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**Housing and Property Services Annual Complaint Performance and Service Improvement Report 2023 - 2024**

# Document control

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1. **Introduction**

The Social Housing (Regulation) Act 2023 empowered the Housing Ombudsman (HO) to issue a code of practice about procedures to members of the Scheme.

The Act also placed a duty on the HO to monitor landlord compliance, and for landlords to comply with the Ombudsman’s Statutory Complaint Handling Code “the Code”.

Following consultation in 2023, a revised statutory Code was published and became effective from 1 April 2024.

Section 8 of “the Code” requires landlords to produce an annual complaints performance and service improvement report that includes:

* The annual self-assessment against “the Code” to ensure their complaint handling policy remains in line with its requirements.
* A qualitative and quantitative analysis of the landlord’s complaint handling performance. This must include a summary of the types of complaints the landlord has refused to accept.
* Any findings of non-compliance with the Code by the Ombudsman.
* The service improvements made as a result of learning from complaints.
* Any annual report about the landlord’s performance from the Ombudsman.
* Any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord.

This, our first annual performance report covers the period 1 April 2023 – 31 March 2024.

The report also highlights any complaint themes, learning, training, and service improvements that we have determined, proposed, and introduced as outcomes to the complaints and service enquiries.

1. **Corporate and Housing Complaint Procedure**

The Authority’s Corporate and Housing Complaint Procedure covers all services that the Authority provides to North Tyneside residents, that are not covered by the statutory social services complaint procedures, or subject to any other exclusions.

The procedure does not cover other ways that residents can ask for services or contact relevant teams to discuss their required service provision.

The Ombudsman Complaint Handling Code states that a complaint is defined as:

**“An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or a group of residents.”**

The procedure has two stages.

**Stage One** complaints are investigated by one of our dedicated Customer Relations Officers and a response issued within 10 working days. If a response cannot be provided within this timescale, then the officer will request and agree an extension with the resident. This will not exceed 10 working days, and will be confirmed, in writing with Ombudsman details being shared too.

If a complaint escalates to **Stage Two**, it is investigated by the dedicated team manager, and a response issued within 20 working days. If a response cannot be provided within this timescale, then the manager will request and agree an extension with the resident. This will not exceed 20 working days and will be confirmed in writing with Ombudsman details being shared too.

1. **Ombudsman**

A resident always has the right to refer their complaint to the relevant Ombudsman at any point. In most cases the Ombudsman would expect the resident to have completed the Authority’s complaint procedure first.

However, all customers have the right to access the relevant Ombudsman, throughout their complaint journey, not only when the Authority’s complaints process has been exhausted.

The **Housing Ombudsman** (HO) is responsible for investigating complaints related to:

* Leasehold services.
* Moving to a property.
* Rent and service charges.
* Occupancy rights.
* Property condition: repairs and improvement.
* Tenant behaviour.
* Estate management.
* Complaint handling.
* Compensation.

The **Local Government and Social Care Ombudsman** (LGSCO) is responsible for investigating complaints in relation to:

* Housing Allocations under Housing Act 1996 Part 6.
* Homelessness under Housing Act 1996 Part 7.
* General housing advice.
* Housing benefit.
* Housing improvement grants.

More information is available at Annex One.

1. **Customer Relations Team**

Housing and Property Services is committed to receiving, investigating, and responding to complaints through a transparent approach, and as early and efficiently as possible.

To support this approach, and to ensure that complaints are recognised as a core service, we have a dedicated Customer Relations Team who receive, investigate, and respond directly to complaints and service enquiries on behalf of the directorate.

This work is carried out in partnership with their colleagues to ensure responses are fully informed and agreed by suitably qualified officers prior to the resident receiving their decision letter.

1. **Complaint summary**

**5.1 Stage One Complaints**

A resident, or someone that the Authority accepts as acting on behalf of a resident can submit a complaint if they are dissatisfied with a service that they have received.

|  |  |  |  |
| --- | --- | --- | --- |
| **Year** | **Stage One complaints received**  | **Responded to within 10 working days**  | **Complaint decision** |
| **Upheld** | **Not upheld** | **In part** |
| **2023 -2024** | 329 | 313 | 99 | 150 | 80 |
| **Housing** | **Property** |
| 64 | 265 |
| **2022 -2023** | 273 | 260 | 85 | 119 | 69 |
| **Housing** | **Property** |
| 64 | 209 |

**Key points:**

* Property Services received 265 complaints with 243 being for Responsive Repairs. The number of complaints received for this service area needs to be balanced against the volume of work undertaken each year, approximately 48,000 repairs.
* Housing Services received 64 complaints, with 14 being received for income and rent queries, and 13 for Homefinder.
* For the 16 complaints that required an extension to the response being provided within 10 working days, the resident was contacted, extension reason explained, and their agreement received, with the Ombudsman details provided, in case the resident wished to contact them direct.
* Complaints responded too within an agreed extension time are classed as being responded to within time, therefore our response is 100%.

**5.2 Stage Two Complaints**

A Stage Two complaint is received if the resident remains dissatisfied with their Stage One response outcome.

|  |  |  |
| --- | --- | --- |
| **Year** | **Number of Stage Two complaints**  | **Responded to within 20 working days**  |
| **2023 -2024** | 90 | 74 |
| **Housing** | **Property** |
| 15 | 75 |
| **2022 -2023** | 59 | 35 |
| **Housing** | **Property** |
| 16 | 43 |

**Key points:**

* All complaint decisions made at Stage One were upheld.
* For the 16 complaints that required an extension to the response being provided within 20 working days, the resident was contacted, extension reason explained, and their agreement received, with the Ombudsman details provided, in case the resident wished to contact them direct.
* Complaints responded too within an agreed extension time are classed as being responded to within time, therefore our response is 97.7%.

**5.3 Stage Three Complaints**

For the period covering this report the Authority still had a Stage Three complaint stage as part of their corporate complaints procedure.

15 Stage Three complaint requests were received, as the residents remained dissatisfied with their complaint responses at Stage One and Stage Two.

All requests were reviewed and responded to, with the service recommendation that the complaints should not be referred to Regulation and Review Committee.

Following a review of our recommendations and responses, financial payment awards were made to two residents.

* 1. **Ombudsman determinations**

The Housing Ombudsman made seven determinations on enquiries they received from residents.

Two of the determinations found there to be no maladministration by the service, however five of the determinations found maladministration on four occasions, and severe maladministration on one occasion.

Reasons for determining maladministration included:

* Service handling of repairs, including those associated with damp and mould, and mutual exchange.
* Handling of the complaints.
* Handling of personal belongings following an eviction.

Four cases were awarded a financial payment, in recognition of the service failure they had experienced and the handling of their complaint.

All Ombudsman orders and recommendations have been complied with, with evidence of this submitted to the Ombudsman.

**5.5 Ombudsman reports**

The Housing Ombudsman will publish individual landlord performance reports when there have been five or more cases determined within the last 12 months against that landlord.

There have been no reports or publications produced for North Tyneside Council for the period of this report.

**6. Complaint themes**

The primary reasons for a resident submitting a Stage One complaint were:

* Issue with policy or non-compliance with policy.
* Poor customer service, communication, and workmanship.
* Delay in a service being received or the service not being received.
* Damp and mould.

**7.Service improvements**

Over the last 12 months, a series of measures have been introduced to improve our approach to complaint handling, outcomes, and responses. These are:

* Weekly meetings between the Customer Relations Team, Service Managers and Team Leaders from the Responsive Repairs area to discuss and investigate Stage One complaints, to ensure responses are fully informed and agreed by suitably qualified officers prior to the resident receiving their decision letter.
* Meetings for Stage Two and Stage Three complaints including attendance from Director for Housing and Property Services, Heads of Service, Service Managers and Team Leaders, as required to discuss and investigate to ensure responses are fully informed and agreed by a suitably qualified officer prior to the resident receiving their Stage Two decision letter. For Stage Three complaints this is a response to be considered for Regulation and Review committee attendance.
* Complaint and service enquiries contacts and outcomes shared at quarterly management meetings.
* Review of working practices and procedures where required, and any identified changes implemented.

In response to the volume of contacts about condensation, mould and damp, a video diagnosis tool has been introduced. This has allowed the resident to receive a link to their phone that opens up to enable their home to be viewed during that first call and any follow up visit or work that is required prioritised. The Repair Contact Centre Team are now trained to assess and diagnosis using the tool too.

Resources have been increased within the Condensation, Mould, and Damp Team to include a Works Planner to co-ordinate survey work and appointments, and the number of Property Inspection Surveyors has been increased to three. A future role within the team will be the introduction of a Property Condition Manager.

Condensation, mould, and damp awareness training has been developed and rolled out across the directorate, with a ‘See It Report It’ form developed for officers to complete and submit whilst at a property.

Work is taking place with the People Team to upload the awareness training on to the Learning Pool so that it will be accessible to all Authority employees.

Work is progressing with the development of a single IT system for the directorate. This will improve information that is held on both property and resident, and support information access and sharing between the directorate service areas. The system will include a customer portal so they will be able to request and access services direct.

**8.Priorities for 2024 – 2025**

The HO advocates that landlords should embrace complaints through increased transparency, accessibility, and positive complaint handling governance.

We acknowledge that there may be occasion when a resident receives a service that does not meet service expectations, and if a complaint is received, then it provides the opportunity to review what happened and what learning can be taken from it.

Ultimately, our aim is to deliver an excellent service to our residents, that if we get it right first time, will reduce the number of complaints we receive. Focused work will continue to review themes and learning, with the introduction of service delivery improvements, that will be monitored against the number of complaints the directorate receives.

The Customer Relations Team will continue to record and monitor complaint themes. This will assist with trends and learning being identified, with any service review and improvement recommendations being proposed to the relevant service area.

Following agreement from the service area to introduce the recommendations, the Service Improvement Team will work with the areas directly to review current practice and support the introduction of an improved service delivery that benefits residents and our workforce.

Complaint and service enquiry requests and outcomes will be reported to our residents, including resident panels, officers, Elected Members, and information will be published on our website to promote transparency and accountability.

**Appendix One: Ombudsman responsibilities**

The Housing Ombudsman is responsible for investigating:

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| **Main Issue**  |  |
| Leasehold services  | * Shared ownership and sales processes for leasehold properties owned by registered providers/housing associations.
* Shared ownership stair-casing properties owned by registered providers/housing associations.
* Right to Buy and Right to Acquire
* Repair responsibilities under the lease.
* Mortgage rescue schemes.
* Leasehold services provided by the landlord.
 |
| Moving to a property  | * Transfer applications that are outside of Housing Act 1996 Part 6.
* Type of tenancy offered.
* Mutual exchange.
* Decision to renew a fixed tenancy.
* Decants (including those that are dealt with via the Allocations Policy.
* Mobility Schemes.
 |
| Rent and service charges  | * Rent and /or service charges.
 |
| Occupancy rights | * Terms and conditions of occupancy rights.
* Succession.
* Assignment.
* Ending a tenancy (notice periods).
* Abandonment.
* Possession proceedings.
 |
| Property condition: repairs and improvement  | * Condition of property when first let.(void works)
* Responsive repairs.
* Planned maintenance or cyclical works.
* Improvement works carried out by the landlord or tenant.
* Rechargeable repairs.
* Disabled adaptations.
 |
| Tenant behaviour | * Anti-social behaviour.
* Noise nuisance.
* Harassment.
 |
| Estate management | * Cleaning and/or repairs of communal areas.
* Boundary issues.
* Grounds maintenance.
* Parking linked to occupancy agreement.
* Parking.
* Use of communal areas.
 |
| Complaint handling | * The landlord’s handling of a complaint in their complaint process, including delays.
 |
| Compensation | * Home loss or disturbance payments.
* Improvements carried out by the tenant.
* Payment for damage to property or tenant’s belongings.
* Discretionary payments.
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The Local Government and Social Care Ombudsman investigates:

|  |  |
| --- | --- |
| **Main issue** |  |
| Housing Allocations under Housing Act 1996 Part 6 | * Applications for rehousing that meet the reasonable preference criteria, Includes complaints about:
	+ Assessment of such application, award of points, banding, or a decision that an application does not qualify for reasonable preference.
	+ Operation of choice based lettings schemes and about the suitability of accommodation offered under those schemes.
 |
| Homelessness under Housing Act 1996 Part 7 | * Applications for assistance under the homelessness legislation. Includes complaints about:
	+ Homelessness advice and homelessness prevention activities.
	+ How applications are dealt with and decisions about eligibility for and allocation of interim and temporary accommodation.
	+ The condition of suitability of temporary accommodation.
 |
| General housing advice | * General advice from the local authority about housing options.
* Handling of reports from tenants of private landlords about unlawful eviction, harassment, disrepair, and other matters.
 |
| Housing benefit | * Handling of applications for housing benefit.
 |
| Housing improvement grants | * Applications for mandatory and discretionary housing improvement grants, this includes:
	+ Provision of advice, processing of applications, preparation of schedule of work, payment of grant and other decisions on grant eligibility and entitlement.
	+ Actions of social services occupational therapy services with regard to assessment and eligibility for DFG’s.
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