



Annual Complaints Performance and Service Improvement Report 2023/24

Homes and Neighbourhoods

Forward

Statement from the Leader of the Council

This is the first annual complaints performance and service improvement report produced by Kirklees Council which covers the period 1st April 2023 to 31st March 2024, and was presented at the council's Cabinet on 7th July 2024. The report provides an analysis of complaints handling within Homes and Neighbourhoods (HN), the service with responsibility for the management and maintenance of the council housing stock, on behalf of the council. As the governing body, Cabinet has reviewed the report including a self-assessment, to ensure there is sufficient internal scrutiny of this information.

Comments from Cabinet to be added following Cabinet meeting on the 9th July 2024.

Statement from the Cabinet Member, Housing

In my role as the council's Cabinet Member responsible for Complaints (MRC), I have scrutinised and challenged the report including a self-assessment completed by officers on behalf of the council, and how any risks identified as part of this process have been addressed.

Whilst I appreciate complaints in themselves are an opportunity to learn and that some good practice exists in the way the Council handles complaints, I have specifically challenged the number of complaints received and the number of complaints dealt with within the timescales set out in the Council's policy. I am concerned by the number of complaints upheld at both stages of the process because it indicates a service failure and I have sought assurances that the necessary learning has been embedded into the way we work, not only with complaints handling but further 'upstream' in the way we deliver services. It is clear from the annual report that tenants would like better communication when, for example, a repair is requested. The service has commenced work in reviewing its end-to-end repairs process so that communication touchpoints are embedded in the new process and systemised.

I have also instructed that staff receive mandatory complaints handling training and this is being rolled out between June and September 2024.

I have assured myself that the self-assessment against the Code is an accurate reflection of the Council's position and I am satisfied that on the one where we have fallen short, namely 'reasonable adjustments under the Equality Act 2010, both short term and long-term plans to rectify this are in place and being progressed.

In recognition that staff capacity, particularly in the asset management team, is a contributory factor to the number of complaints relating to repairs, I have ensured that there is a focus on recruitment which has begun with some success. I have also strengthened the Customer Experience Team with an additional manager.

Along with the Homes & Neighbourhoods Improvement Board and the Tenant Led Panel, I will continue to receive regular performance reports at my portfolio briefings to ensure learning is being embedded and the improvements are having the desired impact on the tenant's experience.

As required in Housing Ombudsman's Complaint Handling Code, this annual report has been published on the Kirklees Council website alongside policies and procedures, [Complaints Handling Code Self Assessment](#).

Introduction

Under the Social Housing Regulation Act 2023, the Housing Ombudsman's Complaint Handling Code of Practice is now statutory and places a legal duty on the council as a landlord to comply with the Code, as well as a duty on the Ombudsman to monitor compliance with the Code. The Housing Ombudsman is the independent public body for complaints within the social housing sector. Kirklees Council is a member of the Housing Ombudsman Service Scheme.

The council is required to carry out an annual self-assessment against the Housing Ombudsman Complaints Handling Code and publicise this to customers. Details of this assessment have been published on the council's website, [Complaints Handling Code Self Assessment](#)).

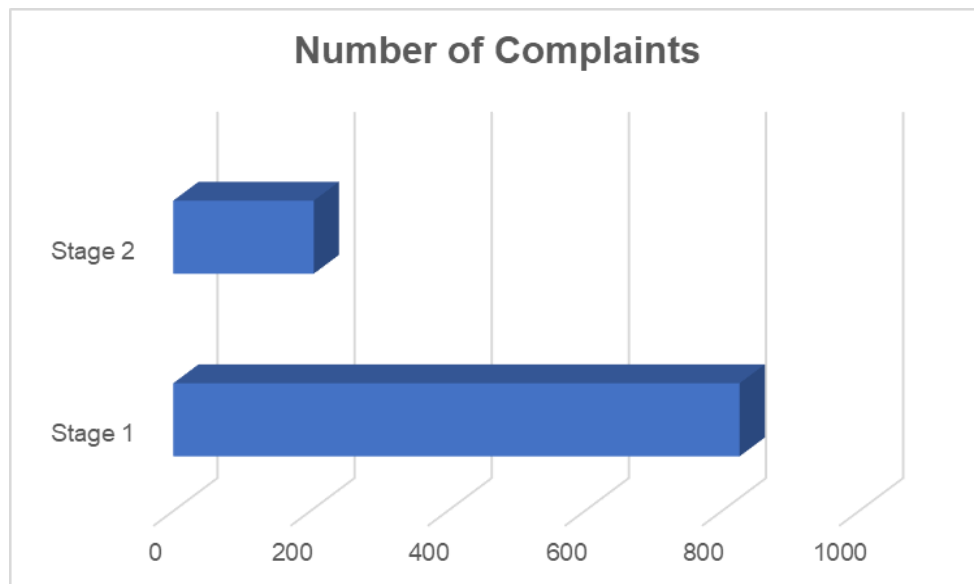
The council has also updated its Complaints Policy to ensure complaints are handled within the framework of the Housing Ombudsman Complaint Handling Code. The Complaints Policy can be viewed [Homes and Neighbourhoods' Complaints Policy](#).

The council recognises that it is on a journey to improve complaints handling and remains dedicated to using feedback to drive meaningful changes and enhance the overall customer experience. Complaints and lessons learned from complaints can improve the quality and focus of services provided to all customers. More information on what improvements have been made already and what is being undertaken this year can be found later in this report. This includes a greater focus on how the council is addressing the reasons why customers make complaints.

This report provides an analysis of complaints handling within Homes and Neighbourhoods (HN) on behalf of the council (covering the period 1st April 2023 to 31st March 2024). This includes:

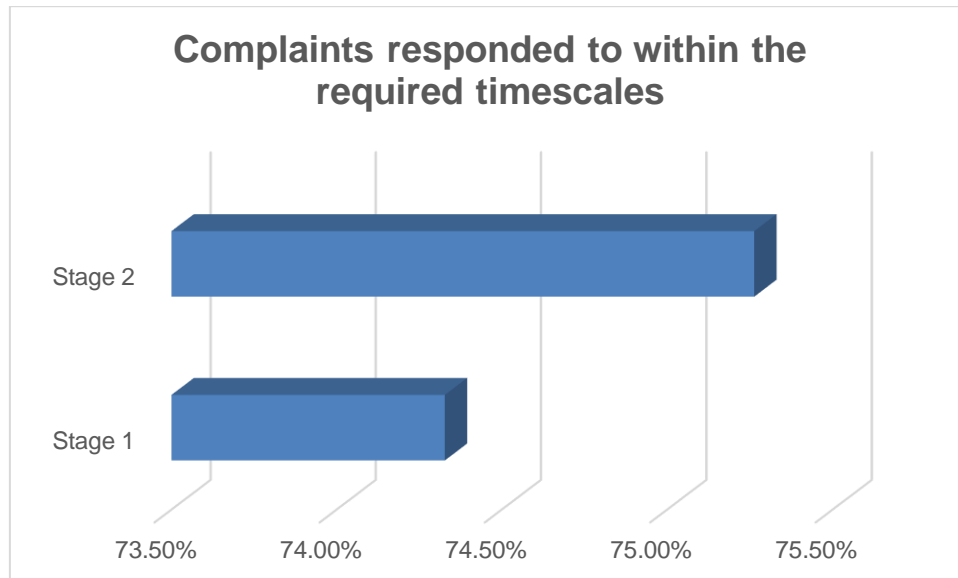
- Details of HN's complaints handling performance for the year 2023/24 (with 2022/23 performance in brackets).
- Summary of the types of complaints the council has refused to accept.
- Summary of learning identified to address the key issues highlighted in relation to complaints handling that provides further opportunities to improve services to customers and increase overall tenant satisfaction.
- Summary of cases referred to the Housing Ombudsman in 2023/24, including maladministration determinations made against the council and any actions arising from these cases.

- A self-assessment of the council's complaints policy against the Housing Ombudsman's statutory complaints handling code introduced in April 2024.



Complaints Handling Performance 2023/24

A complaint is defined as ‘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’



For the year 1st April 2023 to 31st March 2024 the council responded to 1,031 complaints, 826 of these were new complaints (554 new complaints in 2022/23). The council operate a 2 Stage complaints process that allows residents to escalate their complaint where they remain dissatisfied with the outcome of their complaint.

Complaints at Stage 1 and Stage 2

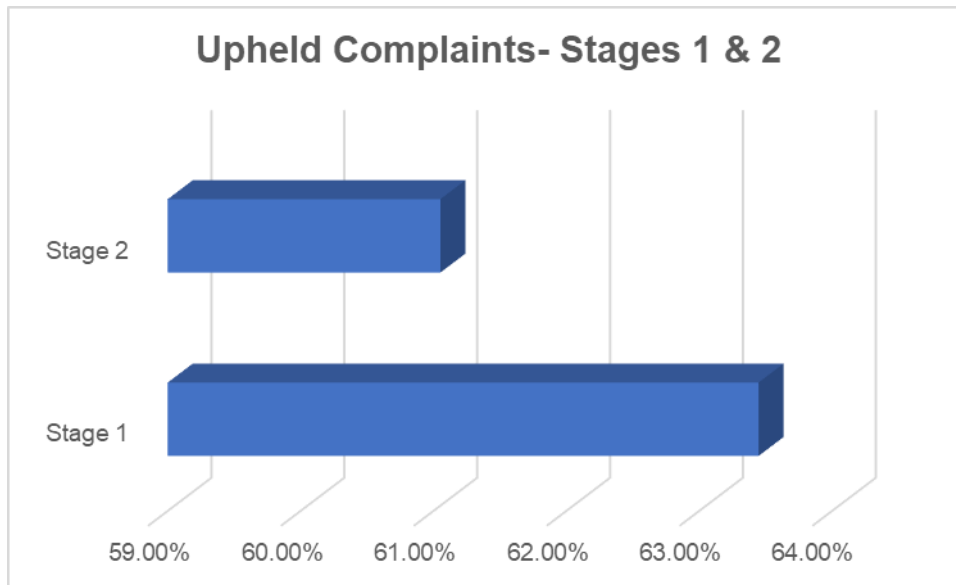
The graph above shows the number of complaints handled at Stage 1 and Stage 2 of the complaints process. In total, 80% (87% in 2022/23) of complaints were resolved at Stage 1 with the remaining 20% (13% in 2022/23) of complaints escalated to Stage 2.

Timescales

The Housing Ombudsman’s Complaint Handling Code requires Stage 1 complaints to be resolved within 10 working days, and 20 working days for Stage 2 complaints.

This year, the council handled 73.12% (70.97% in 2022/23) Stage 1 complaints within the timescales and 68.29% (88.89% in 2022/23) within timescales for Stage 2. The reduction in performance at Stage 2 can be linked to significant capacity issues in service areas.

Upheld Complaints

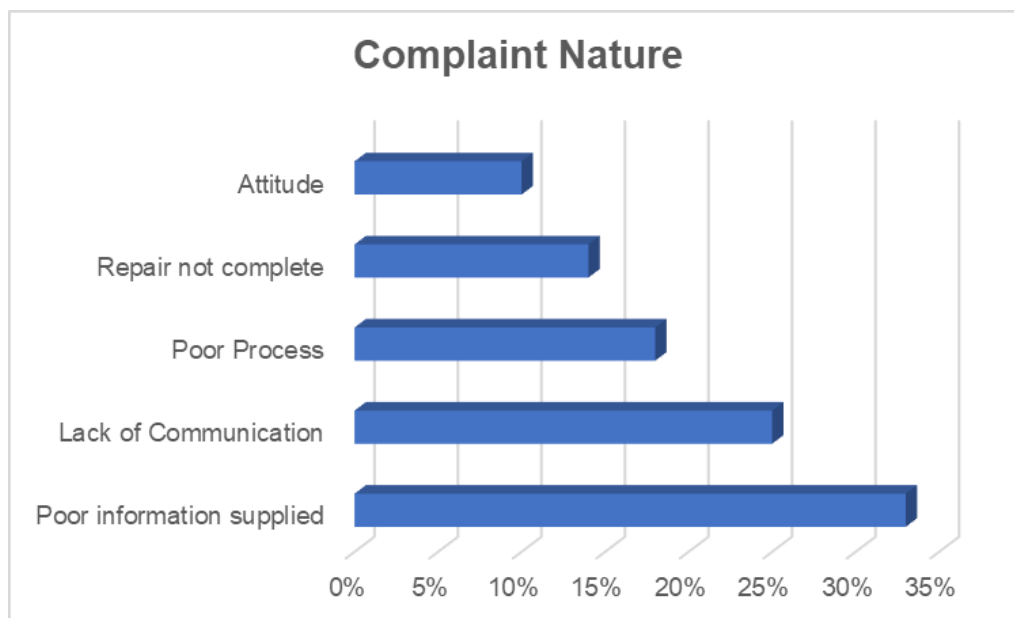


'Upheld complaints' is the percentage of complaints where the council has not performed as well as we would expect and therefore the customer's complaint was 'upheld'. The chart below shows 63.45% (64.62%) were upheld at Stage 1 and 61.05% (56.92%) at Stage 2 were upheld.

Nature of Complaints

The most common reasons for complaints in 2023/24 year was 'Poor Information Supplied', for example, no clarity provided to the customer when works will be carried out and 'Lack of Communication', for example failure by the council to keep in contact with the customer. This is fairly consistent with the nature of complaints made in 2022/23.

Of all complaints received in the year 2023/24, 69% (69% in 2022/23) was in relation to repairs or the condition of properties. This indicates that customers want more information about our services, how and the reasons behind the council's decisions and want to have clearer timescales of when they can expect a response. In total, 29% (26% in 2022/23) related to the housing management service and policies.



Compliments

The council received 87 (76 in 2022/23) compliments during 2023/24, 62% (76% in 2022/23) of these were about the service provided by our Repairs Teams and 34% (21% in 2022/23) were about the housing management service.

The council appreciates receiving positive feedback. This information is used to improve services where appropriate and, included as part of ongoing training to demonstrate to staff 'what good looks like'. It is also rewarding for staff and team members to share examples of those who go above and beyond to deliver excellent services to tenants.

Types of Complaints Not Accepted by the Council

The complaints policy is initiated in all cases where an expression of dissatisfaction has been made. There are a few exceptions where complaints have not been accepted by the council which are outlined in the complaints policy. Examples include:

- Making an initial request for service or information.
- Making an initial report about anti-social behaviour, as this is managed in line with our ASB policy.
- Complaints concerning the level of rent or service charge or the amount of the rent or service charge increase.
- Where legal proceedings have started and have been filed at court.
- Where the complaint is about an issue that has not been brought to the council's attention within 12 months.
- Matters that have already been considered under the complaints policy.

There were 6 instances in the year where a complaint could not be accepted, 3 were initial requests for service, 2 had already been through the complaints process, and 1 case was over 12 months ago.

Our Tenant Satisfaction Measures (TSMs) on Complaint handling - Perception Data

Tenant satisfaction measures are a new system developed by the Regulator of Social Housing to assess how well social housing providers are doing at providing good quality homes and services. The TSMs cover areas such repairs, safety checks, anti-social behaviour and complaints. Of significance is the emphasis on tenant perception of the services they receive from their landlord, which is an integral part of the TSMs. All social housing providers were required to start collecting data for TSMs from 1st April 2023. The deadline for the first year's (1st April 23 – 31st March 24) submission of data to the Regulator was 30th June 2024.

Complaints handling forms part of the TSMs Tenant Perception' Measures based on tenants' views of how the council is performing. The TSMs includes two specific questions on the topic of complaints and the following shows the results from the TSM survey undertaken in 2023 where 2,636 (or 13%) of households took part:

- a) *Have you made a complaint to Kirklees Council Housing Services in the last 12 months?* – 30% of tenants said they complained
- b) *How satisfied or dissatisfied are you with Kirklees Council Housing Services approach to complaints handling* – 23% said they were satisfied.

The Tenants Perception question is considered very broad, and it is important to understand these questions in the context of the wider experience of customers when discussing repairs and other issues, as opposed to the much narrower formal complaints procedure. Almost a third of tenants that responded to the survey claim to have made a complaint, which is a very large proportion. Experience with this

question has shown that it will include relatively few who used the formal complaints process. Instead, this group should be better understood as those who had some sort of issue or problem over the last 12 months that they believed the council was responsible for resolving. The results should therefore be viewed as comments on how the council deals with issues or problems that arise, rather than a measure of how the formal complaint process performs.

Learning from Complaints

Complaints need to be used as a source of intelligence to identify issues and introduce positive changes in service delivery. Effective and positive complaint handling also offers a valuable insight into the services provided by the council as a landlord and how we are perceived and received by tenants. Complaints or lessons learned from a complaint can improve the quality and focus of services provided to all customers.

The priority for the council is to realign the emphasis on simply tackling 'volumes' of complaints, meeting timescales to 'respond' and addressing the 'outcomes' of complaints, to focus on good service delivery as a means of preventing the complaint in the first place. This includes greater concentration on reducing repeat types of complaints that are being upheld by addressing the underlying causes and embedding the learning to improve services to tenants.

As outlined in this annual report over 60% of complaints have been upheld. The high number of upheld cases is a clear indication that further service and competence and conduct changes are required to improve customer satisfaction by meeting the council's published service standards.

The following provides a summary of learning identified and improvements already made as a result of complaints.

- Improvements to the data gathered when we take details of complaints. This is helping the council to identify underlying thematic causes and trends and develop solutions at the earliest opportunity.
- Quality assurance checks carried out on sample of complaint responses and supported investigating officers with training, advice, and guidance.
- Established a new Damp & Mould Team that customers can contact directly, ensuring reports of damp and mould are recorded and responded to quickly by identifying the root causes, and customers are kept updated.
- Improved the information available to customers about the complaints process on the council's website.
- Amended information on how to make a complaint online to make it more user friendly.
- Reviewed the council's approach to better capture customer feedback on the complaint handling process by introducing a telephone based approach in addition to the text surveys.
- Updated the Complaints Policy to reflect the new Housing Ombudsman Complaint Handling Code.

This year we will:

- Improve record keeping as recommended by the Housing Ombudsman.
- Continue to support staff with updated training to better respond to complaints.
- Provide clear timescales in relation to actions and remedies to resolve complaints and prevent escalation.
- Review the Repair and Maintenance Policy to ensure it is clear and up to date for customers on the services they can expect to receive.
- Update our internal processes to record and hold customer information better.
- Continue to review and improve our approach to tackle damp and mould and have already allocated a further £2 million per year to the budgets over the next three years, following a notice from the Regulator of Social Housing in March 2024.
- Reviewing what happens if a customer is not home when we come to carry out repairs. The council aims to reduce the time it takes for these repairs to be rescheduled and completed.
- Update our internal processes to record and hold better customer information to ensure any reasonable adjustments are adhered to on every occasion no matter what part of the council customers are in touch with.
- Closer working with the corporate insurance and corporate customer standards teams in to improve insurance claim and complaint handling.

Housing Ombudsman Cases

Where the council has not been able to resolve an issue, customers can refer their case to the Housing Ombudsman to carry out an independent review of how the council has dealt with a complaint.

The council are obliged to comply with any orders made in a determination by the Housing Ombudsman where failures have been identified. The target dates for orders to be complied with, are set out with the orders in both the investigation report and the determination letter.

In 2023/24, the Housing Ombudsman made 3 maladministration determinations against the council where services or officers had failed to do something, did something that should not have happened or, unreasonably delayed dealing with the matter. A summary of the basis for the maladministration cases against the council is as follows:

Case 1 - How the council responded to a tenant's reports of anti-social behaviour (ASB) and disrepair to their home. The council was ordered to pay compensation of £650, to review the tenant's reports of ASB and set out our actions following the review, in writing. This was actioned and completed.

Case 2 - How the council handled reports of leaks from a tenant's shower and service failure in respect of the council's poor handling of the associated complaint. The council was ordered to pay the tenant a total amount of £425 in compensation

(£350 for the delays in completing repairs to the shower and £75 for poor complaint handling). This was actioned and completed.

Case 3 - How the council handled the tenant's reports of damp, mould and condensation in the property and the way the council handled the tenant's subsequent complaint. The council was ordered to pay compensation totalling £1,250. This was made up of £750 for the distress and inconvenience caused by council's delay in identifying the required repairs and £500 for the delay in the council's stage 1 response. The council was also ordered to conduct a case to find out why it failed to identify consistent reports of the same nature, over an extended period so the root cause of the failure could be fully understood. This was actioned and completed.

You can view our determinations on the [Housing Ombudsman website](#).

Self-Assessment against the Housing Ombudsman Complaints Handling Code

The council is required to carry out an annual self-assessment against the Housing Ombudsman Complaints Handling Code and publicise this to customers. Details of the latest assessment can be found on the council's website, [Complaints Handling Code Self Assessment](#).

The council updated its [Complaints Policy](#) to ensure complaints are handled within the framework of the Housing Ombudsman Complaint Handling Code.

Complaints Handling Governance Arrangements

A quarterly programme of performance reporting is in place which is reported to the Homes and Neighbourhoods' Senior Management Team (SMT), the Council's Cabinet Portfolio Holder for Housing, Homes and Neighbourhoods Improvement Board (HNIB) which is independently chaired and the Tenant Led Panel. The Cabinet also receives periodic updates as well as the Council's Scrutiny Function. These reports include updates on complaint volumes, performance, learning, Housing Ombudsman casework including compliance with maladministration orders and updates on self-assessments. Ultimate responsibility for compliance against the Housing Ombudsman's Complaints Handling Code and the Regulator for Social Housing's Consumer Standards (which includes complaints handling) lies with the Council's Cabinet as the overall governing body.

Making a Complaint

For more information on making a complaint please visit [Kirklees Council website](#) or contact the Homes and Neighbourhoods' Customer Support and Information Team on 01484 414886 where a member of the team can discuss and log your complaint.