

Climate Change, Housing and Communities Scrutiny Panel

19 September 2024

Agenda Item No: 6

Report title	City Housing Complaints Performance and Service Improvement Report 2023-24	
Cabinet member with lead responsibility	Councillor Steve Evans, Deputy Leader: City Housing	
Wards affected	All	
Accountable director	John Roseblade, Director of Resident Services	
Originating service	Landlord Services – City Housing	
Accountable employee(s)	Joseph Jenner Email	Tenant Influence and Accountability Officer joseph.jenner@wolverhampton.gov.uk
Report to be/has been considered by	Resident Services Leadership Team	27 August 2024
	Investment and Economy Matrix	29 August 2024
	Cabinet Member Briefing – Housing	06 September 2024

Recommendation(s) for action or decision:

The Scrutiny Panel is recommended to:

1. Note the following Complaints and Service Improvements Report.
2. To consider the contents of the report, performance and areas identified for improvement, and to provide a response for publication alongside the report.

1.0 Purpose

- 1.1 To provide an analysis of complaints handling by City of Wolverhampton Council's Housing Managing Agents.
- 1.2 To identify any overriding themes of complaints received.
- 1.3 To outline the service improvements implemented or planned in response to complaints.
- 1.4 To outline the findings, reports and other relevant publications produced by the Housing Ombudsman relating to City of Wolverhampton Council's housing management.

2.0 Background

- 2.1 The Social Housing (Regulation) Act 2023 empowered the Housing Ombudsman to issue a code of practice about the procedures members of the Scheme should have in place for considering complaints. After consultation, the Complaint Handling Code came into effect on 1 April 2024, with the Housing Ombudsman Service's (the Ombudsman) duty to monitor compliance commencing at the same time.
- 2.2 Under section 8 of the Code, Landlords must produce an annual complaints performance and service improvement report for scrutiny and challenge, which must include:
 - an annual self-assessment against the Code to ensure their complaint handling policy remains in line with its requirements.
 - a qualitative and quantitative analysis of the Landlord's complaint handling performance - this must also include a summary of the types of complaints the landlord has refused to accept.
 - any findings of non-compliance with this Code by the Ombudsman.
 - the service improvements made as a result of the learning from complaints.
 - The most recent available annual report about the landlord's performance from the Ombudsman.
 - any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord.
- 2.3 The annual complaints performance and service improvement report must be reported to the landlord's governing body (or equivalent) and published on the section of its website relating to complaints. The governing body's response to the report must be published alongside this.
- 2.4 City of Wolverhampton Council (CWC), as a stock-holding local authority, and member of the Housing Ombudsman scheme, are responsible for fulfilling the reporting requirements outlined by the code.

2.5 Wolverhampton’s council housing management arrangements are carried out on the Council’s behalf by one Arms Lenth Management Organisation (ALMO) and three Tenant Management Organisations (TMO). Responsibility for handling complaints have been delegated to these managing agents, under their respective management agreements, who each have individual complaints policies and processes. These managing agents are:

- Bushbury Hill Estate Management Board (BHEMB)
- Dovecotes Tenant Management Organisation (DTMO)
- New Park Village Tenant Management Cooperative (NPV). This organisation is currently subject to a Supervision Notice and their management functions are currently administered by Wolverhampton Homes. An explanatory briefing note has been provided to the Housing Ombudsman.
- Wolverhampton Homes (WH), the Arms Length Management Organisation.

3.0 Self-assessment against the Complaint Handling Code

- 3.1 CWC published its self-assessment against the Complaints Handling Code in June 2024. This self-assessment can be found in Appendix 3.
- 3.2 The self-assessment is an overarching assessment of all housing complaint handling by our Housing Managing Agents in Wolverhampton.
- 3.3 This report reflects the local context of housing management in our city and provides qualitative and quantitative analysis of each of our managing agents’ complaints handling during 2023-24.

4.0 Bushbury Hill EMB Complaints Analysis 2023-24

- 4.1 Bushbury Hill EMB are a tenant management organisation who manage more than 900 homes on behalf of the Council, in the Bushbury North and Bushbury South & Low Hill wards.
- 4.2 BHEMB received two complaints during the period April 23 – March 2024. One complaint for 2023-24 mentioned both allocations and staff so has been recorded as 1*. The nature of the complaints received were as follows:

Category	Complaints 2023-24
Allocations/Housing	1*
Support for lodger in possession	1
Staff	1*
Total	2

- 4.3 In the 2023-24 period, BHEMB did not reject any complaints received. However, the organisation does not track service requests formally and are therefore unable to provide a complete picture of contacts with residents which might be deemed relevant to the Ombudsman’s complaints handling code. This has been raised with the organisation and consequently, service requests will be tracked going forward.
- 4.4 One of the two complaints received during this year was resolved at Stage 1. The other was moved to Stage 2. Both complaints were acknowledged within five working days and each stage was responded to within policy timescales. The Stage 2 complaint panel was made up of three people, including external representation from CWC with extensive knowledge of the Council’s allocations policy, a tenant Board member and the TMO Chief Officer.

Complaints Stages	Number of Bushbury Hill EMB Complaints 2023-24	% of Complaints Responded to Within Timescale
Complaints Resolved at Stage 1	1	100%
Complaints Resolved at Stage 2	1	100%

5.0 Bushbury Hill EMB Complaints Service Improvements and Scrutiny 2023-24

- 5.1 The number of complaints this year have remained low. With such a low number of official complaints, it is difficult to look for trends in data. One of the complaints related to the Council’s Allocations policy rather than a failure in service. However, the EMB believes it is important for complainants to have their voice heard and the opportunity to better their understanding on the legalities of the allocations policy and therefore accepted the complaint.

- 5.2 In 2023-24, City of Wolverhampton Council contracted research company Acuity to carry out perception surveys of tenants called the Tenant Satisfaction Measures. We are, therefore, able to see how tenants perceive complaints handling at the organisation:

Tenant Satisfaction Measures	Bushbury Hill EMB Complaints Handling Satisfaction 2023-24
Satisfied	43%
Dissatisfied	42%

- 5.3 BHEMB’s board and staff will work with tenants to understand the satisfaction levels with complaints. A key element of this will be a discussion of the definition of a complaint from the tenant’s perspective. Similarly, the EMB will endeavour to raise awareness of their complaints policy and procedure. As a tenant-managed organisation, Bushbury Hill EMB

value tenant scrutiny of the complaints received throughout the year. Complaints themes and service improvements are reported to the organisation's board as a standing item for discussion. BHEMB will continue to monitor complaints for any potential trends and look for ways in which services can be improved going forward.

6.0 Dovecotes TMO Complaints Analysis 2023-24

6.1 Dovecotes TMO are a tenant management organisation who manage more than 700 homes on behalf of the Council, in the Oxley ward.

6.2 DTMO received four complaints and three service requests during the period April 23 – March 2024. The nature of the complaints received were as follows:

Category	Complaints 2023-24	Service Requests 2023-24
Board Conduct	1	-
Environmental Issues	-	2
Repairs	1	1
Staff Conduct	2	-
Total	4	3

6.3 During the 2023-24 period, DTMO did not reject any complaints. They did, however, classify three contacts as service requests as the tenant was not expressing dissatisfaction. A service request is a request from a resident to the landlord requiring action to be taken to put something right. Service requests are not complaints, but must be recorded, monitored and reviewed regularly. A complaint must be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing.

6.4 DTMO mirror the timescales for dealing with requests for service with that of any complaint (10 working days). Two of the requests for service related to an environmental issue whereby a tree was pruned without prior notice. As a result, a new instruction was issued to staff to inform those tenants and/or residents of planned tree pruning prior to working onsite. One request for service concerned repairs specifically relating to a request to install fencing. The TMO had recently implemented a new fencing policy, the customer was informed with information shared on the new process.

Complaints Stages	Number of Dovecotes TMO Complaints 2023-24	% of Complaints Responded to Within Timescale
Complaints Resolved at Stage 1	4	100%
Complaints Resolved at Stage 2	0	-

6.5 All complaints received in 2023 were acknowledged within five working days and responded to within 10 working days, this is in line with the timescales set out in DTMO's complaints policy. None of the four complaints received were progressed to Stage 2, evidencing effective early intervention in resolving complaints.

7.0 Dovecotes TMO Complaints Service Improvements and Scrutiny 2023-24

7.1 Throughout the year, complaints numbers have remained low. With such a low number of complaints, it is difficult to look for trends in data.

7.2 In 2023, DTMO received one complaint relating to board member conduct. This was fully investigated, and no fault of any board member was identified. Dovecotes TMO is an organisation led by tenants for tenants, meaning that TMO board members are highly active in the community and act as ambassadors for the organisation; therefore, it is not uncommon for members to be implicated in a complaint. Despite no fault being established on the part of any board members, DTMO used a 'lessons learned process' to identify that further training was needed for board members on their roles and responsibilities. This includes the expectations of board members when leaving their elected seat on the committee.

7.3 The most complained category in 2023-24 was staff conduct; one complaint related to the service received in relation to an Anti-Social Behaviour complaint and one concerning the service received in relation to an enquiry about the Household Support Fund. In both cases the complaints were fully investigated with staff not being found at fault.

7.4 In 2023-24, City of Wolverhampton Council contracted research company Acuity to carry out perception surveys of tenants called the Tenant Satisfaction Measures. We are, therefore, able to see how tenants perceive complaints handling at the organisation:

Tenant Satisfaction Measures	Dovecotes TMO Complaints Handling Satisfaction 2023-24
Satisfied	46%
Dissatisfied	44%

7.5 DTMO has created a scrutiny panel, outside of existing governance mechanisms, with the aim of better understanding the expectations of tenants and planning improvements accordingly.

Following the gathering of 23-24 Tenant Satisfaction Measures, DTMO's board identified that the comparatively low level of satisfaction with complaints handling among tenants (only 46% of respondents describing themselves as satisfied) would make it a suitable topic for scrutiny.

- 7.6 Through this scrutiny process, DTMO discovered that they need to use different channels to reassure tenants that their complaint is heard and acted on. The digital offer made to tenants via their website does not provide enough information leading to frustration and a lack of transparency.
- 7.7 Evidence from surveys and the feedback from tenants taking part in the scrutiny panel showed that tenants are not satisfied with the way DTMO deal with anti-social behaviour and tenancy disputes. Some dissatisfaction is a result of lack of clear information on the powers available to the organisation, the information provided and how this is reported to tenants. The TMO needs to offer a more transparent service and the improvements recommended by the panel will help the TMO make a marked improvement in this area.
- 7.8 DTMO understands that satisfaction in relation to anti-social behaviour and tenancy disputes can be difficult to achieve and are both inherently linked to satisfaction levels with complaints handling. The TMO will ensure that processes are clearly displayed to tenants and residents, to manage expectations and clearly define responsibilities.
- 7.9 The TMO will increase the level of feedback received from tenants. Following the closure of the complaint, the organisation will carry out a survey using refreshed processes.
- 8.0 Dovecotes TMO Ombudsman Findings 2023-24 (Complaint Handling Failure Order)**
- 8.1 In 2023, following an investigation, the Housing Ombudsman determined, that in accordance with paragraph 52 of the Housing Ombudsman Scheme, there was severe maladministration by the landlord in respect of its response to the resident's request to install fencing around the boundary of their front garden. Please refer to Appendix 2 for the Ombudsman's full report. The responsibility for this maladministration is with the Council as landlord. As the Managing Agent who oversaw the handling of the complaint, Dovecotes TMO have provided the following information on the service review and subsequent action plan which arose from the finding of severe maladministration:
- 8.2 In response to this ruling, DTMO completed a Senior Management Review. The organisation convened a committee of board members, who had not been involved in the original case. This committee assessed the practices followed by TMO staff and recommended the following learning outcomes, which have since been completed:
- All TMO staff must attend mandatory equality, diversity and inclusivity e-learning training provided by the city council. Board members will keep abreast of any changes or updates issued by central government and share information through board meetings and staff meetings.

- Specialist training has been completed, focusing on the Equality Act 2010, protected characteristics, reasonable adjustment. All staff completed an assessment to identify personal development opportunities.
- The TMO's Reasonable Adjustment Policy has been reviewed and improved to provide guidance to employees and tenants when making decisions or providing services where a tenant or family member may be covered by the protected characteristics of the Equality Act 2010.
- The TMO issued guidance to all employees that a record of conversations with tenants must be always kept and stored on NEC, a cloud-based data storage folder. The TMO will seek further support from City of Wolverhampton Council and introduce a contact management system where all contacts from tenants are recorded electronically.
- TMO staff have been instructed that where a tenant is requested to provide further information, this is recorded in writing to the tenant.

9.0 Wolverhampton Homes Complaints Analysis 2023-24

9.1 Wolverhampton Homes are an Arms-Length Management Organisation (ALMO) who manage around 20,000 homes on behalf of City of Wolverhampton Council.

9.2 During 2023-24, Wolverhampton Homes received 318 complaints and 734 contacts which were classified as 'Non-Escalated Enquiries'. The 318 complaints are an increase from 2022-23, when Wolverhampton Homes received 271 complaints. The categorisation of complaints can be seen in the following table:

Category	Complaints 2023-24	'Non-Escalated Enquiries'
Repairs And Maintenance	146	-
Communication	67	-
Anti-Social Behaviour	16	-
Allocations And Transfers	14	-
Tenancies	13	-
Homelessness	13	-
Home Sales	12	-
Neighbourhoods	10	-
Income Management	3	-
Other	34	-
Total	318	734

Complaints can be assigned more than one category. Therefore, the 'Total' row is not equal to the sum of the complaints recorded in the above categories.

9.3 Of the 318 complaints received, 261 were handled at Stage 1 and 57 were escalated to Stage 2. 160 Stage 1 complaints were upheld or partially upheld, of which 107 were related to the repairs service.

Complaints Stages	Wolverhampton Homes Complaints 2023-24	% of Complaints Responded to Within Timescale 2023-24
Complaints Resolved at Stage 1	261	95%
Complaints Resolved at Stage 2	57	94%

9.4 The Ombudsman requires a summary of the types of complaints the landlord has refused to accept. For Wolverhampton Homes, these have been recorded as 'non-escalated enquiries'. They received 734 such enquiries in 2023-24, which resulted in one of the following outcomes:

- a) Dealt with at first point of contact.
- b) Referred to service areas as service requests.

10.0 Wolverhampton Homes Complaints Service Improvements 2023-24

10.1 Wolverhampton Homes used the feedback and learning from the complaints to implement the following service improvements in the year 2023-24:

10.2 Tree related complaints. Monthly reporting on outstanding maintenance work has been discussed with the relevant contractor, with the aim of improving the monitoring of completion. Monthly contract meetings have been held between the contractor and WH officers.

10.3 Litter related complaints. Litter picking frequency has been increased in the areas subject to complaints.

10.4 Grounds maintenance works complaints. WH have used various initiatives to increase contract monitoring.

10.5 Homes Sales complaints. When officers review customer letters during the Right to Buy process, they now include expected timescales. This should be a way to better manage customer expectations. Additionally, WH have completed some system development work to improve the application handling process.

10.6 For repairs complaints about delays with follow on works:

- A new repairs team structure has been implemented, including planned works.
- WH have moved towards more agile, area-based working.
- Property Supervisors are now attending pre and post inspections and visits for follow on works, to ensure accuracy and speed in ordering.

- Gas fitters are being trained in electrical work to allow a single operative to complete a repair first time, e.g. boiler repairs.
- The organisation has developed a 'multiple trade' system.

10.7 For repairs complaints relating to communication issues:

- There are now two supervisors for each area responsible for liaising with and updating customers.
- New receipts are to be issued to customers upon pre-inspection.
- The planning team will be updating customers on follow-on works, including work passed to contractors e.g. scaffolding (weekly monitoring / contractor using own scaffolding to complete works).

10.8 Several system improvements have been made to the repairs process, following reviews of complaints:

- NEC development due in October 2024 will assist with issuing receipts and in cyclical working.
- Self Service – the 'free text box' has been removed from the app due to issues with all details of a repair requested not being picked up.

11.0 Wolverhampton Homes Complaints Scrutiny 2023-24

11.1 The Wolverhampton Homes Customer Involvement Panel reviewed the Complaints Policy in June 2024. Further scrutiny of the Persistent and Unreasonable Complaints policy will be undertaken by the panel, as well as the Stage 1 and Stage 2 complaints process, including sample letters.

11.2 The main activities and outcomes for tenant scrutiny will be reported to the Communities and Service Delivery Committee including, where appropriate:

- Complaints data and reports, including complaints feedback and satisfaction surveys.
- Interviews and focus groups with the customers who made complaints, the staff and contractors who handled the complaints, and the external bodies who reviewed the complaints.
- A 'Board Member Responsible for Complaints' will be appointed in accordance with the requirements of the regulation, working with the Member Responsible for Complaints at the City of Wolverhampton Council.
- Wolverhampton Homes will review the recommendations of the Customer Involvement panel, to increase the awareness and accessibility of the complaints process, provide more options and support for making complaints, ensure consistency and fairness in the complaints handling and resolution, and monitor and report on the complaint's performance and outcomes.

11.3 In 2023-24, City of Wolverhampton Council contracted research company Acuity to carry out perception surveys of tenants called the Tenant Satisfaction Measures. We are, therefore, able to see how tenants perceive complaints handling at the organisation:

11.4 These satisfaction levels are not wholly inconsistent with the benchmarking received from other organisations, both regionally and nationally. When considered alongside the

Tenant Satisfaction Measures	Wolverhampton Homes Complaints Handling Satisfaction 2023-24
Satisfied	30%
Dissatisfied	56%

organisation's relatively low number of complaints received, this suggests that there may be areas for improvement within the complaints process.

12.0 City of Wolverhampton Council Ombudsman Findings 2023-24

12.1 During the 2023-24 year, City of Wolverhampton Council were subject to 14 investigations, as follows:

- Complaint in relation to the landlord's handling of the resident's request and the subsequent installation of a hard standing and the landlord's handling of the complaint. The outcomes were: Maladministration by the landlord in the way it responded to the resident's request for a hardstanding driveway and no maladministration by the landlord in the way it responded to the resident's complaint; appropriate remedies and recommendations have been carried out.
- Complaint in relation to the landlord's handling of and response to the resident's request for compensation, including property damage and the landlord's complaint handling. The outcomes were: No maladministration by the landlord in respect of its response to the resident's complaint about damage to contents and maladministration by the landlord in its complaint handling.
- Complaint in relation to the landlord's handling of the repair of the resident's bathroom, reports of patio area not draining properly and water ingress, removal company's actions and contractors work and request for compensation. The outcome was that this falls outside of Ombudsman's jurisdiction.
- Complaint in relation to landlord's handling of the resident's reports about leaks affecting their home. The outcome saw the Ombudsman confirm that the landlord has, satisfactorily, resolved the complaint about its handling of a roof leak, but there was maladministration in the landlord's complaint handling.
- Complaint in relation to the landlord's handling of reports of damp and mould in the bedroom, reports of damage to personal belongings from the damp and mould and

request for compensation. The outcome is pending, awaiting the final decision from a review of the decision.

- Complaint in relation to the landlord's handling of the resident's concerns involving shared access and harassment from her neighbour. The outcomes were: Maladministration by the landlord in its handling of the issue regarding shared access to a gate between neighbouring properties and maladministration by the landlord in its complaints handling.
- Complaint in relation the landlord's handling of a request to install a mobility scooter shed and the decision reached; The outcome was: No maladministration.
- Complaint in relation to the landlord's response regarding a request for reinstatement of leaseholder forum meetings and access to information about building insurance and painting contracts; outcome, no maladministration and service failure.
- Complaint in relation to the landlords handling of installation of a water meter, request to install laminate flooring, defective ventilation between properties, reports of anti-social behaviour and reports to the communal door: Outcome: currently awaiting the final decision.
- Complaint in relation to landlord's responsive repairs service, handling of reports of damp and mould, handling of the resident's complaint, handling of a fence replacement and availability of appointments for which the landlord has failed to attend. The outcomes were: Maladministration and service failure. Consequently, appropriate remedies and recommendations have carried out.
- Complaint in relation to landlord's response to a request for fencing to be installed in relation to reports of anti-social behaviour. The outcome was: Maladministration and service failure; appropriate remedies and recommendations have been carried out.
- Complaint in relation to the landlord's handling of a response to the resident's request for costs associated with items removed from the property: The outcome was no maladministration.
- Complaint in relation to landlord's handling of reports of damp and mould and request for a refund of recharges in relation to guttering repairs. The case is currently awaiting the final decision.
- Complaint in relation to the landlord's response to the resident's request to install a fence. The outcome was: Severe maladministration by the landlord in respect of its response to the resident's request to install fencing around the boundary of her front garden. Subsequently, appropriate remedies and recommendations have carried out.

12.2 City of Wolverhampton Council, as landlord, is responsible for oversight of the housing management functions undertaken by each of the aforementioned Housing Managing

Agents. A statistical summary of the Council's last four years of Housing Ombudsman Enquiries and subsequent Full Investigations can be seen in the following table:

Year	Housing Ombudsman Initial Enquiries	Housing Ombudsman Full Investigations
2020-21	7	7
2021-22	23	8
2022-23	26	16
2023-24	20	14

12.3 For 2023-24, the outcomes of the Housing Ombudsman's 14 Full Investigations into City of Wolverhampton Council are detailed in the following table. Please see Appendix 1 for further information on the Ombudsman's investigations. More than one finding can result from each investigation, meaning that the total number of 'outcomes' is more than 14:

Ombudsman Enquiry Outcome Categories	Number of Outcomes, 2023-24
Maladministration	7
No Maladministration	6
Outside of HOS jurisdiction	1
Awaiting Decision After Review	1
Awaiting Final Decision	2
Severe Maladministration	1

12.4 In line with our duty to monitor the complaints handling performance of each of our managing agents, City of Wolverhampton Council notes the potential for improvement in the following areas:

- Tenant perception of how our Managing Agents handle complaints is low (as seen in the Tenant Satisfaction Measures for 2023-24), which, when coupled with the relatively low number of complaints received by each organisation, indicates that the complaint handling process should be reviewed to improve the accessibility of the service.
- Early comparison with both regional and national Registered Providers suggests that our tenants may be less satisfied with complaints handling than the tenants of our peers; it is important that we strive to understand why, and work towards tangible service improvements. Once all national TSMs are published by the Regulator this will provide a greater opportunity to establish clearer benchmarks.

- There must be a consistent approach regarding the recording and categorisation of complaints and service requests, which complies with the requirement to not have an 'informal' complaints stage.
- Wolverhampton Homes were unable to provide a breakdown of the complaints which they chose not to accept in 2023-24; how many were 'Dealt with at the First Point of Contact' and how many were 'Service Requests'.

13.0 Questions for Scrutiny

13.1 The Scrutiny Panel are asked to:

- Consider the analysis of complaints.
- Review the service improvements – both implemented and proposed.
- Provide comment for publication alongside this report.

14.0 Financial implications

14.1 There are no direct financial implications associated with the contents of this report.

[JM/30082024/L]

15.0 Legal implications

The complaints procedure must comply with the Housing Ombudsman's Complaints Handling Code 2024, which is required by all landlords following the passing of the Social Housing (Regulation) Act 2023.

[ABM/30082024/Z]

16.0 Equalities implications

16.1 Considering equalities is a mandatory requirement; no equalities implications have been identified, within this report.

17.0 Human Resources

17.1 There are no human resource implications identified. As part of their operational management duties, Managers will continue to monitor and encourage take up of the complaint training and take necessary action accordingly.

18.0 All Other Implications

18.1 There are no other implications identified from this report.

19.0 Schedule of background papers

19.1 Social Housing (Regulation) Act 2023

19.2 Housing Ombudsman Complaint Handling Code 2024

19.3 Regulator of Social Housing Consumer Standards

19.4 Tenant Satisfaction Measures – Technical Requirements

20.0 Appendices

20.1 Appendix 1: [Housing Ombudsman Service Landlord Performance 2022-23 Report – City of Wolverhampton Council](#)

The attached report is for 2022-23, as it is the most recent available from the Housing Ombudsman.

20.2 Appendix 2: [Housing Ombudsman Service Report - Complaint 202217517 – City of Wolverhampton Council](#)

20.3 Appendix 3: [Complaints Handling Self-Assessment 2024](#)

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