stage two complaints received per 1,000 homes during the reporting year.	1.39
<p><i>Commentary: This would appear low in comparison to the sector, a mid-year benchmarking exercise undertaken by Housemark of their registered provider members found that the median complaints received was 19.4 at Stage 1 and 2.4 at Stage 2.</i></p> <p><i>We are following the Corporate Complaints Procedure and identifying service requests and informal resolutions correctly in accordance with it. Other housing providers may determine more service requests/informal resolutions as formal complaints.</i></p>	

CH02: Complaints responded to within Complaint Handling Code timescales	
Proportion of Stage one complaints responded to within the Housing Ombudsman’s Complaint Handling Code timescales (10 days)	83%
Proportion of Stage two complaints responded to within the Housing Ombudsman’s Complaint Handling Code timescales (20 days)	86%
<p><i>Commentary: 30 out of 36 Stage 1 complaints were responded to within timescale, those complaints outside of the 10 working days were complex and we agreed extended timescales with the complainant. In comparison, 85% was the median in the Housemark benchmarking exercise, so we are close to the median performance.</i></p> <p><i>6 out of 7 Stage 2 complaints were responded to within 20 working days, the remaining case was complex and required compensation to be agreed from a contractor. The median was 82% for the sector in the mid-year benchmarking exercise, so we are performing just above the median level.</i></p>	

TP09: Satisfaction with the landlord’s approach to handling complaints	41%
<p><i>Commentary: Whilst 41% may appear low, in comparison to other housing providers it is relatively good. In comparison to the Housemark mid-year benchmarking exercise the median score was 34% for satisfaction and was the lowest scoring TSM measure across the board.</i></p> <p><i>Looking at the data from the TSM perception survey a large number of tenants who responded to the question about complaint handling hadn’t submitted a formal complaint. A number of these will have been from MP enquiries or Informal Resolutions where the complainant may believe they have submitted a complaint but actually have not.</i></p> <p><i>It is a contentious area as those responding could have a negative perception of the approach to our handling of the complaint if they did not achieve the outcome they wanted, whilst we always try to achieve outcomes for complainants it is not always possible.</i></p>	

Learning from complaints

- 5.15 In the [Annual Report to Tenants](#) we have historically reported upon our learning from complaints, therefore previous years’ have been published.

A learning from complaints form is completed by the responding manager shortly after each stage 1 complaint, or if escalated after the stage 2 response is completed. It allows the service to quickly put something right - either a policy or procedure change, or act quickly to implement any staff training, to ensure that no other tenant or resident has to go through the same experience and improve our services to them.

Not all complaints produce learning points, however a selection of cases and improvements made from complaints received in 2023/24 are included in the following table.

Complaint outline (reasons etc.)	Our response	Learning implemented
<p>Poor performance of the contractors appointed to carry out the Bathroom installation to the property.</p> <p>(*Several similar complaints and re-enforced learning have occurred around this issue for both kitchen and bathroom upgrades. In a couple of cases, debris was left and damage caused to property)</p>	<p>The complaint was fully upheld and an apology was issued to the tenant.</p> <p>The contractor’s performance was discussed at senior management level and a review of complaints received to date was made. Changes to their management team were made and the customer journey was focused upon and improved.</p>	<p>Changes to the design survey stage were agreed with the contractor to capture more relevant customer information to support the installation of works.</p> <p>Closer monitoring of this contractor’s performance was required.</p>

Complaint outline (reasons etc.)	Our response	Learning implemented
<p>Complaint about a Neighbourhood Officer's visit to a property with a recently deceased tenant. Issue taken with the Officer's attitude in the way the visit was dealt with without investigation into the case and advising the customer with regards to a housing move.</p>	<p>The complaint was fully upheld, Officer should have dealt with the visit with more empathy. The Officer wrote a personal letter of apology and was to be enrolled on a housing law and customer care training course at the earliest opportunity.</p>	<p>Officer to check the file history and records. Officer to discuss the case with Line Manager and gather all of the facts. Procedure change - Succession checklist to be approved by Line Manager.</p>
<p>A complainant believed their Housing Application was not processed fairly; communication about the reasons for the decision on medical and social needs assessments was not clear and did not enable the application to be fairly considered. This resulted in the applicant not getting clear information about her application or how their housing need had been assessed initially and when they asked for clarification.</p> <p>(*Similar complaints along the same theme have occurred, whereby communication to the housing applicant has not been clear and resulted in misunderstandings with the Allocations Policy and the applicants resulting dissatisfaction with how their application has been handled.)</p>	<p>The Stage Two investigation partially upheld the complaint as the stage one response did not consider how the complainant did not receive a full and clear explanation for the considerations of social and medical needs. The Stage Two complaint letter included a clearer explanation of decision and reasoning.</p>	<p>Communication needs to be improved to explain the outcome of medical and social needs assessments in a manner that is clearer to applicants. When customers ask for clarity, we need to ensure we do not simply repeat what we have said before, but attempt to understand the reason for an applicant's query and respond appropriate to address their query or misunderstanding about what we first said. A review of the medical and social needs process (and overall allocations processes), to incorporate customer information has been done as part of the new Allocations Policy.</p>

Complaint outline (reasons etc.)	Our response	Learning implemented
<p>A number of repairs complaints centred around a lack of communication with tenants.</p>	<p>In the majority of complaints it was found communication needed to be improved between office staff, operatives and tenants.</p> <p>If communication was better it could have meant jobs were completed sooner, tenants not becoming unsatisfied with wait times if kept updated and jobs being missed/left uncompleted.</p>	<p>Communication with tenants and between staff has been re-enforced.</p> <p>Operatives instructed to report uncompleted works and when unable to attend (i.e. if jobs run over) to office to communicate to tenants.</p>
<p>A void property required extensive replastering works and the tenant was advised to remove the wallpaper prior to the plastering works being undertaken by the Housing Maintenance Team, the tenant incurred substantial costs. The tenant felt they could not move into the property whilst the works were being completed and made themselves homeless as they had already terminated their existing Housing Association tenancy.</p> <p>There was also an error in the banding awarded to the applicant, which later arose.</p>	<p>The complaint was upheld at Stage 2, and a settlement offered and accepted to cover the wallpaper removal and a gesture of goodwill for the situation experienced.</p> <p>There were also issues highlighted with communication to the tenant in the incorrect assessment of housing need and the subsequent banding and offer.</p> <p>Communication between Allocations team and Voids team also fell short of requirements.</p>	<p>A review of the voids process was carried out and has included proposed improvements to the 'standard' and what is feasible to be included in void works without being a significant detriment to the turnaround times or the standard.</p> <p>A review of all HA tenants who are joining the housing register will be completed.</p> <p>The letters the Allocations team produce need to detail the actual assessment of housing needs in full, this case didn't capture a full assessment of the need and circumstances.</p> <p>The Allocations team are to notify the Voids team on properties with applicants with an offer who have got a medical priority, so they can undertake works as required. Covered in weekly void meetings now.</p>

- 5.16 There is record of only one determination being received from the Ombudsman during 2023/24, this complaint was found to be outside of their jurisdiction, so no learning received from them can be detailed in this report.

There is currently a significant waiting time for the Housing Ombudsman to provide determination decisions, around 6 months from the complainant’s submission to them, so there is a time lag in complete complaint determinations going through to the Ombudsman.

The Self-Assessment 2024/25

- 5.17 As detailed above, the Complaint Handling Code requires landlords to undertake a self-assessment against the requirements set out. The self-assessment form is attached as Appendix 1.

For the most part the Council’s corporate Customer Feedback and Complaints Procedure already makes provision for the majority of requirements set out by the Code.

- 5.18 As the Code contains a number of requirements and the vast majority of these are already being met as part of the existing corporate procedure and Housing Services procedures, the following table will just detail the requirements that are not being met and how Housing Services plan to address them.

Code Reference	Requirement	Reasons not met	Proposal to address
9.3	Accountability and transparency are also integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints to stakeholders, such as residents’ panels, staff and relevant committees.	Learning from complaints is not reported on corporately across the Council. Housing Services have reported their learning from complaints to tenants via the Annual Report, but not to any members via committee(s).	As per recent Grant Thornton Auditor’s report recommendations, we intend to form a new Housing Board to oversee Housing Services, and learning from complaints can be reported to this board/panel in future once established.
9.6	The Member Responsible for Complaints (MRC) will be responsible for ensuring the governing body receives regular information on complaints that provides insight on the landlord’s complaint handling performance. This person must have access to suitable information and staff to perform this role and report on their findings.	New requirement	As per para 5.3 above, the Housing Portfolio Holder will act as the member responsible for complaints.

Code Reference	Requirement	Reasons not met	Proposal to address
9.7	<p>As a minimum, the MRC and the governing body (or equivalent) must receive:</p> <ul style="list-style-type: none"> a. regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance; b. regular reviews of issues and trends arising from complaint handling; c. regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings; and d. annual complaints performance and service improvement report. 	New requirement	As per para 5.3 above, the Housing Portfolio Holder will be provided the necessary information on a regular basis to report to Cabinet Briefing.

6 Implications

6.1 Financial

The increase in complaints may result in an increase in compensation payments being made in order to resolve complaints appropriately. Any costs arising from increased compensation payments can be met from within existing budgets.

6.2 Legal

As detailed above, the Council is obliged to adhere to the requirements of the Housing Ombudsman as a registered member.

6.3 Human Resources

None

6.4 Risk Management

None

6.5 Equalities and Diversity

None

6.6 Health

None

6.7 Climate Change

None

7 Appendices

Appendix 1: Self-Assessment Form 2024/25

8 Previous Consideration

Cabinet - 28 January 2021

Cabinet - 12 October 2023

9 Background Papers

None

Contact Officer: James Morgan

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Report Track: Cabinet: 12/06/24

Key Decision: No