



## CAERPHILLY HOMES TASK GROUP – 3RD NOVEMBER 2016

**SUBJECT: COMPLAINTS AND REPRESENTATIONS – CAERPHILLY HOMES**

**REPORT BY: CORPORATE DIRECTOR - COMMUNITIES**

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### **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 2015 to 31st March 2016.

### **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. The corporate complaints procedure places an 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.
- 3.2 The Wellbeing of Future Generations Act 2015 sets out the following wellbeing goals which link with the aims of this report:-
- A sustainable Wales
  - A prosperous Wales
  - A healthier Wales
  - A more equal Wales
  - A Wales of cohesive communities
  - A Wales of vibrant culture and thriving Welsh language
  - A globally responsible Wales

### **4. THE REPORT**

- 4.1 The annual report is based on information collected during the financial year 1st April 2015 to 31st March 2016. Complaints received about the Housing Service are recorded and responded to in accordance with the Council's 2 stage corporate complaints policy which was implemented in April 2013. This was 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.

Between 1st April 2015 and 31st March 2016 the Customer Services Section of Caerphilly Homes recorded a total of 559 contacts from the public and/or their representative. This is in comparison with 520 between 1st April 2014 and 31st March 2015.

The table below details the contacts received by the Chief Executive and those recorded as service requests. Details of Stage 1 and Stage 2 cases are in 4.5 and 4.6

Function Area	Chief Exec		Service Request	
	2014/15	2015/16	2014/15	2015/16
Response Repairs	12	16	121	93
Housing Management	29	41	67	70
Antisocial Behaviour	1	6	65	29
Allocations	29	37	8	12
Homelessness	12	1	7	2
WHQS Internal	1	9	12	56
Heating	4	0	9	6
Sheltered Housing	1	8	10	3
Grants	2	7	5	4
WHQS External	0	4	6	16
Rents	2	1	5	3
Adaptations	1	3	5	4
Energy Works	2	0	0	0
Enforcement Action	0	0	4	1
Planned Maintenance	0	0	0	2
Leaseholder	2	1	0	1
Other	0	1	0	1
Housing Development	0	0	0	1
Tenant Participation	0	0	1	0
Private Landlord	0	3	0	0
<b>Total</b>	<b>98</b>	<b>138</b>	<b>326</b>	<b>304</b>

4.3 The number of contacts received via an advocate was 193 compared with 167 in 2014/15. Examples of the type of advocates used include MP, AM, Councillors, other tenants and family members.

#### 4.4 Praise and Thanks

Records are also kept of any praise or thanks received by Caerphilly Homes. In 2015/16 there were 78 recorded. This is in comparison with 44 for 2014/15. These covered a number of service areas, as detailed below :-

<b>Praise or Thanks</b>		
	<b>2014/15</b>	<b>2015/16</b>
Rents	8	9
Allocation	3	1
Leaseholder Services	1	3
Housing Management	5	14
Responsive Repairs	14	24
Tenancy Enforcement	0	2
Tenant Participation	0	4
Sheltered Housing	3	7
WHQS	3	3
Private Landlord	2	1
Homelessness	2	1
Adaptations	2	7
Housing Development	1	0
Handy Person Scheme	1	0
Grants	0	1
Heating	0	1
<b>Total</b>	<b>44</b>	<b>78</b>

#### 4.5 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 or nominated Officer.

There were 81 Stage 1 complaints recorded for Caerphilly Homes in 2015/16 compared with 60 in 2014/15. There were 36 Stage 2 complaints in 2015/16 which is the same number as 2014/15. Of the 36 Stage 2 complaints received in 2015/16, 19 had progressed from a Stage 1.

As detailed in the table below the largest number of Stage 1 complaints (25) related to housing management issues. 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/trees, mutual exchanges, successions, requests for rent free periods, parking and amount of decoration allowance awarded. 9 of these cases were not resolved to the complainant's satisfaction and progressed to Stage 2 complaints.

There were 23 Stage 1 complaints recorded for WHQS (internal works). An analysis of these complaints shows the majority related to the standard of work carried out. These included tenants being left without facilities for longer than expected, position of the electrical consumer unit and

damage caused during the works. The majority of complaints were resolved at Stage 1 with only 3 progressing to Stage 2.

The 17 response repair Stage 1 complaints were in relation to the quality of service provision and workmanship. 4 of these cases were not resolved to the tenant's satisfaction and progressed to a Stage 2.

Function Area	Stage 1		Stage 2		Progressed	
	5	6	5	6	5	6
Housing Management	17	25	21	26	2	9
WHQS (Internal)	14	23	6	4	4	3
Response Repairs	10	17	1	4	1	4
Allocations	3	3	0	0	0	0
Leaseholders	4	3	3	1	1	1
Grants	0	1	0	0	0	0
Planned Maintenance	1	0	0	0	0	0
Anti Social Behaviour	0	1	0	0	0	0
Heating	2	0	0	0	0	0
Sheltered Housing	0	0	0	0	0	0
WHQS (External)	3	5	1	1	1	1
Adaptations	0	0	0	0	0	0
Enforcement Action	2	0	2	0	2	0
Homelessness	2	0	1	0	1	0
Rents	2	3	1	0	1	1
<b>Total</b>	<b>60</b>	<b>81</b>	<b>36</b>	<b>36</b>	<b>13</b>	<b>19</b>

The majority of Stage 2 complaints (26) related to the Housing Management function. 14 of these cases were in relation to recharges and the remaining cases related to a variety of issues including parking, gardens, request for rent free period and the withdrawal of an offer of accommodation.

There were 4 WHQS (internal) Stage 2 complaints. 1 related to the positioning of the electrical consumer unit, 1 was in relation to the time taken to complete the kitchen works, 1 was in relation to the amount of work undertaken and the remaining case was a request for compensation following the removal of the tenant's own gas fire.

There were 4 Stage 2 complaints recorded for Response Repairs. 1 case was in relation to a request for compensation for loss of wages as a result of the contractor missing two appointments, 1 case related to the quality of repair work to steps and a handrail, 1 case was in relation to damp issues and the remaining case involved the tenant's concerns with draughts in the bathroom.

#### 4.6 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 2015/16.

Function Area	Not Upheld	Partially Upheld	Upheld	Did Not Proceed
<b>Stage 1</b>				
Housing Management	21	2	2	0
Response repairs	12	2	3	0
WHQS (internal)	6	7	10	0
WHQS (external)	2	1	2	0
Allocations	2	1	0	0
Leaseholders	2	0	1	0
Rents	2	0	1	0
Grants	0	1	0	0
Anti Social Behaviour	1	0	0	0
<b>Total</b>	<b>48</b>	<b>14</b>	<b>19</b>	<b>0</b>

<b>Stage 2</b>				
Housing Management	12	1	12	1
WHQS (internal)	1	0	3	0
WHQS (external)	0	0	1	0
Leaseholder		0	1	0
Response repairs	3	0	1	0
<b>Total</b>	<b>16</b>	<b>1</b>	<b>18</b>	<b>1</b>

#### 4.6.1 Stage 1's - Upheld

The service area identified with the greatest number of Stage 1 complaints upheld (10) and partially upheld (7) was the WHQS internal works. The majority of these cases were resolved at Stage 1 with only 3 cases progressing to Stage 2. An analysis of all the Stage 1 WHQS (internal) complaints upheld and partially upheld shows that the majority of these related to the quality of service and standard of workmanship provided. Examples of the issues concerned included standard of electrical works carried out, the length of time tenants were without cooking facilities, the length of time for works to be completed and damage to tenants' goods. In these cases an apology was provided, actions were agreed to rectify the works and the contractor was reminded of the code of conduct. There were also two cases involving requests for a replacement bathroom and kitchen which were initially turned down but later agreed. One of the remaining cases involved the removal of a tenant's own gas fire which the tenant wanted to keep. In this case the tenant was referred to our Insurance Section to make a claim but this was later progressed to a Stage 2.

- 4.6.2 There were 3 response repair Stage 1 complaints upheld. In two cases an apology was provided for not being able to complete the works on the appointed days and the remaining case was in relation to a request for a replacement window which was later agreed. One of the partially upheld cases involved a problem with damp and it was agreed to provide the tenant with a decoration allowance and the other case included issues with a porch roof leak and the roof was renewed.
- 4.6.3 There were 2 stage 1 complaints upheld in relation to housing management issues. One case involved inconvenience and miscommunication in relation to a front door which was resolved by ordering a new front door and the second case was in relation to the length of time taken to remove a chimney stack. An apology was provided and the stack was removed. There were also two housing management stage 1 complaints partially upheld, one involved a further survey being undertaken for possible damp with some works agreed and in the second case a garage needed repairs which prevented its use so it was agreed to withdraw the associated rent charge.

- 4.6.4 The two WHQS (external) stage 1 complaints upheld both related to issues with scaffolding contractors. In one case an apology was provided and the contractor concerned was reminded of acceptable times to carry out works. The second case involved behaviour of the personnel from a different scaffold company which resulted in the company being removed from the remainder of the contract. The partially upheld complaint involved operatives entering the garden area of an owner/occupied property without prior consent and an apology was provided.
- 4.6.5 The stage 1 complaint upheld for leaseholder services related to a disputed charge to the leaseholder for repointing work. On further investigation the charge was removed.
- 4.6.6 The stage 1 complaint upheld for rents was in relation to a request to cancel contents insurance. The tenant complained he was initially advised that his cancellation would have to be in writing but he was later advised that it would be accepted verbally. Due to the confusion the insurance charge for the period concerned was removed from the rent account.
- 4.6.7 The partially upheld stage 1 case for Private Sector Grants was in relation to an applicant trying to secure loan assistance. An apology was provided for not informing the applicant sooner of the problems encountered with the associated savings plan.

#### 4.6.8 Stage 2's - Upheld

There were 12 housing management Stage 2 complaints upheld. One case related to the removal of an offer of accommodation due to a misunderstanding over information provided by the applicant. On investigation it was considered that the applicant had provided reasonable information and an offer of alternative accommodation was made. In addition compensation of £350 was paid to cover expenses incurred by the applicant, which were evidenced, during this period. Two cases involved requests for rent free periods, one in relation to a garage which was in need of repair and one involved rent charged for the notice period on a tenancy. In both cases the rental charge was removed. Another case related to a misunderstanding and delay in providing a front door, which was later renewed. The remaining 8 cases related to recharges to tenants which were later removed.

- 4.6.9 The partially upheld stage 2 housing management case was in relation to a communal garden area dispute. Agreement was reached with the tenant regarding the position of a border and the erection of a small picket fence.
- 4.6.10 There were 3 stage 2 complaints upheld relating to WHQS internal works. One case related to the positioning of a new electrical consumer unit which was later repositioned to meet the needs of the tenant. One case was in relation to a tenant questioning the amount of work originally specified for the bathroom. Following a further survey it was agreed to renew the whole bathroom. The remaining case was the stage 1 case listed earlier regarding the removal of the tenant's own gas fire. The tenant was not satisfied with the offer of £50 made by Insurance. On further investigation it was agreed that Housing would award an additional £50 for inconvenience and upset caused.
- 4.6.11 The 1 stage 2 complaint upheld in relation to WHQS external works was in relation to the erection of a rear boundary chain link fence rather than a timber fence. On further investigation and consultation with the owner/occupier at the rear of the property regarding ongoing maintenance it was agreed to erect a timber fence.
- 4.6.12 The stage 2 Leaseholder complaint upheld was in relation to the standard of painting works on the communal stairway which the leaseholder paid a contribution towards. On further inspection it was agreed the area would be repainted at the Council's cost.

4.6.13 The response repair stage 2 complaint upheld involved a tenant taking two days unpaid leave for appointments to renew a back door. The contractor did not turn up on the first appointment and on the second occasion the contractor turned up with the wrong size door. The contractor paid £52 reimbursement to the tenant and reordered and fitted the correct size door.

#### 4.7 Ombudsman Complaints

Of the 35 Stage 2 complaints responded to 6 were referred to the Public Services Ombudsman for Wales. None were investigated but one 'quick fix' was agreed. This was in relation to no access on an out of hours call. The Ombudsman was satisfied with our approach to resolve the case. The recharge was withdrawn and practices regarding out of hours calls were reviewed. The changes are detailed below in 4.9.2.

#### 4.8 Response Target Times

The Customer Service Section monitors the performance in responding to all contacts recorded by the section, within the corporate timescales. 94% of complaints and representations were responded to within the agreed timescales in 2015/16 which is the same percentage as 2014/15.

#### 4.9 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. The following are some examples of 'lessons learned' and the associated changes that have been made to the appropriate procedures:

4.9.1. During WHQS rewiring works at a designated older person's property a new electrical consumer unit was fitted. However, a concerned family member brought to our attention that due to the location of the new consumer unit the tenant was unable to access it without assistance. As a result it was agreed that when being changed all consumer units must be located in easily accessible locations to meet the needs of the tenant.

4.9.2 We have come across a couple of occasions when repairs have been reported to the Out of Hours team and the operatives have attended the call and not gained access to the property. The operative would normally move on to their next call in this instance and the tenant would receive a recharge for this call. If a call is reported to the OOH's team, it is deemed to be an emergency and the tenant is expected to be at the property.

If a repair is reported during normal working hours and the operative fails to gain access the operative rings back to the Central Repairs Team who then try to contact the tenant to advise the operative is outside their property.

The Out of Hours Team is not operated by the Housing Division, however, we have worked with the team involved to adopt the same procedure that operates during normal working hours. If the Out of Hours operative is unable to gain access they now ring back to the Out of Hours control room who will then ring the tenant to advise them the operative is outside their property.

4.9.3 An officer could not get any reply when they attempted to ring a tenant to arrange a repair appointment so an appointment letter was hand delivered arranging the appointment for 2 days time. The tenant was not available for the appointment and was subsequently recharged for a missed appointment. When the recharge was appealed it was agreed that practices should be amended so that if the tenant could not be reached by telephone to agree a mutually convenient appointment a letter would be sent advising the tenant of the appointment date, giving at least 7 days notice.

4.9.4 In respect of complaints relating to recharges made to tenants, it was reported last year that a revised appeals procedure would be introduced which incorporated the use of an independent Recharge Review Panel comprising Senior Housing Officers, a Councillor and a Tenant. This

process has been in place with effect from July 2016.

## **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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