



## **CAERPHILLY HOMES TASK GROUP – 5TH OCTOBER 2017**

**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 1<sup>st</sup> April 2016 to 31<sup>st</sup> March 2017.

### **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 with the aim of improving 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 prosperous Wales
  - A healthier Wales
  - A more equal Wales
  - A Wales of cohesive communities
  - A globally responsible Wales

### **4. THE REPORT**

- 4.1 The annual report is based on information collected during the financial year 1st April 2016 to 31<sup>st</sup> March 2017. 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 that there has been an issue in dealing with the matter 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 1<sup>st</sup> April 2016 and 31<sup>st</sup> March 2017 the Customer Services Section of Caerphilly Homes recorded a total of 581 contacts from the public and/or their representative. This is in comparison with 559 between 1<sup>st</sup> April 2015 and 31<sup>st</sup> March 2016.

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 |            |
|----------------------|------------|------------|-----------------|------------|
|                      | 2015/16    | 2016/17    | 2015/16         | 2016/17    |
| Response Repairs     | 16         | 12         | 93              | 95         |
| Housing Management   | 41         | 32         | 70              | 95         |
| Antisocial Behaviour | 6          | 4          | 29              | 33         |
| Allocations          | 37         | 34         | 12              | 11         |
| Homelessness         | 1          | 4          | 2               | 4          |
| WHQS Internal        | 9          | 7          | 56              | 73         |
| Heating              | 0          | 0          | 6               | 10         |
| Sheltered Housing    | 8          | 3          | 3               | 5          |
| Grants               | 7          | 7          | 4               | 4          |
| WHQS External        | 4          | 1          | 16              | 28         |
| Rents                | 1          | 2          | 3               | 4          |
| Adaptations          | 3          | 1          | 4               | 1          |
| Energy Works         | 0          | 1          | 0               | 0          |
| Enforcement Action   | 0          | 1          | 1               | 1          |
| Planned Maintenance  | 0          | 0          | 2               | 0          |
| Leaseholder          | 1          | 4          | 1               | 0          |
| Other                | 1          | 1          | 1               | 1          |
| Housing Development  | 0          | 0          | 1               | 0          |
| Tenant Participation | 0          | 0          | 0               | 0          |
| Private Landlord     | 3          | 0          | 0               | 1          |
| <b>Total</b>         | <b>138</b> | <b>114</b> | <b>304</b>      | <b>366</b> |

4.3 The number of contacts received via an advocate was 168 compared with 193 in 2015/16. 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 2016/17 there were 66 recorded. This is in comparison with 78 for 2015/16. These covered a number of service areas, as detailed below:-

| <b>Praise or Thanks</b> |                |                |
|-------------------------|----------------|----------------|
|                         | <b>2015/16</b> | <b>2016/17</b> |
| Rents                   | 9              | 5              |
| Allocation              | 1              | 0              |
| Leaseholder Services    | 3              | 4              |
| Housing Management      | 14             | 7              |
| Responsive Repairs      | 24             | 21             |
| Tenancy Enforcement     | 2              | 2              |
| Tenant Participation    | 4              | 6              |
| Sheltered Housing       | 7              | 3              |
| WHQS                    | 3              | 11             |
| Private Landlord        | 1              | 0              |
| Homelessness            | 1              | 0              |
| Adaptations             | 7              | 2              |
| Heating                 | 1              | 3              |
| Handy Person Scheme     | 0              | 1              |
| Grants                  | 1              | 1              |
| <b>Total</b>            | <b>78</b>      | <b>66</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 70 Stage 1 complaints recorded for Caerphilly Homes in 2016/17 compared with 81 in 2015/16. There were 31 Stage 2 complaints in 2016/17 compared with 36 in 2015/16. Of the 31 Stage 2 complaints received in 2016/17, 22 had progressed from a Stage 1 complaint.

As detailed in the table below the largest number of Stage 1 complaints (19) 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, fencing, request for kitchen works, owner/occupier costs relating to chimney removal, transfer requests, re-let standard of properties, landlords consent, access to a garage and parking. 4 of these cases were not resolved to the complainant's satisfaction and progressed to Stage 2 complaints.

The 16 response repair Stage 1 complaints were in relation to the general quality of service provision, the standard of work carried out and alleged delays in carrying out works. 6 of these cases were not resolved to the tenant's satisfaction and progressed to a Stage 2.

There were 14 Stage 1 complaints recorded for WHQS (internal works). An analysis of these complaints shows they related to a number of aspects including the standard of work carried out, delays, lack of communication, damage to possessions and decisions on works to be carried out. The majority of complaints were resolved at Stage 1 with 5 progressing to Stage 2.

| Function Area         | Stage 1   |           | Stage 2   |           | Progressed |           |
|-----------------------|-----------|-----------|-----------|-----------|------------|-----------|
|                       | 2015/16   | 2016/17   | 2015/16   | 2016/17   | 2015/16    | 2016/17   |
| Housing Management    | 25        | 19        | 26        | 8         | 9          | 4         |
| WHQS (Internal)       | 23        | 14        | 4         | 7         | 3          | 5         |
| Response Repairs      | 17        | 16        | 4         | 7         | 4          | 6         |
| Allocations           | 3         | 5         | 0         | 1         | 0          | 0         |
| Leaseholders          | 3         | 4         | 1         | 4         | 1          | 4         |
| Grants                | 1         | 1         | 0         | 0         | 0          | 0         |
| Anti-Social Behaviour | 1         | 2         | 0         | 1         | 0          | 1         |
| Sheltered Housing     | 0         | 1         | 0         | 2         | 0          | 1         |
| WHQS (External)       | 5         | 8         | 1         | 1         | 1          | 1         |
| Rents                 | 3         | 0         | 0         | 0         | 1          | 0         |
| <b>Total</b>          | <b>81</b> | <b>70</b> | <b>36</b> | <b>31</b> | <b>19</b>  | <b>22</b> |

There were 8 Stage 2 complaints relating to the Housing Management function. 4 of these cases were in relation to recharges and the remaining cases related to fencing, a transfer application, re-let standard of a void property and landlord's consent.

There were 7 WHQS (internal) Stage 2 complaints. 3 related to the general quality of service provided by the contractor, 1 was in relation to delay in starting works, 1 was due to lack of communication, 1 was in relation to a decision not to renew a kitchen and the remaining case related to lack of a response to an e-mail.

There were 7 Stage 2 complaints recorded for Response Repairs. 1 case was in relation to the delay in carrying out a roof repair, 1 case related to alleged damage to a gate by operatives carrying out a fence repair, 1 case was in relation to draughts and insulation in the property, 1 case related to alleged poor workmanship, 1 complaint was a request for cavity wall insulation to be replaced, 1 was a request for complete re-rendering and the final case was in relation to length of time tenant was without central heating.

#### 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 2016/17.

| Function Area      | Not Upheld | Partially Upheld | Upheld | Did Not Proceed |
|--------------------|------------|------------------|--------|-----------------|
| <b>Stage 1</b>     |            |                  |        |                 |
| Housing Management | 12         | 4                | 1      | 2               |
| Response repairs   | 12         | 2                | 2      | 0               |
| WHQS (internal)    | 6          | 4                | 4      | 0               |
| WHQS (external)    | 3          | 4                | 1      | 0               |
| Allocations        | 3          | 0                | 2      | 0               |
| Leaseholders       | 3          | 1                | 0      | 0               |
| Sheltered          | 1          | 0                | 0      | 0               |

|                       |           |           |           |          |
|-----------------------|-----------|-----------|-----------|----------|
| Grants                | 1         | 0         | 0         | 0        |
| Anti-Social Behaviour | 2         | 0         | 0         | 0        |
| <b>Total</b>          | <b>43</b> | <b>15</b> | <b>10</b> | <b>2</b> |

|                    |           |          |          |          |
|--------------------|-----------|----------|----------|----------|
| <b>Stage 2</b>     |           |          |          |          |
| Housing Management | 5         | 1        | 2        | 0        |
| WHQS (internal)    | 0         | 3        | 4        | 0        |
| WHQS (external)    | 1         | 0        | 0        | 0        |
| Leaseholder        | 2         | 1        | 1        | 0        |
| Response repairs   | 5         | 1        | 1        | 0        |
| Sheltered          | 1         | 1        | 0        | 0        |
| Allocations        | 1         | 0        | 0        | 0        |
| ASB                | 1         | 0        | 0        | 0        |
| <b>Total</b>       | <b>16</b> | <b>7</b> | <b>8</b> | <b>0</b> |

#### 4.6.1 Stage 1's

The service area identified with the greatest number of Stage 1 complaints upheld (4) and partially upheld (4) was the WHQS internal works. 2 of the upheld cases were resolved at Stage 1 with 2 cases progressing to Stage 2. An analysis of these complaints as a whole shows that they related to the general organisation and delays in the completion of work provided by two of our external contractors. Examples of the issues raised included the length of time tenants were without facilities, lack of communication and damage to tenants' goods. In each of these cases apologies were provided and the tenants were financially compensated.

4.6.2 There were 2 response repair Stage 1 complaints upheld and 2 cases partially upheld. All of these cases related to delays in undertaking a variety of works. One of the upheld complaints related to a delay in carrying out follow up works after a radiator leak and the other upheld case related to a delay in carrying out fencing works. One of the partially upheld cases related to a delay in repairing a central heating system, which subsequently progressed to a stage 2 complaint and the remaining case related to a delay in replacing windows. In each case an apology was provided and the necessary works were undertaken.

4.6.3 There was 1 stage 1 complaint upheld in relation to a housing management issue. This related to a tenant being unable to access his garage due to the lack of maintenance of the shrubs and bushes in the area. An apology was provided and arrangements made for the area to be cleared. There were 4 housing management stage 1 complaints partially upheld, 1 involved a dispute over a garden boundary between an owner/occupier and a council property which was resolved through negotiation and the remaining 3 cases related to the condition of properties on re-let. In 1 case officers have been reminded to ensure the re-let checklist is completed thoroughly and accurately, in another case officers have been reminded to ensure properties are cleaned to an acceptable standard. The remaining case related to the condition of the plaster work on a bungalow allocated to older persons. An additional decoration allowance was awarded and arrangements were made for the condition of the walls to be checked as part of the end of tenancy works on another void bungalow in that area.

4.6.4 There was 1 WHQS (external) stage 1 complaint upheld and 4 complaints partially upheld. The upheld complaint was in relation to the unforeseen delay in carrying out WHQS works to a garden wall. In order to complete the work, in a timely manner, arrangements were made for the repair to be carried out by the Housing Repair Operations team. 1 of the partially upheld cases related to a delay in carrying out works to a block of garages. An apology was provided and the works were carried out as soon as possible. Another partially upheld complaint was in relation to damage caused to an owner/occupier's chain link fence while contractors were renewing the fence next door. An apology was provided and the necessary

repair was carried out. The third case involved officers not returning calls to keep the tenant advised regarding a claim against the contractor. An apology was provided and officers were reminded of the need to return calls in a timely manner. The fourth case was in relation to the general standard of WHQS external works currently ongoing, lack of communication, debris left lying around and damage to green areas. An apology was provided and an assurance given that the area would be regularly monitored and any damage would be assessed and made good by the contractor on completion of the works.

4.6.5 There were 2 stage 1 complaints upheld for allocations. The first case was in relation to a delay in assessing a special housing needs form issued to an applicant and the subsequent presentation of the case to the Rehousing Assessment Panel (RAP). It was explained to the applicant that the delay was due to the workload of the Housing Occupational Therapist. An apology was provided and the case presented to the next RAP panel. The second complaint involved officers failing to recognise the importance of some of the information provided on a housing application form resulting in an initial inaccurate award of points. As soon as the errors were realised the points award was amended accordingly. The Council and its landlord partners have since launched a Common Allocation Policy and Register with effect from 5<sup>th</sup> December 2016 which is now based on a banding system. This is operated by a centralised team of officers who have all received training on the new allocation procedure to ensure all applications are checked and recorded appropriately.

4.6.6 The stage 1 complaint partially upheld for leaseholder services was in relation to a charge to the leaseholder for re-glazing works carried out by the Council. Glazing is the leaseholder's responsibility but due to some confusion the repair was raised for the Council to complete. The tenant disagreed with the charge as she claimed she had not been made aware she would be charged if the Council carried out the work. Due to a possible misunderstanding the charge was reduced by 50%. The leaseholder was not satisfied with the outcome and the complaint progressed to a stage 2.

#### 4.6.7 Stage 2's

The service area identified with the greatest number of stage 2 complaints upheld (4) and partially upheld (3) was the WHQS internal works. 2 of the upheld cases related to the general poor standard of work and service, provided by the contractor. The issues highlighted included lack of communication, failure to supply temporary facilities and delays in the time taken to complete the works. Apologies were provided and the works resolved to the tenants' satisfaction. In addition, the Chief Housing Officer (CHO) met with the director of the contractors to review and amend their working practices. 1 of the cases related to the lack of response to a tenant's e-mails. Some confusion had arisen as it was thought the e-mails had been responded to by a different department. A response was provided, together with an apology for the confusion. The fourth complaint was in relation to a delay in completing a ceiling repair following a leak which occurred after bathroom works had been undertaken. The delay was due to officers awaiting the results of an asbestos test. An apology was provided and the works were completed to the tenant's satisfaction. One of the partially upheld cases involved a review of the initial decision not to renew the kitchen under WHQS. Following the review partial improvements were agreed. The second partially upheld case related to miscommunication regarding the extent of the WHQS works to be undertaken. An apology was provided and it was agreed that, in future, tenants should receive more detailed information confirming the works to be carried out. Letters will therefore be re-formatted for the 2017/18 financial year to include details on the extent of works and confirming tenants' choices, with tenants having 10 days to respond if they require any changes. The third partially upheld case involved damage to a tenant's bathroom flooring. The tenant claimed a leak had occurred after WHQS works were undertaken and he had incurred a cost to replace the flooring. It was not possible to determine the cause of the leak but as a gesture of goodwill the tenant was reimbursed £60 to cover the cost of the replacement flooring.

4.6.8 There were 2 stage 2 complaints upheld for housing management. 1 related to a recharge to a tenant which, following investigation, was later withdrawn. The remaining case, which escalated from stage 1, was in relation to the standard of the property when it was re-let to a

new tenant. On further investigation it was agreed to award a further £48 decoration allowance in recognition of the unsatisfactory standard of cleanliness of the property.

- 4.6.9 The 1 stage 2 complaint upheld for response repairs related to general poor workmanship and service from the housing repair operations team. The issues complained about included repeat visits by operatives to complete a repair to the toilet, damage to items and poor communication between officers. The Housing Repair Operations Manager visited the tenant to apologise for the service she had received and officers have been reminded to bring repeat repair enquiries to the attention of the senior planner. The partially upheld case was in relation to a delay in repairing a tenant's central heating system. When the gas engineer attended he was not carrying the necessary part to repair the boiler. The part could not be sourced immediately, as most merchants were closed for the Christmas period, so an order had to be placed. The gas contractor has been reminded of the need to maintain appropriately stocked vehicles and, on this occasion, the contractor provided a £50 voucher as a goodwill gesture.
- 4.6.10 The stage 2 complaint upheld for leaseholder services was in relation to a charge to the leaseholder for re-glazing works carried out by the Council as mentioned in 4.6.6 above. The leaseholder was not satisfied with the stage 1 response. During the stage 2 investigation, confirmation was received of the substantial works to be undertaken, via WHQS, which will include full replacement of the windows. As the leaseholder will be responsible for a large financial contribution towards these works it was felt, on this occasion, due to the possible misunderstanding the charge for the glazing would be withdrawn in full. The partially upheld case related to a leaseholder who complained that the cavity wall insulation had been removed from his flat without prior notice. An apology was provided for no notice being given.

#### 4.7 **Ombudsman Complaints**

There were 8 cases referred to the Public Services Ombudsman for Wales after they had followed the Council's corporate complaints procedure and 5 cases were referred prematurely, before following the Council's corporate complaints procedure. The Ombudsman did not investigate any of these cases.

#### 4.8 **Response Target Times**

The Customer Services Section monitors the performance in responding to all contacts recorded by the section, within the corporate timescales. 95% of complaints and representations were responded to within the agreed timescales in 2016/17 in comparison with 94% in 2015/16.

#### 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:

- 4.9.1 We received a number of complaints regarding the overall quality of service and workmanship of a contractor carrying out WHQS works. The issues raised included the planning of the works, the length of time taken to complete the works, lack of communication and being left without facilities whilst works were ongoing. In order to improve the level of service the Chief Housing Officer met with the contractor to raise concerns about the quality of service and the failure to comply with the Charter for Trust. The contractor has since reviewed its working practices and made some changes, including the appointment of additional supervisory staff, a tenant liaison officer and a new sub-contractor. These changes continue to be monitored to ensure the required standards of performance are being delivered.
- 4.9.2 A tenant who had recently been allocated a tenancy complained that he and his carer were being bitten by fleas. This issue, however, was not identified by any of our workmen whilst

they were in the property undertaking the end of tenancy works. As soon as the matter was brought to our attention arrangements were made for the property to be fumigated via the Council's pest control officer and the tenancy start date was amended accordingly. A week later the tenant complained that he was still being bitten so a further fumigation was arranged. The Housing Manager visited the property to apologise to the tenant and also confirmed that although the property had undergone a deep clean before allocation this was not to the expected standard. However, this would not have addressed the issue of fleas. A further clean was arranged. Officers have been reminded to ensure vacant properties are checked to confirm they are cleaned to the expected standard before allocation.

- 4.9.3 A tenant reported a fault of no central heating or hot water on 23<sup>rd</sup> December 2016 . She complained that the problem was not resolved for a week due to the delay in ordering parts. The investigation showed that the initial response by the gas engineer was within the required 2 hour timeslot but the engineer was not carrying the necessary part to repair the boiler. There was then a delay in sourcing the part as most of the merchants were closed for the Christmas period. There was then a further delay caused by the incorrect part being ordered. Temporary heating was provided in the meantime. The repair was finally completed on 30<sup>th</sup> December 2016 and the tenant was compensated in line with our heat loss compensation payment scheme. As this was a relatively new contract the Housing Repair Operation Manager met with the contractor to remind them that all their vehicles should carry an appropriate level of stock, which should prevent the need for parts to be ordered.
- 4.9.4 A tenant complained about the delay in WHQS works being carried out due to some confusion over an asbestos survey. The tenant received a letter stating he had not allowed access for an asbestos survey so the works could not go ahead. The letter also reminded him of his tenancy conditions concerning lack of access and the possibility of legal action for breach of tenancy if access was denied. The tenant confirmed that access had, in fact, already been gained and the survey had been undertaken. The tenant received a full apology for the confusion and the no access letter used by the WHQS team was reviewed and amended. The letter no longer refers to legal action being taken if access is denied but advises the tenant that any upgrading work will be delayed until the end of the programme in 2020.

#### 4.10 **Recharge Panel**

As mentioned in last year's report, the independent Recharge Review Panel was established in July 2016, in order to deal with any appeals against recharges received since that time. The panel comprises Senior Housing Officers, a Councillor and a Tenant and is seen as a more consistent approach to dealing with such matters. During the period July 2016 to 31<sup>st</sup> March 2017 the panel has reviewed 4 recharge appeals and in each case the recommendation to the Chief Housing Officer was that the recharge should remain.

### 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. **WELL-BEING OF FUTURE GENERATIONS**

- 6.1 This report contributes to the Well-being Goals as set out in Links to Strategy above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act in that:

- **Long Term** – to improve the delivery of the housing service to tenants



- **Prevention** – learning lessons from complaints to prevent repeated problems.
- **Integration** – process for housing complaints integrated with the corporate complaints and information unit processes. Corporate process follows the framework laid down by the public services ombudsman.
- **Collaboration** – Participation in all Wales complaints working group to share good practice.
- **Involvement** – annual report to Caerphilly Homes Task Group.

## **7. FINANCIAL IMPLICATIONS**

7.1 None.

## **8. PERSONNEL IMPLICATIONS**

8.1 None.

## **9. CONSULTATION**

9.1 Consultation responses have been considered within this report.

## **10. RECOMMENDATIONS**

10.1 This report is for information purposes only.

## **11. REASONS FOR THE RECOMMENDATIONS**

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

## **12. STATUTORY POWER**

12.1 Local Government and Housing Acts. This is a Cabinet function.

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