

21 November 2023		ITEM: 5
Housing Overview and Scrutiny Committee		
Housing Complaints Process, Regulation, Business Intelligence and Performance Report		
Wards and communities affected: ALL	Key Decision: Non-Key	
Report of: Chris Seman, Intelligence and Performance Manager (Housing)		
Accountable Assistant Director: Ewelina Sorbjan, Assistant Director of Housing and Development		
Accountable Director: Ian Wake, Executive Director of Adults, Housing & Health		
This report is Public		

Executive Summary

This report is being presented to the Housing Overview and Scrutiny Committee primarily to provide committee members with an explanation of the complaints handling process for complaints relating to the Housing service. The report also provides additional information on the new regulatory tenant satisfaction measures relating to complaints handling, an overview of the use of Power BI within the Housing service relating to complaints and key complaints statistics and performance for the 2022/23 financial year.

1. Recommendation(s)

1.1 The Housing Overview and Scrutiny Committee is requested to note, comment on and scrutinise the contents of this report.

2. Introduction and Background

2.1 A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the Council, our staff, or those acting on our behalf, affecting any individual, groups of individuals or businesses.

2.2 On average over the last three full financial years (2020/21, 2021/22 and 2022/23), the Council received 599 complaints per annum relating to various services delivered by the Housing service.

3. The Housing Complaints Process

- 3.1 Complaints relating to the Housing service are investigated as part of a two stage complaints process.
- 3.2 Stage one complaints are investigated and responded to by a member of staff from the service which the complaint relates to and the timescale for responding to stage one complaints is 10 working days from the date the complaint was received. Should the complainant be dissatisfied with the response they receive, they are able to request that the complaint is escalated to stage two.
- 3.3 When a complaint is escalated to stage two, a senior officer in the corporate complaints team will investigate the complaint. The timescale for responding to stage two complaints is 20 working days. Should the complainant be dissatisfied with the response they receive, they are able to refer the matter directly to the ombudsman responsible for the subject which the complaint relates to. The Housing Ombudsman investigates complaints about Housing services, where the Council is the landlord. The Local Government and Social Care Ombudsman investigates complaints about allocations, homelessness and private sector housing.
- 3.4 For any case that is escalated to either the Housing or Local Government and Social Care Ombudsman, the ombudsman will undertake an initial assessment to determine whether formal investigation is required and, in such cases, a request for information will be submitted to the Council's complaints team. Upon receipt of this request, the complaints team will co-ordinate the collection of this information from all relevant teams and services and will arrange for the submission of a single response back to the ombudsman. The ombudsman considers complaints about how the Housing service has responded to reported concerns and considers what is fair in all the circumstances of a particular case. Once the investigation is completed, the ombudsman will issue their findings which is known as a determination. Any recommendations or remedies following a determination are monitored by the complaints team.

4. Learning From Complaints

- 4.1 One of the most important elements of complaints handling is learning lessons from failings identified as part of the process of investigating and responding to a complaint. This is key to prevent failings from re-occurring in the future.
- 4.2 As part of the process for complaints handling, depending on the levels of upheld complaints as determined by the complaints team, the Housing service is required to provide the complaints team with details of how the service has learned from each complaint in the form of a learning action plan.

- 4.3 Learning action plans are completed monthly based on complaints upheld during each month and provided to the complaints team to be logged in the Council’s complaints system (Respond). A learning action plan comprises of three key sections.
- 4.4 The first key section is “what went wrong”. This section of the learning action plan contains a summarised, high-level account of the issue which led to the complaint being upheld following the investigation of the complaint.
- 4.5 The second key section is “what action to address the cause of the problem is required to avoid this happening again”. This section of the learning action plan contains an overview of the mitigating actions which have been taken by the Housing service, its partners or both to prevent re-occurrences of the issue which has led to the complaint being upheld following the investigation of the complaint.
- 4.6 The third key section is “what evidence is available to confirm implementation of learning?”. This section of the learning action plan evidences that the Housing service or its partners have learned from the complaint and have implemented the necessary remedial action to prevent the re-occurrence of the issue which led to the complaint being upheld.
- 4.7 Each learning action plan for each upheld complaint also contains details relating to the lead officer, the timescale and the status. An example of a completed learning action plan for responsive repairs is shown below.

Figure 1: Responsive repairs learning action plan example

What went wrong?	What action to address the cause of the problem is required to avoid this happening again	What evidence is available to confirm implementation of learning
Delays due to a repair not being raised in the first instance and the supervisor not progressing works following review	All staff have been reminded of the correct processes relating to repairs being undertaken in the first instance and the progression of works following supervisor attendances.	A new process has been put into place to capture and manage supervisor visits to ensure works are progressed without any delays. This is monitored weekly by Mears Contracts Manager. Visits are logged and filed in a dedicated folder and reviewed regularly. Should this continuously reoccur then this will be managed in line with internal performance reviews.

- 4.8 Lessons learnt from learning action plans feed into service commitments each municipal year for the purpose of reducing the likelihood of common complaint themes re-occurring.
- 4.9 Progress updates on these service commitments are provided to the complaints team as part of its complaints reporting framework. The responsive repairs service commitments made for the 2022/23 municipal

year, as well as the progress made during the year relating to each commitment for is shown below.

Figure 2: Responsive repairs service commitments and progress (2022/23)

Service commitments submitted by the service for the year 2022/23	Progress summary provided by the service
Follow on works process to be reviewed with a view to improving communication with residents and the Council with regard to new or existing works orders.	The follow on works processes have been reviewed along with the implementation of new processes relating to the overall management of works orders across all contract types. This will continue to be monitored as part of quarterly process reviews.
Mears Customer Service – MAPD (Making A Positive Difference) training to be undertaken with all Mears staff.	All MAPD training was completed as required.
Mears MCM Training – Development to create refresher training on MCM via E – Learning with a test (better managed with knowledge and demonstrating learning) – to be undertaken with all Mears staff.	Mears MCM training is still in development stages. Mears Management team continue to support all staff where required with system changes and refreshers of MCM usage. This commitment will therefore be carried over to the next year.
Review of responsive repairs appointment management - incorporated checklists to ensure key tasks such as status/diary review are completed, this will assist with missed appointments inhouse. Continuing with Portal usage within monthly meetings with subcontractors. Daily review of the MCM system and specific reports for subcontractors to ensure all works are issued correctly and updated where required.	A review of day-to-day business processes for our repairs contractor has been undertaken, including a review of key tasks. This continues to be reviewed on a weekly basis. Daily and weekly reviews of the system particularly relating to appointment management is undertaken and new reporting also introduced to assist with work order management. Each subcontractor now also has a dedicated planner assigned to assist with system housekeeping.
A Customer Liaison Officer (CLO) has been appointed within Mears from April 2022. Post inspections and site visits will be undertaken to assist in monitoring works and keeping residents informed.	A CLO was appointed however, due to complaint volumes along with some further resourcing changes, visits and post inspections have been undertaken by the Customer Success Manager (CSM) and operational management team.
Recruitment to vacant posts within Technical Services. This will in turn assist in the demand across the team and allow for works to be swiftly progressed and monitored following a property inspection.	There continues to be ongoing recruitment within this area.

4.10 Learnings from complaints are shared with the Council’s Tenants Excellence Panel and is also a key part of our communication schedule, with learning information provided through housing newsletters and resident engagement social media channels.

5. Effective Complaints Handling Tenant Satisfaction Measures

5.1 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 starting in 2024/25.

- 5.2 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
 - CH02: Complaints responded to within Complaint Handling Code timescales
 - TP09: Satisfaction with the landlord's approach to handling complaints
- 5.3 CH01 will be based on the number of complaints the Housing service receives for each 1,000 homes of the relevant stock type.
- 5.4 CH02 will be based on the percentage of complaints the Housing service responds to within the timeframes set by the Housing Ombudsman's Complaint Handling Code.
- 5.5 TP09 will be 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.
- 5.6 Performance relating to the three TSMs which are part of the Effective Handling of Complaints theme for 2023/24, along with the other 19 TSMs, will be reported to the RSH in the summer of 2024 and will be subsequently published by the RSH in the Autumn of 2024.

6. Power BI

- 6.1 The Housing service has developed, tested and made a Power BI dashboard available on complaints, enquiries and compliments relating to the Housing service. The dashboard utilises data collected corporately on complaints within the Council's complaints system (Respond) and was developed in order to democratise this data by making it available on demand, providing staff within the Housing service with a better understanding of volumes and performance around complaints.
- 6.2 The dashboard is maintained on a monthly basis using data extracts from Respond and contains visualisations which enable staff to track complaints and enquiries volumes, track complaint outcome metrics and track complaints timeliness performance.
- 6.3 The dashboard is dynamic and allows staff in the Housing service to access and consume complaints business intelligence relating to the Housing service as a whole but also provides the ability to drill down into granular detail relating to individual service areas. This provides the Housing service with the ability to better understand complaints metrics and enables the service to easily identify individual services with high volumes of complaints, high rates of upheld complaints and low rates of complaints responded to on time.

6.4 The dashboard is comprised of five pages including enquiries received, compliments received, complaints received, complaint outcomes and complaints timeliness. Some examples of pages from the housing complaints dashboard are shown below.

Figure 3: Dashboard page example - housing enquiries received

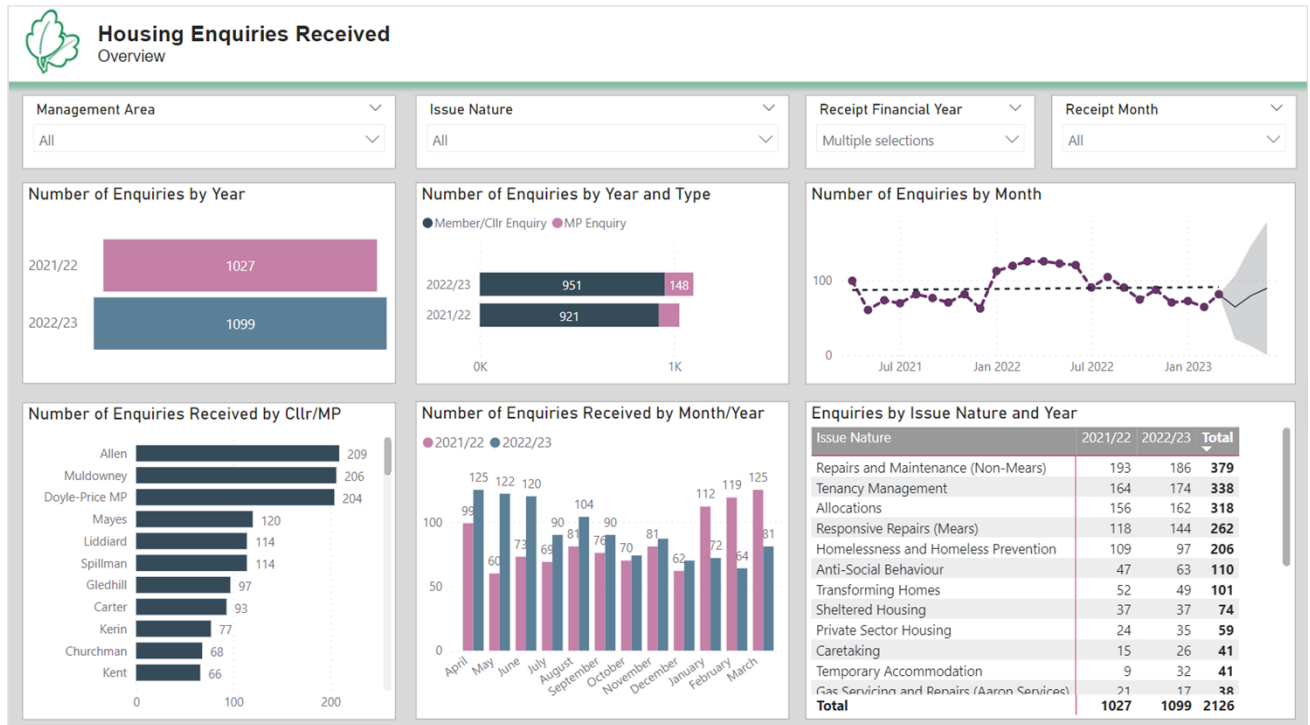


Figure 4: Dashboard page example - housing complaints received

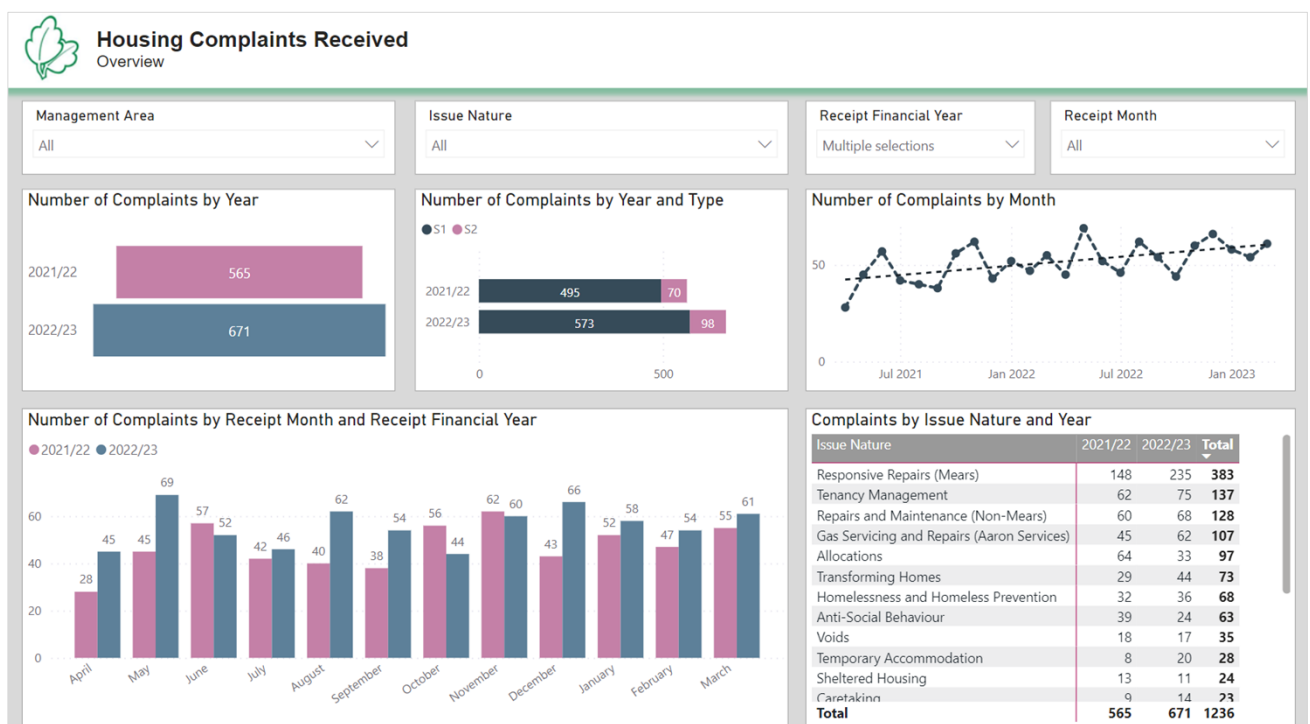
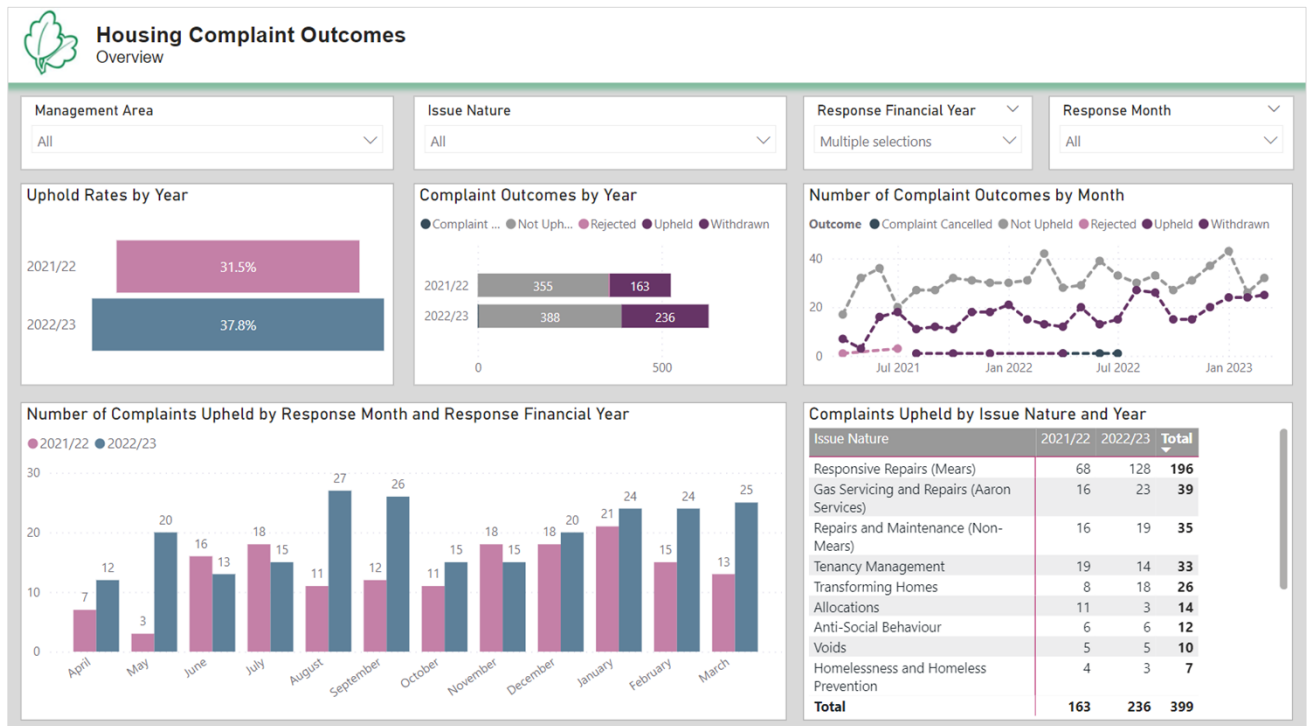


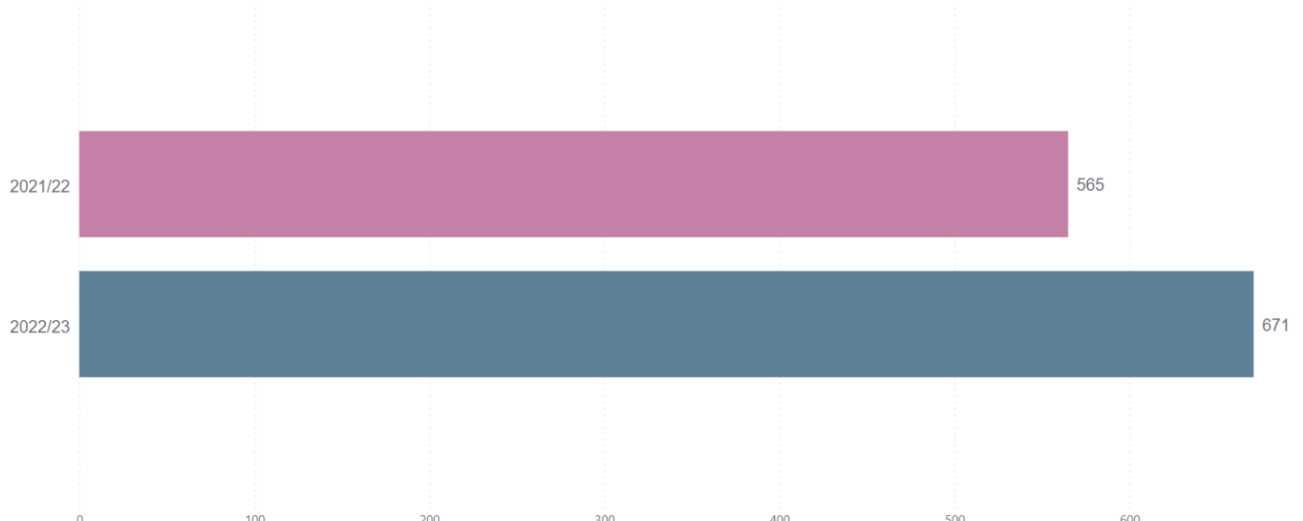
Figure 5: Dashboard page example - housing complaint outcomes



7. Statistics and Performance (2022/23)

7.1 During 2022/23, a total of 671 complaints were received relating to the Housing service and was made up of 573 stage one complaints and 98 stage two complaints. This represents an 18.8% increase on the number of complaints received in 2021/22.

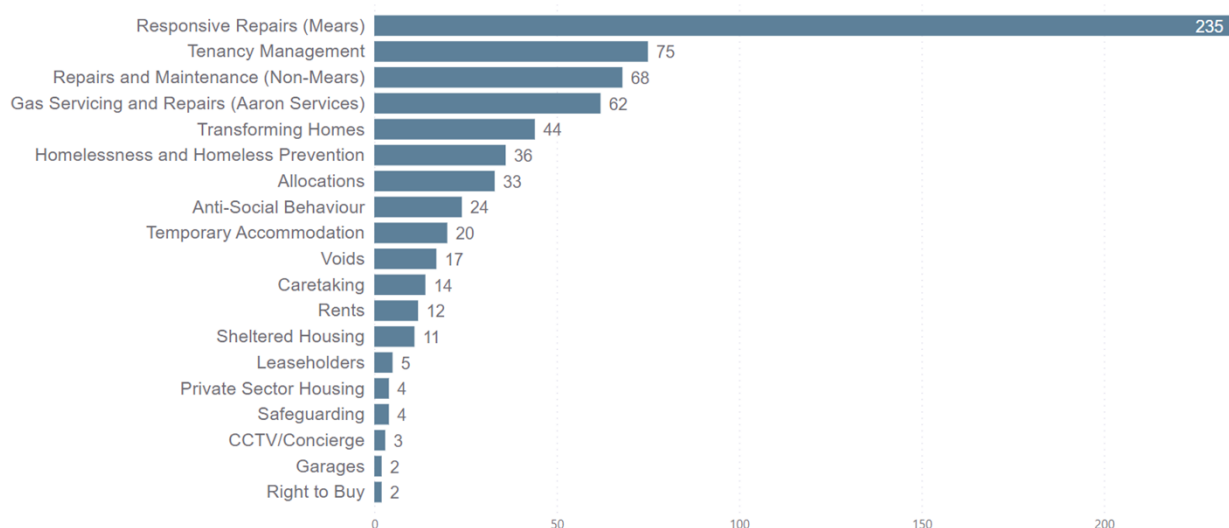
Figure 6: Complaints received by financial year (2021/22 vs. 2022/23)



7.2 Of the 671 complaints received during 2022/23, 484 (72.1%) related to five distinct issue natures. 235 complaints (35%) related to responsive repairs delivered as part of the responsive repairs contract, 75 complaints (11.2%) related to tenancy management, 68 complaints (10.1%) related to repairs and

maintenance not delivered as part of the responsive repairs contract, 62 complaints (9.2%) related to gas repairs and gas servicing and 44 complaints (6.6%) related to transforming homes.

Figure 7: Complaints received by issue nature (2022/23)



7.3 In comparison with 2021/22, an increase in complaint numbers was observed across 10 distinct issue natures in 2022/23 with responsive repairs experiencing the largest increase numerically by a significant margin. In addition, a decrease in complaint numbers was observed across 10 distinct issue natures in 2022/23 with allocations experiencing the largest decrease by a significant margin.

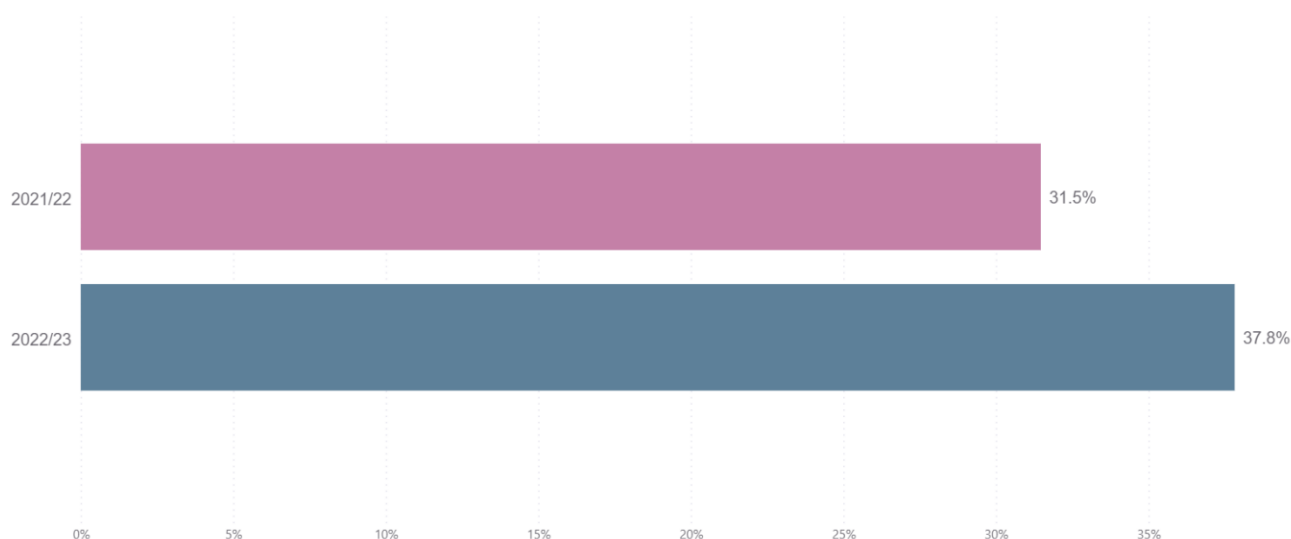
Figure 8: Complaints received by issue nature (2021/22 vs. 2022/23)

Issue Nature	2021/22	2022/23	Variance	% Variance
Responsive Repairs (Mears)	148	235	87	58.8%
Gas Servicing and Repairs (Aaron Services)	45	62	17	37.8%
Transforming Homes	29	44	15	51.7%
Tenancy Management	62	75	13	21.0%
Temporary Accommodation	8	20	12	150.0%
Repairs and Maintenance (Non-Mears)	60	68	8	13.3%
Rents	6	12	6	100.0%
Caretaking	9	14	5	55.6%
Homelessness and Homeless Prevention	32	36	4	12.5%
Private Sector Housing	3	4	1	33.3%
CCTV/Concierge	3	3	0	0.0%
Adaptations	1		-1	-100.0%
Garages	3	2	-1	-33.3%
Mutual Exchange	1		-1	-100.0%
Right to Buy	3	2	-1	-33.3%
Voids	18	17	-1	-5.6%
Sheltered Housing	13	11	-2	-15.4%
Safeguarding	7	4	-3	-42.9%
Leaseholders	11	5	-6	-54.5%

Anti-Social Behaviour	39	24	-15	-38.5%
Allocations	64	33	-31	-48.4%

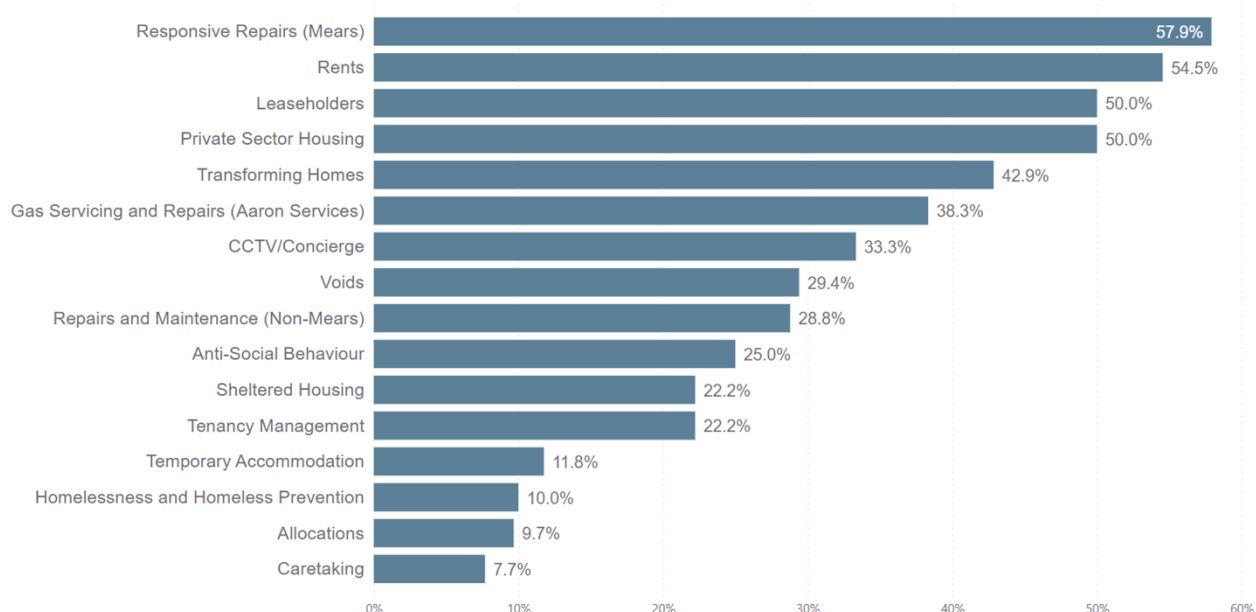
7.4 Of the complaints responded to during 2022/23 with a distinct outcome of “upheld” or “not upheld”, the percentage of complaints upheld in 2022/23 was 37.8%, increasing from 31.5% in 2021/22.

Figure 9: Percentage of complaints upheld by financial year (2021/22 vs. 2022/23)



7.5 Overall five distinct issue natures had in excess of 40% of complaints upheld during 2022/23. Responsive repairs delivered as part of the responsive repairs contract had the highest rate of upheld complaints with 57.9% (128/221) of complaints upheld. This was followed by rents with 54.5% (6/11) of complaints upheld, leaseholders with 50% (3/6) of complaints upheld, private sector housing with 50% (2/4) complaints upheld and transforming homes with 42.9% (18/42) of complaints upheld.

Figure 10: Percentage of complaints upheld by issue nature (2022/23)



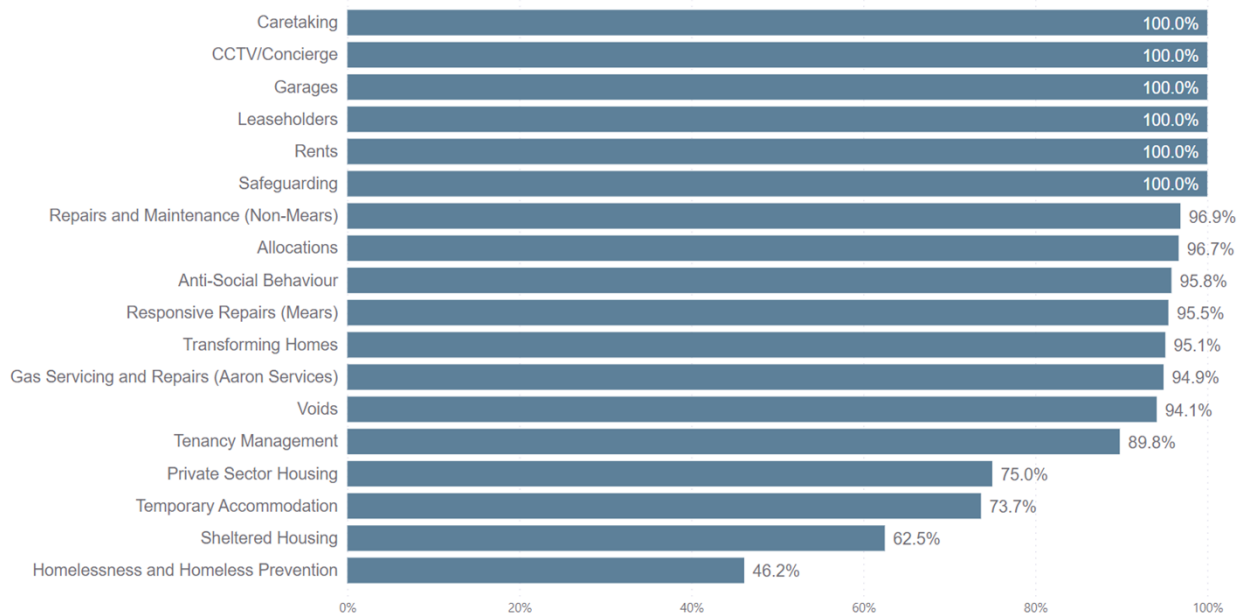
7.6 In terms of numerical differences in the number of complaints upheld in 2022/23 in comparison with 2021/22, the number of complaints upheld increased across nine distinct issue natures. Responsive repairs experienced the largest numerical increase of any issue nature with an additional 60 upheld complaints in comparison with 2021/22. Conversely, a decrease in the number of upheld complaints was observed across five distinct issue natures with allocations observing the largest numerical decrease.

Figure 11: Complaints upheld by issue nature (2021/22 vs. 2022/23)

Issue Nature	2021/22	2022/23	Variance	% Variance
Responsive Repairs (Mears)	68	128	60	88.2%
Transforming Homes	8	18	10	125.0%
Gas Servicing and Repairs (Aaron Services)	16	23	7	43.8%
Rents	1	6	5	500.0%
Repairs and Maintenance (Non-Mears)	16	19	3	18.8%
Private Sector Housing		2	2	200.0%
CCTV/Concierge		1	1	100.0%
Leaseholders	2	3	1	50.0%
Sheltered Housing	1	2	1	100.0%
Anti-Social Behaviour	6	6	0	0.0%
Caretaking	1	1	0	0.0%
Temporary Accommodation	2	2	0	0.0%
Voids	5	5	0	0.0%
Homelessness and Homeless Prevention	4	3	-1	-25.0%
Safeguarding	1		-1	-100.0%
Right to Buy	2		-2	-100.0%
Tenancy Management	19	14	-5	-26.3%
Allocations	11	3	-8	-72.7%

- 7.7 In 2022/23, the percentage of complaints responded to within timescales across all complaints relating to the Housing service was 91.8%.
- 7.8 The percentage of complaints responded to within timescales was in excess of 90% across 13 distinct issue natures and was 100% across six distinct issue natures. The percentage of complaints responded to within timescale was less than 90% across five distinct issue natures. Homelessness and homeless prevention had the lowest rate of complaints responded to on time with 46.2% and there is now a dedicated resource in place in order to improve performance on responding to complaints within timescale in this service area.

Figure 12: Complaints responded to within timescale by issue nature (2022/23)



8. Housing Ombudsman Complaint Performance

- 8.1 In August 2023, the Housing Ombudsman issued its individual Landlord Performance Report for the Housing service for cases determined during 2022/23. The Ombudsman's 2022/23 landlord performance reports are for landlords with five or more findings made in cases determined between 1st April 2022 and 31st March 2023. The data comes from the Ombudsman's casework management system and the report includes statistics on cases determined in the period.
- 8.2 During the 2022/23 financial year the Housing Ombudsman made eight determinations and in doing so made a total of 13 findings across five categories.

Figure 11: Ombudsman Findings by Category – Thurrock Council (2022/23)

Category	Severe Maladministration	Maladministration	Service failure	Mediation	Redress	No maladministration	Outside Jurisdiction	Withdrawn	Total
Property Condition	0	1	3	0	0	4	0	0	8
Complaints Handling	0	0	2	0	0	0	0	0	2
Charges	0	0	0	0	0	1	0	0	1
Moving to a Property	0	0	0	0	0	0	1	0	1
Staff	0	0	0	0	0	0	1	0	1
Total	0	1	5	0	0	5	2	0	13

Note: Service failure is a form of maladministration

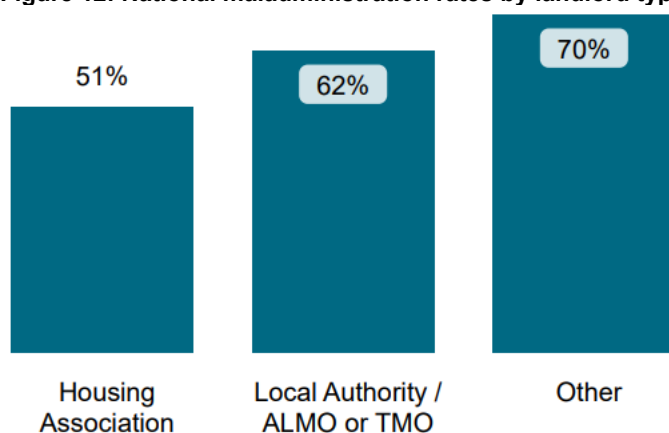
8.3 Maladministration is where a landlord is adjudged to have failed to comply with its legal obligations, its policies and procedures or has delayed unreasonably in dealing with a matter. This could result in a finding of service failure, maladministration or severe maladministration, depending on the seriousness of the failure and the impact on the tenant.

8.4 The Council’s maladministration rate for the 2022/23 financial year was 55% which is in line with the national maladministration rate which was also 55%. Of the six findings included in the maladministration rate, five were findings of service failure and only one finding was of maladministration. There were no findings of severe maladministration in 2022/23.

The maladministration rate is the combined number of findings of severe maladministration, maladministration and service failure, expressed as a percentage of the total number of findings (excluding findings of outside jurisdiction and withdrawn).

8.5 Whilst in line the national average, the Council’s maladministration rate of 55% is 4% higher than the national rate for housing associations, but 7% lower than the national rate for local authorities, ALMOs and TMOs.

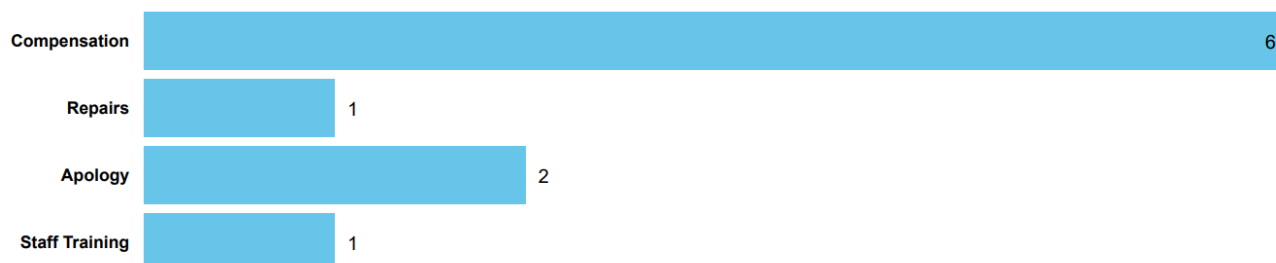
Figure 12: National maladministration rates by landlord type (2022/23)



8.6 During 2022/23, the Housing Ombudsman has made 10 orders for compensation, repairs, apologies and staff training. Orders are made where

the investigation has resulted in a finding of some level of maladministration. They are intended to put things right for the resident. The Council's compliance rate with orders made in 2022/23 was 100%.

Figure 13: Orders made by type (2022/23)



8.7 A total of £700 of compensation was ordered in 2022/23. Of the £700 compensation ordered, £600 was as a result of property condition and £100 was as a result of complaints handling.

Figure 14: Orders made by type (2022/23)



9. Reasons for Recommendation

9.1 The committee requested that the Housing service provides a report on complaints as part of the work programme for the Housing Overview and Scrutiny Committee.

10. Consultation (including Overview and Scrutiny, if applicable)

10.1 This report is for information purposes only.

11. Impact on corporate policies, priorities, performance and community impact

11.1 The Housing service and its performance relating to complaints contributes to and therefore has an impact on the Council's complaints handling performance.

12. Implications

12.1 Financial

Implications verified by: **Jonathan Wilson**
Assistant Director Finance

The report sets out the complaints handling process. The process and outcomes from the process are managed from within existing budgets in the Housing Revenue Account as part of the wider management of the housing stock of the Council.

12.2 Legal

Implications verified by: **Godwin Mangse**
Housing & Licensing Lawyer

There are no specific legal implications arising from this report.

In accordance with the remit of the Housing Overview and Scrutiny Committee, Members are asked to review and scrutinise the updates outlined in this report.

12.3 Diversity and Equality

Implications verified by: **Roxanne Scanlon**
Community Engagement and Project Monitoring Officer

There are no diversity implications contained in this report. The complaints process assesses each complaint based on the individuals needs and circumstances.

12.4 Other implications (where significant) – i.e. Staff, Health Inequalities, Sustainability, Crime and Disorder, and Impact on Looked After Children

None

13. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

None

14. Appendices to the report

None

Report Author:

Chris Seman – Intelligence and Performance Manager (Housing)