



Housing Scrutiny Committee - Supplementary

Wednesday 1 November 2017 at 6.30 pm
Board Rooms 3, 4 & 5 - Brent Civic Centre

Membership:

Members

Councillors:

Long (Chair)
Ms Shaw (Vice-Chair)
S Choudhary
Daly
Harrison
Hylton
Kabir
Naheerathan

Substitute Members

Councillors:

Conneely, Hector, Hoda-Benn, Jones, Nerva, Shahzad
and Ketan Sheth

For further information contact: Nikoleta Nikolova, Governance Officer
Nikoleta.Nikolova@brent.gov.uk, tel: 0208 937 1587

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The press and public are welcome to attend this meeting

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also a Prejudicial Interest (i.e. it affects a financial position or relates to determining of any approval, consent, licence, permission, or registration) then (unless an exception at 14(2) of the Members Code applies), after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences** - Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

- (a) Anybody of which you are a member or in a position of general control or management, and:
 - To which you are appointed by the council;
 - which exercises functions of a public nature;
 - which is directed is to charitable purposes;
 - whose principal purposes include the influence of public opinion or policy (including a political party or trade union).
- (b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral ward affected by the decision, the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who employs or has appointed any of these or in whom they have a beneficial interest in a class of securities exceeding the nominal value of £25,000, or any firm in which they are a partner, or any company of which they are a director
- any body of a type described in (a) above

Supplementary

Introductions, if appropriate.


Item	Page
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Date of the next meeting: **Tuesday 16 January 2018**



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- The meeting room is accessible by lift and seats will be provided for members of the public.

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 <p>Brent</p>	<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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Annual Complaints Report 2016 – 2017

Appendix A – Housing Needs & Private Housing Services Complaints Analysis

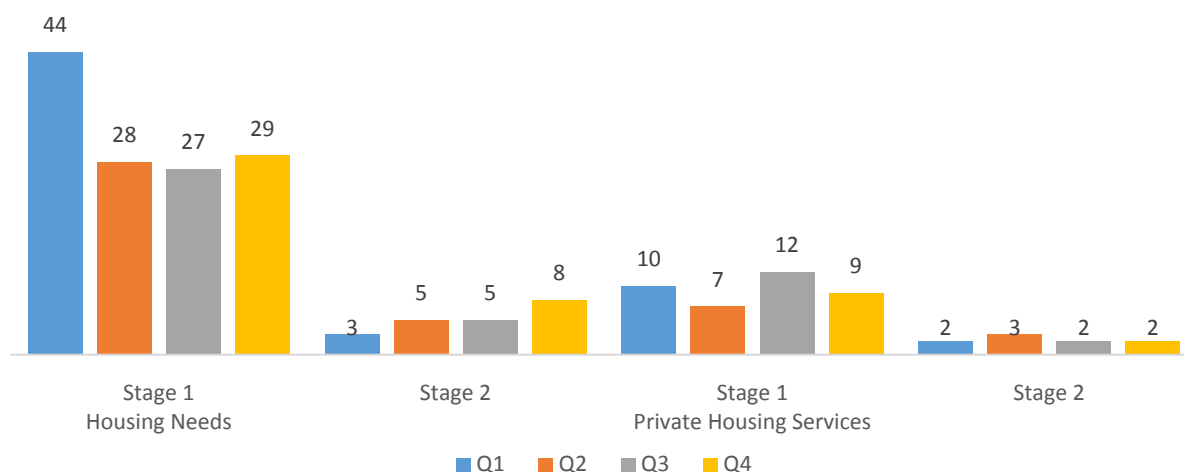
Introduction

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.

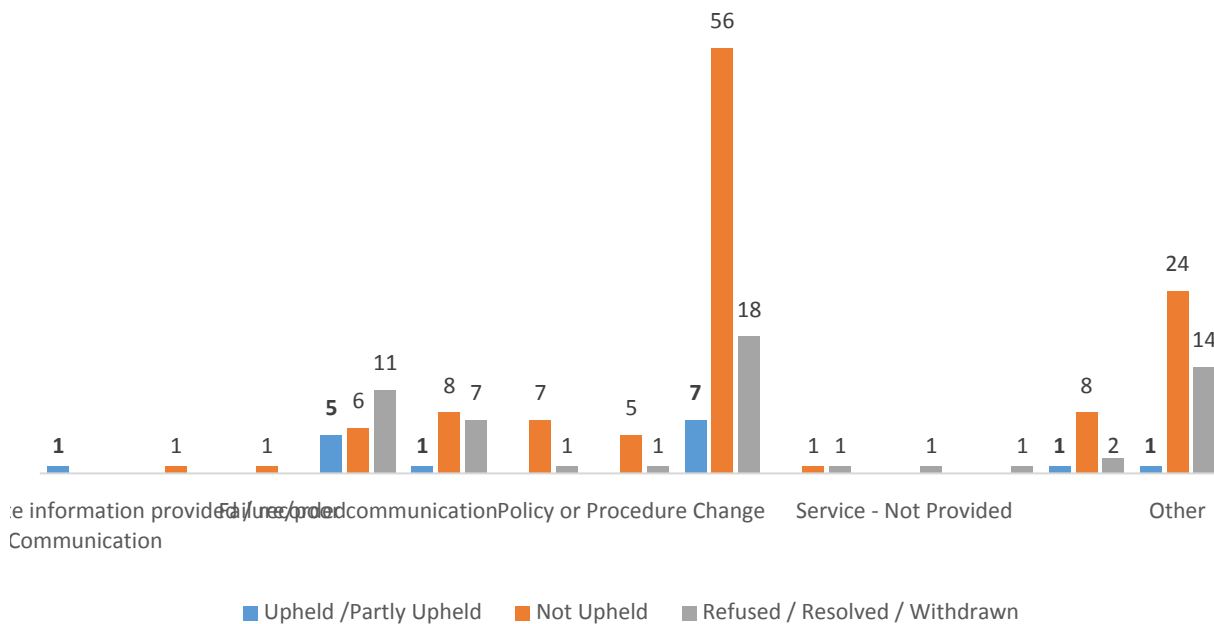
6. Although there has been a yearly increase in Stage 2 cases/final reviews over the past 3 years, Housing Needs bucked this trend in 2016/17. Housing Needs Stage 2 case volumes fell from 36 cases in 2015/16 to 21 second stage cases in 2016/17 (42% reduction). In PHS, the volume of Stage 2 cases was 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

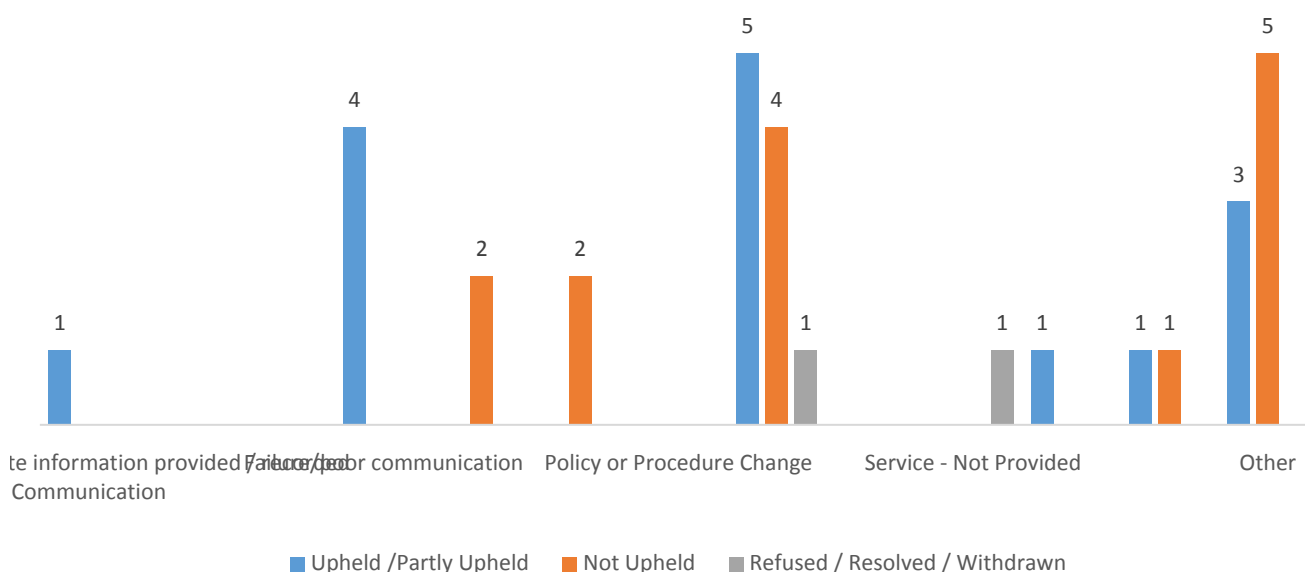
8. The nature or type of complaint is recorded on the iCasework system by officers. The broad categories and sub-classifications were updated part way through 2016 to give us better insight into the root cause of complaints. One of the main changes was that the 'Other' category was removed from the system 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

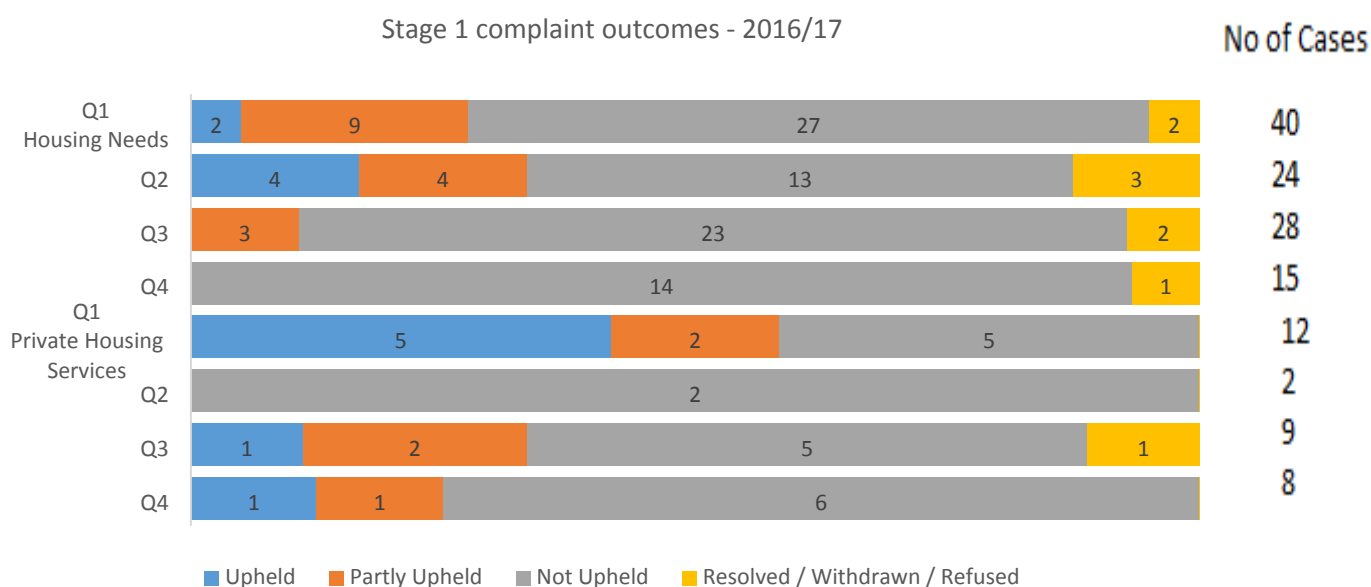
- *Cause of complaint:* the complainant, a private landlord had not received rent payments from the housing service for one of their tenants. The complainant felt that it was down to the Housing service's failure to do their job that she had to take the matter to court and incur further costs.
- *Service 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

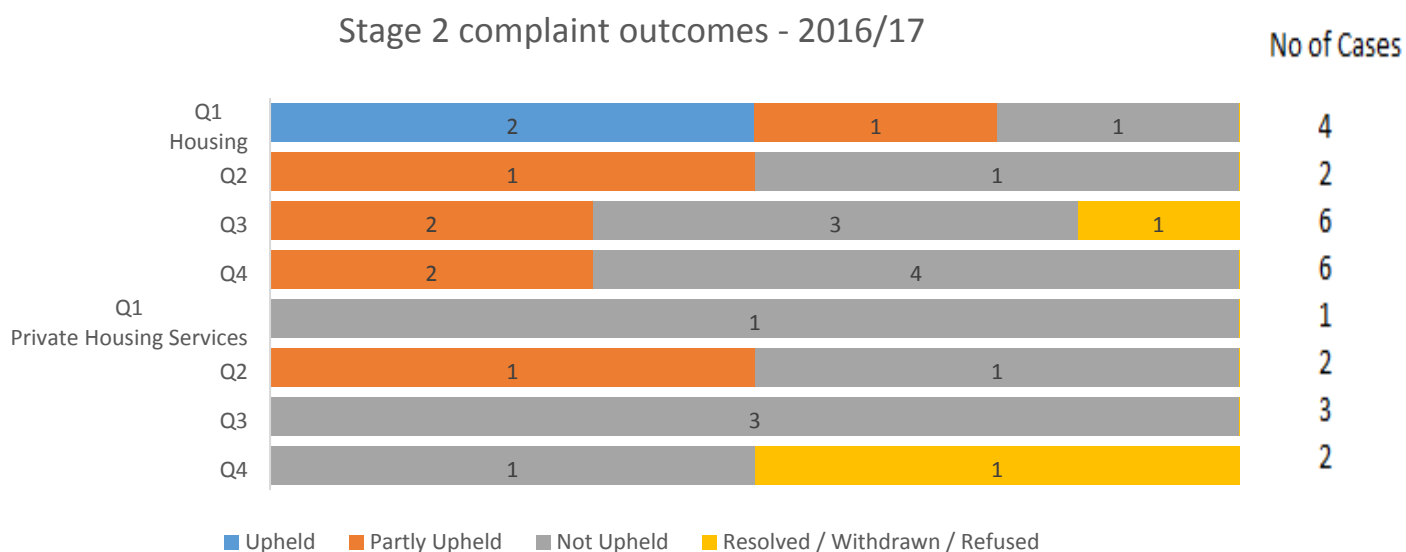
14. The proportion of corporate complaints upheld/partly upheld at the first stage by the council has remained broadly the same over the past 3 years. Complaint volumes have been falling across the council, yet we have acknowledged fault in a large proportion of new complaints received – 41% of all Stage 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.



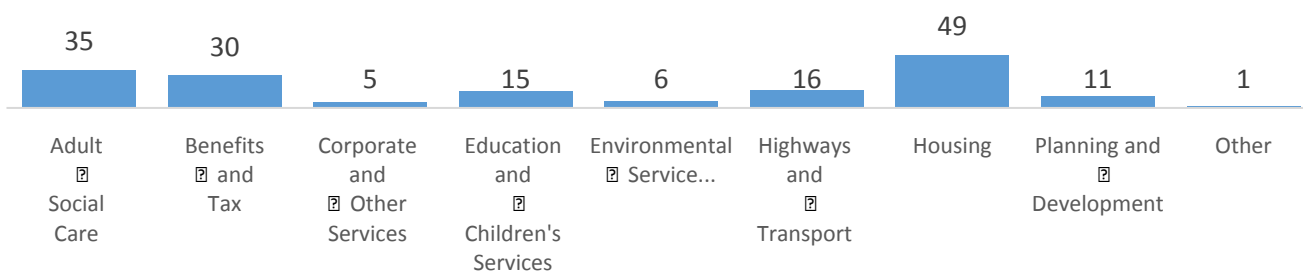
19. There were 18 Housing Needs cases investigated at the second stage in 2016/17 and 8 cases were upheld/partly upheld (44%). Eight PHS cases were investigated at the final review stage and only one case was partly upheld (13%). Council-wide 25% of cases were upheld/partly upheld at the second stage. 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

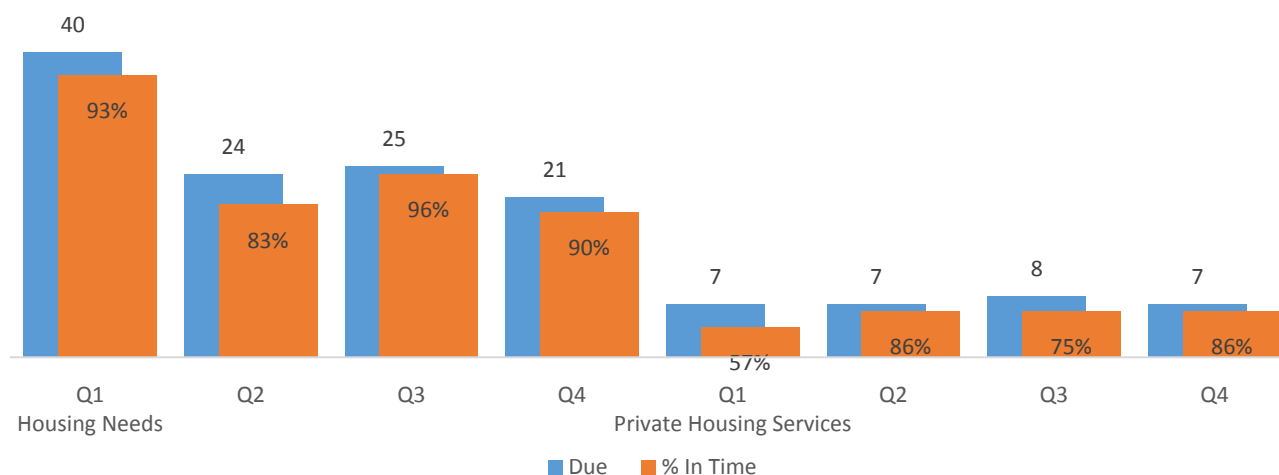
27. The table below shows the total compensation payments for Housing Needs, PHS and council-wide in the past two years. The council-wide totals includes both corporate and statutory complaint cases.
28. The most noticeable change in compensation payments made on Housing Needs and PHS cases is that the 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

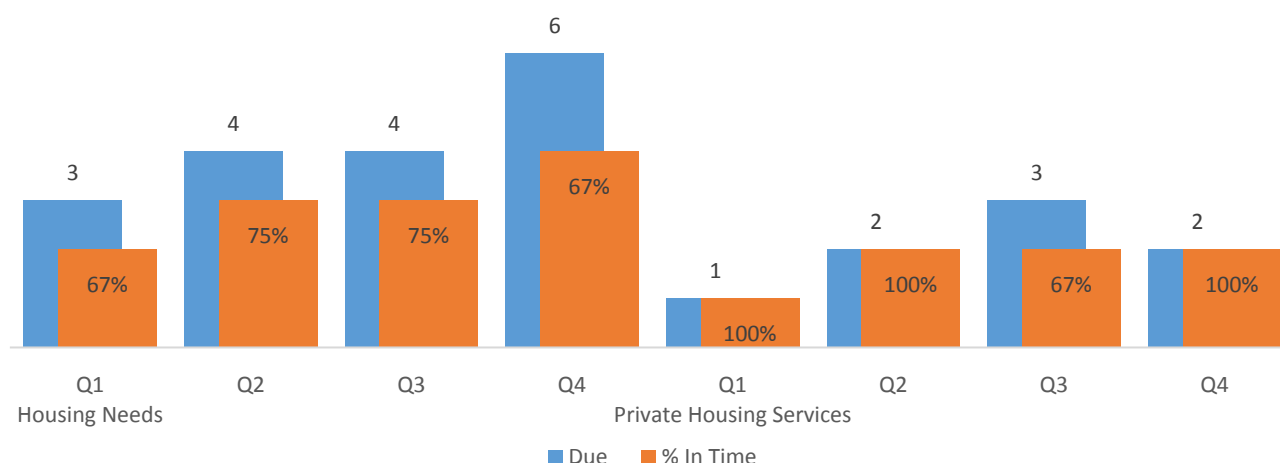
29. In 2016/17, 89% of all Stage 1 complaints were completed on time across the council.
30. Housing Needs performed above the council-wide rate and completed 91% of 110 Stage 1 cases on time in 2016/17. In the previous year Housing Needs completed 90% of 181 cases on time. PHS' performance was below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

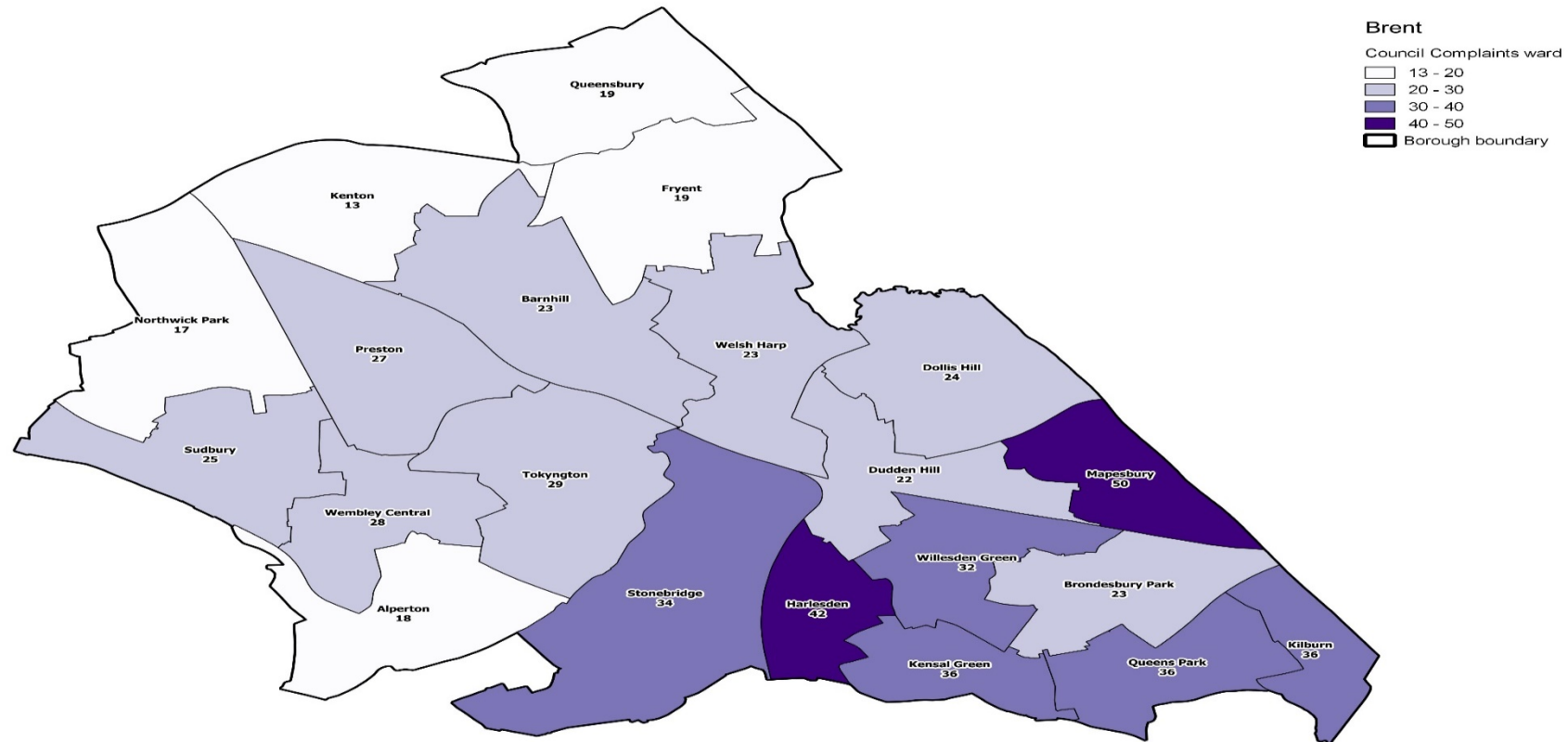
Diversity Data

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.



Crown copyright and database rights 2017 Ordnance Survey 100025260

Irene Bremang
Head of Performance & Improvement

Annual Complaints Report 2016 – 2017 Appendix B – Brent Housing Partnership (BHP)

Introduction

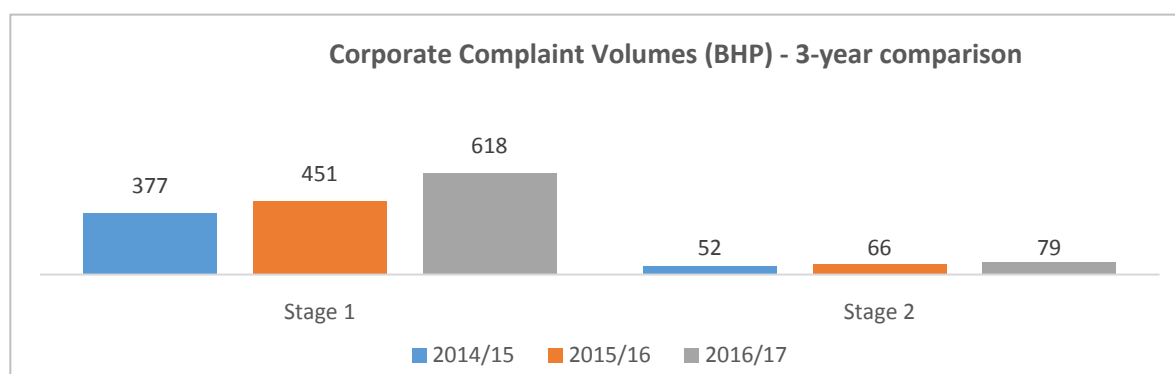
1. This summary report provides an overview of corporate complaints performance across Brent Housing Partnership (BHP) in 2016-2017. High level comparison of complaints performance in BHP has been provided over 3 years and service-specific analysis has been provided for 2016-2017.

Complaint Framework

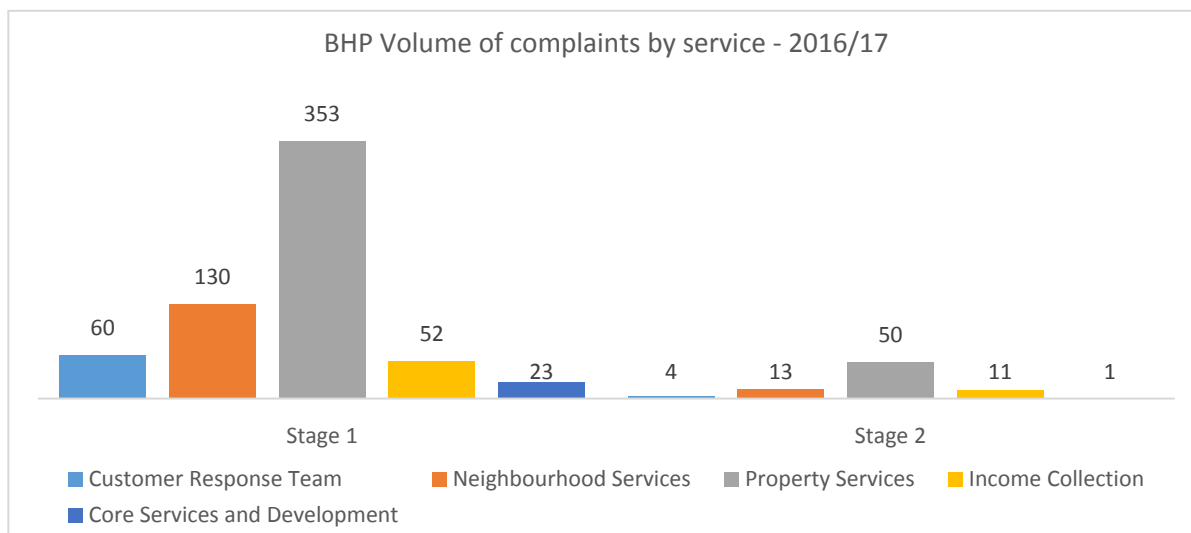
2. BHP operated a pre-Stage 1 complaints process that was used to refer some enquiries to their contractors to respond to in the first instance. BHP service areas were responsible for the local management and resolution of all corporate Stage 1 complaints. The Council's Complaints Service team managed BHP final review/Stage 2 corporate complaints on behalf of the Chief Executive.

Complaints Received

3. The chart below shows the volume of Stage 1 and Stage 2/final review complaints received by BHP over the past 3 years.



4. The volume of Stage 1 BHP complaints has increased by 64% and Stage 2 complaint volumes have increased by 52% over the past 3 years. The increase in first and second stage complaints in BHP reflects service delivery issues over the past 3 years that have been widely acknowledged.
5. The chart below shows the service area breakdown of the 618 first stage complaints received during 2016/17. Property Services received the majority of Stage 1 complaints (57%), Neighbourhood Services received 21% of cases, the Customer Response Team received 10%, the Income Collection team received 8% and Core Services & Development received 4% of all first stage cases.

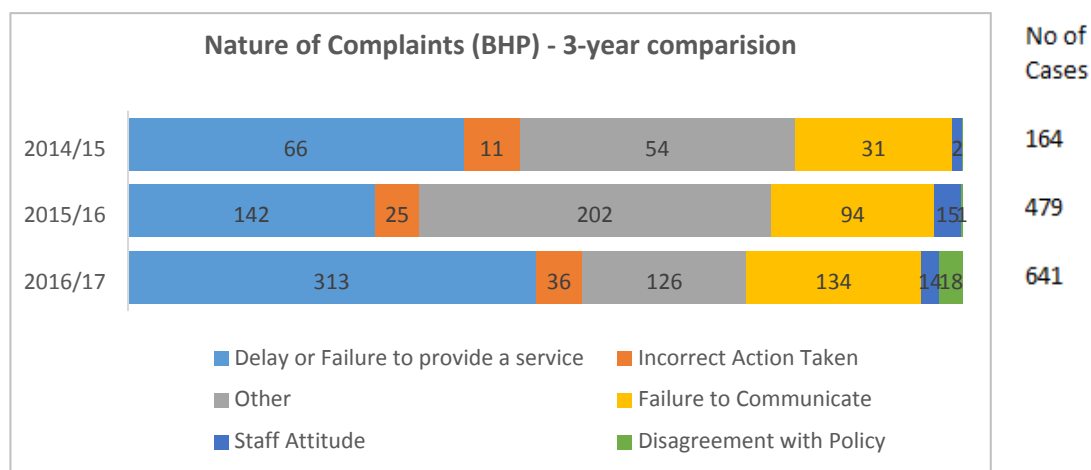


6. The Stage 2 escalation rates across these services in 2016/17 were as follows:

BHP	No. of Stage 1 Cases – 2016/17	2016/17 Escalation Rate
Property Services	353	1 in 7
Neighbourhood Services	130	1 in 10
Customer Response Team	60	1 in 15
Income Collection	52	1 in 5
Core Services & Development	23	1 in 23
BHP Total	618	1 in 8

Nature/Type of Complaints

7. The chart below shows that ‘Service delay/failure’ has been the overriding cause of complaints against BHP for the past 3 years.

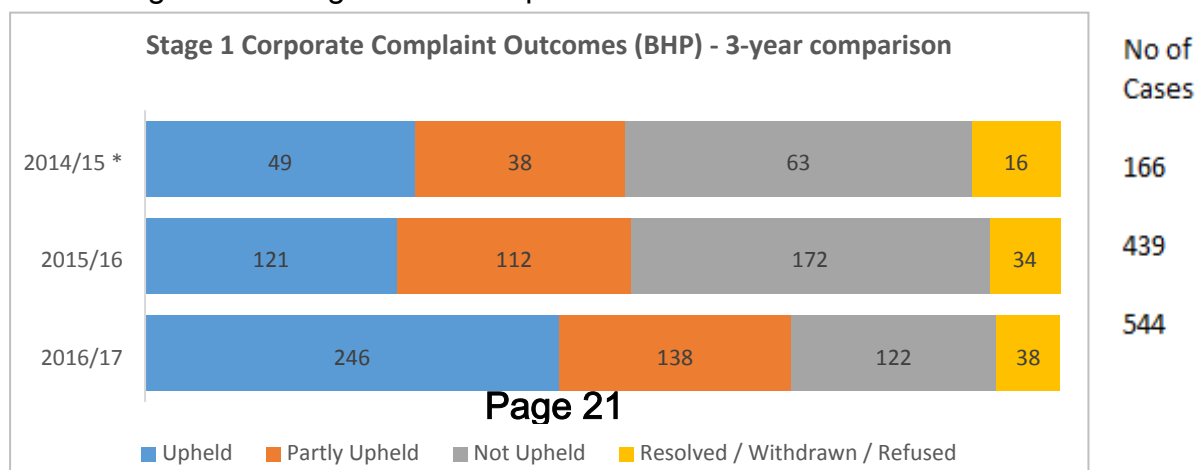


8. The nature of complaints was recorded on the iCasework system by BHP officers. The removal of the 'Other' category during 2016/17 on the iCasework system has meant that more specific root cause information was captured on the system during the second half year.
9. In 2016/17 'service delay/failure' was recorded against 49% of BHP complaints. Over three-quarters of the 313 complaints caused by service delay/failure in 2016/17 were upheld/partly upheld by BHP. Communication failures and incorrect actions were the other two highest causes of complaints and these issues need ongoing attention.
10. The table below provides a further breakdown of root cause of complaints for the 3 service areas that received the highest number of complaints:

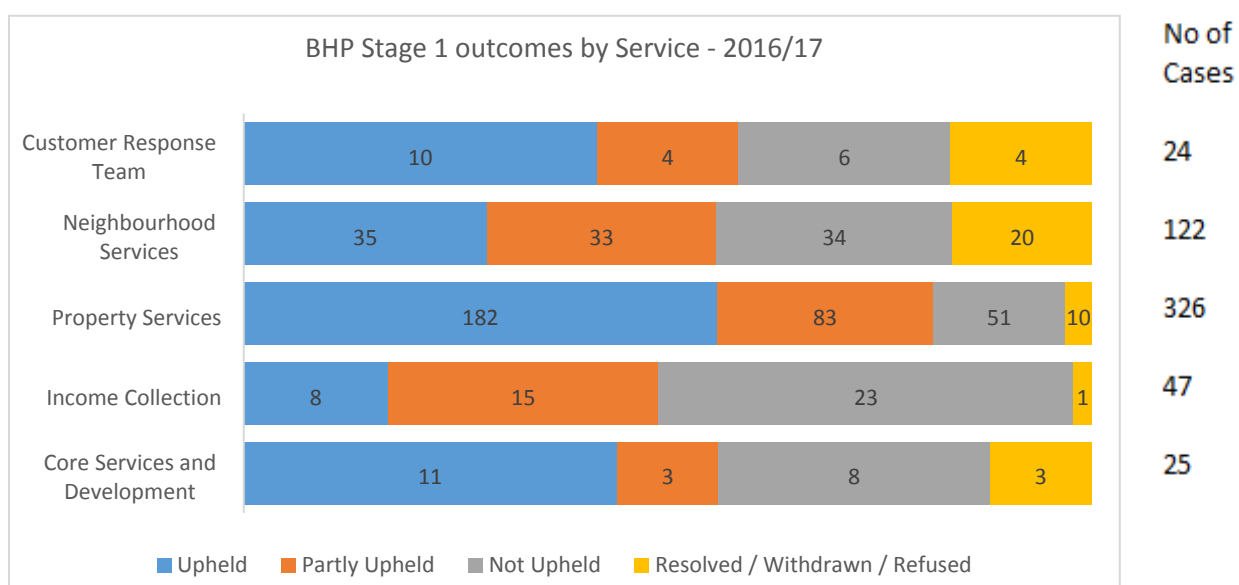
Brent Housing Partnership – 2016/17			
Top 3 Services	No of Stage 1 Cases	Stage 1 as % of BHP Total	Main service-specific causes
Property Services	353	57%	<ul style="list-style-type: none"> • Delay in job completion • Poor Communication • Service Failure
Neighbourhood Services	130	21%	<ul style="list-style-type: none"> • Poor Communication • Harassment • Neighbour Dispute
Customer Response Team	60	10%	<ul style="list-style-type: none"> • Other • Poor Communication • Service Failure

Outcome of Complaints

11. The chart below shows Stage 1 complaint outcomes or decisions over the past 3 years. More cases were upheld/partly upheld at the first stage by BHP in 2016/17 than in previous years.
12. 71% of Stage 1 cases were upheld/partly upheld in 2016/17 compared with 52% in 2014/15. The increased proportion of cases upheld/partly upheld reflected a changing culture and greater willingness to accept faults and address mistakes within BHP.

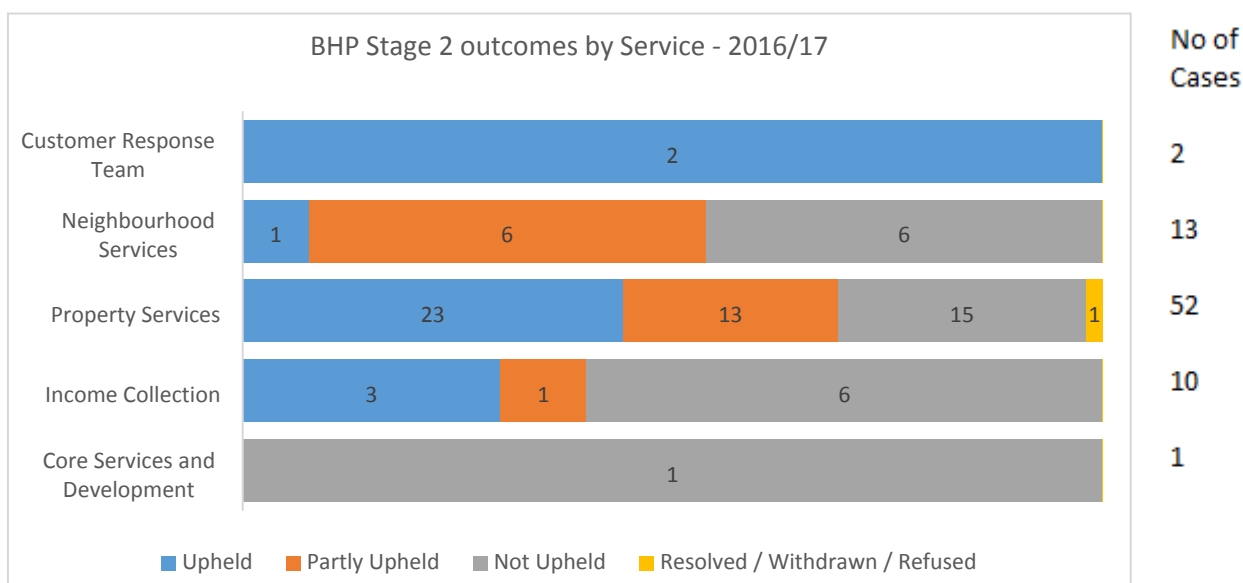


13. Overall 71% of BHP cases were upheld at the first stage in 2016/17, the chart below shows the Stage 1 outcomes by services area. Property Services complaints were mainly to do with adaptations and planned and responsive repairs and 81% of the 326 cases were upheld/partly upheld. Neighbourhood Services complaints centred on staffing, parking, low level anti-social behaviour and tenancy management. 56% of 122 cases were upheld/partly upheld.



14. The chart below shows Stage 2 complaint outcomes or decisions over the past 3 years. More BHP cases were upheld outright at the second stage in 2016/17 than in previous years - upheld cases increased from 25% in 2014/15 to 37% in 2016/17.
15. The number of cases not upheld at Stage 2 also increased and this proportion of not upheld cases has increased from 9% in 2014/15 to 36% 2016/17. This suggests that the first stage decisions to predominantly uphold/partly uphold cases were correct.

16. Overall 63% of BHP cases were upheld at the Stage 2 and the chart below shows Stage 2 outcomes by service area in 2016/17. 69% of Property Services complaints (52 cases) were upheld at the second stage. 54% of Neighbourhood Services complaints (13 cases) were upheld.



17. The Housing Ombudsman (HO) handles housing management referrals. The HO has not published an annual report on their decisions for quite some time, therefore the data provided below is taken from information recorded on the iCasework system.
18. There has been a small but significant rise in the number of cases referred to and upheld by the HO.

BHP Ombudsman Outcomes	2015/16	2016/17
Closed after initial enquiries	1	1
Not Upheld	3	4
Upheld	4	7
Total	8	12

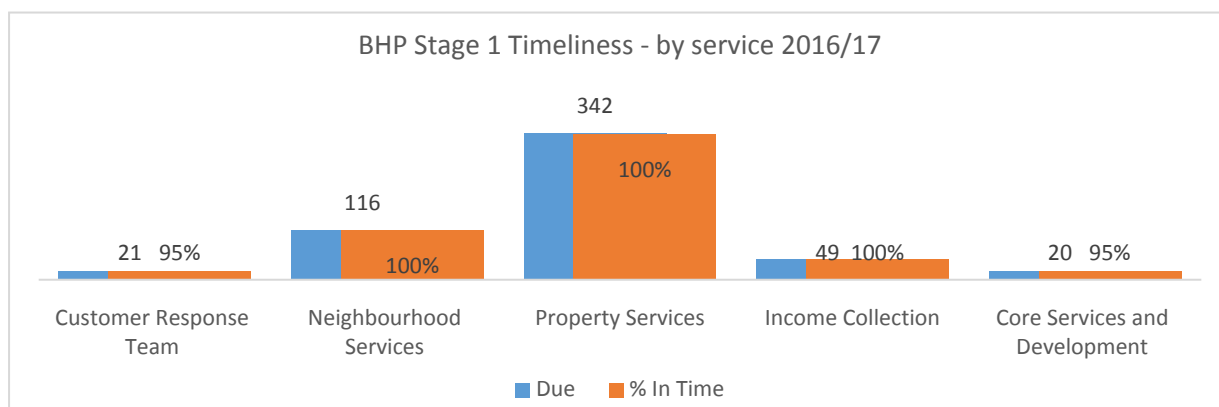
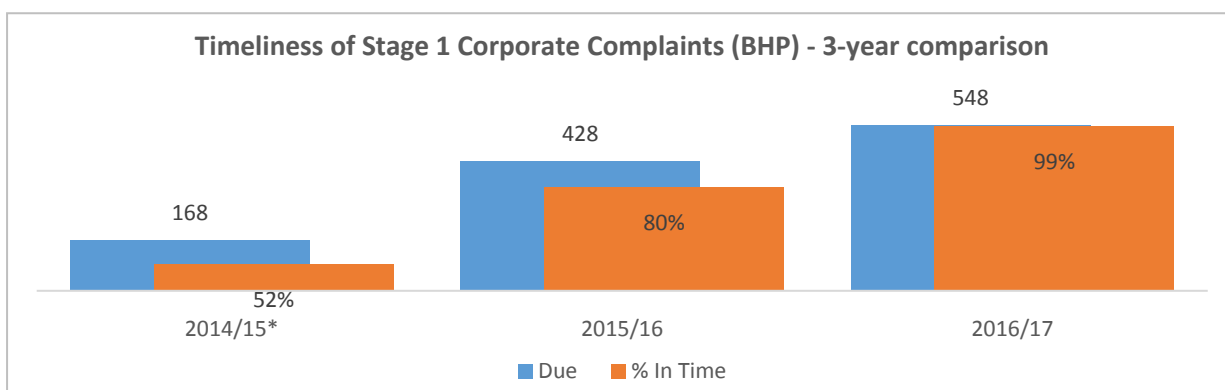
19. The table below shows BHP compensation payments during 2016-17 and the two previous years at all stages of the complaints process.

Stage	Year	BHP		
		No of Cases	Total Compensation	Average per case
Stage 1	2014/15	31	£6,418	£207
	2015/16	58	£20,395	£352
	2016/17	76	£19,972	£263
Stage 2	2014/15	30	£17,055	£569
	2015/16	32	£9,799	£306
	2016/17	51	£22,716	£445
Ombudsman	2014/15	*N/A	*N/A	*N/A
	2015/16	2	£160	£80
	2016/17	6	£2,150	£358
Total	2015/15	61	£23,473	£385
	2015/16	92	£30,354	£330
	2016/17	133	£44,838	£337

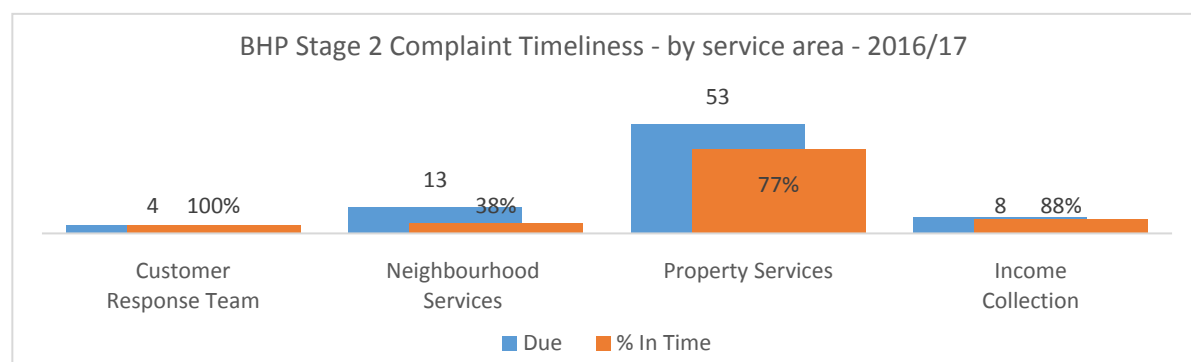
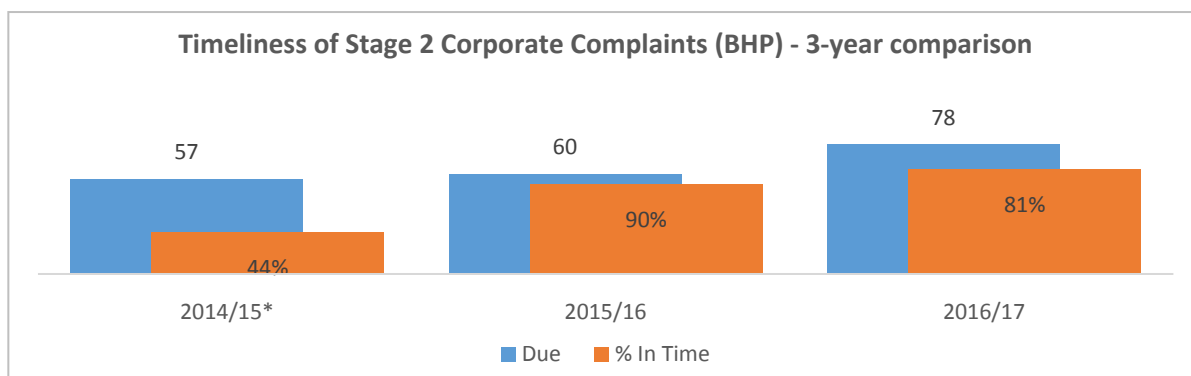
20. The number of cases awarded compensation at the first stage has more than doubled and average compensation payments have also increased.
- This is in line with the increased rate of cases upheld/partly upheld at the first stage by BHP.
 - The number of cases awarded compensation at Stage 1 has increased by 145% and the average amount of compensation awarded has increased by 27% over the past 3 years.
21. The number of Stage 2 cases awarded compensation has significantly increased but average compensation payments have decreased.
- Number of Stage 2 cases awarded compensation has increased by 70% over the last 3 years.
 - Average compensation has decreased by 22% over the last 3 years.
22. Overall, the total number of all cases award compensation has doubled although the average compensation awarded has dropped by 12% in the past 3 years. As previously stated, this does reflect the increased willingness to accept fault and remedy mistakes.

Timeliness of Complaints

23. The timeliness of Stage 1 cases has improved over the past 3 years, although the 99% performance figure taken from the iCasework system in 2016/17 is inaccurate. Over the last few months it has become apparent the some of the cases reported as closed on time in 2016/17 were not closed down correctly. Some of these cases had to be re-opened and the outstanding casework completed before the cases could be closed down properly. This extra work generated a backlog of complaints in early 2017.
24. The two charts below show the timeliness of Stage 1 complaints over 3 years in BHP and timeliness by service area in 2016/17.



25. BHP's Stage 2 complaints have been managed by the Council's Complaint Service team. Stage 2 timeliness has improved over the last 3 years, with a 37% point increase in performance in this area over the past 3 years. Performance dropped by 9% points in 2016/17 from the previous year, however it should be noted that there was a large increase in case volumes and there were some delays in getting the information needed from Property Services and Neighbourhood Services team to complete the investigations on time.
26. The two charts below show the timeliness of Stage 2 complaints over 3 years in BHP and timeliness by service area in 2016/17.



Compliments

27. BHP staff have not generally been recording compliments on the iCasework system and there were only 3 compliments logged on the system during 2016/17. Two of the compliments were regarding repairs and the third compliment was about the usefulness of a resident's magazine.

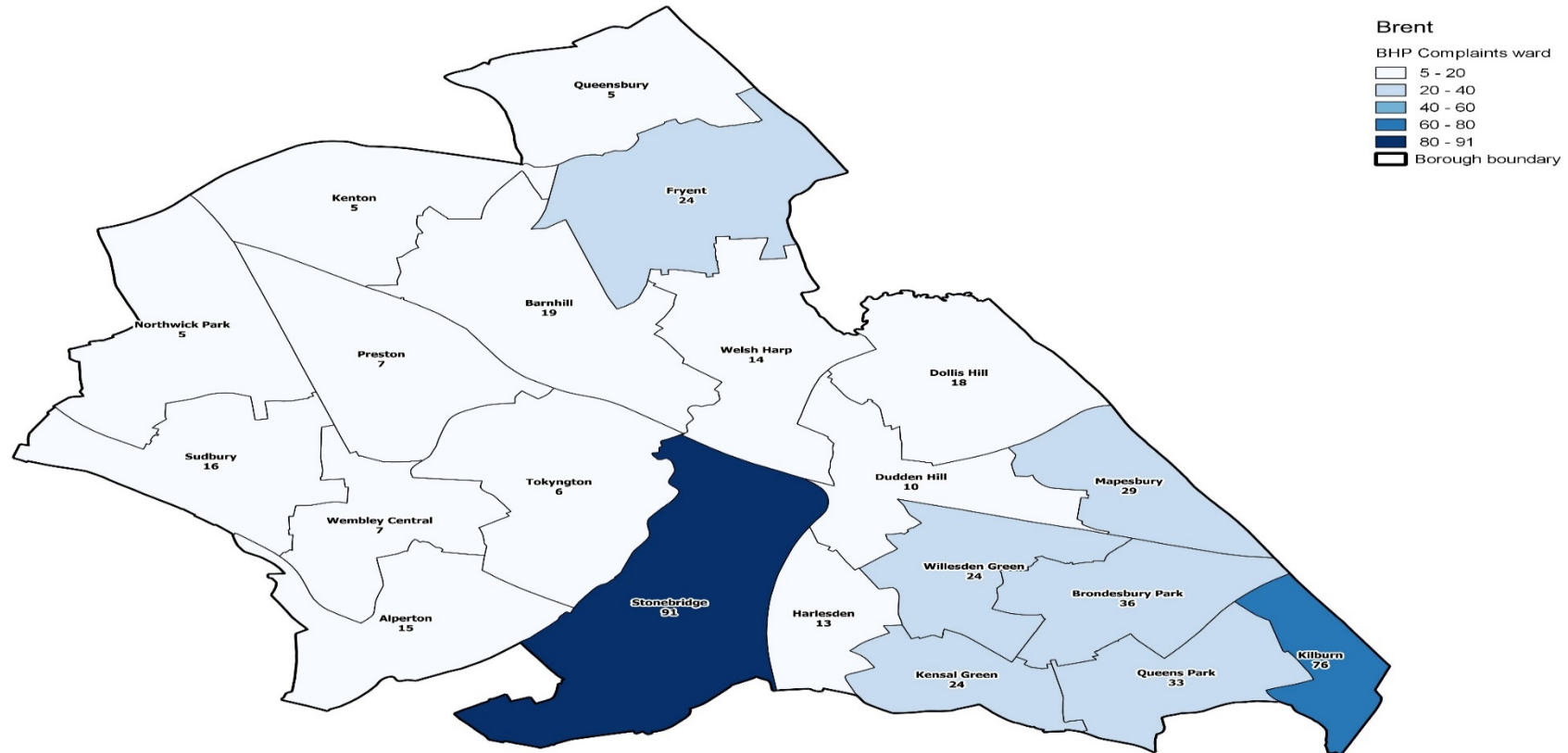
Diversity Data

28. The provision of diversity information by complainants is discretionary. The data shown below is the diversity information that was disclosed in 2016/17 and only gives us a partial view of the diverse backgrounds of our complainants. It cannot be considered to be representative for all complaints received for the year for BHP.

Equality Characteristics	Sub-category	Count	% of Count
Gender	Male	-	-
	Female	-	-
	Prefer not say	-	-
	Total		
Age	16-24	-	-
	25-34	-	-
	35-44	-	-
	45-54	-	-
	55-64	-	-
	65+	-	-
	Prefer not say	-	-
	Total	-	-
Ethnicity	African	12	17%
	Asian - Indian	9	13%
	Black	32	46%
	Asian - Non Indian	0	0%
	Mixed	7	10%
	White	0	0%
	Other	2	3%
	Prefer not say	8	11%
	Total	70	100%
Faith	Christian	0	0%
	Hindu	0	0%
	Jewish	0	0%
	Muslim	0	0%
	Other Religion	1	100%
	Agnostic	0	0%
	No Religious Belief	0	0%
	Prefer not to say	0	0%
	Total	1	100%

Map of Complaints by Ward

29. There were 477 postcodes supplied for BHP complaints in 2016/17, the map below shows the distribution of BHP complaints by ward. The concentration of complaints has similarities to the spread of BHP properties across the borough.



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Irene Bremang
 Head of Performance & Improvement

Annual Complaints Report 2016 - 2017

Action Plan to Improve Complaints Performance

No.	Cabinet Report Action	Detailed Tasks	Action Owner	Target Date
Root Cause of Complaints				
1	Work with Service area and departmental management teams to review key service delay/failure hotspots and develop improvement plans	<ul style="list-style-type: none"> • Identify service delay/failure hotspots for each department • Review with DMTs and services areas • Agree improvement plan • Monitor progress 	Irene Bremang Head of Performance & Improvement	31/12/17
2	Develop a tailored training plan on communication and staff behaviours to be implemented for priority service areas across the Council.	<ul style="list-style-type: none"> • Identify priority service areas • Review specific staff behaviour and communication issues with service managers • Agree and implement tailored training plan 	Raj Seedher Complaints & Information Governance Manager	31/03/18
3	Support new Housing Management Service during the redesign of the repairs process in order to feed in the lessons learned from complaints.	<ul style="list-style-type: none"> • Continue to work closely with HMS senior management team and Transformation Programme team to embed learning from complaints into redesigned repairs processes 	Martin Beasley Principal Complaints Officer	31/12/17
Decision Making & Outcomes				
4	Review LGO referrals and identify any future opportunities for early resolution and to help minimise premature LGO referrals.	<ul style="list-style-type: none"> • Review LGO referrals and referrals received • Consider general and service-specific learning points with Complaints Service team and service managers • Implement new approaches agreed and monitor effectiveness 	Martin Stollery Principal Complaints Officer	31/12/17

No.	Cabinet Report Action	Detailed Tasks	Action Owner	Target Date
5	Review our internal approach to complaint decisions, corrective actions and compensation in light of LGO outcomes in 2016/17	<ul style="list-style-type: none"> Review first and second stage decisions in light of LGO outcomes Review and re-consider compensation levels at first and second stage with departments and Complaints Service team. Compare changes in our internal approach with any changes in LGO outcomes 	Raj Seedher Complaints & Information Governance Manager	31/03/18
Complaint Handling & Monitoring				
6	Continue to improve internal processes and working arrangements with service managers to increase the timeliness of Stage 2 responses.	<ul style="list-style-type: none"> Continue to provide early notification to senior departmental managers regarding delays in collating information or confirming approval for final reviews Review arrangements for commissioning independent investigators for statutory Stage 2 cases Continue to monitor timeliness on weekly basis 	Raj Seedher Complaints & Information Governance Manager	31/03/18
7	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	<ul style="list-style-type: none"> Continue to meet with the Operational Director and Head of Customer Service to review Stage 2 performance and troubleshoot any performance issues Regular monitoring reports sent to HMS senior managers on complaints performance 	Raj Seedher Complaints & Information Governance Manager	31/03/18
8	Implement a weekly Corrective Actions Tracker for all departments to monitor the timely completion of agreed remedial actions.	<ul style="list-style-type: none"> Weekly tracker report to be revised and guidance notes created Weekly tracker auto-forwarded to complaints owners Monthly monitoring report to be set to Complaints & IG Manager to monitor timely completion of remedial actions. 	Raj Chavda Snr Complaints Service Officer	30/11/17

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Corporate Complaints

Dealing with Vexatious complainants

April 2012

Vexatious complainants

About this procedure

Many complainants are angry and aggrieved, sometimes with good cause. Most behave reasonably. A very small minority make complaints that are vexatious, in that they persist unreasonably with their complaints, or make complaints in order to make life difficult for the Council rather than genuinely to resolve a grievance.

This may involve making serial complaints about different matters, or continuing to raise the same or similar matters over and over again.

This paper sets out some steps that can be taken for dealing with vexatious complainants. It does not cover how to deal with the few complainants who are orally abusive or physically threatening.

The One Stop Shops have a useful 'Difficult Customer Policy' (April 2000), and the Council has a Health and Safety Technical Standard on 'Dealing with violence and aggression in the workplace' (Health, Safety and Licensing, May 1998).

Both of these documents cover the approach that should be taken when faced with, and to avoid encountering, oral and physical abuse.

Is a complaint vexatious?

It is important to distinguish between people who make a number of complaints because they really think things have gone wrong, and people who are simply being difficult.

Even though someone has made vexatious complaints in the past, it cannot be assumed that the next complaint is also vexatious.

Each complaint must be considered, and a decision made as to whether it is vexatious or genuine. There is no way of avoiding reading and evaluating each piece of correspondence. This need not be time consuming, but it must be done.

Complaints about the same matter

No new information

If a complaint is about essentially the same matter that has already been considered, with only very minor differences, and does not contain any new information, the following action should normally be taken

- If the complainant has not exhausted the Council's complaints procedure, they should be referred to the next stage of the procedure. Another officer should then check that the decision on the complaint is correct, and write to tell the complainant telling them how to appeal further in the normal way
- If they have exhausted the complaints procedure but not been to the Ombudsman, they should be referred to the Ombudsman

- If they have been to the Ombudsman, and they do not agree with the Ombudsman's decision, they should be referred back to the Ombudsman.

If the complainant does not pursue the complaint at the next stage, and continues nonetheless to correspond, the correspondence must be read. If it raises no significant new matters and presents no new information, refer to earlier advice. The complainant should be informed that the Council will not enter into any further correspondence about the matter, other than as set out above.

If the complainant still does not take this advice, any further correspondence that does not raise any significant new matters or present any new information should simply be acknowledged as noted.

New information

If the complaint contains new information, this must be evaluated. A response should then be sent the complainant. The letter must include telling the complainant of the next appropriate stage in the complaints procedure.

Complaints about similar matters

The most difficult vexatious complaints to deal with are often complaints that are slightly different from the original complaint, but about the same broad area of activity. A decision will have to be made as to whether or not the matters are sufficiently different to justify being considered as a new complaint (see below).

Complaints about different matters

If a complainant keeps making complaints about different matters, each complaint should normally be considered in the usual way under the complaints procedure.

However, if the new complaints are about entirely trivial matters, or matters that have clearly not caused the complainant any injustice, it may be appropriate to close down the complaint at stage 1 or stage 2. This should only be done with the agreement of a member of the Corporate Complaints Team. The complainant should be told that the next stage of appeal is to the Ombudsman. Under no circumstances should a complainant be told to go straight to the Ombudsman, without first obtaining the agreement of a member of the Corporate Complaints Team.

Rarely, if a complaint is entirely trivial, and there is a history of making other vexatious complaints, it may be appropriate not to use the complaints procedure at all. The complainant should be told this, and there is no need to provide any right to appeal. Subsequent complaints could then simply be noted. This extreme step should normally only be taken after consultation with a member of the Corporate Complaints Team

Vexatious complaints made by phone

A complaint to the Council does not have to be made in writing. However, if a complainant keeps telephoning either to discuss an existing complaint or to make a new complaint, and this is proving time consuming and disruptive, it may be reasonable to ask them to put their concerns in writing.

If the problem persists, it may be reasonable to tell the complainant that the Council will, for a set period, not accept telephone calls and only deal with the complainant in writing.

If the complainant is told that the Council will only deal with his or her concerns in writing, a letter should be sent to the complainant to confirm this, how long the ban will apply, and the reason for it. At the end of the period the matter should be reviewed, and the ban lifted if appropriate.

There should never be a blanket ban for an unspecified period of time.

The decision should be made by a suitably senior member of staff, as defined by each service area.

Co-ordinating dealings with vexatious complainants

Vexatious complainants often contact many different people within the Council, and can try and take advantage of the differing responses they may receive. It is important to try and ensure that a vexatious complainant has one main contact within the Council.

The service area's designated complaints officer should be able to arrange a co-ordinated approach within a service area. If the problem covers more than one service area, a member of the Corporate Complaints Team will be able to advise on the best approach.

Saying 'no' and safeguarding the Council's resources

It is important not to spend large amounts of time on vexatious complainants, but skill will be needed to try and avoid inflaming an already difficult situation.

It may sometimes be worth spending a bit of time defusing a situation, rather than taking a hard line and then spending even more time holding that line. The best way of handling the situation will be a matter for judgement.

It is not necessary to meet a complainant's unreasonable demands for information and explanations, or to answer every single point in an unreasonable letter.

Again, judgement will be required to separate a complainant's legitimate queries from those that are unreasonable, often all within the same complaint. Skill will be required to ensure that a refusal to provide information is done tactfully and sympathetically.

Further advice

Advice on specific cases can be obtained from the [Corporate Complaints Team](#).

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