

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 6 MARCH 2018

Title of report	TENANT SCRUTINY PANEL REPORT ON COMPLAINTS
Key Decision	a) Community Yes b) Financial No
Contacts	Councillor Roger Bayliss 01530 411055 roger.bayliss@nwleicestershire.gov.uk Strategic Director of Housing and Customer Services 01530 454819 glyn.jones@nwleicestershire.gov.uk Head of Housing and Asset Management 01530 454780 chris.lambert@nwleicestershire.gov.uk
Purpose of report	To seek approval to implement the action plan developed by the Housing Service in response to the recommendations put forward by the Tenant Scrutiny Panel in respect of Complaints.
Reason for Decision	The Tenant Scrutiny Panel has concluded their inspection of Complaints.
Council Priorities	Value for Money Homes and Communities.
Implications:	
Financial/Staff	The recommendations put forward by the Tenant Scrutiny Panel can be met by existing resources within the Housing Revenue Account budget.
Link to relevant CAT	N/A
Risk Management	The recommendations and any associated risks will be monitored by the Housing Service and Tenant Scrutiny Panel.
Equalities Impact Screening	No implications apparent.

Human Rights	No implications apparent
Transformational Government	This report reflects the second outcome from the introduction of the new Social Housing Regulatory regime established by the Localism Act 2011.
Comments of Head of Paid Service	Report is satisfactory
Comments of Section 151 Officer	Report is satisfactory
Comments of Deputy Monitoring Officer	Report is satisfactory
Consultees	Tenants & Leaseholders Consultation Forum Housing Senior Management Team Corporate Management Team
Background papers	None
Recommendations	THAT CABINET APPROVES THE ACTION PLAN PREPARED IN RESPONSE TO THE RECOMMENDATIONS FROM THE TENANT SCRUTINY PANEL'S INSPECTION OF COMPLAINTS.

1.0 CONTEXT

- 1.1 Cabinet approved the establishment of a Tenant Scrutiny Panel (TSP) on 13 March 2012 in response to introduction of the Localism Act 2011. The Act heralded the focus for Housing regulation moving towards a culture of local co-regulation, with greater emphasis on locally determining standards and priorities.
- 1.2 The reforms have also provided social housing tenants with stronger tools to hold their landlords to account through tenant panels, or similar bodies, in order to give tenants the opportunity to carefully examine the services being offered and form judgements about the cost and quality of the services they receive.
- 1.3 Panel members were formally recruited in December 2012 and embarked on their first pilot review of customer satisfaction with the Decent Homes Improvement Programme in May 2013. The Panel issued their findings and recommendations in a report in May 2014 to the Housing Portfolio Holder. Each of the 5 recommendations were accepted and adopted by the Housing Service.
- 1.4 To date, the panel have undertaken a further five inspections with all recommendations accepted and actions to implement undertaken.
- 1.5 The latest report issued by the Panel in respect of Complaints is a product of the Panel's work during the 2017/2018 financial year which concluded in November 2017. This is the sixth report issued by the Panel.

- 1.6 The inspection and subsequent writing of the report took longer than anticipated and therefore some findings and recommendations have already been acted upon and there is at least one action completed. These have been indicated on the action plan.
- 1.7 The Panel is aware of a planned review of the corporate complaints policy and process and anticipates this report will feed into that review.
- 1.8 The Panel will next be inspecting Estate Management services within Housing, with a report detailing their findings and proposed recommendations due to be considered by Cabinet later in the 2018/19 financial year.

2.0 INSPECTION OF COMPLAINTS

- 2.1 The Panel's full report, including twelve recommendations can be found in Appendix A. The list of recommendations can be found specifically under section 10. All recommendations have been accepted by the Housing Senior Management Team (SMT).
- 2.2 It is important to note that the report attached has been produced by the Scrutiny Panel themselves, in their own words.

3.0 RESOURCE COMMITMENTS

- 3.1 Recommendations will be implemented through an action plan which outlines actions proposed to address the issues raised. The action plan has been approved by the Panel and SMT. All actions can be undertaken and implemented within existing resources. The action plan can be found in Appendix B.



**Tenant Scrutiny Panel
Report on: Complaints**

November 2017

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1. Acknowledgements

The Tenant Scrutiny Panel (TSP) gratefully acknowledges the support, guidance and assistance provided by the members of the Housing Team, including Glyn Jones, Neil Barks, Chris Lambert, Joanne Day, Rommel Villarico and additionally Andrew Hickling from the Business Improvement Team. The Panel would also like to thank the Resident Involvement Team – Justin O'Brien, Laura Smythe and Steve Everson, and also Cllr Roger Bayliss, Portfolio Holder for Housing for his ongoing encouragement, support, and guidance. Also many thanks to Rob Webb for his training on the subject.

2. Executive Summary

The TSP made the decision to inspect the Complaints Service as a result of analysing data (as reported in the NWLDC STAR Survey 2015, appendix 1) revealing that the level of customer satisfaction for how the Housing Service deals with complaints was lower than expected. It became apparent from information gathered during our inspection that the current NWLDC Complaints policy leads to high tenant expectations.

3. Strengths:

- 3.1. The TSP is a group of (currently) six volunteers who are tenants and residents of NWLDC. Individually they have various different skill sets and, as part of their aims and objectives, seek to improve their skills and value to the group and to NWLDC by identifying development needs and attending relevant training.
- 3.2. Each member has completed the level 2 qualification in 'Understanding Scrutiny' delivered by tpas.
- 3.3. Each TSP member recognises the importance of adopting a flexible attitude and approach and each displays a high level of commitment to their voluntary involvement in working with NWLDC to improve Housing services to tenants and streamline processes.
- 3.4. The TSP mission is to be a "critical friend" to the Council, facilitating service improvements for Council tenants whilst improving tenants' perception of their landlord.
- 3.5. The TSP uses differing methodologies to analyse data, collect evidence, report on outcomes and make recommendations to NWLDC to enable changes and improvements to be implemented.

4. Vision and Strategy:

The vision of the TSP is to increase its knowledge of NWLDC's ways of working, and policies and procedures in order to be able to strengthen the group's knowledge and improve its offer to tenants and NWLDC alike and to play a strategic part in the way services are delivered and improved in the future.

5. Report

The TSP has reported on its findings as factually as possible and without any bias. Our inspection has, on occasion, increased awareness of the complexity of the work done by NWLDC and other agencies. However our findings and subsequent recommendations have led us to be critical of certain parts of the process of reporting/investigating complaints in line with the policies and procedures in place.

6. Methodology

- Training with Rob Webb to look at Complaints Policy & Procedures
- Desktop Review of relevant documents
- Meeting with Andrew Hickling (Records Management Officer – Business Improvement Team) to get a corporate view of complaints.
- Meeting with Rommel Villarico (Business Support Team leader) to discuss data and recording of complaints
- Joanne Day (Support Services Team Leader) attended the May TSP meeting to give feedback on the handling of complaints and the problems faced by those who record and monitor them, with an emphasis on the Asset Management Team (AMT).
- Meeting with Chris Lambert (Head of Housing) to identify why the bulk of outstanding complaints were with the Asset Management Team (AMT) and what actions were being taken to resolve the situation.

7. Aim of the Exercise

To investigate why customers were reporting low satisfaction levels in respect of complaints handling and suggest recommendations to improve how NWLDC deal with this aspect of their services to tenants.

8. Findings

- 8.1. As expected, the highest number of complaints were received by the AMT and the majority arose from tenants advising of required repairs where the service subsequently provided has not met their expectations.
- 8.2. When there was a lack of AMT resources dedicated to processing repairs responses to complaints the backlog of outstanding complaints was high. Evidence suggests that historically there was consistently insufficient emphasis and resources put into resolving this problem.
- 8.3. There was dramatic improvement during several months of 2016 when an officer was asked to concentrate on reducing the huge backlog of outstanding complaints that had accumulated; this action brought the backlog down to an acceptable level. However the officer then left NWLDC and with the loss of this resource the backlog of outstanding complaints rose quickly to exceed the original level. (see appendix 4)
- 8.4. From reviewing relevant data from 2014/15 onwards tenant complaints appear not to have always been responded to within the timescales outlined in the complaints policy. This resulted in a number of Stage 1 complaints progressing to Stage 2 simply because of a lack of communication about what was happening with regard to tenants' particular issues. (see appendix 4E)
 - It is interesting to note that 72 compensation claims were received in 2014/15 with 2015/16 showed a significant reduction in that number at 21.
 - SMT Report 2015/2016 stated that the categories used to log compensation claims, coupled with the poor recording and management of same, made it difficult to determine whether any claims were received (or payments made) outside of the compensation policy.
 - Using the Complaints Learning and Performance report there is no doubt that NWLDC Complaints service, although achieving some improvement, is still not meeting the policy requirements for response times. At its worst AMT response time was in excess of 40 days.

- In 2016/17 NWLDC received 139 Housing complaints vs. 59 compliments. In 2015/16 there were 103 complaints and 41 compliments and 2014/15 saw 175 complaints and 68 compliments. The number of compliments seems to be consistently low, with some fluctuations. There should be more emphasis on making staff aware that any/all compliments they receive – in any form (e.g. emails, cards, calls etc.) – should be included in tracking data and captured on the appropriate electronic system. There is already a corporate system that can capture customer compliments simply by sending an email to feedback@NWLeicestershire.gov.uk. Staff should be reminded of this facility and it would be simple to ensure that the NWLDC website publicises it so that tenants and residents could also post their compliments direct.
- When handling complaints, there is evidence that communications between NWLDC and its tenants is poor and it is imperative that there is improvement in this area. NWLDC should encourage initial complaints to be responded to in less than the ten day target. It would appear that occurrences of complaints responses being left to the last day is common practice, indeed evidence indicates response times are not consistently met resulting in an increase of level 2 complaints. NWLDC must ensure that everyone involved in the complaints processes and procedures complies with the timescales quoted in the Complaints Policy and where possible performs better than the agreed timescales.
- The TSP is aware that NWLDC has piloted a programme designed to capture learning points identified through logging complaints and formulating responses and actions to avoid recurrence in the future. The Panel consider this to be good practice and that it should continue.
- NWLDC is not proactive but rather reactive when dealing with complaints, there appears to be a lack of accountability due to not having a dedicated officer to deal with complaints; this is apparent as when there was a dedicated resource the level of outstanding complaints dropped significantly.
- There appears to be no training relevant for staff on dealing with customer feedback.
- It appears the Asset Management Team (AMT) and the Housing Service generally may consider a complaint from a tenant regarding a failed request for service as an additional request for service in order to both satisfy the tenant and resolve the issue. The problem with this is the tenant may believe s/he has in fact made a complaint, but this has not been recorded as a formal complaint with the Business Improvement Team. In the event that the issue continues unresolved and is then raised as a formal complaint the Business Improvement Team will not have been aware of this previously and this can confuse both the tenant and the Business improvement Team.

9 Recommendations:

1. NWLDC undertakes a full and in-depth review of the current Complaints and Compensation policies to:
 - a. Ensure the policy is clear about what constitutes a complaint – i.e. a request for service (repairs) is not a complaint although it seems clear some tenants understandably believe they are complaining because there is something wrong with their property.
 - b. Reconsider the level of genuine compensation pay-outs with an emphasis on each case being looked at on its own merits. The Panel would recommend that if a tenant can evidence a loss of earnings as a result of taking time off work for an appointment and that appointment is missed the evidenced loss of earnings should be compensated.

2. Ensure that any system used to capture information on complaints has a good tracking system so that each complaint is kept on track and up to date and all communications with the complainant are recorded. Also this system should automatically generate the next due date for a response.
3. The focus on learning from complaints should be emphasised and reported on a regular basis through various forms of media (i.e. website, Intouch etc.) This is a prime example of how the housing service can evidence it listens to its tenants and as a result improves its services.
4. The Housing Service should consider the appointment of a complaints officer who will dedicate a high proportion of their time to dealing with complaints, this will provide a named contact for each complainant and ensure accountability and transparency for NWLDC.
5. All staff involved in complaints must ensure that agreed timescales are adhered to in line with NWLDC Feedback Policy, indeed staff should be encouraged to respond to complaints in less than the agreed timescales wherever possible and not wait until the 10th day to respond. This would also mean that some complaints are 'headed off at the pass' and don't become Stage 2. It is unacceptable that so many complaints are not responded to within agreed timescales.
6. Although a number of complaints are resolved following telephone contact by NWLDC, a letter must always be sent to the complainant to finalise/close the complaint; this must be adhered to.
7. The TSP suggests that NWLDC carries out a skills analysis of all employees engaged in handling complaints, identify any gaps in skills levels and arrange relevant training, ensuring it is relevant and effective. Once delivered, assess effectiveness to see if it met the needs of each individual; if this is not the case arrange additional training. Keep individual training records on file with HR and use in conjunction with annual appraisals to keep staff abreast of new developments (e.g. changes to computer systems etc.) and to record personal aspirations.
8. Adopt use of 'batch jobs' – allocating operatives to certain postcode areas and repairs to that particular area/date, thereby increasing their efficiency and effectiveness and reducing travel times and costs.
9. The Housing Service and AMT must develop a robust procedure that identifies clearly when a request for service becomes a complaint (The panel believes this should be immediately when the request for service fails the first time) and then follows the corporate complaints route.
10. Learning from complaints should be part of the continuing improvement process.

Janet Higgins, Chair, On behalf of the Tenant Scrutiny Panel

NWLDC/TSP/2017 Reports/ Complaints V5

Action Plan in response to the Tenant Scrutiny Panel report on Complaints

Recommendation 1: NWLDC undertakes a full and in-depth review of the current Complaints and Compensation policies to:

- a. Ensure the policy is clear about what constitutes a complaint – i.e. a request for service (repairs) is not a complaint although it seems clear some tenants understandably believe they are complaining because there is something wrong with their property.
- b. Reconsider the level of genuine compensation pay-outs with an emphasis on each case being looked at on its own merits. The Panel would recommend that if a tenant can evidence a loss of earnings as a result of taking time off work for an appointment and that appointment is missed the evidenced loss of earnings should be compensated.

Ref	Task	Lead	Target Date	Status
TSPCOM1	To review and rewrite the Corporate Complaints policy and ensure the policy clearly details the difference between a complaint and a request for service	Sabrina Doherty (Business Improvement Team)	April 2018	
TSPCOM1A	To monitor the volume of service request identified resulting to the change.	Sabrina Doherty (Business Improvement Team)	December 2018	
TSPCOM1B	To review the Housing compensation policy with a focus on the level of compensation paid with the ability to look at each case on its own merits.	Sabrina Doherty (Business Improvement Team)	August 2018	
TSPCOM1C	To have every compensation claim independently assessed (i.e. by the HRA Business Support Team) following the completion of investigation by the service area. An independent review on compensation would ensure compliance with the compensation policy and that claimants are treated fairly.	Rommel Villarico	Ongoing	

Recommendation 2: Ensure that any system used to capture information on complaints has a good tracking system so that each complaint is kept on track and up to date and all communications with the complainant are recorded. Also this system should automatically generate the next due date for a response.

Ref	Task	Lead	Target Date	Status
TSPCOM2	To ensure that both the complaints and compensation system clearly captures all the information and communication regarding the complaint and its resolution. It would also be beneficial that the system chronologically records the communication/events relevant to the complaint without the need of going through each case communication.	Rommel Villarico	June 2018	
TSPCOM2A	To automate reminders and due dates with email alerts sent to designated service areas. This would facilitate in a prompt complaint response.	Sabrina Doherty	June 2018	
TSPCOM2B	To ensure that reports can be extracted from the system to capture volume, trends, and learning from complaints.	Rommel Villarico/Sabrina Doherty	June 2018	

Recommendation 3: The focus on learning from complaints should be emphasised and reported on a regular basis through various forms of media (i.e. website, Intouch etc.) This is a prime example of how the housing service can evidence it listens to its tenants and as a result improves its services.

Ref	Task	Lead	Target Date	Status
TSPCOM3	To publish learning identified from complaints on a quarterly basis as part of Housing Senior Management Team complaints monitoring process. Learning to be publicised in Intouch, the website and social media.	Rommel Villarico/Justin O'Brien	Quarterly	

Recommendation 4: The Housing Service should consider the appointment of a complaints officer who will dedicate a high proportion of their time to dealing with complaints, this will provide a named contact for each complainant and ensure accountability and transparency for NWLDC.

Ref	Task	Lead	Target Date	Status
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TSPCOM4	To consider having a named officer who will take the lead in dealing with housing complaints and will be the main contact for all complainants.	CL/GJ	June 2018	
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Recommendation 5: All staff involved in complaints must ensure that agreed timescales are adhered to in line with NWLDC Feedback Policy, indeed staff should be encouraged to respond to complaints in less than the agreed timescales wherever possible and not wait until the 10th day to respond. This would also mean that some complaints are 'headed off at the pass' and don't become Stage 2. It is unacceptable that so many complaints are not responded to within agreed timescales.

Ref	Task	Lead	Target Date	Status
TSPCOM5	To monitor outstanding complaints on a weekly basis ensure timely response. There should be a clear guideline on specific reasons for putting a case on hold and this should only be on very rare instances.	Rommel Villarico/Sabrina Doherty	March 2018	
TSPCOM5A	SMT to consider cases not resolved on Stage 1 within the specified timescale should be moved to Stage 2 as a matter of course if no response is sent to tenants within agreed timescales	SMT	Quarterly	

Recommendation 6: Although a number of complaints are resolved following telephone contact by NWLDC, a letter must always be sent to the complainant to finalise/close the complaint; this must be adhered to.

Ref	Task	Lead	Target Date	Status
TSPCOM6	To respond to all complaints in writing (email or post) to formally close a complaint within the agreed timescales as detailed in the complaints policy	Sabrina Doherty	March 2018	

Recommendation 7: The TSP suggests that NWLDC carries out a skills analysis of all employees engaged in handling complaints, identify any gaps in skills levels and arrange relevant training, ensuring it is relevant and effective. Once delivered, assess effectiveness to see if it met the needs of each individual; if this is not the case arrange additional training. Keep individual training records on file with HR and use in conjunction with annual appraisals to keep staff abreast of new developments (e.g. changes to computer systems etc.) and to record personal aspirations.

Ref	Task	Lead	Target Date	Status
TSPCOM7	To provide relevant training to all employees with direct involvement on complaints. To obtain feedback from employees in improving the complaints process and handling.	Team Managers Team Managers	August 2018 October 2018	
Recommendation 8: Adopt use of 'batch jobs' – allocating operatives to certain postcode areas and repairs to that particular area/date, thereby increasing their efficiency and effectiveness and reducing travel times and costs.				
Ref	Task	Lead	Target Date	Status
TSPCOM8	The Asset Management Team have implemented a 'batch jobs' system whereby geographical areas are assigned batch jobs and as such tenants can be given an indication on when batch jobs will be completed. The aim of this was to reduce a back log of work, this has now been completed and 'batch jobs' are no longer deemed necessary	Housing Technical Services Manager	Ongoing	COMPLETED
Recommendation 9: The Housing Service and AMT must develop a robust procedure that identifies clearly when a request for service becomes a complaint (The panel believes this should be immediately when the request for service fails the first time) and then follows the corporate complaints route.				
Ref	Task	Lead	Target Date	Status
TSPCOM9	Develop a procedure for staff to follow which clearly identifies when a request for service becomes a complaint and this is recorded. When a complaint is identified the corporate complaints procedure should be followed	Housing Technical Services Manager	June 2018	

Recommendation 10: Learning from complaints should be part of the continuing improvement process.

Ref	Task	Lead	Target Date	Status
TSPCOM10	To implement learning from complaints as an integral part of the complaints process. Any learning identified should be captured prior to closing the complaints.	Rommel Villarico	June 2018	
TSPCOM10A	To implement a complaints satisfaction survey capturing any learning from the perspective of the complainant. Positive or constructive feedback should be welcomed as a challenge for the service to improve on.	Rommel Villarico	June 2018	
TSPCOM10B	To monitor areas for improvement and required changes to policy and procedures resulting from learning on complaints. This demonstrates Housing's commitment on improving its services. This would also be a factor in preventing Stage2 complaints and similar complaints happening in the future.	Rommel Villarico/SMT	June 2018	