

Item

# HOUSING OMBUDSMAN SELF-ASSESSMENT COMPLAINTS REPORT

**To:**

Councillor Richard Johnson, Executive Councillor for Housing

Housing Scrutiny Committee 19/01/2020

**Report by:**

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**Wards affected:**

All

## Not a Key Decision

### 1. Executive Summary

1.1 This report presents the findings of a self-assessment undertaken in response to the publication of the Housing Ombudsman's (HO) [Complaint Handling Code and Self-Assessment Tool](#). Membership of the [HO Scheme](#) is a requirement for all Registered Providers (RPs) of social housing. Cambridge City Council (CCC) is required to publish its findings prior to the 31<sup>st</sup> December 2020. The self-assessment work is now complete and the Complaint Handling Code Self-Assessment report (Appendix A) is available to view on the [CCC website](#). All recommendations contained within the action plan, have been discussed and are due for implementation in 2021.

## 2. Recommendations

The Executive Councillor is recommended to:

- 2.1 Approve the report and associated action plan included in Appendix A.

## 3. Background

- 3.1 The Housing Ombudsman (HO) is responsible for examining complaints about our services as a landlord. Residents can escalate their complaint to the HO if they feel that the complaint was not resolved within the CCCs internal two-stage process.
- 3.2 In 2020, as a member of the HO Scheme, CCC was required to demonstrate its compliance with the HO Complaint Handling Code. The purpose of the Code is to enable landlords to resolve complaints raised by residents quickly and to use the learning from complaints to drive service improvements. The Self-Assessment Tool provided a framework by which landlords could effectively assess its own complaint handling processes and identify areas of learning and development.
- 3.3 Compliance with the Code forms part of the membership obligations set out in the [Housing Ombudsman Scheme](#). Failure to comply with the conditions of membership may result in an Ombudsman determination of complaint handling failure<sup>1</sup>. Each quarter the Ombudsman will publish the total number of complaint handling failure orders issued and this information will be shared with the Regulator of Social Housing. The number of complaint handling failure orders issued against a landlord will also form part of the Ombudsman annual landlord performance reports and will be available on the Ombudsman website.

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<sup>1</sup> Paragraphs 13 and 73 of the [Housing Ombudsman Scheme](#)

3.4 Housing Services have embraced the opportunity to review its current complaint handling process in response to the requirements of the HO scheme and Code. This has involved working jointly with our corporate colleagues in Business Support who are responsible for the overall management of the complaints handling process and Complaints Tracker system.

## 4. Content

4.1 The self-assessment tool provided members with a list of thirty-six (36) questions across 6 themes:

- Definition of a complaint
- Accessibility and awareness
- Team, procedure, timeliness and responsiveness
- Fairness in complaint handling
- Putting things right
- Continuous learning and development

Twenty-six (26) questions required a yes or no response, and ten (10) required the inclusion of evidence. The officers involved in the assessment provided a full and evidenced response to each of the 36 questions. This thorough approach has meant that, in addition to demonstrating our compliance to the requirements of the Code, we have also been able to suggest improvements which build upon CCC's current offering.

### 4.3 Three areas CCC could improve

**Question 2(3)** Do CCC have a reasonable adjustments policy?

A reasonable adjustments policy is a document which sets out an organisation's commitment to improving accessibility for everybody. It sets out the principles of its approach and the factors that it will consider when dealing with requests for reasonable adjustments.

CCC has in place several policies, which set out its approach to equalities, including Comprehensive Equalities and Diversity Policy and the Single Equality Scheme. However, it was agreed that CCC's approach to accessibility could be more explicit. It is therefore acknowledged that further work could be done to ensure the council's policy on reasonable adjustments is reflected more explicitly in the Council's Comprehensive Equalities and Diversity Policy.

**Question 4(10)** What proportion of complaints do we resolve to residents' satisfaction?

CCC does not currently collect satisfaction monitoring information from complainants, because it is expected that a complainant will seek to escalate a complaint if they are not satisfied with the outcome. It is perhaps appropriate, therefore, to consider monitoring customer satisfaction with the *handling* of a complaint, rather than satisfaction with the *outcome*. This could be achieved through linking a short survey to the foot of the response template.

**Question 5(1)** Were all requests for evidence (by the Housing Ombudsman) responded to within 15 days?

To answer this question, a sample of complaints from January to November 2020 were analysed. In all cases CCC acknowledged the request within 15 days. In most cases CCC was able to provide the requested evidence in the required time frame except for one case where the volume of supporting evidence was too large to be sent by email. In this case CCC had to find an alternative solution in conjunction with the HO to transfer the information. This delayed the response by 4 weeks. To avoid this from happening again CCC will need to work with 3CICT and the HO to identify a secure but efficient way of transferring large quantities of documents.

## 5. Implications

### (a) Financial Implications

None

**(b) Staffing Implications**

None

**(c) Equality and Poverty Implications**

As set out in 4.3 of this report

**(d) Environmental Implications**

None

**(e) Procurement Implications**

None

**(f) Community Safety Implications**

None

**6. Consultation and communication considerations**

A verbal update on the findings contained within the report have been shared with Housing Scrutiny Committee (HSC) Resident Representatives for information. This meeting took place prior to publication of the Complaint Handling Code Self-Assessment report (31<sup>st</sup> December 2020).

**7. Background papers**

No background papers were used in the preparation of this report.

## **8. Appendices**

Appendix A - Complaint Handling Code Self-Assessment report

## **9. Inspection of papers**

For queries about this report please contact:

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## APPENDIX A

### Housing Ombudsman Complaint Handling Code: Self-assessment form

Compliance with the Complaint Handling Code			
1	Definition of a complaint	Yes	No
1.1	Does the complaints process use the following definition of a complaint?  <i>An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.</i>	√	
1.2	Does the policy have exclusions where a complaint will not be considered?	√	
1.3	Are these exclusions reasonable and fair to residents?  Evidence relied upon	<b>Please see <a href="#">Note 1</a></b>	
<b>2</b>	<b>Accessibility</b>		
2.1	Are multiple accessibility routes available for residents to make a complaint?	√	
2.2	Is the complaints policy and procedure available online?	√	
2.3	Do we have a reasonable adjustments policy?	√	
2.4	Do we regularly advise residents about our complaints process?	√	
<b>3</b>	<b>Complaints team and process</b>		
3.1	Is there a complaint officer or equivalent in post?	√	
3.2	Does the complaint officer have autonomy to resolve complaints?	√	
3.3	Does the complaint officer have authority to compel engagement from other departments to resolve disputes?	√	
3.4	If there is a third stage to the complaints procedure are residents involved in the decision making?	N/A	
3.5	Is any third stage optional for residents?	N/A	
3.6	Does the final stage response set out residents' right to refer the matter to the Housing Ombudsman Service?	√	
3.7	Do we keep a record of complaint correspondence including correspondence from the resident?	√	
3.8	At what stage are most complaints resolved?	<b>Please see</b>	

		<a href="#">Note 2</a>	
<b>4</b>	<b>Communication</b>	<b>Yes</b>	<b>No</b>
<b>4.1</b>	Are residents kept informed and updated during the complaints process?	√	
<b>4.2</b>	Are residents informed of the landlord's position and given a chance to respond and challenge any area of dispute before the final decision?	√	
<b>4.3</b>	Are all complaints acknowledged and logged within five days?	√	
<b>4.4</b>	Are residents advised of how to escalate at the end of each stage?	√	
<b>4.5</b>	What proportion of complaints are resolved at stage one?	<b>Please see <a href="#">Note 3</a></b>	
<b>4.6</b>	What proportion of complaints are resolved at stage two?	<b>Please see <a href="#">Note 4</a></b>	
<b>4.7</b>	What proportion of complaint responses are sent within Code timescales? <ul style="list-style-type: none"> <li>• Stage one: 10 working days (Max) Stage one (with extension): extension of further 10 days (Max)</li> <li>• Stage two: 20 working days (Max) Stage two (with extension): extension of further 10 days (Max)</li> </ul>	<b>Please see <a href="#">Note 5</a></b>	
<b>4.8</b>	Where timescales have been extended did we have good reason?	√	
<b>4.9</b>	Where timescales have been extended did we keep the resident informed?	√	
<b>4.10</b>	What proportion of complaints do we resolve to residents' satisfaction	<b>Please see <a href="#">Note 6</a></b>	
<b>5</b>	<b>Cooperation with Housing Ombudsman Service</b>		
<b>5.1</b>	Were all requests for evidence responded to within 15 days?		√
<b>5.2</b>	Where the timescale was extended did we keep the Ombudsman informed?	√	
<b>6</b>	<b>Fairness in complaint handling</b>		
<b>6.1</b>	Are residents able to complain via a representative throughout?	√	
<b>6.2</b>	If advice was given, was this accurate and easy to understand?	√	
<b>6.3</b>	How many cases did we refuse to escalate?  What was the reason for the refusal?	<b>Please see <a href="#">Note 7</a></b>	
<b>6.4</b>	Did we explain our decision to the resident?	<b>N/A</b>	



		Yes	No
<b>7</b>	<b>Outcomes and remedies</b>		
<b>7.1</b>	Where something has gone wrong are we taking appropriate steps to put things right?	√	
<b>8</b>	<b>Continuous learning and improvement</b>		
<b>8.1</b>	What improvements have we made as a result of learning from complaints?	Please see <a href="#">Note 8</a>	
<b>8.2</b>	How do we share these lessons with: a) residents? b) the board/governing body? c) In the Annual Report?	Please see <a href="#">Note 9</a>	
<b>8.3</b>	Has the Code made a difference to how we respond to complaints?	√	
<b>8.4</b>	What changes have we made?	Please see <a href="#">Action Plan (Appendix)</a>	

## Notes with evidence

### 1. Is our policy not to consider certain complaints fair and reasonable to residents?

The Council's '[Unreasonably persistent complainants policy](#)' and '[Unreasonable complainant behaviour policy](#)' respectively seek to:

- Allow all complainants fair and equal access to the finite resources available within the Council, and
- Protect staff against abusive, offensive, discriminatory or threatening behaviour.

It is therefore reasonable to exclude some people from continuing to complain to the Council, in order to meet these aims. This decision will not be taken lightly and will be subject to agreement between the relevant Head of Service and their Director. At least one warning will be given about sanctions being imposed.

The Council's '[Unreasonably persistent complainants policy](#)' distinguishes between complaining about the same issue after it is considered resolved, and the treatment

of complaints on a new issue. New complaints on other matters will be treated on their merits. This means someone who has been treated as an unreasonably persistent complainant may still bring new, unrelated issues to the Council's attention, if they are not trivial or vexatious.

When we decide to treat someone as an 'unreasonable' or 'unreasonably persistent' complainant, we will write to tell them why we believe this to be the case, what action we are taking and how long that action will last. If we are still treating someone as an unreasonable or unreasonably persistent complainant after a year, the decision will be reviewed by the Council's Monitoring Officer, and a decision taken as to whether the restrictions should continue.

If we consider a complainant's behaviour unacceptable under the '[Unreasonable complainant behaviour policy](#)' we will tell them why and ask them to change it. We will only restrict access to the Council's staff if the unacceptable behaviour continues or constitutes a serious risk.

## **2. At what stage are most complaints resolved?**

Most complaints are resolved at Stage 1.

## **3. What proportion of complaints are resolved at stage one?**

91% are resolved at stage one.

## **4. What proportion of complaints are resolved at stage two?**

86% of the complaints reaching stage two were resolved at that stage.

## **5. What proportion of complaint responses are sent within Code timescales?**

Eighty seven percent (87%) of Stage 1 complaints are sent within 10 working days. Eight five percent (85%) of Stage 2 complaints are sent within 20 working days.

## **6. What proportion of complaints do we resolve to residents' satisfaction?**

We do not currently collect satisfaction monitoring information from complainants, because we expect that a complainant will seek to escalate a complaint if they are not satisfied with the outcome. We will explore options for how we monitor satisfaction with complaint handling, for example by linking a short survey to the foot of the response template (see [Action Plan](#)).

## **7. How many cases did we refuse to escalate, and why?**

We did not refuse to escalate any housing-related complaints.

## **8. What improvements have we made as a result of learning from complaints?**

- Introduction of Complaints Handling Procedure 2019 for Housing Services. This new procedure introduced a system of calling people at the start of the process,

in order to clarify the core reason for the complaint and the customer's expectations for a successful outcome. The new procedure incorporated a policy for considering financial redress (where appropriate).

- If mistakes are identified, procedures are reviewed to ensure they mitigate the risk of a repeat. An example is in the review of how we identify and advertise 'sensitive lets'. This review was stimulated by a complaint. We have also amended our Abandonment Flowchart, to clarify the timescales involved.
- An analysis of complaints is now presented to senior officers, and they take ownership of progressing any improvements required, or changes in practice.
- We communicate resulting changes in procedure immediately to Housing Services via the Intranet and Housing News
- An on-line procedure manual, ENLIGHT has been developed to ensure that staff have easy/quick access to relevant guidance. It is updated immediately in response to complaint findings.

#### **9. How do we share lessons with residents, the governing body and in an annual report?**

In the Housing Ombudsman's Complaint Handling Code it states 'A good culture should also recognise the importance of resident involvement, through the formation of resident panels, consulting with residents on the formulation of complaints policies and procedures and through including them in panel hearings as part of the dispute resolution process, where appropriate'.

CCC have a Residents' Panel which meets quarterly, and work is underway to ensure that Housing Services Key Performance Indicators (including complaints), are shared with members. Panel members will be asked to share their thoughts and suggest improvements from a customer point of view. This feedback will be embedded and used to make customer centred improvements to the way the Housing Service deliver day to day service.

An annual complaints report is presented to the Strategy and Resources Scrutiny Committee of the Council and a quarterly complaints report is presented to the Senior Management Team and to Executive Councillors. The report contains a commentary from each Head of Service including reflections on any lessons learned; and is published on the Council's website.

## Housing Ombudsman Self-assessment: Action Plan

### \*Mandatory

Question	Action	Lead	Target date	Notes on progress
1.2	Review the corporate <i>'Unreasonably Persistent Complainants Policy'</i> and <i>'Unreasonable Complainant Behaviour Policy'</i> and consider establishing and publishing a formal overarching 'Complaints Policy' document	Customer Services Operations Manager	June 1 2021	
2.3*	Ensure the council's policy on reasonable adjustments is reflected more explicitly in the Council's Comprehensive Equalities and Diversity Policy	Equality and Anti-Poverty Officer	July 1 2021	
2.1	Investigate introducing Govmetric satisfaction monitoring (or similar) into email footers for Supported Housing, City Homes and repairs handling staff who correspond with the public	Transformation Consultant	December 2021 (tbc)	
2.1	Review how we handle social media complaints, particularly in the light of maintaining anonymity and confidentiality	Corporate Marketing and Communications Manager	December 2021	
2.1	Improve how quickly customers can reach information on how to complain on the corporate website	Digital and Web Manager	June 1 2021	
2.4	Improve proactive promotion of our complaints process, and promotion of the dispute support services provided by the Housing Ombudsman Service (HOS). This could be achieved via the website, via Open Door, and by including standard paragraphs in template letters	Digital and Web Manager; Housing Services Manager (Supported Housing); Customer Services Operations Manager	Sept 30 2021	
2.4	Add information about the complaints process to Service Standards documents relating to housing services	Policy & Performance Officers	March 31 2021	

<b>3.6</b>	Develop new housing-related response templates in the Complaints Tracker system which refer to the respective jurisdictions of the HOS and Local Government and Social Care Ombudsman (LGSCO)	Business Development Manager	December 31 2020	
	Investigate incorporating tracking of complaints which are escalated to the Ombudsman into the Complaints Tracker system, for consistency and ease of reporting.	Business Development Manager	March 31 2021	
<b>3.6; 6.1; 6.2</b>	Review and update the Housing Service Complaints Handling Procedure (2019) to: <ul style="list-style-type: none"> <li>– Ensure staff have clear guidance on the respective jurisdictions of the HOS and LGSCO, and the difference in the escalation rules.</li> <li>– Include a section on support and representation arrangements.</li> <li>– Provide guidance on explaining policies clearly and succinctly, without reference to sector jargon, acronyms or irrelevant legislation.</li> </ul>	Policy & Performance Officers	March 31 2021	
<b>4.10*</b>	Introduce monitoring of customer satisfaction with the handling of each complaint	Business Development Manager	March 31 2021	
<b>5.1*</b>	Identify a secure but efficient way of transferring large quantities of documents to the HOS	3CICT	TBC <sup>2</sup>	
<b>8.3</b>	Give the Resident Panel a summary of the Annual Complaints Report before it goes to Strategy and Resources Scrutiny Committee.	Business Development Manager; Housing Services Manager	Next committee meeting (July 2021)	

<sup>2</sup> Data sharing with external organisations via Microsoft Teams requires Council Anywhere Transformation Organisational Link (CATOL) approval. Due to meet in 2021.

		(Supported Housing)		
<b>8.3</b>	Meet with the Residents Panel and present options for how they could be more involved with the complaints process, as per recommendations in the <a href="#">Charter for Social Housing Residents Whitepaper (2020)</a>	Housing Services Manager (Supported Housing)	March 31 2021	