

# 2023-24 Annual Complaints Performance and service improvement Report

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## 1. Overview and context:

- 1.1 Since 2020, The Housing Ombudsman Service, among other landlord regulation, has prescribed new requirements for the Councils Housing Service to ensure we respond effectively and fairly to complaints. These are defined in their Complaint Handling Code. The purpose of the Code is to enable landlords to resolve complaints raised by residents quickly and use the data and learning from complaints to drive service improvements.
- 1.2 The Complaint Handling Code aims to achieve best practice in complaint handling and ultimately to provide a better service to residents and drive a positive complaint handling culture.
- 1.3 From 1 April 2024, the Code became statutory meaning that member landlords will be obliged by law to follow its requirements.
- 1.4 The Housing Service must also report on performance, using accurate data, to drive learning and continuous service improvements, that improve landlord and tenant relations.
- 1.5 If the Ombudsman decides that the housing service has not handled a complaint in accordance with the code, and our procedure, then the service risks the issue of a Complaint Handling Failure Order (CHFO), for maladministration, and the Ombudsman will order the Service to put things right and ensure compliance with the code. The Ombudsman publishes a report on CHFOs quarterly, and the Housing Service will be inspected by the Regulator every four years.

## 2. 2023/24 Annual Self-assessment

2.1 We are required to publish a mandatory baseline self-assessment of our Housing Complaints Policy against the Housing Ombudsman's Complaint Handling Code to ensure that it remains in line with their requirements. This is a positive experience and ensures the Council is meeting its statutory requirements and provides quality services to our tenants. This year the Housing Ombudsman's updated the Code with some additional content and clarity that needed to be added to our Housing Complaints Policy, and following the assessment, we will make the changes so that we are fully compliant.

The *Self-assessment - Complaint Handling Code 2024 - Housing Ombudsman and Housing Services Complaints & Enquires Standard 2022* can be found at: <https://www.redditchbc.gov.uk/residents/my-home/housing-complaint-or-enquiry/i-am-a-council-tenant/>

2.2 I have summarised below the observations and changes identified that need to be made.

- **Section 1: Definition of a complaint**

We are fully compliant with this section which refers to recognising and defining a complaint.

- **Section 2: Exclusions**

We are fully compliant with this section which is in regard to the decision to not accept a complaint.

- **Section 3: Accessibility and Awareness**

We are fully compliant with this section, which reminds us that high volumes of complaints must not be seen as a negative, as they can be indicative of a well-publicised and accessible complaints process. Low complaint volumes are potentially a sign that residents are unable to complain.

- **Section 4: Complaint Handling Staff**

We are fully compliant with this section.

The Housing Services review 2020 introduced a new post to manage the complaints process for the Service, with the post being filled in 2021. Unfortunately, despite some good progress against the assessment, the service lost the Complaints Officer to maternity leave early in 2022, who then resigned and left the Council in early 2023. The Service was unable to find any reliable or consistent temporary arrangements to cover the post until August 2023, where there is now a new dedicated, suitably experienced, and qualified Complaints Officer that oversees the complaint handling process and all agents operating within it. However, the postholder is a contractor currently, and

recruitment to the post permanently is now required to ensure resilience in the new system of work.

This service element has subsequently been moved to the Housing Database & Performance Team to provide greater independence in managing and reporting of the complaints process.

- **Section 5: The Complaint Handling Process**

We are now fully compliant with this section, which identified an error in the standard that references informal and formal processes, where the Complaint Handling Code stipulates that the complaint process is a clear two-stage formal process, there is no informal stage. This is now rectified.

- **Section 6: Complaints Stages**

We are fully compliant in our illustration of the two-stage complaint process.

- **Stage 2**

A point needed addressing in the Complaints and Enquiries Standard, where the Ombudsman has stipulated that residents must not be required to explain their reasons for requesting a stage 2 consideration. Landlords are expected to make reasonable efforts to understand why a resident remains unhappy as part of its stage 2 response. Our standard indicated that an explanation of why and how the initial response failed to fully address their concerns must be provided to the Housing Reviews and Complaints Team, and this has now been rectified, so we are fully complaint.

- **Section 8: Putting things right**

We are fully compliant with this section which was regarding redress and the production of the annual complaints performance and service improvement report for scrutiny and challenge.

We deemed that the following points are not applicable this year as we had not had any instances:

- a. Landlords may be asked to review and update the self-assessment following an Ombudsman investigation.
- b. If a landlord is unable to comply with the Code due to exceptional circumstances, such as a cyber incident, they must inform the Ombudsman, provide information to residents who may be affected, and publish this on their website Landlords must provide a timescale for returning to compliance with the Code.

### 3. Tenancy Satisfaction Measures (TSMs)

- 3.1 The Tenant Satisfaction Measures Standard requires all registered providers to generate and report tenant satisfaction measures (TSMs) as specified by the regulator. The central aims of the TSMs are to provide tenants with greater transparency about their landlord's performance and inform the regulator about how a landlord is complying with consumer standards.
- 3.2 We were required to provide TSMs generated from management information for housing complaints data for the full period 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024. For this purpose, I used the quantitative Power BI report that extracts the data required from the Corporate Complaints System.

This produced the following:

**TSM measure CH01 Complaints relative to the size of the landlord (based on housing stock of 5762) as follows:**

- 1) 22 Stage 1 complaints per 1000 homes
- 2) 1.21 Stage 2 complaints per 1000 homes

**TSM measure CH02 Complaints responded to within Complaint Handling Code timescales as follows:**

- 1) 58.2% Stage 1 responses responded within the Housing Ombudsman's Complaint Handling Code timescale.
- 2) 57.14% Stage 2 responses responded to within the Housing Ombudsman's Complaint Handling Code timescale.

### 4. Analysis of our complaint handling performance 2023-2024

- 4.1 The Housing Ombudsman ordered that landlords must have a person or team assigned to take responsibility for complaint handling, including liaison with the Ombudsman and ensuring complaints are reported to the governing body (or equivalent). Their Complaint Handling Code refers to that person or team as the 'complaints officer.'
- 4.2 Since September 2023 we have an established complaint handler who administers all housing complaints, responsible for ensuring timely contact with the customer to acknowledge and respond to the complaint, requesting and tracking the investigation, and monitoring and reporting on complaint types, outcomes and learnings, themes and trends, and these are delivered at monthly Housing Services Meetings.
- 4.3 For the purposes of this Annual Report we have provided detailed data and analysis from the 1<sup>st</sup> September 2023 to 31<sup>st</sup> March 2024 when new recording and monitoring systems were introduced.

## 5. Stage 1 complaints

5.1 The following table provides qualitative statistics around quantity and types of Stage 1 complaints received, the percentage responded within 10 working days service level, and the numbers fully and partially upheld:

	Voids & Allocations	Housing Revenue	N'hood & Tenancy	Repairs & Maintenance	Housing Capital	Total
Total received	4	2	11	54	5	76
% responded within 10 days	50%	100%	82%	41%	60%	50%
% responded within 10-20 days	0%	0%	18%	44%	40%	37%
% responded over 20 days	50%	0%	0%	15%	0%	13%
Total upheld/partly upheld	1 upheld	1 upheld 1 partially	3 upheld 1 partially	15 upheld 11 partially	2 upheld 1 partially	22 upheld 14 partially
Our staff have been rude, inappropriate or unprofessional	1			2		3
Processes or policies have not been followed	1			2		3
Significant delay in providing a service			1	2	1	4
We have failed to deliver a service		1	3	35	2	41
We have made a mistake in the way we provided a service	2	1	4	12	2	21
We have not listened properly			3	1		4

5.6 9 further complaints were received but not accepted for the following reasons:

- 7 were instead handled as service requests at the request of the complainants.
- 1 was withdrawn by the complainant as work had progressed and so they did not wish to proceed with the complaint anymore.
- 1 was suspended due to an injunction order through the courts and therefore not appropriate to proceed.

5.7 50% of complaints were responded to outside of the 10 working days timescale that is stipulated by the Ombudsman and the Regulator and needed to be extended to the 20 working days acceptable timescale. The majority of delays were due to resource, particularly affecting Repairs & Maintenance. A recruitment campaign would resolve the resource issue in the long term but affected the capacity to respond to complaints timely in the short term. Other delay reasons were caused by the complexity of the complaint, needing to consult with external agencies such as Solicitors for legal advice and OTs. 10 complaints breached the 20-day timescale, equating to 13% of all complaints received.

- 5.8 Four upheld Stage 1 complaints resulted in compensation for this period, totalling £420.

## 6. Stage 2 Complaints

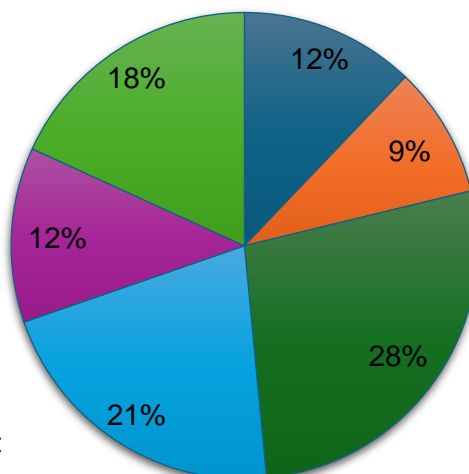
- 6.1 10 complaints were escalated to Stage 2. 9 of them were accepted as formal Stage 2 complaints, 1 for Neighbourhood & Tenancy, 1 for Housing Capital, and 7 for Repairs & Maintenance. Of these, 4 of the Stage 2 complaints resulted in a further/different outcome:
- 6.2 Neighbourhood & Tenancy agreed to take responsibility for 5 weeks of rent payments while it was legally recovering a property from a customer, as a gesture of goodwill, and in the other case they agreed to work with to the Engineering & Design Team to explore further options to resolve a parking situation.
- 6.3 Repairs & Maintenance had failed to meet outstanding actions promised in two Stage 1 complaints, one regarding non-attendance of a senior tradesperson without notifying the tenant and another for remedial works that had been substandard and would be rectified.

## 7. Learning from Complaints

- 7.1 The Housing Ombudsman's Complaint Handling Code stipulates that we must look beyond the circumstances of an individual complaint and consider whether service improvements can be made as a result of any learning from the complaint. A positive complaint handling culture is integral to the effectiveness with which landlords resolve disputes. Landlords must use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery.
- 7.2 This last quarter has been focused on not only capturing the learning and understanding trends but also seeking assurance that steps have been taken to address the learning. This should not only seek to eliminate further complaints about a same occurrence but can be utilised during training and development of new staff and demonstrates continuous service improvement.
- 7.3 Between 1<sup>st</sup> September 2023 and 31<sup>st</sup> March 2024, I can advise that 33 learning outcomes were recorded as a result of complaints that were fully and partially upheld, the learning types and number presented as follows:

### Learning Type

- 4 x Feedback for contractors
- 3 x Improve Communication
- 9 x Individual Training & Development
- 7 x Process Improvement
- 4 x System Improvement
- 6 x Team Training & Development



- 7.4 As a result of complaints resulting in feedback for contractors, **Repairs & Maintenance** conducted a service review and confirmed they would now be taking on permanent staff both on the trades teams and at a supervisory level. By doing this they will be able to work to providing a consistent quality level of service with having a directly employed team that they can impress high standards of service delivery on.
- 7.5 As a consequence of an original decision to not sanction works to convert a garage into a safe space for a tenant's son as had been recommended by OT and SEND, it provided an opportunity for **Housing Capital** to review cases that are more complex with the OT team to put better, more robust measures in place going forward, in order to consider works more effectively.
- 7.6 Learnings regarding system improvement were in the main, already addressed, with the introduction of the Civica CX system in December 2022, the new system used by Housing Property Services, Revenue and Neighbourhood & Tenancy for managing their casework. Further phases of CX are planned for leasehold queries and disabled parking. A new system, Total Mobile, providing a workforce management facility for Repairs & Maintenance teams will provide seamless case handling in these areas too, which should eliminate any further risk of complaints about cases getting lost or forgotten, and improve communication around the status of cases in progress.

## 8. Ombudsman: Landlord Performance Reports and Interventions

8.1 Individual landlord performance reports are published for landlords with 5 or more cases determined within a full financial year. They have not yet published reports for 2023-24, however there were none for Redditch Borough Council for 2022-23.

8.2 We received two determinations where the Housing Ombudsman fully or partially upheld a complaint following intervention:

- **11<sup>th</sup> March 2024:**

The Housing Ombudsman upheld a complaint finding service failure in relation to reports of a tenant being without heating or hot water. Repairs & Maintenance were ordered to pay the resident £100 for the delay in reconnecting the gas supply and for confusing communication. There was no fault found in regard to complaint handling.

- **21<sup>st</sup> March 2024:**

The Housing Ombudsman determined that there had been **complaint maladministration** with a complaint from 2022, which indicated non-compliance with the Code by the Ombudsman. We were ordered to carry out a management review of the complaint handling failures identified. Following this, a management review meeting was held in April 2023 with the Neighbourhood & Tenancy Manager and the Housing, Tenancy & Advisory Manager. The Housing Service were ordered to pay £300 compensation for our failures with regards to its handling of her complaint.

Our Complaints Policy is now assessed and aligned with the Housing Ombudsman's Complaint Handling Code annually, so that once established as a formal complaint, complaints are acknowledged, steps set out, and responses issued timely in line with their agreed timescales with the requires information. If there should be any delays, extensions are clearly communicated to the customer with the reason for the delay.

## 9. Recommendations

9.1 Housing Services Complaints & Enquiries Standard updated, to be approved.