



## **CAERPHILLY HOMES TASK GROUP – 20TH SEPTEMBER 2018**

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

**REPORT BY: CORPORATE DIRECTOR – SOCIAL SERVICES AND HOUSING**

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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 2017 to 31<sup>st</sup> March 2018.

### **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 2017 to 31<sup>st</sup> March 2018. 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 2017 and 31<sup>st</sup> March 2018 the Customer Services Section of Caerphilly Homes recorded a total of 682 contacts from the public and/or their representative. This is in comparison with 581 between 1<sup>st</sup> April 2016 and 31<sup>st</sup> March 2017. There has been a significant increase in the pace of delivery for the WHQS external works programme and it is considered that this is the reason for the additional number of service requests received during 2017/18.

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	
	2016/17	2017/18	2016/17	2017/18
Response Repairs	12	10	95	92
Housing Management	32	48	95	88
Antisocial Behaviour	4	3	33	51
Allocations	34	37	11	14
Homelessness	4	10	4	11
WHQS Internal	7	12	73	79
Heating	0	3	10	23
Sheltered Housing	3	2	5	7
Grants	7	8	4	4
WHQS External	1	16	28	76
Rents	2	3	4	3
Adaptations	1	3	1	4
Energy Works	1	0	0	0
Enforcement Action	1	0	1	1
Leaseholder	4	1	0	1
Other	1		1	0
Tenant Participation	0	0	0	1
Private Landlord	0	1	1	1
<b>Total</b>	<b>114</b>	<b>157</b>	<b>366</b>	<b>456</b>

4.3 The number of contacts received via an advocate was 224 compared with 168 in 2016/17. 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 2017/18 there were 78 recorded. This is in comparison with 66 for 2016/17. These covered a number of service areas, as detailed below :-

<b>Praise or Thanks</b>		
	<b>2016/17</b>	<b>2017/18</b>
Rents	5	7
Allocation	0	1
Leaseholder Services	4	3
Housing Management	7	8
Responsive Repairs	21	18
Tenancy Enforcement	2	4
Tenant Participation	6	1
Sheltered Housing	3	8
WHQS	11	20
Homelessness	0	1
Adaptations	2	1
Heating	3	2
Handy Person Scheme	1	0
Grants	1	4
<b>Total</b>	<b>66</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 45 Stage 1 complaints recorded for Caerphilly Homes in 2017/18 compared with 70 in 2016/17. There were 24 Stage 2 complaints in 2017/18 compared with 31 in 2016/17. Of the 24 Stage 2 complaints received in 2017/18, 15 had progressed from a Stage 1 complaint.

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 issues with garages, property conditions, request for rent free period, request to remove ramped access and railings, garden condition and compensation for electric used. 8 of these cases were not resolved to the complainant's satisfaction and progressed to Stage 2 complaints.

There were 6 WHQS (external works) Stage 1 complaints. These related to delays in carrying out the works, carrying out works without prior notice, location of metal storage containers, noise generated from the works, and entering the garden of a private property without giving notice. 3 of these cases were not resolved to the tenant's/resident's satisfaction and progressed to a Stage 2.

Function Area	Stage 1		Stage 2		Progressed	
	2016/17	2017/18	2016/17	2017/18	2016/17	2017/18
Housing Management	19	25	8	11	4	8
WHQS (Internal)	14	3	7	3	5	1
Response Repairs	16	3	7	1	6	1
Allocations	5	2	1	0	0	0
Leaseholders	4	1	4	2	4	1
Grants	1	1	0	1	0	0
Anti Social Behaviour	2	2	1	1	1	1
Sheltered Housing	1	0	2	0	1	0
WHQS (External)	8	6	1	3	1	3
Private landlord	0	1	0	1	0	0
Homelessness	0	1	0	1	0	0
<b>TOTAL</b>	70	45	31	24	22	15

The majority of stage 2 complaints related to the Housing Management function. There were 11 cases in all. 3 of these cases related to issues with garages and the remainder included landlord's consent, decoration allowance, neighbour dispute, re-let standard, noise from WHQS works, request to remove ramp and railings, complaint that works requested by tenant were carried out after the tenant vacated and a request to incorporate additional land at the side of a property following adaptation works.

There were 3 WHQS (internal) Stage 2 complaints. 2 related to the general quality of service and workmanship provided by the contractor and 1 related to the delay in starting the works.

There were 3 WHQS (external) Stage 2 complaints. 1 related to the general quality of service and workmanship provided by the contractor, 1 related to the delay in starting the works and 1 related to claims operatives had been onto an owner/occupier's property without his consent.

#### 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 2017/18.

Function Area	Not Upheld	Partially Upheld	Upheld	Did Not Proceed
<b>Stage 1</b>				
Housing Management	22	2	0	1
Response repairs	1	2	0	0
WHQS (internal)	1	2	0	0
WHQS (external)	5	1	0	0
Allocations	2	0	0	0
Leaseholders	1	0	0	0
Homelessness	1	0	0	0
Grants	0	0	1	0
Anti Social Behaviour	2	0	0	0
Private landlord	1	0	0	0
<b>Total</b>	<b>36</b>	<b>7</b>	<b>1</b>	<b>1</b>

<b>Stage 2</b>				
Housing Management	10	1	0	0
WHQS (internal)	1	0	2	0
WHQS (external)	1	2	0	0
Leaseholder	2	0	0	0
Response repairs	0	0	1	0
Homelessness	0	1	0	0
Private landlord	1	0	0	0
ASB	1	0	0	0
Grants	1	0	0	0
<b>Total</b>	<b>17</b>	<b>4</b>	<b>3</b>	<b>0</b>

#### 4.6.1 Stage 1's

There was only 1 Stage 1 complaint upheld in 2017/18, compared with 10 in 2016/17. The case related to poor workmanship and the time taken to complete works under a Disabled Facilities Grant. An apology was provided and areas for improvement were discussed with the contractor. The works were later completed to the resident's satisfaction.

4.6.2 There were 2 response repair Stage 1 complaints partially upheld in 2017/18, which is the same as 2016/17. One case related to an owner/occupier next door to a council property having the shared chimney stack removed. Unforeseen works were identified which the resident objected to paying for. In addition the works carried out accidentally resulted in soot entering the living room, causing damage to furnishings. An apology was provided and, as a gesture of goodwill for the inconvenience caused, it was agreed the Council would cover the cost of the additional works. The resident was not satisfied with the outcome and the complaint progressed to a stage 2. The second partially upheld case was in relation to works carried out following a report of damp in the kitchen. The tenant claimed the issue had been ongoing for several years with no resolution. Enquiries showed that a number of jobs had been carried out but in this case it had been a process of elimination to identify the actual cause. An apology was provided for any inconvenience caused and arrangements were made for all necessary works to be completed as soon as possible. These were carried out to the tenant's satisfaction.

4.6.3 There were 2 stage 1 complaints partially upheld in relation to housing management issues in 2017/18, compared with 4 in 2016/17. One case related to an owner/occupier objecting to paying 50% of the costs for removing a joint chimney stack as not all promised work was carried out. The invoice was reduced in recognition of the work charged for but not undertaken. The second case was in relation to the time taken to carry out work to a garage. The tenant handed his keys in months before the work started. Enquiries showed the delay was due to officers waiting for crucial asbestos information. An apology was provided with an assurance the works were now being carried out.

4.6.4 There was 1 WHQS (external) stage 1 complaint partially upheld in 2017/18, compared with 4 in 2016/17. This related to a tenant's concern that no warning was given before soffit was removed, which potentially contained asbestos. An apology was provided for not giving prior notice together with an assurance that the soffit was removed under controlled conditions.

4.6.5 There were 2 stage 1 complaints partially upheld for WHQS (internal works) in 2017/18, compared with 4 in 2016/17. The first case was in relation to a decision not to renew a tenant's kitchen under WHQS. Following a visit by the Project Manager it was identified that some units needed to be repaired and some units and worktops needed to be replaced. The second case related to the length of time to complete the internal works and the general service provided. An apology was provided for any inconvenience caused and the contractor was instructed to complete any outstanding works.

#### 4.6.6 Stage 2's

There were 2 stage 2 complaints upheld for WHQS internal works in 2017/18, compared with 4 in 2016/17. One case related to failure to start the WHQS works on the proposed date and the disruption this caused to the elderly tenant. Problems were being experienced with the contractor being able to resource the required works at this property and others within the contract. This property was removed from the contract and an alternative contractor appointed to undertake the works. An apology was provided for all the inconvenience caused. The second complaint was in relation to the way carpets and floorboards were relayed following works carried out by a contractor to rewire the property. The contractor returned on a number of occasions to try to resolve the issues but ceased trading before a satisfactory outcome could be achieved. Alternative arrangements were made for the Council's own Housing Repair Operations team to complete any outstanding works to the tenant's satisfaction. An apology was provided for any inconvenience caused.

4.6.7 There was 1 stage 2 complaint partially upheld for housing management in 2017/18, which is the same as during 2016/17. This case related to an owner/occupier complaining about the condition of the council tenant's garden next door. The complaint revolved around the unsightly nature and smell of dog excrement and the apparent lack of action being taken by the Housing Department. Officers from within the Housing Department followed the procedures for dealing with breaches of tenancy in relation to garden conditions and also liaised with officers of the Council's Public Protection team. It was explained to the complainant that this could be a lengthy process and the matter was still ongoing. It was acknowledged that Housing Officers may not have consistently been proactive in monitoring the conditions at the property following periods of improvement and an apology was provided for this. The complainant was not satisfied with the outcome and took his complaint to the Ombudsman. The Ombudsman was satisfied with the processes being followed by the Council and did not investigate the complaint.

4.6.8 There was 1 stage 2 complaint upheld for response repairs in 2017/18 which is the same as 2016/17. The case escalated from a stage 1 and was in relation to the removal of a shared chimney stack and the costs involved to the owner/occupier. On further investigation it was noted there had been some misunderstanding of the charges involved, created by the wording in correspondence to the owner/occupiers. It was also accepted that the elderly tenants had to wait an unreasonable time for a professional cleaning company to attend to address the accidental soot damage caused to furnishings. The charge to the owner/occupier was reduced in recognition of these issues.

4.6.9 There were 2 stage 2 complaints partially upheld for WHQS external works in 2017/18, compared with 0 for 2016/17. Both cases escalated from stage 1. One complaint was from an owner/occupier in relation to the lack of information provided to residents about the programme of works as well as the general standard of service and work provided by the contractor whilst carrying out the works. Several meetings and site visits were undertaken by senior Housing Officers and representatives of the contractor involved to identify any improvements possible to the service provided. The second case related to delays in WHQS works starting, the disruption caused and outstanding works. On further investigation a couple of issues were acknowledged and arrangements were made for the contractor to return to make good. New supervisory staff were placed on site and an apology was provided for the delays.

4.6.10 There was 1 stage 2 complaint partially upheld relating to the Homelessness service in 2017/18, compared with 0 in 2016/17. This was in relation to the assessment of the applicants' homeless applications and the customer service provided by various officers. On investigation it was found the applications had been dealt with in accordance with the relevant legislation and guidance, however, it was agreed officers would be reminded of the Council's policies on customer service and recommend additional refresher training, as appropriate.

#### 4.7 Ombudsman Complaints

There were 6 cases referred to the Public Services Ombudsman for Wales after they had followed the Council's corporate complaints procedure in 2017/18, compared with 8 in 2016/17. The Ombudsman decided not to investigate in 5 of these cases. To date, the Ombudsman has not made a decision on the remaining case.

#### 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. 94% of complaints and representations were responded to within the agreed timescales during 2017/18, which is the same as during 2016/17.

#### 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 When asked to complete a Housing Adaptation customer survey form a private resident complained about the poor service she had received from the council and contractor while undergoing adaptation works at her property to install a wet room and ramped access. The resident complained that the concerns she raised during the works were not taken into consideration, including the length of time taken to complete the works and the contractor's performance and workmanship. Following receipt of the form the Principal Housing Officer, based within the Private Sector Housing section, made arrangements to visit the resident and carry out an investigation into the issues raised as a stage 1 complaint. The investigation identified problems with the contractor as well as some communication issues on all sides. The contractor was instructed to carry out some remedial works at the property, which were completed to the client's satisfaction and agreed to make improvements in the areas highlighted to improve the experience for all clients. This complaint was upheld. Lesson learned – any issues raised will be communicated back to officers and the adaptations team will monitor and support the contractor to ensure all concerns are addressed. A new Builders Monitoring data base will be introduced which will help identify any weaknesses in the future.
- 4.9.2 An elderly tenant's son complained on behalf of his mother regarding a succession of delays and conflicting information regarding the start of the WHQS internal works at his mother's home. Having raised his concerns with various officers and no satisfactory outcome achieved the complaint was escalated straight to a stage 2. The complainant stated that when the kitchen and bathroom were surveyed and final plans agreed it was initially proposed that the works would start very shortly but, in any event, three weeks' notice would be given and if this was not convenient the start date could be postponed. This was important to the tenant and her family as all preparatory works would be carried out by the family members. In order to avoid his mother having to cope with any undue inconvenience, noise and dust generated from the works it was the complainant's intention to either accommodate his mother at his home or ensure she was taken out for the day, as necessary. The tenant was eventually given a start date so the family made the necessary arrangements to empty cupboards and accommodate the tenant as best as possible. The complainant then documented a number of delays, changed plans, lack of information and workmen not turning up when expected, all of which caused inconvenience and upset to his mother. These issues were linked to problems with the contractor at the time, which eventually resulted in them going into liquidation. An apology was provided and the property was given to an alternative contractor to carry out the works, which were later completed to the tenant's satisfaction. The complaint was upheld. Lesson learned - improve communications with tenants when issues are identified with a contractor.

4.9.3 Following a report from the tenant of a 'misted' double glazed kitchen unit an appointment was arranged for the glazier to call to measure for a replacement unit. When the glazier attended, at the agreed appointment slot, there was no answer. Attempts were made to contact the tenant, while the glazier was outside, but these were unsuccessful. The tenant subsequently received a recharge for the missed appointment which he appealed against, stating he was out in his back garden when the glazier called and he didn't understand why he needed to be there anyway as the window could be measured from the outside. The decision at the informal review and first stage formal review was the recharge should remain. This was based on the fact the tenant had received a letter giving the specific date and time slot for the appointment and the glazier would have remained at the property for several minutes whilst colleagues attempted to contact him on both his home and mobile number. The tenant was not satisfied with this decision and requested a second stage formal review. This was then considered by the recharge review panel, comprising an independent senior housing officer, tenant and Councillor. The panel's recommendation to the Chief Housing Officer was the recharge should remain as all reasonable efforts were made to contact the tenant in line with the no access procedure. However, after further consideration the Chief Housing Officer decided the recharge should be withdrawn as it was acknowledged the appointment letter did not make it clear enough that the tenant would be expected to be present to allow access into the property and he could have reasonably assumed the measuring could have taken place from outside. Lesson learned – letter amended to advise tenants they are required to provide access into the property when measuring for double glazed units.

#### 4.10 **Recharge Panel**

The independent Recharge Review Panel was established in July 2016, in order to deal with any second stage formal appeals against recharges. The panel consisted of a Senior Housing Officer, a Councillor and a Tenant. During the period 1<sup>st</sup> April 2017 to 31<sup>st</sup> March 2018 the panel reviewed 5 recharge appeals. In all 5 cases the recommendation to the Chief Housing Officer was that the recharge should remain. However, in one case, the Chief Housing Officer overturned the decision and the recharge was withdrawn. With regards the recharge review panel itself, a report was approved by Cabinet, in March 2018, that the Rechargeable Repairs and Appeals Panel be discontinued and all second stage formal reviews be investigated using a process that mirrors the second stage of the Corporate Complaints Procedure.

### **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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