

Briefing Paper to the meeting of the Decent & Affordable Homes Policy Development Group on 22 May 2013 on the way in which the Housing Service investigates and responds to complaints.

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The Council, as a provider of social housing, is required to comply with the regulatory framework operated by the Homes and Communities Agency (HCA). There are a number of national standards and the consumer standards apply to local authorities with their own housing stock. One of these is the Tenant Involvement and Empowerment standard. This standard requires registered providers to “have an approach to complaints that is clear, simple and accessible that ensures that complaints are resolved promptly, politely and fairly.

There is a specific expectation that providers shall offer a range of ways for tenants to express a complaint and set out clear service standards for responding to complaints, including complaints about performance against the standards, and details of what to do if they are unhappy with the outcome of a complaint. Providers shall inform tenants how they use complaints to improve their services. Registered providers shall publish information about complaints each year, including their number and nature, and the outcome of the complaints. Providers shall accept complaints made by advocates authorised to act on a tenant’s/ tenants’ behalf”.

The Housing Service manages complaints in accordance with the corporate policy. This specifies that there is a two stage procedure where the Service Manager will undertake an initial investigation with a view to resolving the issue at this stage. If the complainant remains dissatisfied, then the matter is referred to the Head of Housing & Property Services.

Council tenants previously had the right to refer complaints about housing to the Local Government Ombudsman (LGO). The Housing Ombudsman (HOS) previously investigated complaints against housing associations but since April 2013, the HOS now also responds to complaints about the Council’s relationship as a landlord to its tenants or leaseholders.

The LGO will continue to consider complaints about local authorities’ wider activities including housing allocations, homelessness, Housing Benefit and the sale or disposal of land on housing estates which includes the Right to Buy scheme.

From 1 April 2013, the HOS can only consider complaints that have been referred by a “designated person” (MP, councillor or recognised tenant panel), or by the tenant themselves if eight weeks have passed from the completion of the landlord’s internal complaints procedure. This provision does not apply to complaints made to the LGO. These complaints can still be referred directly.

The corporate complaints leaflet has been amended to reflect the new arrangements relating to social housing. However, the procedure enables tenants to report complaints using a variety of different methods including by telephone, in writing by letter or email, through the Council’s website and in person. In accordance with the service standards, the Council will acknowledge complaints within three working days and respond to them within ten working days. If this is not possible, we will let the complainant know and aim to complete the investigation within a maximum period of twelve weeks.

The Housing Service is currently recruiting tenants who would be interested in sitting on a Complaints Panel and has arranged training for them. Members are also invited to attend a half day training session on 30 May 2013 to provide them with more information about the role of a designated person.

The Housing Service monitors performance relating to complaints and publishes this on a monthly basis in the Housing Service Performance Report, which is available to view on the Council's internet site. The document is also discussed on a monthly basis at the Housing Performance & Improvement Board which is attended by:

- The Cabinet Member for Housing
- The Chair of the Decent & Affordable Homes Policy Development Group
- Senior Managers
- Representatives from the Scrutiny & Improvement Group (SIG)
- The Member representative on the SIG

In addition, information relating to performance on complaints is provided to staff in the Housing Service using the in house publication. The SIG also reviews the Housing Service Performance Report on a monthly basis and also a more detailed report relating to complaints and the lessons learnt as a result of the investigations periodically.

The Council issues an annual report to tenants, which includes feedback on complaints. Information relating to lessons learnt is usually included in this document and also in the quarterly tenant newsletter, Housing News4U, under the strapline: "You said, we did".

Members may be interested in some examples where service improvements have been implemented as a result of lessons learnt from complaints:

- A form has been introduced which the tenant has to sign off when the electrical appliances have been turned off and these forms must also be completed by external contractors. This change was implemented as a result of a complaint regarding the conduct of electricians who had attended a property.
- A complaint about a leaking roof to a garage led to staff being reminded of the need to draw attention to the relevant clause (which states that items are left in the garage at tenants own risk) when signing up garage tenants.
- An article relating to the admin charges raised when an item is recharged has been inserted in to the Spring 2013 newsletter as a result of a complaint about an invoice received for the emptying of a septic tank.

During 2012/13, the Council closed 140 first stage complaints, of which 45 were upheld. A small number of complaints were not dealt with on time which resulted in only 94.3% of these complaints

being completed on time. 20 complaints were escalated to the second stage and there were no complaints referred to the LGO.

The majority of closed complaints (59) related to repairs and maintenance. There were 34 complaints about tenancy management and 18 about staff and customer services. 12 complaints related to tenants' rents and service charges. There were also a small number of complaints about allocations, anti-social behaviour and other matters.

Obtaining satisfaction data relating to complaints can be problematic and the return rate relating to the complaints survey has been low. Although all complainants are surveyed following the closure of their complaint, only 5 or 3.6% responded to the questionnaire last year. The target for the percentage of respondents satisfied with the complaints service is greater than 90%, but, unfortunately, of those surveyed, only 1 or 20% was satisfied. A member of the Finance & Performance team will be tasked with chasing responses to this survey during the current financial year as the low return rate for last year makes the data collected of limited use.