

	<p>Housing Scrutiny Committee 1 November 2017</p> <p>Report from the Director of Performance, Policy & Partnerships</p>
<p>Wards affected: ALL</p>	
<p>Complaints Annual Report 2016 – 2017 (Housing)</p>	

1.0 Summary

- 1.1 The full Annual Complaints Report 2016/17 covering corporate and statutory complaints for Brent Council and corporate complaints for Brent Housing Partnership (BHP) was discussed at the Cabinet meeting on 23 October 2017. The report recommendations on improving complaints performance were agreed.
- 1.2 This report focuses specifically on complaints performance for the Housing Needs and Private Housing services within Brent Council and complaints performance in BHP during 2016/17.
- 1.3 **Appendix A** summarises Housing Needs and Private Housing Services corporate complaints performance in 2016/17 and **Appendix B** sets out BHP's corporate complaints performance in 2016/17. **Appendix C** is high level action plan based on the recommendations agreed by Cabinet on 23/10/17. **Appendix D** is a copy of the Vexation Complaints procedure. High level data for the previous 2 years has been included in these supplementary reports where available for the purpose of comparison over a 3-year period.
- 1.4 Complaints performance for the Council and for BHP have been analysed and reported across four broad aspects - complaints received, complaint types, outcomes and timeliness. The appendices also include improvements and lessons learned from complaints.

2.0 Recommendation(s)

- 2.1 Housing Scrutiny is asked to note the eight specific recommendations agreed by Cabinet on 23 October 2017 and set out as an Action Plan in Appendix C:

Root cause of complaints

- a. Work with service area and departmental management teams to review key service delay/failure hotspots and develop improvement plans.
- b. Develop a tailored training plan on communication and staff behaviours to be implemented in priority service areas across the Council.
- c. Support the new Housing Management Service during the redesign of the repairs process by feeding in the lessons learned from complaints.

Decision making and outcomes

- d. Review LGO referrals and identify any future opportunities for early resolution and minimisation of premature LGO referrals.
- e. Review our internal approach to complaint decisions, corrective actions and compensation in light of LGO outcomes in 2016/17.

Complaint handling and monitoring

- f. Continue to improve internal processes and working arrangements with service managers to increase the timeliness of Stage 2 responses.
- g. Work closely with the Housing Management Service management team to establish a new and effective complaints process and implement improved working arrangements to manage Stage 2 complaints
- h. Implement a weekly Corrective Actions Tracker for all departments to monitor the timely completion of agreed remedial actions.

- 2.2 Housing Scrutiny Committee is asked to note that BHP has been reported as a separate organisation for the purposes of this annual report for 2016/17. Future annual reports will reflect the change in BHP being brought back into Brent Council as the Housing Management Service in October 2017.

- 2.3 Housing Scrutiny Committee is asked to note and consider the Council and BHP's performance in managing and resolving complaints and to advise Cabinet of any further remedial action required.

3.0 Detail

Council's Complaint Framework

- 3.1 The Council's Complaints Framework sets out the stages and timescales for handling both corporate and statutory complaints:

Complaint Type	Stages	Timescales (Written Response)
Corporate	2 stages + Ombudsman	Stage 1 - 20 working days Stage 2 - 30 working days
Adults (Statutory)	1 stage (provision/final) + Ombudsman	Stage 1 - 20 working days (extension up to 6 months in complex cases)
Children (Statutory)	3 stages + Ombudsman	Stage 1 - 10 working days (extension to 20 working days in complex cases) Stage 2 - 25 days (extension to 65 working days in complex cases) Stage 3 - 45 working days
Service Requests	N/A	10 working days

- 3.2 Initial acknowledgements should be sent within 5 working days for all of the complaint types shown above, with the exception of Stage 3 Children Statutory complaints where acknowledgements should be sent within 2 working days.
- 3.3 Service areas are responsible for the management and resolution of all corporate and statutory Stage 1 complaints. The corporate Complaints Service team manages final review/Stage 2 corporate complaints on behalf of the Chief Executive. Children's statutory complaints are reviewed by an independent investigator and independent person at Stage 2 and by an independent panel at Stage 3.
- 3.4 The outcome of a complaint is decided in one of these ways:
- *"Upheld"* – this is where the Council has accepted responsibility for the matter arising. The complaint response will offer an apology, clarify what happened and the remedy to the problem. We will also identify actions to prevent this from happening again.
 - *"Partially Upheld"* – this is where the Council accepts some responsibility for part of the complaint. We will send a complaint response as above also highlighting our reason for not accepting the whole complaint.
 - *"Not Upheld"* – this means the investigation into the complaint has not found the Council at fault. The complaint response will explain our reasons for this decision.

Housing Needs and Private Housing Services Complaints Performance 2016/17– Key Points

- 3.5 The key points from the Housing Needs and Private Housing Services complaints performance were as follows:
- The number of Stage 1 and Stage 2 complaints received by Housing Needs has decreased from the previous year
 - The number of Stage 1 and Stage 2 complaints received by PHS has increased from the previous year
 - Housing Needs and PHS had more cases escalated to the second stage than the council-wide average.
 - Service delay/failure was the most common cause for complaint against Housing Needs in 2016/17, however only 9% of these cases were upheld/partly upheld.
 - Service delay/failure was the most common cause for complaint against PHS in 2016/17, albeit with relatively small case volumes (5 out of 10 cases were upheld).
 - The total number of cases awarded compensation by Housing Needs and PHS have decreased, but the average amount of compensation paid has significantly increased.
 - Timeliness of Stage 1 corporate complaints has improved for Housing Needs and dipped for PHS but is reversed at Stage 2 with a dip in the Housing Needs rate of timeliness and an improvement in PHS timeliness of complaints.
- 3.6 Appendix A provides further detail on complaints performance in 2016/17 for Housing Needs and Private Housing Services

BHP Complaints Performance 2016/17– Key Points

- 3.7 The key points from BHP's complaints performance were as follows:
- The volume of first and second stage complaints has increased significantly.
 - Service delay/failure remains the most common cause for complaint in 2016/17, as in previous years.
 - There is a greater willingness to acknowledge fault and the majority of complaints were upheld/partly upheld at the first stage; fewer cases were upheld at the second stage.
 - The number of cases awarded compensation has doubled but the average amount of compensation paid has decreased.
- 3.8 BHP's complaints performance in 2016/17 is provided in further detail in Appendix B.

Improving Complaints Performance

- 3.9 Appendix C is a high level action plan for improving complaints performance across the Council and is based on recommendations agreed by Cabinet on 23/10/17.
- 3.10 There are specific recommendations relating to Housing Management Services (formerly BHP) and the Complaints Service team will work closely with service areas across the council, including Housing services areas, to implement the full range of improvements listed in the action plan.

Vexatious Complaints Procedure

- 3.11 The Vexatious Complaints procedure is enclosed in Appendix D. This document sets out the pragmatic approach to be taken by the Council when it becomes apparent that a complaint has become vexatious in nature. It is important to state that this approach is given careful consideration before a decision is reached and the complainant is advised accordingly

4.0 Financial Implications

- 4.1 There are no direct financial implications arising from this report. Instead, the details provided on compensation payments reflect the monetary impact of not getting things right first time as an organisation and the need to improve the customer experience and therefore minimise the financial penalties incurred by the Council.

5.0 Legal Implications

- 5.1 Complaints concerning the Adult Social Care and Children and Young People departments come under separate statutory complaint procedures. It is a legal requirement to produce annual reports for these areas and these were included as appendices in the annual complaints report to Cabinet on 23/10/17 with reference to the statutory frameworks for the management of these statutory complaints

6.0 Equality Implications

- 6.1 None.

7.0 Staffing/Accommodation Implications (if appropriate)

- 7.1 None

Background Papers

Appendix A – Housing Needs & Private Housing Services Complaints Analysis 2016/17

Appendix B – Brent Housing Partnership Complaints Analysis 2016/17

Appendix C – Improving Complaints Action Plan

Appendix D – Vexatious Complaints Guidance.

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