

Annual Complaints Report 2016 – 2017

Appendix A – Housing Needs & Private Housing Services Complaints Analysis

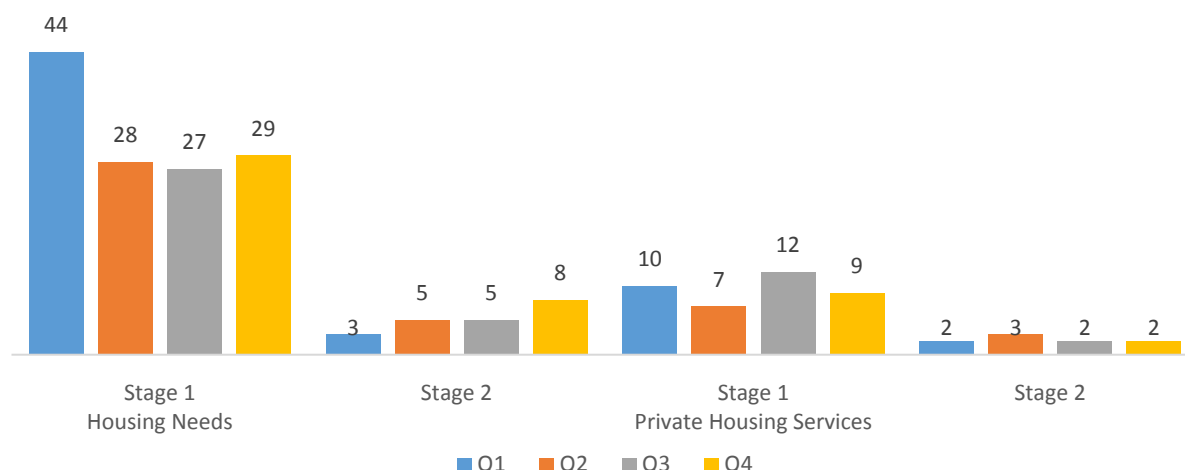
Introduction

1. This supplementary report provides a summary of corporate complaints performance in Housing Needs and Private Housing Services (PHS) within Brent Council in 2016/17. Commentary on wider council complaints performance is also provided for context.

Complaints Received

2. The volume of all Stage 1 corporate complaints received by the council has fallen by one third over the past three years. In 2014/15 the council received 1,337 Stage 1 corporate complaints and this went down to 903 Stage 1 corporate complaints received in 2016/17. And although the volume of Stage 1 corporate complaints has gone down, the volume of Stage 2 corporate complaints has increased from 120 cases in 2014/15 to 134 cases in 2016/17 (12% increase).
3. The chart below shows the volume of first and second stage corporate complaints received by Housing Needs and PHS during 2016/17.

Corporate Complaint Volumes - 2016/17



4. Housing Needs received 128 Stage 1 corporate complaints in 2016/17, compared with 191 cases in 2015/16; this is a 33% reduction from the previous year and was in line with a council-wide reduction in corporate cases. However, PHS Stage 1 corporate complaints have increased from 23 cases in 2015/16 to 38 Stage 1 corporate complaints received in 2016/17. This is an increase of 15 cases (or 65%) from 2015/16.
5. Of the 903 corporate Stage 1 complaints received by the council in 2016/17, Housing Needs accounted for 14% and PHS accounted for 4% of all first stage corporate complaints received.

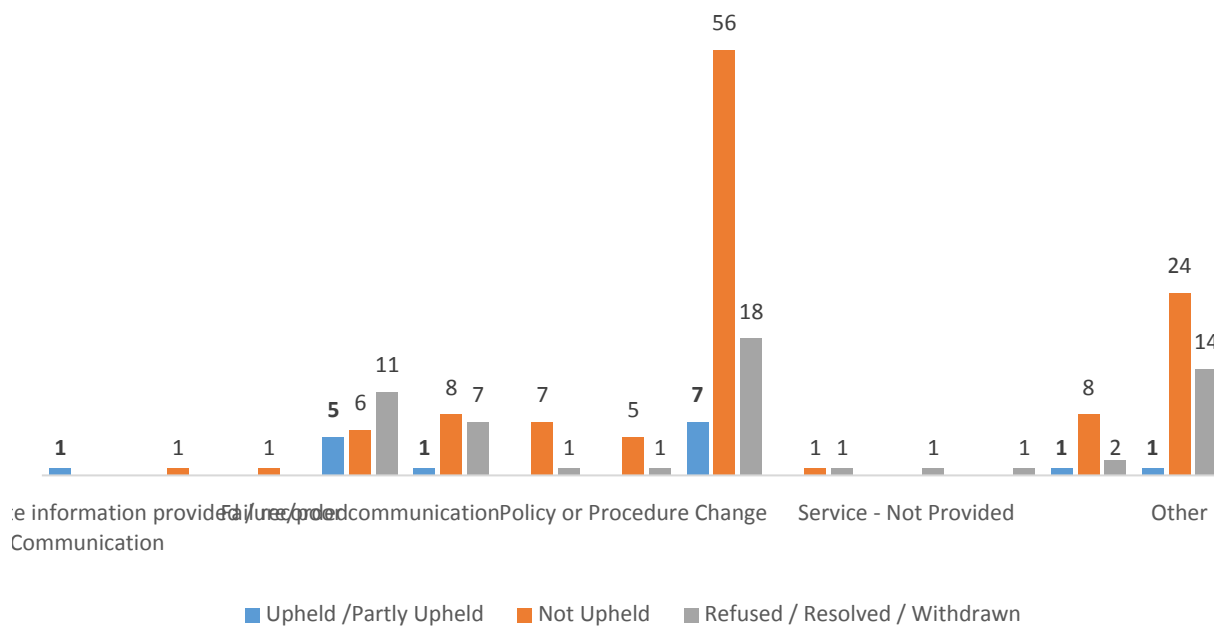
6. Although there has been a yearly increase in Stage 2 cases/final reviews over the past 3 years, Housing Needs bucked this trend in 2016/17. Housing Needs Stage 2 case volumes fell from 36 cases in 2015/16 to 21 second stage cases in 2016/17 (42% reduction). In PHS, the volume of Stage 2 cases was relatively low, but have tripled from 3 final reviews in 2015/16 to 9 final reviews in 2016/17.
7. There were 134 Stage 2 corporate cases completed council-wide during 2016/17 and 16% of these were attributable to Housing Needs and 7% to PHS during the year. (This is slightly higher than the 14% and 4% attribution respectively at the first stage). The Stage 2 escalation rates for Housing Needs and PHS are shown below. Both of these services had a higher Stage 2 escalation rate than the council-wide average.

Service	No. of Stage 1 Cases – 2016/17	2016/17 Stage 2 Escalation Rate
Housing Needs	128	1 in 6
Private Housing Services	38	1 in 4
Council-wide	903	1 in 7

Nature/Type of Complaints

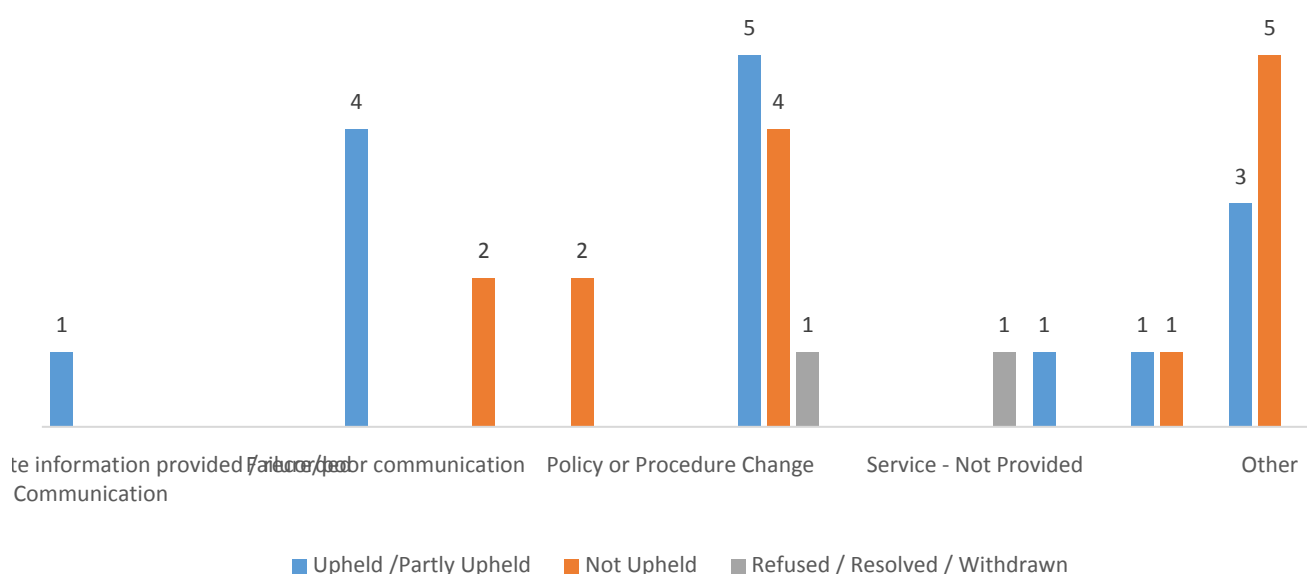
8. The nature or type of complaint is recorded on the iCasework system by officers. The broad categories and sub-classifications were updated part way through 2016 to give us better insight into the root cause of complaints. One of the main changes was that the 'Other' category was removed from the system and the 'Disagreement with Policy' category was added. Additional service-specific sub-classifications have been updated on the system for some areas in the council. These changes will help improve analysis of the root cause of complaints from 2017 onwards.
9. 'Service delay/failure' has been the most common cause of all complaints received council-wide for the past 3 years. In 2016/17 there were 426 complaint cases recorded with a service delay/failure root cause and almost half of these cases were upheld/partly upheld.
10. The charts below shows the root cause of complaints against Housing Needs and PHS as recorded on the iCasework system during 2016/17.
11. In Housing Needs 'service failure/delay' was the most common cause of complaints in 2016/17, with 81 instances recorded on the system. However, unlike other areas of the council, most of these cases were not upheld and in fact only 7 cases (or 9%) were upheld/partly upheld. Disagreements with homelessness or accommodation assessments were specific issues within this broad 'service failure/delay root cause. The majority of these cases were not upheld or were resolved in other ways. The second highest cause of complaints were categorised as 'Other' and again the majority of these cases were not upheld or resolved (97%). The third highest category of complaint was failure/poor communication. There were 22 instances of this and over three-quarters of these case were not upheld or were otherwise resolved. It should be noted that 'staff attitude' was recorded in 16 complaints during the year, however only 1 case was upheld.

Housing Needs Root Cause Analysis - 2016/17



12. Service failure/delay was the most common cause of complaint in PHS in 2016/17, albeit with relatively low case numbers in comparison to Housing Needs. This root cause was recorded in 10 cases and half were upheld and the other half were either not upheld or resolved. The second highest cause of complaint was categorised as 'Other' in 8 cases and only 3 of these cases were upheld. Poor communication was the third highest cause of complaint and all 4 instances were upheld.

PHS Root Cause Analysis - 2016/17



13. Housing Needs and PHS have put in place various measures to improve their operations as a result of complaints. Three examples are provided below.

Housing Needs Case Study 1

- *Cause of complaint:* the complainant, a single person who would not qualify as homeless under homeless legislation, was assisted by the Housing Needs Care and Support team during his discharge from hospital. He was unhappy with what he considered to be unsuitable accommodation referrals.
- *Service improvement example:* the final review complaint investigation highlighted the need for relevant Care and Support officers to check all the available documentation relating to hospital discharge on Mosaic (the Adult Social Care database) before finalising hostel/bed and breakfast referrals to ensure a suitable referral is made. It also highlighted the usefulness of Care and Support officers referring available medical evidence to the District Medical Officer in order to assist their decision-making in similar situations in future.

Housing Needs Case Study 2

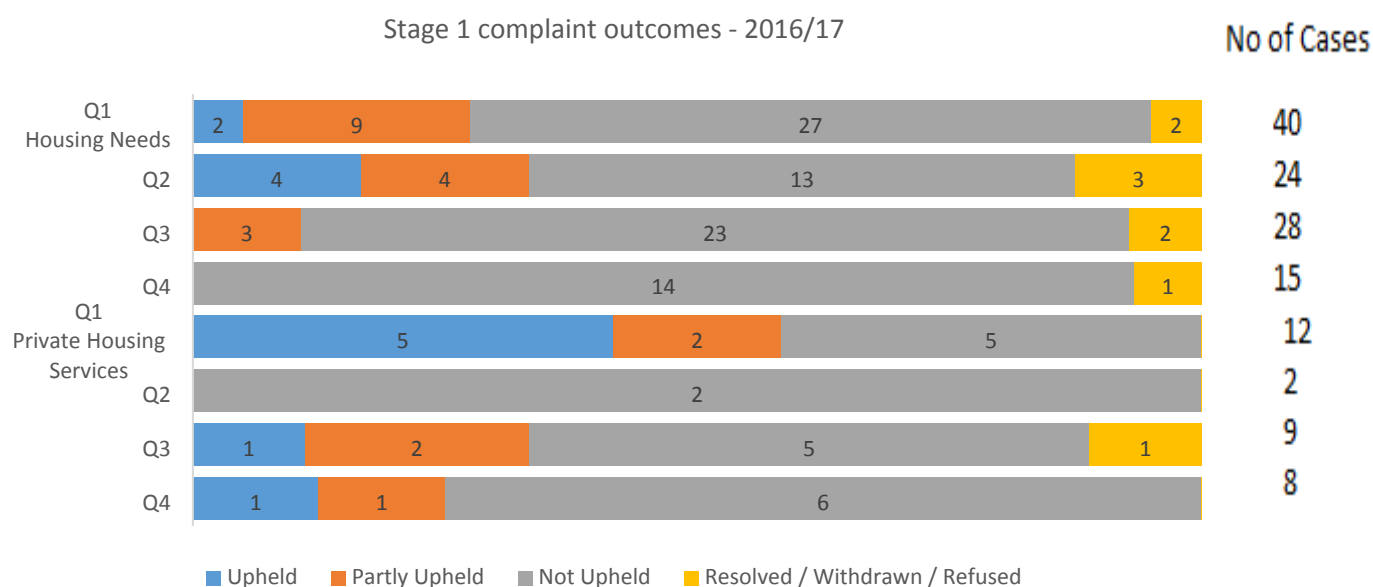
- *Cause of complaint:* the complainant, a private landlord had not received rent payments from the housing service for one of their tenants. The complainant felt that it was down to the Housing service's failure to do their job that she had to take the matter to court and incur further costs.
- *Service improvement example:* the final review complaint investigation did not find fault with the way the housing service had placed the tenant in private rented accommodation. However it accepted there was a delay in passing on the rent payment. The complainant successfully argued that they should have interest added to the payment for the delay in paying the landlord. As a result of the complaint, a corrective action was issued which advised that the Housing Service and the Finance service review their processes in light of the delay in paying the landlord.

Private Housing Services Case Study 1

- *Cause of complaint:* the complainant, felt the PHS surveyor did not take into consideration his concerns around the proposed property adaptations as part of a DFG grant. The complainant felt the proposed adaptations took up too much of their personal living space.
- *Outcome:* the council considered the complaint and found the PHS surveyor had followed the process as per guidance and therefore made the correct decision in offering a less expensive form of adaptations. The complainant was given the option to top up the PHS grant in order to adapt the property according to their desired specifications.

Outcome of Complaints

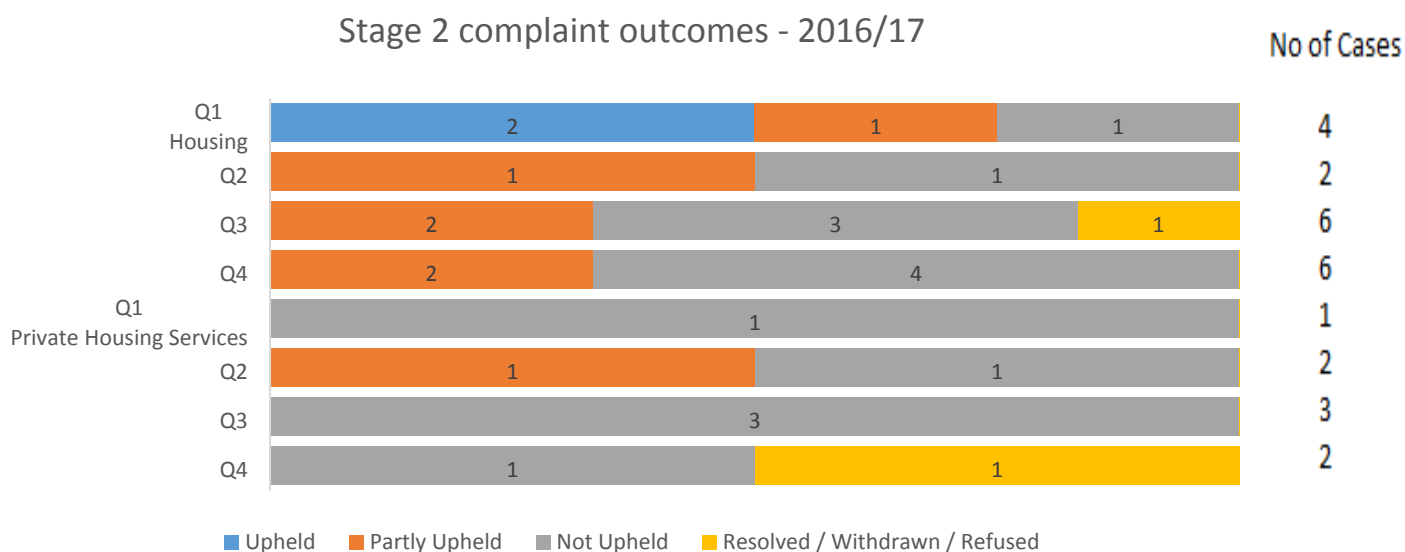
14. The proportion of corporate complaints upheld/partly upheld at the first stage by the council has remained broadly the same over the past 3 years. Complaint volumes have been falling across the council, yet we have acknowledged fault in a large proportion of new complaints received – 41% of all Stage 1 cases were upheld/partly upheld in 2014/15 and this increased slightly to 43% of cases upheld/partly upheld in 2016/17.
15. The charts below shows the outcome of Stage 1 complaints investigated in Housing Needs and PHS in 2016/17.



16. The proportion of cases upheld/partly upheld by Housing Needs and PHS is lower than the council-wide rate of 43% in 2016/17. Housing Needs investigated 107 Stage 1 complaints in 2016/17 and upheld/partly upheld 22 cases (21%). In PHS, 31 Stage 1 cases were investigated and 12 cases (38%) were upheld/partly upheld in 2016/17.
17. The table below compares Stage 1 complaint decision outcomes in 2016/17 with the previous year:

Service	Stage 1	2015/16	2016/17
Housing Needs	No. of Stage 1 Cases decided	184	107
	No. of Stage 1 Cases upheld/partly upheld	61	22
	% Stage 1 Cases upheld/partly upheld	33%	21%
Private Housing Services	No. of Stage 1 Cases decided	20	31
	No. of Stage 1 Cases upheld/partly upheld	7	12
	% Stage 1 Cases upheld/partly upheld	35%	43%
Council-wide (for comparison)	No. of Stage 1 Cases decided	1,135	764
	No. of Stage 1 Cases upheld/partly upheld	389	331
	% Stage 1 Cases upheld/partly upheld	34%	43%

18. The chart below shows the outcome of Housing Needs and PHS Stage 2 cases investigated by the Complaints Service team.



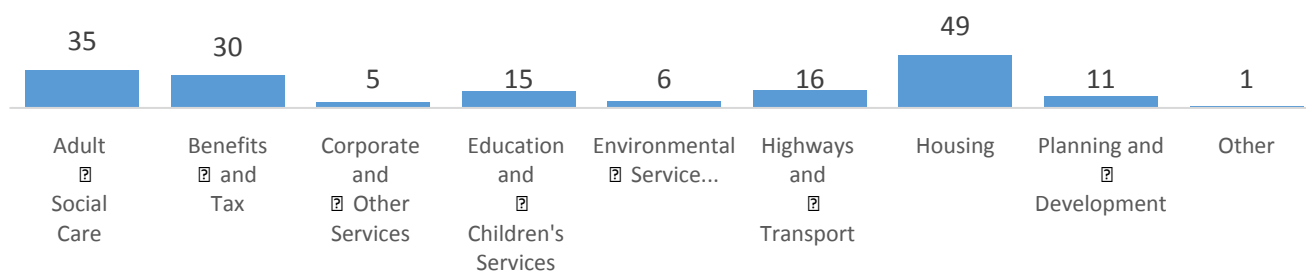
19. There were 18 Housing Needs cases investigated at the second stage in 2016/17 and 8 cases were upheld/partly upheld (44%). Eight PHS cases were investigated at the final review stage and only one case was partly upheld (13%). Council-wide 25% of cases were upheld/partly upheld at the second stage. The proportion of cases upheld/partly upheld at the final review stage in Housing Needs is much higher than council-wide levels.
20. The table below compares Stage 2 complaint outcomes in 2016/17 with the previous year:

Service	Stage 2	2015/16	2016/17
Housing Needs	No. of Stage 2 Cases decided	35	18
	No. of Stage 2 Cases upheld/partly upheld	13	8
	% Stage 2 Cases upheld/partly upheld	37%	44%
Private Housing Services	No. of Stage 2 Cases decided	3	8
	No. of Stage 2 Cases upheld/partly upheld	2	1
	% Stage 2 Cases upheld/partly upheld	67%	13%
Council-wide (for comparison)	No. of Stage 2 Cases decided	122	122
	No. of Stage 2 Cases upheld/partly upheld	33	30
	% Stage 2 Cases upheld/partly upheld	27%	25%

Local Government Ombudsman (LGO)

21. The Local Government Ombudsman (LGO) received 168 referrals against Brent Council during 2016/17 and the LGO categorised these referrals under the services shown in the chart below:

Brent Council - Ombudsman referrals - 2016/17



22. Although the number of cases referred to the LGO was very high, the large majority of cases did not warrant a formal investigation. During 2016/17, the LGO considered or reviewed 161 Brent referrals. 136 out of 161 LGO referrals were not progressed after initial investigations. The LGO fully investigated 25 cases against Brent Council of which 17 cases were upheld and 8 cases were not upheld.
23. The LGO upheld 17 cases against Brent in the following services:
- Housing – 8 cases.
 - Adult Care Services – 3 cases.
 - Education & Children's Services – 3 cases.
 - Benefits & Tax – 2 cases.
 - Highways & Transport – 1 case.
24. Further analysis of the 8 upheld cases against Housing services showed that:
- One of these cases had bypassed the Council's complaints procedure, the LGO upheld the case and awarded compensation.
 - Three of these cases had not been previously upheld the Council however these cases were upheld by the LGO and compensation was awarded in one of these cases.
 - The Council had upheld/partly upheld the four remaining cases and the LGO increased the compensation in three of these four cases.
25. The LGO upheld cases in Housing included the following issues:
- Vulnerable tenant evicted for rent arrears in temporary accommodation and the need to liaise more closely with Housing Benefit officers
 - Publicising changes to the allocation policy more widely and sending emails to notify all applicants
 - Timely reciprocal arrangements between local authorities to support victims of domestic violence.
 - Suitability of non self-contained temporary accommodation.
 - Delay and manner of handing a homelessness application.
26. The analysis of the LGOs outcomes has highlighted the need to review our internal approach to complaint decisions, corrective actions and compensation. This was included in the recommendations to Cabinet in October 2017 and forms part of our improvement action plan.

Compensation

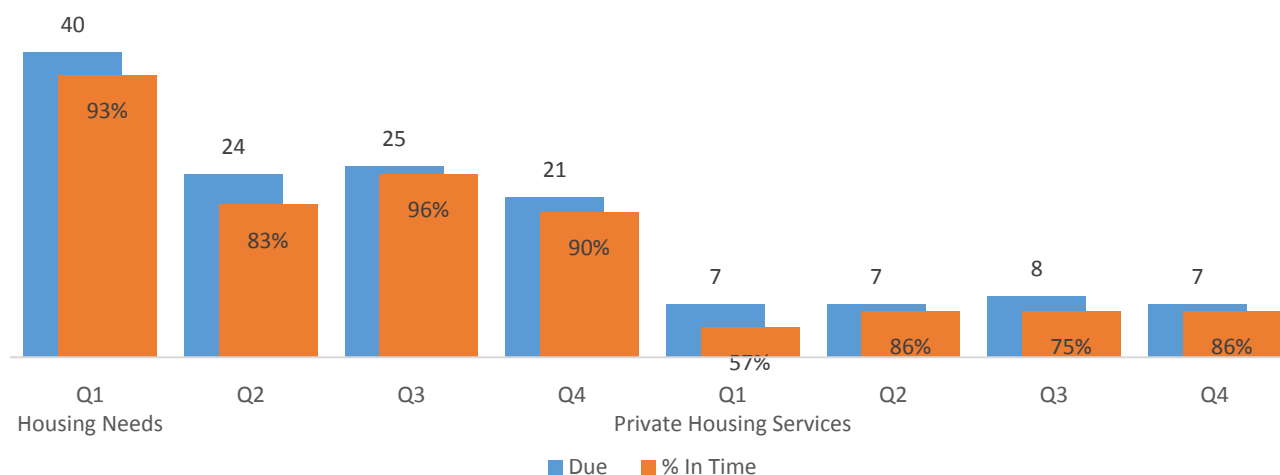
27. The table below shows the total compensation payments for Housing Needs, PHS and council-wide in the past two years. The council-wide totals includes both corporate and statutory complaint cases.
28. The most noticeable change in compensation payments made on Housing Needs and PHS cases is that the total number of cases has decreased but the average amount awarded has significantly increased for both services. The main reason for this is the increased level of compensation awarded at the second stage and then by the LGO.

Service	Compensation	2015/16`	2016/17
Housing Needs	Total No. of Cases	16	9
	Total Compensation	£7,800	£5,460
	Average Compensation	£488	£607
PHS	Total No. of Cases	£526	£1,845
	Total Compensation	4	2
	Average Compensation	£132	£923
Council-wide (for comparison)	Total No. of Cases	78	71
	Total Compensation	£32,411	£32,764
	Average Compensation	£416	£461

Timeliness of Complaints

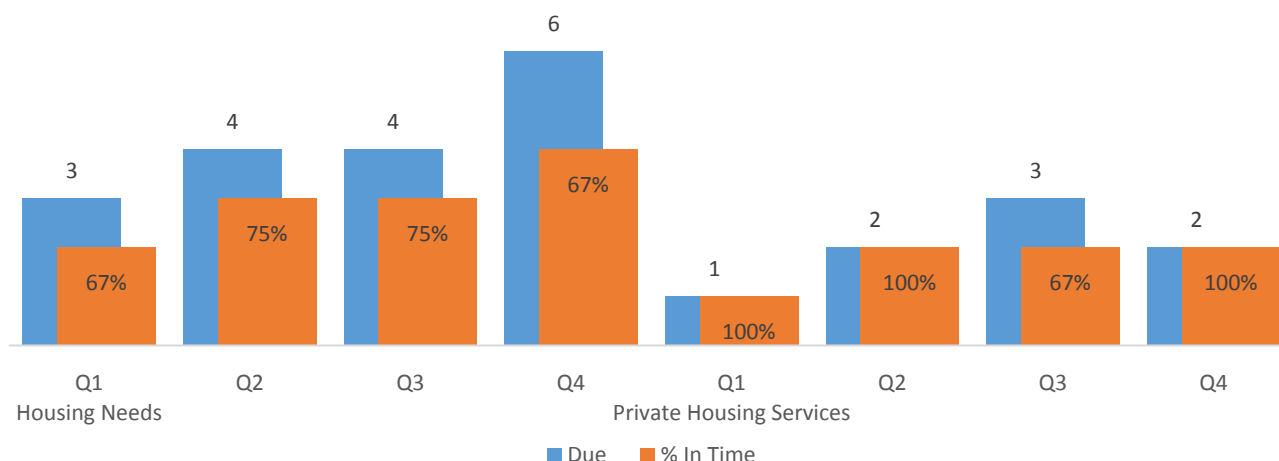
29. In 2016/17, 89% of all Stage 1 complaints were completed on time across the council.
30. Housing Needs performed above the council-wide rate and completed 91% of 110 Stage 1 cases on time in 2016/17. In the previous year Housing Needs completed 90% of 181 cases on time. PHS' performance was below the council-wide rate with 76% of 29 cases on time in 2016/17 and in 2015/16 88% of 24 cases were completed on time.

Stage 1 timeliness - 2016/17



31. In 2016/17, 85% of all Stage 2/final review cases were completed on time across the council.
32. During 2016/17, 71% of 17 Housing Needs final reviews and 88% of 8 PHS final reviews were completed on time. In the previous year, 89% of 37 final reviews in Housing needs and 67% of 3 final reviews in PHS were completed on time.

Stage 2 timeliness - 2016/17



Compliments

33. There has generally been an under-recording of compliments on the iCasework system across the council. During 2016/17, there were two compliments logged on the system for PHS:

- Compliment was received from the son of a service user who was in receipt of a disabled facilities grant. The grant was given to provide a new shower room and to rewire the property. The son was extremely happy with the entire process, including the professionalism and work carried out by the contractors.
- Second compliment was from a resident living in private rented accommodation. The resident was living in unfit conditions and was not getting any assistance from the landlord. He contacted the PHS enforcement service and they assisted him by contacting his landlord and ensuring the living conditions were brought up to an acceptable standard.

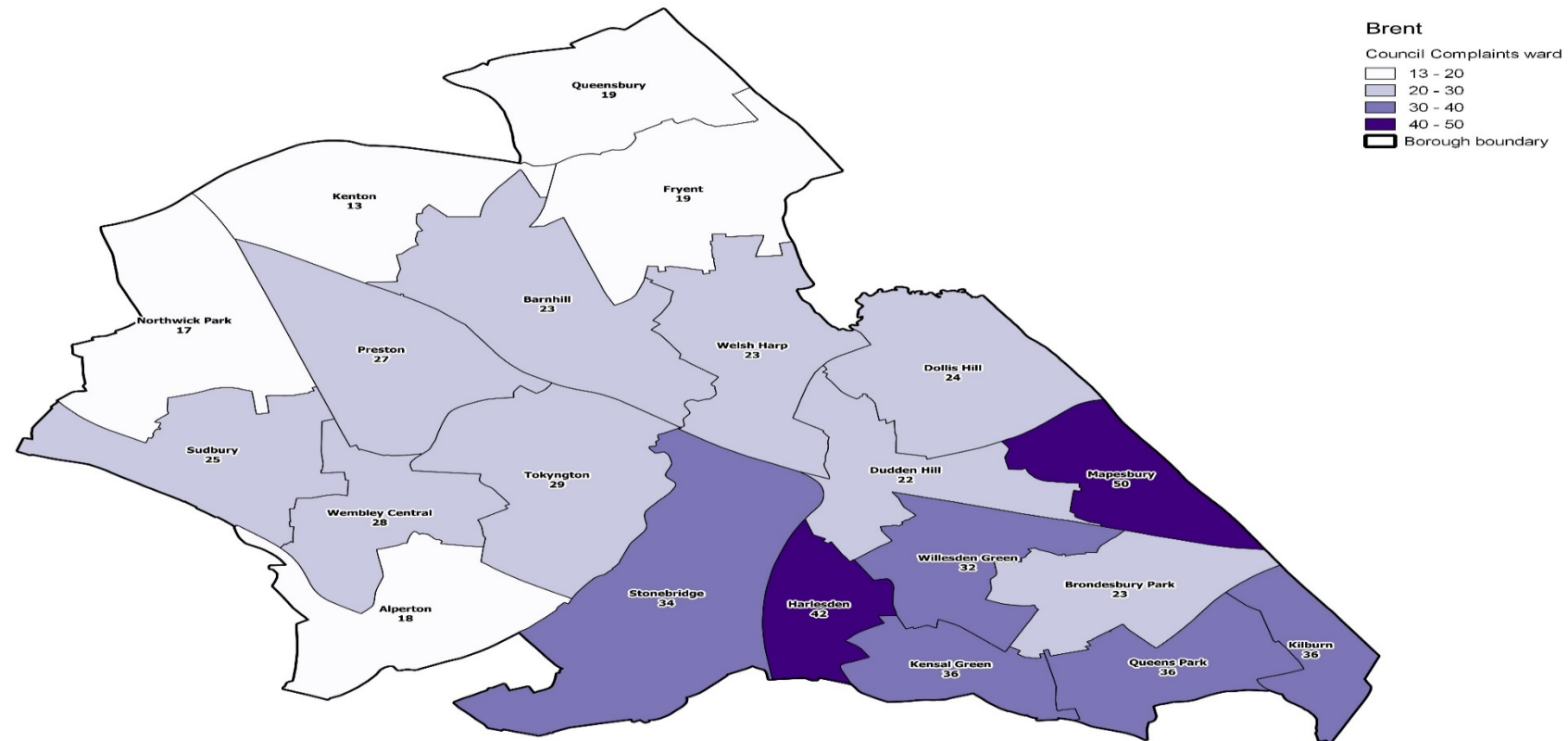
Diversity Data

34. The provision of diversity information by complainants is discretionary. The data shown below is the diversity information that was disclosed in 2016/17 for all complaints across the council and only gives us partial view of the diverse backgrounds of complainants. It cannot be considered to be representative of all complainants during the year. There was insufficient diversity data to provide specific analysis relating to Housing Needs and PHS.

Equality Characteristics	Sub-category	Count	% of Count
Gender	Male	172	45%
	Female	199	52%
	Prefer not say	12	3%
	Total	383	100%
Age	16-24	16	5%
	25-34	59	19%
	35-44	87	28%
	45-54	54	17%
	55-64	44	14%
	65+	31	10%
	Prefer not say	18	6%
	Total	309	100%
Ethnicity	African	21	8%
	Asian - Indian	40	16%
	Black	35	14%
	Asian - Non Indian	1	0%
	Mixed	20	8%
	White	87	35%
	Other	4	2%
	Prefer not say	40	16%
	Total	248	100%
Faith	Christian	83	33%
	Hindu	15	6%
	Jewish	2	1%
	Muslim	39	16%
	Other Religion	9	4%
	Agnostic	8	3%
	No Religious Belief	29	12%
	Prefer not to say	66	26%
	Total	251	100%

Map of Complaints by Ward

35. There were 579 postcodes supplied with complaints across *all* council services in 2016/17, the map below shows the distribution of these complaints by ward. There was insufficient postcode data provided for specific mapping relating to Housing Needs and PHS.



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