

Report to: Housing Review Board



Date of Meeting 18th January 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Housing Service learning from complaints 2022/23

Report summary:

This report sets out our learning and improvements identified from the complaints we have received during the year. The report makes recommendations in the handling and processing of complaints by the Housing Service in line with the EDDC Corporate complaints procedure, the Housing Ombudsman code and the Consumer standards.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That the HRB note and approves the recommendations highlighted within the report.

Reason for recommendation:

This report responds to the recent letter from the Housing Ombudsman and the publication of the performance tables. It also details our performance, the learning from the complaint outcomes to date and the improvements we need to make.

Officer: Amy Gilbert-Jeans – Assistant Director - Housing

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change Low Impact

Risk: High Risk; Compliance with the Housing Ombudsman code and the Consumer standards

Links to background information .

Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
 - A greener East Devon
 - A resilient economy
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1. Background

1.1 EDDC Corporate Complaints policy.

- 1.1.1 The Housing Service complaints are processed by the Council's Corporate Complaints team using the Corporate Complaints procedure.
- 1.1.2 The EDDC complaints procedure is a two-stage process (Stage 1 – complaint and stage 2 – Appeal). The complaints are investigated by the Corporate Complaints team with information provided by the relevant teams.
- 1.1.3 If the complainant is still dissatisfied with our final response they are able to request the Housing Ombudsman to look into their complaint. The complainant can go to the Housing Ombudsman at any time during the process for advice and support.
- 1.1.4 Previously complainants were required to contact a designated person – MP, local councillor or tenant panel – or wait eight weeks before referring their complaint to the Ombudsman and this 'democratic filter' has been removed following a change in the law.

1.2 EDDC Corporate Complaints process

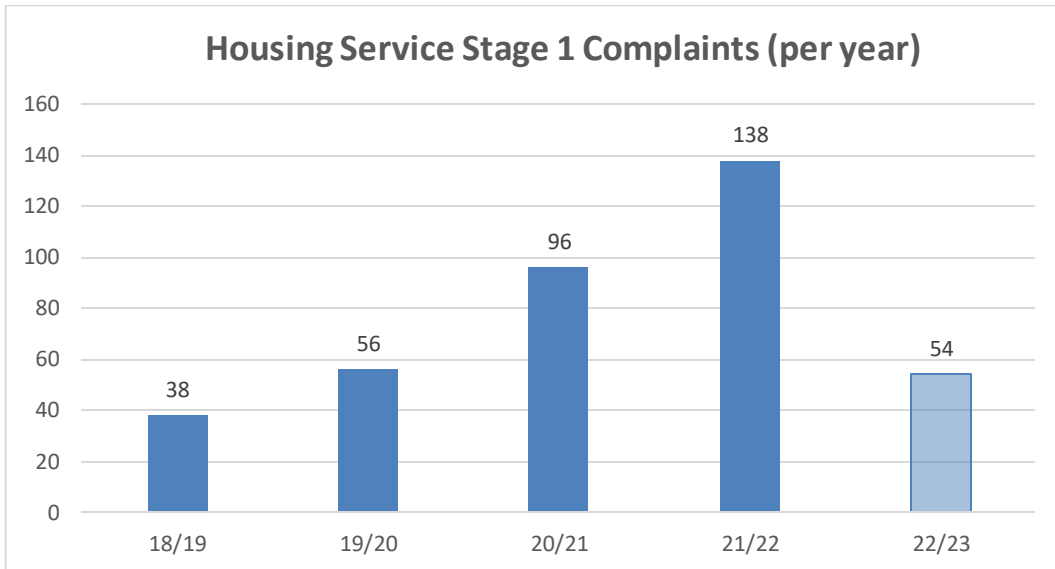
- 1.2.1 The EDDC Corporate Complaints Team administer, process and respond to all complaints received by Council departments including the Housing Service and any complaints referred from the Housing Ombudsman.
- 1.2.2 The Corporate Complaints Team process complaints in line with the EDDC policy ensuring the separation between a complaint and a service request.

1.3 Monitoring and reporting

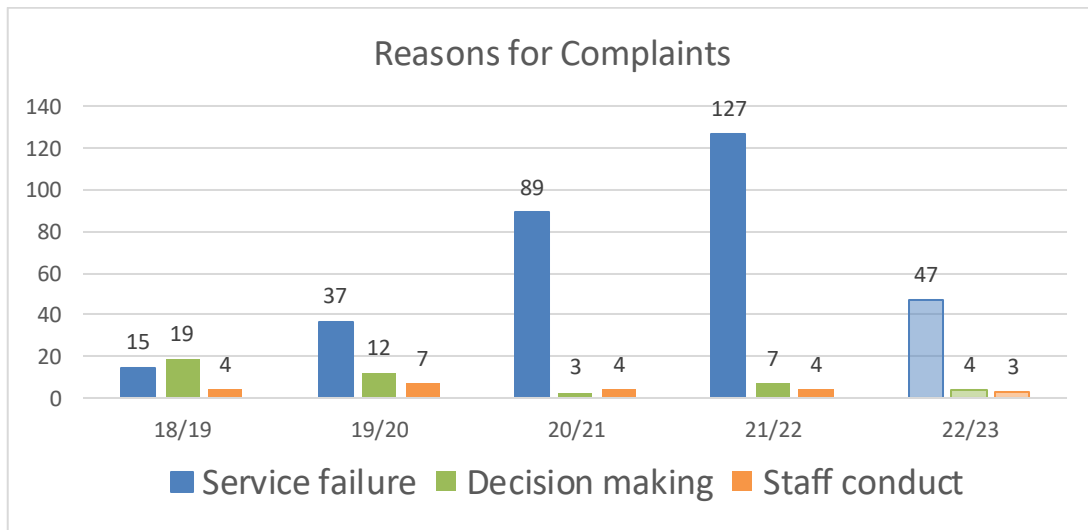
- 1.3.1 The Corporate Complaints Team provide a report to the EDDC SMT meeting every 6 months. The report includes:
 - Categories of complaints (service failure, decision making and staff conduct)
 - Complaints by EDDC service area
 - Housing Ombudsman complaints
 - Learning from complaints
- 1.3.2 The Corporate Complaints team provide 6 monthly reports of complaints to the housing service Designated Tenants Complaint Panel (DTCP). The DTCP role is currently under review as part of the review of the Resident Engagement Strategy which will also consider the implications of the Housing Ombudsman's removal of the democratic filter. The DTCP's current role is to:
 - Resolve complaints at a local level
 - Monitor formal complaints and make suggestions to improve customer satisfaction.
 - Hear complaints from tenants if they are not satisfied with stages 1 and 2 of the EDDC process
 - Report to the Housing Review Board.

1.4 Performance

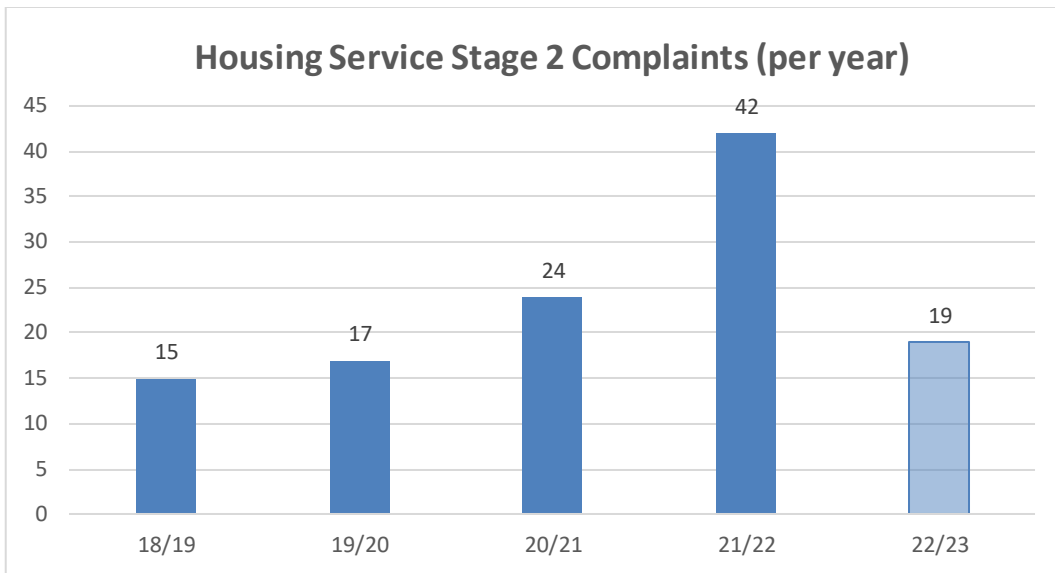
1.4.1 Formal complaints have continued to increase from 32 received in 2018/19 to 138 received in 2021/22. In the current year (22/23) we have received 54 in the first 6 months (April to Sep). Data was not easily available for complaints upheld, complaints partially upheld, complaints not upheld, complaints escalated to Ombudsmen and complaints made by vulnerable tenants and this data will need to be provided in future reports. It would also be useful to have data on how the complaints were received.



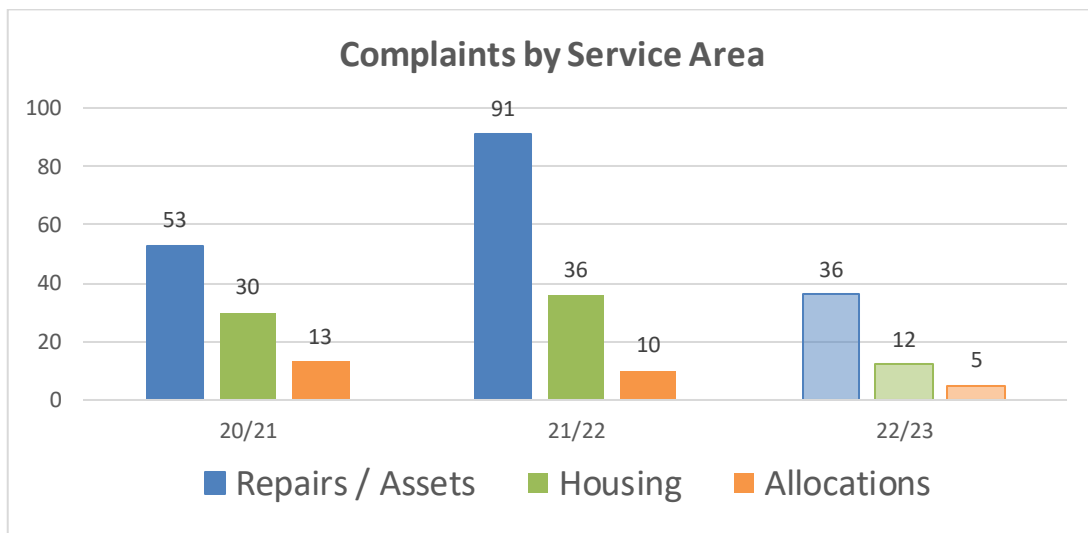
1.4.2 The reason for complaints are detailed in the graph below. The majority of the complaints each year are for service failures.



1.4.3 Between 25 to 39% of complaints progressed to stage 2 of the complaints process. We have received 19 stage 2 complaints in the first 6 months (April to Sep). Data was not easily available for complaints upheld, complaints partially upheld, complaints not upheld, complaints escalated to Ombudsmen and complaints made by vulnerable tenants and this data will need to be provided in future reports.



1.4.4 The repairs/assets service continue to receive the most complaints. Data by service area was not available for 18/19 and 19/20.



1.4.5 Going forward, in terms of measuring our performance, the new Tenant Satisfaction Measures and standards will mean that from 1 April 2023 we will have to collect the following:

- Complaints relative to the size of the landlord (this covers Stage 1 and Stage 2 Complaints)
- Complaints responded to within Complaint Handling Code timescales (this covers Stage 1 and Stage 2 Complaints)
- Satisfaction with the landlord's approach to handling complaints

1.4.6 Since the tragedy at Grenfell in 2017 combined with an increase in media articles and stories regarding poor service performance by some Registered Providers there has been more attention given to how Registered Provider's deal with complaints by their residents.

We are required to have clear and transparent processes for dealing with complaints and are expected to operate within the Housing Ombudsman Code of Practice.

The Housing Ombudsman published its annual complaints report in December 2022 with a table of providers with high maladministration rates. The Ombudsman has written to EDDC (see attached) and highlighted that EDDC has a high maladministration rate, which is higher than the average for the sector. (See attached performance report in **annex 1**).

In 2021/22 we received 5 Ombudsman decisions which highlighted a number of failings:

- Maladministration – 3 (1 x ASB, 2 x property condition)
- Service failure – 5 (3 x complaints handling, 2 x ASB)
- Orders – 7 x compensation (total £1450), 2 x policy review, 5 x specific actions

At the time of writing this report, briefing notes were not all available detailing the failures, areas for improvement and learning. These will need to be provided at the next HRB meeting.

There is a risk that non-compliance with policies, procedures and failures in service delivery will lead to both reputational risk as well as closer scrutiny by the regulator.

2. Recommendations – learning

- Rec 1 - Customer complaints training for all staff (members can attend if requested)
- Rec 2 - Customer service training for all staff (members can attend if requested)
- Rec 3 – Relaunch / retrain staff on the EDDC Behaviours Framework which details behaviours, how we communicate, focus on what matters to the customer, trust and respect and being accountable. (members can attend if requested)
- Rec 4 - Record keeping review and refresher training for all staff
- Rec 5 - Quarterly performance reports presented to SMT
- Rec 6 - Learning/improvements tracker which monitors identified improvements/learning actions ensuring implementation.
- Rec 7 - Annual complaints report and analysis to be presented to HRB
- Rec 8 - Annual complaints analysis and learning to be published in Tenants annual report
- Rec 9 - All Ombudsman cases to be reported to SMT immediately and plans/timescales/actions to respond to be put in place.
- Rec 10 - Housing complaints/ombudsman complaints to be tracked and monitored by dedicated officer.
- Rec 11 – Report to HRB on Ombudsman cases detailing learning and areas for improvement.
- Rec 12 – MPs/Councillors enquiries to be part of the reports presented to SMT, HRB and tenants
- Rec 13 – Review role of DTCP in line with the review of the Resident Engagement strategy.
- Rec 14 – Work with the corporate complaints team to develop the reports required for SMT/HRB/Tenants
- Rec 15 – Review the process for repairs satisfaction surveys

Financial implications:

There are no direct financial implications identified.

Legal implications:

There are no legal implications on which to comment.