

North Yorkshire Council

Housing and Leisure Overview and Scrutiny Committee

25 November 2024

Housing Complaints Handling Update

Report of the Corporate Director Community Development

1.0 PURPOSE OF REPORT

- 1.1 The purpose of the report is to present an update on complaints handling performance within the Housing Service. The Committee are asked to consider the information provided, to note progress made on the collation and reporting of performance data and to consider the frequency and format of future reports.

2.0 SUMMARY

- 2.1 Being able to evidence effective complaints handling forms part of the new requirements for social housing landlords, as set out in the Social Housing (Regulation) Act 2023 and the Housing Ombudsman's Complaints Handling Code. The approach to complaints handling is also an integral part of North Yorkshire Council's journey towards service excellence and the council's ambitions to improve overall tenant satisfaction levels.
- 2.2 Our complaints performance gives us an indication of not only our residents' satisfaction with services provided but also the extent to which they are engaged with the service. Low volume of complaints does not mean high satisfaction and similarly, high volumes of complaints does not indicate poor service if the majority of complaints are not upheld.
- 2.3 Effective complaints handling involves a clear, accessible complaints policy, transparent complaints data and a culture which fosters learning from when things do go wrong and using complaints data to inform service improvement.
- 2.4 North Yorkshire Council's Housing Service is committed to improving its complaints handling culture and integral to that is the role that Elected Members play in checking and challenging complaints data.

3.0 BACKGROUND

- 3.1 The Social Housing (Regulation) Act 2023 placed the Housing Ombudsman's Complaint Handling Code (Appendix A) on a statutory footing and therefore there is a legal duty on the Council, as a social landlord, to full comply with the Code. The Act also increases the powers of, and places a statutory duty on, the Ombudsman to monitor compliance with the Code from 1 April 2024.

- 3.2 All social housing landlords are required to carry out an annual self-assessment against the Code and publicise this to customers. The first self-assessment was completed in May 2024 and can be found here: [Housing Review.pdf](#) . As a result of the self-assessment changes were made to the Housing Complaints Policy and complaints handling procedures. The Policy can be found at: [Housing complaints policy | North Yorkshire Council](#)
- 3.3 Effective complaints handling is included within the Transparency, Influence and Accountability Consumer Standard which states ‘...that as a landlord we must have a clear approach to complaints so that tenants can raise their concerns and when they do, we listen to what we are being told and have effective processes for handling the complaint and act promptly to put things right’. The Transparency, Influence and Accountability Standard operates alongside the work of the Housing Ombudsman Service by setting expectations for social housing landlords in relation to how organisations handle complaints and incorporating requirements around transparency to tenants.
- 3.4 The Regulator will test the effectiveness of landlords’ complaints handling procedures, primarily through published information that all landlords will be required to produce on an annual basis about overall performance in relation to the regulatory standards. These are known as the Tenant Satisfaction Measures (TSMs) and are a core set of performance measures against which all providers must report on. Complaints form part of the ‘Tenant Perception’ measures which will be based on tenants’ view of how the Council is performing.
- 3.5 North Yorkshire Council undertook its first Tenant Satisfaction survey in 2023/24 the results of which are available here: [Tenant satisfaction survey 2023-2024](#) . Analysis of the complaints handling question highlights that 71% of tenants were not satisfied with the Council’s approach to complaints handling. However, a peculiarity of the TSM process for local authority landlords, as opposed to stand alone housing providers such as Housing Associations is that a tenant’s experience of complaint handling may be as a result of dealing with different council departments and their judgement may be a reflection of the wider council customer experience, rather than a reflection purely on the housing service.

4.0 COMPLAINTS PERFORMANCE

- 4.1 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/service user or group of residents/service users’.
- 4.2 Stage 1 complaints must be acknowledged and logged within five working days of receipt and a response must be issued within 10 working days of the complaint being logged. Landlords must accept a request by the resident to escalate the complaint to Stage 2 unless an exclusion applies. Stage 2 responses must be issued within 20 working days of the complaint being escalated. Although the code does outline where extensions to the response time may be applied these are the target dates we aim for.

4.3 A dashboard on complaints handling is available at Appendix B. The following provides a summary of complaints handling performance in the year to date (8th November 2024):

- 233 Housing complaints logged. 215 Stage One, 19 Stage Two, 4 cases raised with the Housing Ombudsman, 4 Cases raised with the Local Government and Social Care Ombudsman.
- 44% of complaints upheld (31%) or partly upheld (13%)
- 70% (163) of complaints were regarding tenant services (Housing Management and Housing Standards) 30% other housing services. A further breakdown is provided below.

Count of Type	Column Labels			
Row Labels	Q1 24/25	Q2 24/25	Q3 24/25	Grand Total
Housing Delivery	1	1	1	3
Stage 1	1	1	1	3
Housing Management	18	19	8	45
Stage 1	17	18	8	43
Stage 2	1	1		2
Housing Needs	17	17	2	36
Stage 1	16	15	1	32
Stage 2	1	2	1	4
Housing Renewal	19	12		31
Stage 1	16	10		26
Stage 2	3	2		5
Housing Standards	44	54	20	118
Stage 1	40	52	19	111
Stage 2	4	2	1	7
Grand Total	99	103	31	233

4.4 The top 3 reasons for complaints received to date are:

- 38% (88) - Building Fabric Concern
- 18% (42) - Housing Allocations Policy/Decision
- 10% (22) – Damp and Mould Concern

4.5 Of those complaints received the following are the most common root causes:

- 76% (196) – Service and Care
- 4.2% (11)- Disagrees with decision.
- 3.5% (9) - Communication

4.6 In comparison to Stage 1 complaints received by the service in 2023/24 (101) there has been an increase so far of 113% This increase must also be looked at in the context of the large volume of customer interactions overall, 53568 customer enquiries have been handled by Customer Services for Housing. It is also indicative of the improved coordination of complaints and signifies that the service has better oversight, ownership and handling of its complaints.

4.7 At March 2024, 56.25% of complaints were handled within target timescales. At September 2024, of those complaints which have closed (185) 67% (124) were handled within target timescales which is marked improvement in performance, especially given the increase in volume.

- 4.8 However, it remains clear the high volumes of complaints are an indicator of the quality a service residents believe they have received and the key lesson for the Council is to improve the approach to customer service so that it is right first time more often. It should be noted that more recently the service has publicised its complaints process, twice writing to all tenants with details of how to make a complaint. Low complaint volumes are potentially a sign that individuals are unable to complain and so dissatisfaction may previously have gone unreported and unresolved.
- 4.9 It is also recognised that a number of proactive national campaigns led by the Housing Ombudsman which included the publishing of Spotlight and Insight Reports e.g. 'Damp and Mould – It's not lifestyle' has contributed to the rise in the number of complaints received across the social housing sector
- 4.10 The vast majority of complaints are received electronically (via the council's website or by email). Other options to report complaints include face to face, in writing or, through a 3rd party e.g. Ward Member.
- 4.11 Whilst the reasons outlined in paragraphs 4.7 and 4.8 above may have contributed to the increase in the number of complaints received, the percentage of complaints upheld has fallen slightly (50% in 23/24, 44% in 24/25) which indicates that although there is some dissatisfaction with services we are not finding fault as often and it is a positive sign that residents are engaging with us to express their dissatisfaction.

5.0 OMBUDSMAN DETERMINATIONS AND CASE MANAGEMENT

- 5.1 During 2024/25, the **Housing Ombudsman** has requested detailed information or evidence in relation to a further 4 cases to determine whether a formal investigation was warranted. These 4 cases which are all currently open related to complaints regarding:
- **202346811:** Reports about leaseholder's concerns over not being able to sell a shared ownership property due to restrictive criteria.
 - **202343463:** Complaint regarding landlord's handling of: boundary and fencing issues, anti-social behaviour concerns, and landlord staff conduct.
 - **202320310:** Landlord's handling of reports of: tree roots under wet room floor and sewage works being blocked, resulting in sewage entering the wet room.
 - **202421420:** Resident complaint regarding: overgrown tree in rear gardens not being maintained/cut back, security side gate not repaired despite being reported, and access ramp for next door causing issues over communal access area.
- 5.2 During 2024/25, the **Local Government and Social Care Ombudsman** has requested detailed information or evidence in relation to 4 cases to determine whether a formal investigation was warranted. These related to complaints regarding:
- **24003884:** Refusal to grant 'Gold band' status for a property. Closed after initial enquiries - no further action.
 - **24006154:** Complaint about problems with a boiler replacement after the Council grant aided the works to a private home in 2020. Closed after initial enquiries - out of jurisdiction.

- **24007615:** Complaint regarding the process of applying for social housing.
- **24012483:** Delays in arranging works to extend the property.

6.0 CONTINUOUS LEARNING AND IMPROVEMENT

- 6.1 On 5 November 2024 the Housing Ombudsman released the fifth annual landlord performance report for the complaints investigated involving members of their Scheme. North Yorkshire Council's Performance Report is attached as Appendix C. The report outlines North Yorkshire Council's performance during 2023/2024; maladministration was found in 80% of the 5 cases investigated, this is above the national average (73%) but only slightly above the national average for Local Authorities (79%).
- 6.2 The Housing Ombudsman encourages landlords to use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery. Effective and positive complaint handling also provides a valuable insight into the services provided by the council as a landlord and how we are perceived and received by tenants. The lessons learned from a complaint or complaints can improve the quality and focus of services provided to tenants.
- 6.3 In order to ensure that we don't lose any learning from complaints we have revised the complaint handling process to include a log of lessons learnt and outcomes from complaints. This log will be regularly reviewed and, alongside learning from other organisations, a regular staff briefing will be produced outlining key learning points and examples of good practice.

7.0 CONTRIBUTION TO COUNCIL PRIORITIES

- 7.1 Effective complaints handling is a key contributor to our 'People' and 'Organisation' priorities, ensuring that the following ambitions are reached:
- People are free from harm and feel safe and protected
 - Good quality, value for money services that are customer focused and accessible to all

8.0 FINANCIAL IMPLICATIONS

- 8.1 Effective complaint handling and early resolution of customer complaints will have a positive financial impact in value for money terms, of time spent dealing with complaints and in addressing dissatisfaction before it might become more costly to repair/ rectify.
- 8.2 In 2023/24 findings of maladministration by the Housing Ombudsman led to compensation payments of £1,800.

9.0 LEGAL IMPLICATIONS

- 9.1 Being able to evidence effective complaints handling forms part of the new requirements for social housing landlords, as set out in the Social Housing (Regulation) Act 2023 and the Housing Ombudsman's Complaints Handling Code.

9.2 The Council is also bound by the Local Government Ombudsman Scheme in respect of other Housing services.

9.3 Failure to comply with these codes can lead to findings of maladministration.

10.0 EQUALITIES IMPLICATIONS

10.1 One of the critical improvements required to our complaints procedures is the collection and reporting of equalities information. At present this information is not collected during the complaints process and is also not reliably available within housing systems and so we are not able to provide equalities analysis on our complaints data.

11.0 PERFORMANCE IMPLICATIONS

11.1 It is clear from the complaints data that performance on complaints handling is improving (para 4.5, 4.6) however it could be further improved.

11.2 When considering HRA related complaints we are able to benchmark against others in Housemark, a national benchmarking group for housing providers. Analysis shows that North Yorkshire Council are consistently within the lowest performing quartiles for number of complaints received per 1000 properties and for the percentage of Stage 1 and Stage 2 Complaints resolved within timescales.

11.3 In terms of complaints received, the data from April to August 2024 shows that the number of complaints received per 1000 council properties is consistently above the median for Housemark members and in May and June was also above the Quartile 1 figure. The increase in complaints in May and June could be attributed to increased customer communication in May when a press release was issued, and a letter was sent to all tenants regarding the self-referral to the Regulator encouraging customers to report concerns. Performance has since settled back down to between 6 and 7 complaints per 1000 properties per month which is still above the median average for Housemark members.

Year	Month	NYC result	Quartile 3	Median	Quartile 1
2024	April	6.33	3.13	5.01	7.8775
2024	May	9.4	2.92	5.12	7.5675
2024	June	7.15	2.825	4.67	6.8
2024	July	6.91	3.15	4.98	7.9355
2024	August	6.55	2.9	4.61	6.84

Table 1 - North Yorkshire Council Formal Stage 1 and Stage 2 complaints received per 1,000 properties April - August 2024

11.4 In terms of complaints resolved within timescale, the data from April to August shows that the percentage of complaints resolved within timescale is consistently below the median for Housemark members and in April, July and August was below the Quartile 3 figure. This dip in performance does replicate the national trend and could be a seasonal fluctuation or a reflection of the complexity of complaints being handled. Un-benchmarked data shows that performance in September had risen to 67%.

Year	Month	NYC result	Quartile 3	Median	Quartile 1
2024	April	61.67	75	90.69	100
2024	May	77.27	71.43	90.12	100
2024	June	75.93	70.87	92	100
2024	July	57.78	75	90.5	100
2024	August	47.46	69.8075	91.62	100

Table 2- North Yorkshire Council Stage 1 and Stage 2 complaints resolved within timescale (%) April - August 2024

12.0 CONCLUSIONS

- 12.1 Effective complaints handling is a critical component of our ambition to provide excellent customer services. Being able to evidence effective complaints handling forms part of the new requirements for social housing landlords, as set out in the Social Housing (Regulation) Act 2023 and the Housing Ombudsman's Complaints Handling Code.
- 12.2 In 2024/25 much improvement has been made to the complaints process, resulting in more reliable data and the ability to report on complaints handling. Complaints numbers have increased demonstrating resident engagement with the process, we are able to identify trends in complaints received and the percentage of complaints being handled within target timescales has also improved, indicating that the new processes are working.
- 12.3 There are still areas for improvement in our complaints handling approach, areas such as, collecting and reporting equalities information, percentage of complaints resolved within timescales, learning from complaints and the number of complaints being upheld by the Ombudsman.
- 12.4 The priority will remain trying to prevent avoidable issues from becoming complaints in the first place and ensuring that the best possible service and resolution is provided to customers at the first point of contact. Through analysis of complaint causes we can begin to see where complaints are originating and their root cause.
- 12.5 Transparency in our improvement journey is critical and we are committed to reporting both complaints performance and the progress on our improvement work to both Elected Members, residents and the Ombudsmen.

13.0 REASONS FOR RECOMMENDATIONS

- 13.1 It is a requirement of that the council produce an annual report of its complaint handling however, further to that, it is good practice that the Overview and Scrutiny Committee responsible for Housing have regular updates and oversight of the complaints handling process and culture.

14.0 RECOMMENDATION(S)

- 14.1 The Committee are asked to consider the content of the report and:
- i) comment on progress made and issues raised within the report.

ii) consider the frequency and format of future updates on complaints handling performance.

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13 November 2024

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BACKGROUND DOCUMENTS: None

APPENDICES:

Appendix A – Housing Ombudsman’s Complaints Handling Code
Appendix B – Housing Complaints Dashboard
Appendix C - North Yorkshire Council’s Performance Report 2023/24

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.