

**2 December 2024**

**TITLE OF REPORT: Housing Complaints Performance Report: April – September 2024.**

**REPORT OF: Kevin Scarlett, Interim Strategic Director of Housing, Environment and Healthy Communities**

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### **Purpose of the Report**

1. To seek the views of the Housing Environment and Healthier Communities OSC on the Housing Complaints Performance report April – September 2024.

### **Background**

2. Complaint handling in social housing (including Local Authorities) is now subject to significant regulation and scrutiny by both The Regulator of Social Housing (RSH) and the Housing Ombudsman Service (HOS).
3. The Transparency, Influence and Accountability (TIA) standard, which is set by the RSH requires that systems and processes are in place so that complaints are addressed fairly, effectively, and promptly. We must ensure our approach to handling complaints is simple, accessible and publicised and that we provide information on how to escalate complaints and how we are performing. The RSH can act if the standard is breached.
4. The HOS focus is on the individual customer and sets out in the Complaint Handling Code its expectations that social landlords develop a positive complaint handling culture and that accountability and transparency are key elements. They provide a free, independent, and impartial service to investigate complaints and resolve disputes involving the tenants and leaseholders of social landlords.
5. The code also states that governing bodies of social landlords should receive regular updates on complaint performance to allow for scrutiny. We therefore intend to bring complaints update reports to both the Strategic Housing Board and HEHC Overview and Scrutiny Committee on a six-monthly basis.
6. In addition, a complaints update will also be taken to HEHC Portfolio on a six-monthly basis and monthly updates provided to the Member Responsible for Complaints (Cllr Buckley).
7. This report sets out housing complaints performance for the first six months of 2024.25. It also includes performance data on complaints investigated by the HOS and compliance with orders and findings.

## **Housing Complaints Team**

8. In the 2023/24 Tenant Satisfaction Measures survey, only 26% of residents surveyed told us they were happy with how we'd handled their complaint. Satisfaction with complaint handling is low sector wide and benchmarking via Housemark shows that we are slightly below the median of 27% when compared to similar sized Local Authorities and ALMO's.
9. In response to the low levels of satisfaction the Resident Influence Panel commissioned a scrutiny review of the quality of stage 1 complaint responses. A focus group of tenants and leaseholders carried out an in-depth scrutiny review and produced a report with findings and recommendations. They presented their report to HEHC OSC on 17 June 2024 and all recommendations were approved.
10. Their main recommendation was to establish a specialist housing complaints team that would be responsible for recording and responding to all Housing complaints and compliments. They will also lead on developing our approach to learning from complaints. Currently the individual service that the complaint relates to investigate and respond to the customer.
11. We are currently in the process of recruiting to three new Customer Support and Insight Officer posts that will be initially available on an 18-month temporary secondment. This will provide the opportunity to assess the effectiveness of the new team including the level of employee resources required. The team will be managed by Andrew Dodds, Customer Feedback and Insight Officer and we anticipate that the team will be operational by December 2024.
12. The focus of the team will be to build strong relationships with customers throughout the complaint process, focusing on delivering an improved customer experience and improving performance.
13. The team will be responsible for recording and acknowledging all complaints. Investigations will continue to be carried out by the relevant housing service, with findings relayed to the complaints team to draft and send a response to the customer.

## **Housing Complaints Performance 01 April – 30 September 2024.**

14. The Regulator of Social Housing (RSH) introduced a framework of Tenant Satisfaction Measures (TSM) that all social landlords must collect and report on from 2023.24. In relation to Complaint handling these include:
  - Satisfaction with the landlord's approach to complaint handling
  - Complaints relative to the size of the landlord
  - Complaints responded to within Complaint Handling Code timescales

15. **Satisfaction with the landlord’s approach to complaint handling** – this is measured by a tenant satisfaction survey and in 2023.24 the survey was carried out by telephone. Compared to data from 2022.23 satisfaction increased from 21% to 26% in 2023.24. Although satisfaction increased, it remains comparatively low when compared to our other TSM scores.
16. Low levels of satisfaction with complaint handling is a trend widely reported across the social housing sector, however our performance indicates that we are not providing a good customer experience.
17. The tenant satisfaction survey for 2024.25 will again be undertaken by Kwest Research Ltd on the Council’s behalf and conducted by telephone. It will be completed in two stages, the first stage started week commencing 30 September and will be completed by the end of November 2024. The second phase will commence in February 2025 and be completed by 31 March 2025.
18. **Complaints relative to the size of the landlord** – this TSM aims to provide the RSH with the number of complaints received per 1000 properties. This alongside data from the other Tenant Satisfaction Measures provides an indication as to how effective a landlord’s complaint policy is being implemented. In 2023.24 we registered 429 stage 1 complaints and 56 stage 2 complaints.
19. During the first six months of 2024.25 we registered 222 stage 1 complaints and 31 stage 2 complaints. This would suggest that we are broadly consistent in terms of the number of complaints we are formally recording.
20. The breakdown of stage 1 complaints registered by service/team is set out below.

| Service                          | Number of Complaints |
|----------------------------------|----------------------|
| Repairs and Maintenance          | 183                  |
| Neighbourhood Services           | 20                   |
| Housing Solutions (Homelessness) | 5                    |
| Investment                       | 3                    |
| Home Ownership                   | 2                    |
| Older Persons                    | 2                    |
| Lettings                         | 2                    |
| Multi Storey team                | 1                    |
| Neighbourhood Relations          | 1                    |
| Rent and Income                  | 1                    |
| Supported Housing                | 1                    |
| Caretaker and Concierge          | 1                    |

21. In the same period, there were 31 stage 2 complaints registered. The breakdown by service/team is set out below.

| Service                 | Number of complaints |
|-------------------------|----------------------|
| Repairs and Maintenance | 15                   |

|                                  |    |
|----------------------------------|----|
| Neighbourhood Housing            | 12 |
| Investment                       | 1  |
| Home ownership                   | 1  |
| Neighbourhood Relations          | 1  |
| Housing Solutions (Homelessness) | 1  |

**22. Complaints responded to within Complaint Handling Code timescale -**

The HOS has set a target of 10 days for responding to stage 1 complaints and 20 days for stage 2 complaints. Meeting the 10-day target has proved to be very challenging and in 2023.24 we responded to only 29% of stage 1 complaints within target.

23. However, performance has improved and during the first six months of 2024.25 we responded to 41% (91) of stage 1 complaints within the target timescale.

24. Significant work has been undertaken to respond to the stage 1 complaints that have been formally registered but not yet investigated and responded to. As of 23 August 2024, there were 111 complaints registered, awaiting a response. As of 30 September, this had reduced to 40 and all of those customers have been contacted to discuss the issue(s) that led to a complaint being raised. Formal responses will follow

25. In this period, there were 31 stage 2 complaints registered. Of these 22 (71%) were responded to within the 20-day target.

26. The stage 2 complaints registered in this period are broken down by service in the table below:

| Service                 | Number of complaints |
|-------------------------|----------------------|
| Repairs and Maintenance | 15                   |
| Neighbourhood Housing   | 12                   |
| Investment              | 1                    |
| Right to buy            | 1                    |
| Neighbourhood Relations | 1                    |
| Homelessness            | 1                    |

## Learning from Complaints

27. Complaint trends are an effective tool for identifying areas of risk, testing culture, and checking if there is a disconnect between policy and practice.

28. Recording accurate and useful learning outcomes from complaints will be the responsibility of the new complaints team. This will ensure a consistent approach that will be applied to every complaint to ensure that we can take valuable insight on recurring themes and issues from each case.

29. That learning will be discussed with Service Managers regularly and used to drive impactful changes to processes to ensure that we have a positive culture of learning from complaints. This learning will also be discussed with our residents, through positive engagement with our Resident Influence Panel and future scrutiny reviews.
30. Appendix 1 contains examples of complaints against the most common themes.

## Compliments

31. In addition to complaints, we encourage a positive culture of registering compliments formally. Just as complaints help us identify areas that we can improve, compliments tell us what we're doing well and when colleagues go above and beyond to provide an excellent customer experience.
32. During this period, we recorded 35 compliments. Of this number, 5 were internal from other colleagues and 30 were external from customers. The new team will put an increased focus on formally registering compliments, notifying the employee and their manager and sharing examples of good customer service.
33. Compliments are broken down by service below:

| Service                          | Number of Compliments |
|----------------------------------|-----------------------|
| Repairs and Maintenance          | 15                    |
| Neighbourhood Housing            | 6                     |
| Multi Storey                     | 6                     |
| Lettings                         | 3                     |
| Housing Solutions (Homelessness) | 2                     |
| Neighbourhood Relations          | 1                     |
| Rent and Income                  | 1                     |
| Customer Involvement             | 1                     |

## Complaint channels

34. It is a requirement of the HOS Complaint Handling code that social landlords must make it easy for residents to complain by providing different channels through which they can make a complaint. The Transparency Influence and Accountability standard requires that our complaints process is simple and accessible.
35. To ensure that we comply with these requirements customers can make a complaint via any method they choose including by telephone, in person or online. The channels used by customers to make a complaint are outlined in the table below.

| Channel               | Number of complaints | Percentage |
|-----------------------|----------------------|------------|
| Telephone             | 72                   | 33%        |
| Online complaint form | 61                   | 28%        |

|                        |    |     |
|------------------------|----|-----|
| Email – Team Inbox     | 32 | 14% |
| Email – Officers inbox | 25 | 11% |
| Other                  | 14 | 6%  |
| Home visit             | 8  | 4%  |
| Letter                 | 7  | 3%  |
| Office visit           | 3  | 1%  |

36. The most common channel used to make a complaint was via telephone. The second most frequently used method was the online complaint form on the Council's website. A redesign project was undertaken earlier in the year to simplify the digital complaints form, and an increasing number of customers are using this method to report complaints.

### **Housing Ombudsman Annual report 2023.2024**

37. Each year, the HOS produces an annual report that summarises an individual landlord's performance. The 2023.24 Gateshead report highlighted:

- There was a total of 5 determinations.
- In the 5 determinations, there were a total of 9 findings.
- The findings related to complaint handling, property condition and information and data management.
- 5 of the 9 findings were Maladministration, 2 were Severe Maladministration.
- A total of £12,645 was ordered in compensation.
- The Council's order compliance was 100%, meaning we complied with each HO order within timescale given.

### **Housing Ombudsman – April-September 2024**

38. In the first six months of 2024.2025, the HOS has made 10 determinations for complaints raised against the Council.

39. In the 10 cases that the HOS determined, there were 25 findings. Each case can have multiple findings, depending on the nature of the complaint. Often, these complaints are about multiple issues which results in more than one finding per case.

40. Of the 25 findings, 23 were Maladministration. Of this number, 36% related to complaint handling. The other main themes were handling of repairs and damp & mould.

41. There was 1 finding of Severe Maladministration, which related to the Council's handling of repairs and damp & mould in a property.

42. There was 1 finding of Service Failure which related to complaint handling. Service Failure is the lowest level of maladministration and relates to minor failings where action is still required to put things right.

43. In each of the determinations, the HO ordered the Council to pay compensation to the customer. In total, £13,325 in compensation was awarded with an average of £1332 per case.
44. In May, the Housing Ombudsman issued a press release which included a case relating to the Council. The article related to learning from Severe Maladministration, which the HO publishes periodically, highlighting failings from multiple landlords including local authorities and Housing Associations.
45. The article related specifically to knowledge and information management. In this case, which dated back to 2018 and concerned a report of damp & mould, the Housing Ombudsman found severe maladministration relating to the Council's record keeping. The findings related specifically to surveyor reports being lost, resulting in the Council having to carry out multiple surveys and a delay in taking action to resolve the issues.
46. The case dates back a significant amount of time and since then, we have reviewed our approach to damp & mould cases and have improved our process for tackling cases as quickly as possible.

## **Recommendations**

47. The Housing Environment and Healthier Communities OSC is asked to provide its views on the Housing Complaints Performance Report for April – September 2024.

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## **Appendix 1**

### **Complaint themes:**

#### **Time taken to complete a repair:**

- A customer reported damp in their bathroom but despite several inspections, the repair has yet to be completed.
- A customer with a blocked toilet waited five days for repair to be completed this resulted in further flooding and damage to the bathroom.
- A customer with severe disabilities reported a faulty shower, essential for their care. The repair was delayed for several days, impacting their health and wellbeing.
- A family with a child suffering from a chronic immune condition have an ongoing problem with damp and mould for two years. It has been reported several times and not resolved.
- A customer dealing with leaking gutters and water damage was given a temporary fix, with the gutters resealed instead of being replaced. This led to water ingress in several rooms.

#### **Poor communication with the customer:**

- A leaseholder reported water damage in January 2024 and was given a repair date in March, later rescheduled to April and then to May, with no communication about these changes.
- A customer dealing with kitchen ceiling repairs for two years was never informed of when the work would start, despite repeated inquiries.
- A customer with a leaking toilet was assured their repair would be logged, only to find later that it hadn't been, leaving them waiting all day with no further contact.
- A customer awaiting a homeless priority decision was told different things by different employees, leading to confusion about their housing application status.
- A tenant took three days off work for scheduled damp repairs, but when the workers arrived, they found no work had been started, and appointments were cancelled without notice.

#### **Damage to a customer's property or possessions:**

- A customer complained that Council operatives moved some wires while carrying out work and didn't replace them.
- Paint was spilled on the brickwork of a residents property during work undertaken by the Council, which wouldn't come off.
- A customer reported that a scaffolding contractor took a wheelbarrow out of their garden while working on a neighbour's property and didn't return it.

#### **Policy or procedure:**



- A customer reported that a tree was causing issues in their garden and was becoming a hazard. They complained that the Council decided not to take any action due to its policy on removing healthy trees.
- A customer complained about the vetting procedure for new tenants moving into the neighbourhood. They experienced anti-social behaviour as a result of this resident being moved into the neighbourhood without in their view proper vetting.
- A customer complained that they'd been asked to remove a partition wall that was allegedly already in the property before they took on the tenancy or have the property reclassified as a 3-bedroom house and a backdated rent increase.