



Cabinet

Tuesday, 13 August 2024

## Open

### Housing Performance and Service Improvement Report

Report of the Corporate Director of Housing, Development and Growth - Carol Gibbs

Cabinet Member for Housing and Planning

#### Purpose of Report

To consider a qualitative and quantitative analysis of the complaint handling performance of the City Council as a housing landlord for the period 2023-2024 and to report on the self-assessment against the new Statutory Housing Ombudsman Code.

#### 1.0 Recommendations

- 1.1 That Cabinet notes the implications of the new Housing Ombudsman Complaint Handling Code.
- 1.2 That Cabinet notes the Annual Complaints Performance and Service Improvement Report and the outcomes from the self-assessment, notes and agrees the arrangements for its subsequent publication on the Council's website.
- 1.3 That Cabinet notes that the Member Responsible for Complaints is the Portfolio Holder for Housing and Planning.

#### 2.0 Background and Introduction

- 2.1 The Housing Ombudsman Service sets a prescribed statutory framework for the handling of complaints where there is a landlord-tenant relationship between a registered landlord and a tenant/leasehold. It also adjudicates on such complaints where the landlord and complainant have failed to reach a local resolution.
- 2.2 In April 2024, a new statutory Housing Ombudsman Code was introduced and, as part of the new code, the City Council along with all other registered landlords is required to carry out a self-assessment against a number of new complaint handling measures, evidencing 100% compliance ([Click here to view](#)).
- 2.3 The Ombudsman expects landlords to report their annual Housing Performance and Service Improvement report to their governing body which in the case of the Council is Cabinet. There is also a requirement to publish the report on the City Council's website on the section relating to Customer Feedback and to publish the governing board's response to the report alongside it.
- 2.4 The Corporate Complaints, Comments and Compliments Policy was reviewed and published in March 2024. The main aims of the updated policy are to:
  - Deal with all feedback quickly and efficiently.
  - Put things right where we are at fault and as early as possible.
  - Treat all feedback confidentially and fairly.
  - Use feedback to improve services wherever possible
- 2.5 The Corporate Complaints, Comments and Compliments Policy has two stages. Complaints must be acknowledged, defined and logged at stage 1 of the complaints procedure within five working days of the complaint being received.

- 2.6 Stage 1 complaint investigations are usually carried out by the lead for the service that the complaint involves. The investigating officer is encouraged to complete a thorough investigation and provide the complainant with a detailed response of their findings. Most complaints should be resolved at stage 1 with any resolution actions and identified learning being implemented by the investigating officer. The mandatory timescale to respond to stage 1 complaints is 10 working days, however, this can be extended if required for more complex investigations but they must not be extended beyond a further 10 working days without good reason. The tenant is informed of such extensions and the reasons for the extension explained.
- 2.7 To improve the quality of complaint handling 25% of all Stage 1 complaints are quality checked by the Governance and Business Improvement Manager. Stage 1 letter templates have been updated in line with the Housing Ombudsman Complaint Handling Code
- 2.8 Where a complainant remains dissatisfied with the response at stage 1 of the corporate complaints procedure they can request that a stage 2 investigation is carried out. Requests for a stage 2 must be acknowledged, defined and logged at stage 2 of the complaints procedure within five working days of the escalation request being received
- 2.9 Stage 2 investigations are carried out by a Customer Feedback Officer from the Customer Feedback Team. A written response is provided to the complainant which is the responsibility of the Assistant Director subject to the complaint. The Assistant Director is also responsible for ensuring that any recommendations and learning is implemented and fed back into the service. Stage 2 investigations should be completed within 20 working days but can be extended if required. Any extension must be no more than 20 working days without good reason and again with the tenant being informed that extensions are required and the reasons why.

### 3.0 Report Details

#### Complaint Handling Performance

- 3.1 Of the 1383 stage 1 complaints that were received for the Housing Directorate and Unitas, over 2023/2024 the 3 highest service areas are as follows:

City Council Repairs Service	77%
Housing Revenue Service	10%
Anti-Social Behaviour	4%

- 3.2 The outcomes of the 1383 cases:

34%	Not Upheld	On the basis of the evidence available the complaint could not be supported.
42%	Upheld	Confirmed that a service had not been delivered in accordance with policy, standards or good practice.
18%	Partially Upheld	The findings and conclusions of the investigation only partly upheld the complaint. Some complaints had more than one issue to be considered and a mix of outcomes for each issue would result in a 'partially upheld'. Since April 2024, this outcome is no longer used.
6%	Another outcome	For example, out of jurisdiction because it is covered by a different procedure outside of the complaints policy, such as a HR matter

- 3.3 Of the 1383, cases 99% were logged within 5 days of receipt.
- 3.4 Of the 1383, cases 58% were responded to within 10 days. Due to the volume and complexity of complaints during the year some did need to be extended to complete the investigation. Of the extended cases, 41% were responded to within a further 10 working days. Extensions were communicated to the customer. Since April details of the Housing Ombudsman have also been provided with all extensions.
- 3.5 The customer feedback team carries out a robust follow up process for overdue complaints, escalating them for the attention of senior management and reporting regularly on performance timescales. Where complaints will take longer than 10 working days to investigate the investigating service and the Customer Feedback Team keep the customer informed of any delay. Details of how to contact the Housing Ombudsman for advice is also communicated to the customer.
- 3.6 Of the 1383 stage 1 complaints, 124 (9%) were not satisfied with their response and requested an escalation to stage 2. 72% of these were logged within 5 days of receipt.
- 3.7 Of the 124 cases, 6% were refused. This was because there was nothing further that we could add to the stage 1 response and a further investigation would not have produced a different outcome. Since April 2024 we no longer refuse stage 2 investigations.
- 3.8 Of the 124 cases, 54% were responded to within 20 days.
- 3.9 Corporate stage 2 complaint outcomes:

68%	Upheld
15%	Partially Upheld
11%	Not Upheld
6%	Refused

- 3.10 Due to the volume and complexity of complaints during the year some cases did need to be extended to complete the investigation. Of the extended cases 38% were responded to within a further 20 working days. Customers were informed of any delays and details of the Housing Ombudsman were provided.
- 3.11 The investigating officer is encouraged to consider offering a remedy as early as possible once an injustice or fault has been identified. An example of some of the remedies that were offered are apologies, compensation payments, procedural reviews leading to process changes. The Customer Feedback Team encourages investigators to consult the Housing Ombudsman Guidance for advice.
- 3.12 Residents' feedback helps us to understand what we are doing well and where we need to make improvements. Some key service improvements that have been implemented during the year include:
- Development of a new corporate policy in line with the Housing Ombudsman Code of Practice
  - Tenant review of complaint handling across Housing and Uitas resulting in targeted training (to be delivered Summer 2024).
  - A dedicated Damp & Mould Team has been established.
- 3.13 The Housing Ombudsman publishes individual landlord performance reports for landlords with 5 or more findings determined against them. The latest Housing Ombudsman reports are for the period 1 April 2022 – March 2023, the City Council did not have 5 or more findings during this period.
- 3.14 The Housing Ombudsman found 4 cases of maladministration against the City Council for the period 2023-2024 and 1 case of severe maladministration. These resulted in a review of the Corporate Complaints, Comments and Compliments Procedure plus a review of the Repairs Policy and record keeping. The City Council apologised to each customer and a total of £5773.48 was paid out in financial compensation. Recommendations for service improvements from the Housing Ombudsman

determinations have been included within the Service Improvement and Transformation Plans for Housing Services.

#### **4.0 Cabinet Member Comments**

4.1 I have discussed the detail of this report and identified with officers where improvements should be made. I am satisfied with the report and will be prioritising these improvement activities with appropriate officers.

#### **5.0 Key Risks and Mitigation of Implications**

The Council is obligated to adhere to the requirements of the Housing Ombudsman. This report serves to mitigate against any risk associated with non-compliance with the Code.

#### **6.0 Conclusion and Reasons for Recommendations**

6.1 As part of the new statutory Housing Ombudsman Code the Council is required to carry out a self-assessment against a number of new complaint handling measures and produce an annual complaints performance and service improvement report for scrutiny and challenge by Cabinet.

#### **7.0 Other options considered and reason for rejection**

The requirement in this instance is statutory and therefore the option not to comply with the requirements is rejected. There is a statutory requirement to consider the self-assessment and annual complaints performance and service improvement report and provide scrutiny and challenge as appropriate.

#### **8.0 Implications**

##### **8.1 Financial Implications**

Compliance with the new Housing Ombudsman Complaint Handling Code is a statutory requirement and will be funded from existing service revenue budgets.

As part of the new complaint handling code the Council has to carry out a self-assessment against a number of new complaint handling measures ([Click here to view](#)) and produce an annual complaints performance and service improvement report for scrutiny and challenge by Cabinet, again this will be funded through existing service revenue budgets. Therefore there is no additional financial requirement to support compliance with the new code.

##### **8.2 Legal Implications**

The Social Housing (Regulation) Act 2023 (the Act) empowered the Housing Ombudsman to issue a code of practice about the procedures for considering complaints. The statutory "Complaints Handling Code" produced by the Housing Ombudsman requires the Council to produce an annual complaints performance and service Improvement report. The report must be reported to Cabinet as the Council's Governing Body and must also arrange for the subsequent publication of the report on the Council's website.

#### **9.0 Other Implications**

##### **9.1 Human Resources**

- There are no additional human resource implications directly associated with this report.

## **9.2 Equalities Impact (Equality Act 2010)**

- An Equality Impact Assessment is not required for this report.

## **9.3 Social Inequalities Impact**

- The proposals set out in this report do not directly impact on social inequalities, however monitoring complaints and assessing the performance of the City Council as a landlord is one of the many ways that we are listening to the views of communities and seeking to ensure that our own housing stock is not a contributor to poor physical and mental health and wellbeing outcomes.

## **9.4 Environmental Impact**

- The proposals set out in this report will not directly impact on the environment.

### **Report Information**

**Wards affected:** (All Wards);

### **Links to Council Priorities - Our City, Our Wellbeing**

#### **Creating a healthier standard of living for all our citizens**

Adhering to the Complaint Handling Code will assist the service in dealing with complaints and help to ensure that it is accountable for its actions, thus supporting work towards the objective to achieve decent homes for all.

**Type of Decision:** Executive Non Key Decision

**Notice of Decision Reference:** N/A

**Background Papers:** None

**Appendices:** Appendix A: Self-assessment form (March 2024) published on the City Council's website [Click here to view](#)

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