



CAERPHILLY HOMES TASK GROUP – 17TH SEPTEMBER 2015

SUBJECT: COMPLAINTS AND REPRESENTATIONS – CAERPHILLY HOMES

REPORT BY: INTERIM CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 To provide information on contacts in relation to complaints and representations received by the Authority's Housing Customer Services Section, from 1st April 2014 to 31st March 2015.

2. SUMMARY

- 2.1 The monitoring of complaints and representations is carried out to provide information on the level of satisfaction with the service provided by Caerphilly Homes. The results enable Managers to focus on areas of concern to improve services and monitor performance and ensure that similar problems are avoided in the future. Last year saw a corporate change in the complaints procedure with more emphasis on learning from complaints. There have been examples of complaints which have led to changes in policies and procedures and these are explained in the report.

3. LINKS TO STRATEGY

- 3.1 Corporately, Complaints and Representations will link to the Council's Strategic Equality Objectives 3 and 4, and also to themes in "Caerphilly Delivers", the Local Service Board single integrated plan.

4. THE REPORT

- 4.1 The annual report is based on information collected during the financial year 1st April 2014 to 31st March 2015. Complaints received about the Housing Service are recorded and responded to in line with the Council's 2 stage corporate complaints policy, implemented in April 2013, based on guidance issued by the Public Services Ombudsman for Wales. If, after following these 2 stages, the complainant is not satisfied with the outcome of their complaint they can progress their complaint to the Public Services Ombudsman for Wales.

4.2 Overall Numbers

In addition to recording Stage 1, Stage 2 and Ombudsman complaints, Caerphilly Homes Customer Services Section also records any service requests received directly by the Customer Services Section and any housing related correspondence received by the Chief Executive. In general, contacts recorded as service requests relate to the first time the service area has been made aware of the issue concerned. Reasonable judgement is used, based on the information available at the time and these cases are often deemed to be 'business as usual' situations. However, if enquiries identify previous dealings on the same issue then the matter can be

escalated through the complaints procedure. It is not necessary for the contact to specifically state that they want the issue dealt with as a complaint as this would be determined from the detail of the contact and any previous dealings on the same subject. Service area managers provide weekly updates to the Customer Services Officers of any cases they are dealing with as a Stage 1 complaint.

Between 1st April 2014 and 31st March 2015 the Customer Services Section of Caerphilly Homes recorded a total of 520 contacts from the public and/or their representative. This is in comparison with 434 between 1st April 2013 and 31st March 2014.

Function Area	Chief Exec		Service Request	
	2013/14	2014/15	2013/14	2014/15
Response Repairs	22	12	82	121
Housing Management	25	29	41	67
Antisocial Behaviour	4	1	29	65
Allocations	33	29	13	8
Homelessness	4	12	4	7
WHQS Internal	2	1	10	12
Heating	1	4	6	9
Sheltered Housing	3	1	5	10
Grants	7	2	3	5
WHQS External			6	6
Rents	1	2	3	5
Adaptations	2	1	1	5
Energy Works		2	3	
Enforcement Action	2			4
Planned Maintenance	2		3	
Leaseholder		2	2	
Other	1		2	
Housing Register	1		1	1
Tenant Participation				1
Void Property			1	
Total	110	98	215	326

The number of contacts received via an advocate was 167 compared with 148 in 2013/14. Examples of the type of advocates used include MP, AM, Councillors, other tenants and family members.

4.3 Praise and Thanks

Records are also kept of any praise or thanks received by Caerphilly Homes. In 2014/15 there were 44 recorded. This is in comparison with 42 for 2013/14. These covered a number of service areas, as detailed below :-

Praise or Thanks		
	2013/14	2014/15
Rents	15	8
Allocation	0	3
Leaseholder Services	0	1

Housing Management	1	5
Responsive Repairs	13	14
Tenancy Enforcement	1	0
Tenant Participation	1	0
Sheltered Housing	4	3
WHQS	7	2
Private Landlord	0	2
Homelessness	0	2
Adaptations	0	2
Housing Development	0	1
Handy Person Scheme	0	1
Total	42	44

4.4 Stage 1 and Stage 2 Complaints

Stage 1 of the complaints procedure offers the opportunity for the complaint to be resolved at the point of service delivery. These complaints are referred to the appropriate service manager for any necessary action and response. If the complainant is not satisfied with the outcome at Stage 1 they are advised how the complaint can be progressed to Stage 2. Alternatively, complainants can request their complaint is escalated straight to a Stage 2 investigation. In addition, where an appeals procedure is in place this must be exhausted before progressing to a Stage 2 complaint. Stage 2 complaints are investigated by the Customer Services Section, on behalf of the Head of Service.

During 2014/15 60 Stage 1 complaints were recorded for Caerphilly Homes compared with 81 in 2013/14. There were 36 Stage 2 complaints in 2014/15 compared with 28 in 2013/14. Of the 36 Stage 2 complaints received in 2014/15, 13 had progressed from a Stage 1.

As detailed in the table below the largest number of Stage 1 complaints (17) related to housing management issues. Only 2 of these cases were not resolved to the complainant's satisfaction and progressed to a Stage 2. An analysis of the Stage 1 housing management complaints shows that they were in relation to a variety of aspects of the service including gardens, mutual exchanges, successions and garages.

The majority of the 14 Stage 1 complaints recorded for WHQS (internal works) related to whether or not new kitchens would be fitted and most of these cases were resolved at Stage 1 with only 4 progressing to Stage 2.

The 10 response repair Stage 1 complaints were in relation to the quality of service provision and workmanship. Only 1 of these cases was not resolved to the tenant's satisfaction and progressed to a Stage 2.

Function Area	Stage 1		Stage 2		Progressed	
	2013/14	2014/15	2013/14	2014/15	2013/14	2014/15
Housing Management	11	17	13	21	4	2
WHQS (Internal)	16	14	4	6	4	4
Response Repairs	23	10	2	1	1	1
Allocations	6	3	3	0	1	0
Leaseholders	7	4	1	3	0	1
Grants	3	0	1	0	0	0
Planned Maintenance	3	1	1	0	1	0
Anti Social Behaviour	2	0	0	0	0	0
Heating	2	2	1	0	0	0

APPENDIX 1

Sheltered Housing	2	0	1	0	1	0
WHQS (External)	2	3	0	1	0	1
Adaptations	1	0	0	0	0	0
Enforcement Action	1	2	1	2	1	2
Homelessness	1	2	0	1	0	1
Rents	1	2	0	1	0	1
Total	81	60	28	36	13	13

The majority of Stage 2 complaints (21) related to the Housing Management function. 17 of these cases were in relation to recharges and the remaining cases related to parking, a garden and a mutual exchange.

There were 6 WHQS (internal) Stage 2 complaints which related to kitchen and bathroom installations. 2 of the kitchen complaints were in relation to the decision not to replace the kitchen under WHQS and the third complaint was about the quality of service and time taken to complete the works. 2 of the bathroom complaints were in relation to the size of the baths being fitted and the remainder was about the general conduct of the workforce.

Of the 3 Stage 2 complaints recorded against Leaseholders, 1 case related to a decision not to compensate the leaseholder when he replaced his internal doors, 1 case related to the council replacing doors with fire doors and the remaining case related to the monitoring of the cleanliness and tidiness of the communal areas.

4.5 Outcome of Stage 1 and Stage 2 Complaints

The outcome of Stage 1 and Stage 2 complaints is recorded as not upheld, partially upheld or upheld. The table below shows the outcomes recorded for all Stage 1 and Stage 2 complaints recorded for 2014/15.

Function Area	Not Upheld	Partially Upheld	Upheld
Stage 1			
Housing Management	14	1	2
Response repairs	6	2	2
WHQS (internal)	7	2	5
WHQS (external)	0	2	1
Allocations	3	0	0
Leaseholders	2	1	1
Homelessness	2	0	0
Rents	2	0	0
Heating	2	0	0
Planned maintenance	1	0	0
Enforcement action	2	0	0
Total	41	8	11

Stage 2			
Housing Management	9	3	9
WHQS (internal)	4	1	1
WHQS (external)	0	1	0
Rents	0	0	1
Leaseholder	3	0	0

Response repairs	1	0	0
Homelessness	0	1	0
Enforcement action	0	0	2
Total	17	6	13

Stage 1's - Upheld

There were 5 WHQS (internal) Stage 1 complaints upheld. One was in relation to the original decision not to renew the kitchen, but on further inspection it was agreed it should be replaced. One case involved an incident of a kitchen cupboard falling off the wall. An apology was provided, the cupboard was renewed and the contractor was reminded to use adequate fixings. Another case involved a tenant being left without toilet facilities at the end of the working day resulting in an out of hours call. An apology was provided and the contractor was reminded of the need to provide essential services. The remaining 2 cases related to the length of time the works took, the quality of the workmanship and the conduct of the workforce. In these cases several actions were agreed to rectify the works and the contractors were reminded of the code of conduct.

There were 2 response repair Stage 1 complaints upheld. In one case an apology was provided for the delay in ordering a new back door and providing the tenant with incorrect information. The remaining case involved work to a chimney breast which caused disruption to the owner/occupier next door and an apology was provided.

There were 2 stage 1 complaints upheld in relation to housing management issues. In one case the tenant received a refund of rent as the property occupied had been recorded as 3 bedrooms instead of 2. The remaining case related to a sole tenant appealing the original decision giving him notice to leave the property following his ex-partner terminating her interest in the tenancy. The sole tenant was allowed to remain at the property.

The WHQS (external) stage 1 complaint upheld related to ongoing issues with a leak on the soil pipe. The contractor was instructed to carry out the required repair to a satisfactory standard.

The stage 1 complaint upheld for leaseholder services related to a disputed charge to the leaseholder for replacement windows. On further investigation the charge was removed.

Stage 2's - Upheld

There were 9 housing management Stage 2 complaints upheld. 8 of these cases related to recharges to tenants which were later removed. In the remaining case rent charged to a new tenant, who returned the keys the same day, was withdrawn.

The 1 WHQS (internal) stage 2 complaint upheld was in relation to the fitting of a bath instead of a shower. An easy access shower was later fitted.

The 1 stage 2 complaint upheld in relation to rent was a case where former tenant arrears originally charged were later withdrawn.

There were 2 stage 2 complaints upheld in relation to private sector housing where works in default were undertaken. In one case the wording of the required notice failed to specify all the works required and in the other case a second required notice was not served. Officers have been reminded of the importance of correct procedures being followed.

4.6 Ombudsman Complaints

There were 5 housing related cases referred to the Ombudsman during 2014/15, which is the same number as those referred during 2013/14. In 4 of these cases the Ombudsman decided not to investigate. The remaining case was in relation to the way a housing application was

assessed, with specific reference to the possibility of homelessness. The Ombudsman investigated this case and upheld the complaint, with several recommendations. The applicant has received a letter of apology for any failings in the assessment of the application together with an award of £1000 in recognition of any impact of these failings. All of the Ombudsman's recommendations have been accepted and actioned. These are detailed in the Learning from Complaints section (4.9).

The report for 2013/14 noted that, at that time, there was an ongoing Ombudsman case in relation to the length of time an applicant had been on the waiting list without receiving an offer of accommodation. The Ombudsman concluded that the complaint was upheld and made several recommendations. The applicant has received a letter of apology for any failings in the assessment of the application together with a payment of £500 in recognition of any impact of these failings. All of the Ombudsman's recommendations have been accepted and actioned. These are detailed in the Learning from Complaints section (4.9).

4.7 Response Target Times

The Customer Service Section monitors the performance in responding to all contacts recorded by the section, within the corporate timescales. In 2014/15, 94% of complaints and representations were responded to within the agreed timescales compared with 88% in 2013/14.

4.8 Learning from Complaints

Complaints are used as a means of analysing the service provided by Caerphilly Homes and highlighting any areas for improvement or any necessary changes in existing policies and procedures.

During 2014/15 the Ombudsman made several recommendations in relation to improvements required by the Housing division, with specific reference to the assessment of housing applications. These recommendations have all been actioned and include the following:

- All Housing staff have undergone records management training
- Allocations staff have been reminded of the importance of ensuring housing applications are correctly pointed in accordance with the Allocations policy
- Guidance has been developed on the factors for consideration when applying discretion in relation to the removal of time points
- Housing Allocation staff have been reminded of the need to consider applying discretion and the need to demonstrate that discretion has been considered.
- Appropriate staff have been trained in the circumstances when the Council's homelessness duty may be triggered and documentation has been reviewed to satisfy that it supports the early recognition of when a homelessness duty may be triggered.
- Allocation staff have undertaken training in relation to housing legislation and statutory guidance
- Allocation staff have undertaken additional communication training from a mental health organisation
- An audit has been carried out of the Housing Advice and Allocations record keeping methods

With regards to Private Sector Housing, staff have been reminded that the extent of works carried out in default should reflect the wording of the notice. Works in default should be carefully specified and only those works identified on a notice can be undertaken.

In relation to WHQS works, site managers have been reminded that they should consult with private residents in adjoining properties to ensure satisfaction with works completed on council properties.

In respect of complaints relating to recharges made to tenants, a new recharge policy has been introduced, incorporating a revised appeals procedure which will include the use of an independent Recharge Review Panel comprising Senior Housing Officers, a Councillor and a Tenant.

5. EQUALITIES IMPLICATIONS

- 5.1 Any complaints received by Caerphilly Homes that contain alleged discriminatory aspects to them are dealt with jointly by Caerphilly Homes and the Equalities and Welsh Language Team to ensure that the allegations are investigated thoroughly and appropriately, in line with both the complaints process and the requirements of the Strategic Equality Plan and Welsh Language Scheme.

6. FINANCIAL IMPLICATIONS

- 6.1 None.

7. PERSONNEL IMPLICATIONS

- 7.1 None.

8. CONSULTATION

- 8.1 Consultation responses have been considered within this report.

9. RECOMMENDATIONS

- 9.1 This report is for information purposes only.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 The monitoring of complaints forms part of the process to monitor performance and continuous improvement for Caerphilly Homes.

11. STATUTORY POWER

- 11.1 Local Government and Housing Acts. This is a Cabinet function.

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